Police and Firefighter Monopoly Bargaining Bill: Bad News For Public Employees, Taxpayers

All government employees should recognize that collective bargaining, as usually understood, cannot be transplanted into public service. . . . [A]ctions looking toward the paralysis of government by those who have sworn to support it are unthinkable and intolerable.

Franklin Delano Roosevelt
1937 letter

I don't care how you legislate against strikes [in a measure authorizing public sector monopoly bargaining]. Most states now have legislation prohibiting strikes, but, in reality, they have not stopped strikes.

comment at House Labor Committee hearing

Current federal law grants union officials exclusive power to negotiate the wages and working conditions of all private sector workers in a so-called "bargaining unit."

The law empowers union officials to act as proxies even for workers who did not ask for, or who voted against, representation by a labor union.

A stated goal of Organized Labor has been to extend its extraordinary monopoly bargaining power in the private sector to all public sector workers on the state and local levels. So far, 25 state legislatures have caved in to union lobbyists and enacted monopoly bargaining laws abridging all types of public employees' freedom of association.

Extending this curtailment of freedom to the entire public sector in every state and locality would give union bosses coercive power over hundreds of thousands of now-independent workers -- and far easier access to the pockets of state and local taxpayers.

Legislation that would do exactly that has been introduced once again this year, and Big Labor is working to build bipartisan support and ultimately make their dream of federalizing public sector monopoly bargaining into a reality.
Legislation Would Federalize Government Union Coercion

The so-called "Public Safety Employer-Employee Cooperation Act," would make Big Labor bosses monopoly bargaining agents for local and state police, firefighters, paramedics and other public safety officers in all 50 states.

A more appropriate name for this legislation is the Police and Firefighter Monopoly Bargaining bill (PFMB). If enacted it would by federal fiat, force thousands of state and local governments to recognize union officials as public safety officers' "exclusive" bargaining agents.

If union organizers won a representation election by even 50% plus one of those voting, they would be empowered to negotiate contracts on behalf of 100% of the public safety officers in each "bargaining unit."

Congressional action would thus strip tens of thousands of police and firemen of their freedom to negotiate directly with their employers on their own behalf. This prohibition, enforced by fines and firings for violators, is the foundation of compulsory unionism.

Monopoly Bargaining Laws Linked to Fourfold Increase in Public Sector Strikes

Besides stripping public safety employees of their freedom, federally imposed monopoly bargaining would soak state and local taxpayers for hundreds of millions of dollars annually just to pay for the direct costs it would add on to the contract-negotiation process.

And in its application, PFMB would endanger public safety by decimating volunteer fire departments that currently protect countless small communities across America, a fact well understood and opposed by small community mayors and volunteer firefighters alike.

Currently, the IAFF union bars its 245,000 mostly coerced "members" from becoming volunteer firemen. And in localities where IAFF bosses wield monopoly bargaining power, they often "negotiate" contracts barring professional firemen from volunteering on their own time.

PFMB purports to ban such contracts, but its ban has been cleverly written so as to be meaningless.

Such unselfish firemen are the backbone of many volunteer departments. If IAFF Czar Harold Schaitberger and other union bosses are granted these new federal powers to restrict firemen's freedom of association, volunteer departments across the country will be forced to disband or operate while severely understaffed.
Furthermore, the harsh experience of states that have enacted similar laws mandating public sector monopoly bargaining is that the frequency of strikes against vital public services quadruples, on average, in the period after the law takes effect, according to a study conducted by the Public Service Research Council.

In state after state with monopoly bargaining laws and in localities that have acquiesced to monopoly bargaining, provisions allegedly intended to bar strikes have proven completely useless: Government union bosses routinely ignore no-strike clauses, and get away with it.

For example, during the first half of the 1993-94 school year, 35 teacher strikes kept nearly 200,000 school children across America out of class for periods as long as five weeks. Teacher strikes were officially illegal in over half the states where they occurred, but all occurred in states that force teachers to accept union representation in order to teach. None of the 29 states that then protected teachers' Right to Work experienced a single strike.

As Albert Shanker, late president of the American Federation of Teachers union, freely admitted: "A strike in the public sector is not economic – it is political . . . . One of the greatest reasons for the effectiveness of the public employees' strike is the fact that it is illegal."

Mr. Shanker knew that government union bosses are seldom prosecuted for ordering strikes and work slow-downs, or threatening such actions to intimidate elected officials and taxpayers. Indeed, Big Labor's strategy is to shut down the system until all of its demands are met, including a final demand of full amnesty for the union, union officials, and all strikers.

Police union bosses in Nassau County, New York; Stamford, Connecticut; Brownsville, Texas; and Baltimore, Maryland, have in recent years run advertising campaigns suggesting that violent crime will soar if they don't get their way. Police union bosses in Washington, D.C., threatened an advertising campaign aimed at scaring away tourists. And two of the nation's largest healthcare unions urged members to refuse smallpox vaccinations until the feds coughed up special "compensation."

Government union officials' demands go beyond traditional employment issues. They demand more government spending, push for outrageous featherbedding that no union representing employees in a competitive private business would dare to seek, and obstruct service improvements for taxpayers. For these reasons, citizen control of local government in many cities and counties is largely an illusion.

Moreover, as a result of Big Labor's massive political clout, union officials are able to control or intimidate the government employers in labor-management relations.
Whom Do You Call When Police and Firefighters Don't Answer?

