

# NSO Contact

National Staff Organization

February 12, 2018

## ARE YOU SURE YOU'RE READY?

### #3: THE BEST DEFENSE IS TO WIN ON OFFENSE

*"What the fair share burning platform laid bare was an ugly truth: unions are out of touch with the overwhelming majority of their members. Union membership is seen as an obligation, a term of employment, and not a conscious act of joining and belonging to an organization. In spite of years of effort to shift the operating model, most unions still spend the majority of their time talking to 5% of their members who get in trouble or serve as shop stewards. Union staff see their role as doing things "for" members, and members are passive in the process."*

Parker, Allison (2016, March 17). [Time to Double Down: What the demise of \*Friedrichs\* means for labor](#)

Following issuance of the *Friedrichs* decision on March 29, 2016, NEA and many of its state affiliates downplayed or completely abandoned their efforts to engage members for a post-fair share fee environment. In some cases, the 'gift of time' *Friedrichs* provided to our employers was squandered away. Many managers and state governance failed to realize or admit, that had affiliates engaged members and reflected their members' beliefs all along, the loss of Fair Share Fees would have little impact on the organization. In other cases, management simply resorted to the age-old, "we'll just cut our way to prosperity" approach. These mind-sets apply to both Fair Share Fee (FSF) and Right-to-Work (RTW) states.

Despite an anticipated negative ruling in *Janus* (which will likely be issued sometime between April 2 and June 29), **hope is not lost!**

Even at this late date, NSO brothers and sisters across the country can use this pre-decision time to **go on the offense** and pursue an agenda that will move their NEA affiliates in the right direction. It is essential that staff not be shut out of conversations that are occurring. **We** are the conduit between the local members and the state organization. *How can you and your affiliate make this a reality?*

#### **THE WAY FORWARD**

Many NSO locals have a Labor-Management Committee (or something similar) via their contracts. While this forum *can* be a venue

to *begin* conversations, it often lacks the focus and authority to address larger organizational concerns. Most also ignore a key player in making organizational change: **GOVERNANCE**. (They *are* a key component, as the recent attempt by new Michigan EA officers to hire a school district senior administrator as their new exec proves!) Several NSO affiliates (including Ohio PSU/ASU, Washington and Minnesota) have addressed these problems by creating a separate, standing committee whose sole purpose is to **create organizational change**. Below is an example of contract language creating such a committee.



2018 NSO War attendees participate in the JANUS discussion.

## Strategic Practices Committee

There shall be a standing committee of six (6) members each of Union, Management and Governance, to review current practices, both internal and external, and to recommend strategic approaches to meet the mission, vision, and values of \_\_\_\_\_ EA from an organizing perspective. The committee will be formed within 30 days of ratification of the tentative agreement by both parties. Recommendations of the committee will be ongoing. Other stakeholders identified by the committee may be added by consensus.

We have a great opportunity to help our state and local NEA affiliates (FSF or RTW) create real and positive change within their organization. A willingness by NSO affiliates to actively engage in conversation and positive action focused on member engagement and organizational effectiveness may be the best offense against the political and judicial foes we currently face.

## CHALLENGES EXIST

We are also well aware, however, that many of you have approached your management teams and/or senior governance and received significant, or even fatalistic, pushback. Clearly, some management/governance teams would rather stick their heads in the sand and pretend that “everything is fine” or that “*Janus* really won’t make a difference” or that collectively we can just keep doing what we’ve always done and be fine. Perhaps it’s simply paralysis due to fear. Conversely, it may be your own staff union colleagues who are rejecting the idea of this type of collaboration. Regardless of the pushback source, one basic truth exists: Whether your state is FSF or RTW, all state and local NEA affiliates will be affected by *Janus*.



## OVERCOMING THE OBSTACLES

At the end of the day, a viable EA employer organization is essential for our employment and our survival, and if we are not engaged in this kind of staff-driven effort, we leave ourselves in mortal peril! After listening to updates on the status of *Janus*-related discussions in state affiliates at recent CBC’s and the WAR College, NSO believes strongly that the evidence clearly shows that in states where this type of collaboration is occurring, the organization is in significantly better shape and far more prepared to deal with upcoming attacks—including and *beyond* the impact of *Janus v. AFSCME*.

So what can be done? As always, **the key is organizing**. NSO affiliates facing opposition from management and/or governance to establishing a collaborative strategic planning process need to organize to put pressure on the obstructing party to force the creation of this kind of workgroup/team/committee. Use the evidence that’s available. Use the resources NSO is compiling in the absence of leadership from NEA (*see below*). Organizing puts you and your affiliate in the driver’s seat in crafting the change based on **what you know** does and does not work and your knowledge of the needs of your members and locals.

If you’re an associate staff union, it gives you the platform to talk about changing and developing roles that keep you and your members **essential** to the state affiliate rather than being labeled obsolete and expendable. For *all* of us, it helps avoid the “cut your way to prosperity” mentality likely to take hold and dominate management’s “thinking.” You know the pressure points in your state. Use them strategically with the goal of establishing a collaborative process.

## **NSO RESOURCES**

As announced at WAR, due to the widespread lack of information and action on the part of EA employers, NSO is collecting and will make available, the plans, approaches, strategies, and tools being used in states that *are* working successfully and proactively (whether in response to *Janus*, loss of payroll deduction, or other attacks). If your state is one of those states, please send the available documents & tools to:

[nsojanushelp@gmail.com](mailto:nsojanushelp@gmail.com)

The NSO Insurance & Emerging Concerns Committee will review and organize your submissions and post them behind the wall on the NSO website so that these important learning tools and materials are available nationwide to our affiliates. You can use those materials as part of your toolkit to implement this “Win on Offense” model.



The alternative is to allow a panicked and possibly clueless management and/or vindictive and scared governance to make all the wrong decisions—costing jobs, decimating staff union contracts, and quite possibly, jeopardizing the existence of the state EA. Why take that risk when you can take matters into your own hands and change the operational dynamic? Remember:

“The state of the union largely depends on the state of the unions.” —*Evan Esar*