Government is by definition a monopoly, so compulsory unionism in government effectively monopolizes a monopoly. In the private sector, if a union boss's demands cause inefficiency or poor service, a company may lose money and even go out of business. No matter how greedy, union officials can't ignore reality.

But state agencies don't go out of business, or relocate, no matter how inefficient they are. Citizens uniquely rely upon police and firefighters as guardians in a free society. Their authority to provide exclusive service is bestowed by government decree.

If local police and fire services are cut off as a result of pro-forced unionism federal tampering in those services' labor-management relations, whom will citizens be able to call when they and their families face an emergency?

Will History Repeat Itself?

Union lobbyists tried to pass a federal law imposing union boss bargaining on police, firemen, and other public sector workers during the mid to late seventies, but intense Right to Work lobbying ultimately stopped this scheme.

However, the mere anticipation of enactment of federal legislation establishing monopoly bargaining in state and local employment helped conjure up a wave of government union boss militancy that brought chaos and destruction to cities across America.

Journalist Ralph de Toledano documented such Big Labor abuses in his book Let Our Cities Burn (later retitled The Municipal Doomsday Machine). Mr. de Toledano focused on two notorious strikes called after local officials handed government union bosses monopoly bargaining privileges: a
Baltimore police strike (which resulted in widespread looting and street gunfire) and a Kansas City firemen's strike (in which striking union militants set up picket lines around burning buildings).

Other incidents from that era were equally shocking to the public:

*** Striking police union militants in Pomona, California, vandalized patrol cars and private cars. Tires were slashed, windows smashed, and ignition systems jammed. Keys to two hundred patrol cars disappeared. "I am ashamed of this kind of activity on the part of policemen," Captain Jeremiah Taylor stated. "The citizens feel the officers have abandoned them, and they have."

*** Then-San Francisco Mayor Joseph Alicoto's home was pipe-bombed hours after he warned on television that striking police union militants would be fired if they didn't return to work. The bomb shattered windows and seriously damaged the front door and porch pedestals. The mayor's wife, Angelina, was in an upstairs room when the bombing occurred.

*** Striking firefighter union militants in Dayton, Ohio, sat idly by while fires destroyed homes throughout the city, spread to power lines, and cut off power to some 150 homes. The union militants also harassed honest firemen and volunteers working to extinguish the blazes.

Mary Madder, 60, wept outside her burning home in downtown Dayton, as striking firefighters looked on without attempting to extinguish the flames: "They probably need more money, but they're letting my home burn up. Everything's gone."

*** During a strike in Kansas City, Missouri, firefighter union militants vandalized firefighting equipment. Fire extinguishers were filled with flammable liquid, oxygen tanks were emptied, and the fuel tanks of trucks were fouled with water.

*** During a 24-day strike by Chicago firefighters and paramedics, more than 20 people died in fires -- an extraordinary number for a relatively short period.

In one fire alone, three children and two adults lost their lives as firefighters warmed their hands over trashcans set ablaze along the picket line.
Government-Granted Privilege Bedrock of Forced Unionism

Even the AFL-CIO's former top lawyer, Thomas E. Harris, once admitted that union officials use monopoly bargaining privileges like a cattle prod to herd more workers under their control and punish those who resist.

"The fact that the union will negotiate the contract which regulates the incidents of [a worker's] industrial life puts him under powerful compulsion to join the union," Harris frankly told a friendly audience.

Poll after poll shows that nearly 80% of citizens oppose forcing workers to affiliate with a union as a job condition -- a view well understood by small community mayors and volunteer firefighters alike.

The 2.8 million members of the National Right to Work Committee are leading a grassroots campaign to defeat PFMB on Capitol Hill.

Right to Work advocates succeeded in defeating the bill on three separate occasions in the 107th Congress.

In early November 2001, after two earlier attempts to push H.R. 1475/S. 952 had failed, the bill was offered as an amendment to the FY '02 Labor-House and Human Services Appropriations Bill in the U.S. Senate. Then-Senate Majority Leader Tom Daschle (D-S.D.) was forced to remove the amendment after the Senate failed to shut off debate. Several Senators from both sides of the aisle joined the floor fight after realizing how unpopular the bill was, with some receiving angry phone calls from irate constituents who had been mobilized by the National Right to Work Committee.

When Sen. Judd Gregg (R-N.H.) offered the bill as a last minute amendment to the must-pass federal transportation authorization bill in the 108th Congress, it took six days of intensive staff work and thousands of phone calls from Right to Work members to targeted Senators to get the bill withdrawn.

When the House first voted on this legislation in the 110th Congress, nearly 99% of the Democrats voting sided with Big Labor, and 98 GOP congressmen also voted for it.

Naturally, many Washington insiders considered approval of federally mandated union monopoly bargaining a sure thing after Barack Obama became President. But an intense, two-year-long lobbying and public mobilization campaign by the National Right to Work Committee kept this power grab from ever reaching Mr. Obama’s desk in 2009 or 2010.

Right to Work President Mark Mix has cautioned that combating forced unionism in coming Congresses will likely require an intensified grassroots campaign to mobilize freedom-loving citizens.

"The public must be mobilized to guarantee the enormous expansion of union bosses' coercive power embodied in Police and Firefighter Monopoly Bargaining is not passed into law."