

# California Teachers on the March: An Interview with Joel Jordan

Category: Labor, Teacher unions

written by Jason Schulman | April 16, 2019



*Johanna Brenner (JB): On February 21, Oakland's 3,000 teachers went out on strike after two years of failed negotiations with the Oakland Unified School District. Clearly, the strike got the District's attention and a deal was won after teachers held strong for seven days. What did the teachers fight for and what did they win?*

Joel Jordan (JJ): Oakland teachers struck for three main demands. The first was salaries: Oakland teachers are the lowest paid teachers in the county; they hadn't had a raise in many years; they demanded 12% over 3 years and they won 11% over 4 years. The second demand not in order of importance was class size. The OEA, unlike other locals in California- or elsewhere- has a history of fighting for lower class size, although without any success since 1982. This time around, the union was able to win a reduction of 1 student per class/period next year in 45 schools with high needs students and a reduction of 1 student per class/period for all schools in 2021-22. Certainly a step in the right direction, though not very close to the union's demand to reduce class size by 2 students for all schools and 4 students for high needs schools.

The third demand was for increased students supports - counselors, nurses, resource specialists, psychologists, and speech therapists. The union won reduction in caseloads for all these categories, the only exception being for nurses where the union negotiated a sizeable increase in nurses' salaries to attract more nurses to the district without specifically addressing nurses' caseloads. The union reasoned that since nurses are required to serve all students in need within the district, their caseloads could not be reduced without addressing the causes for the shortage of nurses in the district. The nurses themselves did not agree and were among the most vociferous opponents of the negotiated contract.

Those three demands had been the union's established negotiating position. But a fourth demand emerged just as the union was about to go out on strike: a moratorium on the district's plans to close 24 schools, mostly in low-income communities of color. This plan was part of a long-term strategy on the part of the school board to expand charter schools in Oakland. While Los Angeles has by far more charter schools than any other district in the country, Oakland has the highest *percentage* of charter schools in the state. With almost 30% of the students in charter schools, Oakland is the poster child for charter school expansion. A pro-charter school board runs the Oakland school district. The Board would like to see Oakland become what has been called a portfolio district where

students can choose between charter schools and public schools, which will in fact lead to an increase in the percentage of students going to charter schools in Oakland.

If the district goes through with its plan to close 24 schools over the next few years, many of the students now in those schools will have no public school to go to that is close by them—they might have to go thirty, forty blocks to the public school so instead they will attend charter schools in their area. As a result, the 30% charter school figure will rise to 40-50% as this process develops. And I understand from sources in administration that the announced closing of 24 schools is just the beginning and that they intend to close as many as forty schools out of the eighty-eight schools in the entire district.



**Supporters protest the closure of the Roots Elementary. Photo: Jane Tyska/Bay Area News Group**

The first school to be shut down was the Roots International Academy. It's in a low income, mostly African American community. And the community rose up to protest the way that this was done and there was a lot of sympathy toward the school and other schools that were going to be closed, most if not all of which were in low-income communities of color. So there was an anti-racist component in the union's demand to call a moratorium on school closing until a more rational process could be put in place for how to deal with schools that are under-populated or performing poorly.

I considered the demand for a moratorium to have been the key demand because it was directed at saving the district from piece-meal destruction. Not only would it hurt the workers, students and families from the schools being closed, but also the entire district, because the money that follows students into charter schools would be lost to the district and there would be a dwindling pie from which teachers would have to bargain salaries, benefits, working conditions, and learning conditions.

The union, to its credit, took this on as a major issue in the strike, even though it came up at the last minute and even though many members protested about raising this demand saying that "we didn't vote to strike over this." On the other hand, there were many members who wanted the union to make this a demand.

*Johanna: So are you saying that when the strike vote was taken, school closings were not part of the proposed negotiating demands, but the leadership added this demand later on during the strike?*

Joel: Yes, the strike authorization vote was taken in late January and the school closing demand was

put to a vote, and passed unanimously, at the last Rep Council – the highest decision-making body of the OEA composed of site representatives, or shop stewards – that was held a few days before the strike began. So, although the Rep Council is a democratically elected representative body, the rank and file never had the opportunity to vote to agree with raising this as a strike demand.

During the strike, the union almost got the district to agree to a one-year moratorium on school closings, but the Superintendent of Schools fiercely resisted this and in the end the union agreed to a five-month moratorium, which is essentially no moratorium at all. Come August, 1919, the district can go ahead and close schools before the start of the next school year. So, the union lost on this demand though it was always a long shot to oppose the district's key strategic initiative.

Still, over all, the strike made important gains, including additional support for schools with newcomers from other countries, substantially increased pay for substitutes, improved paid parental leave, and teacher training on restorative justice programs, and more. The strike also forced the Oakland school board to pass a resolution, similar to what was passed by the Los Angeles school board, calling on the state legislature to institute a moratorium on new charter schools. All this was especially impressive given the short time the union had to prepare the rank and file for the strike.

*Johanna: In the past, the Oakland Education Association has not been a fighting union. What changed over the last few years that led the OEA to strike? How was the strike organized internally among teachers? How was community support mobilized? What difference did that make in terms of the pressure the strike brought to bear on the school district leadership?*

Joel: The leadership of the OEA in the past has been militant in rhetoric but not in deed. For the past six years—before a new leadership came into office in July of 2018 – the OEA leadership simply negotiated for whatever contract they thought it could get without organizing the membership. This time was no different. They appointed a bargaining team that was set on making concessions so they could reach an agreement without a strike. This changed when the new leadership came to power.

The new leadership was the product of an electoral alliance between Classroom Struggle – a progressive rank and file caucus coming out of the Occupy movement in 2012 – and a number of key black activists and officers in the local, including Keith Brown. The resulting Building Our Power slate, headed by Keith running for President and Ismael Armendariz (from Classroom Struggle) for Vice President, put forward a comprehensive social justice platform stressing the need for school site organization, deep relations with parents and community, and fighting for the schools Oakland students deserve. Building Our Power won the election overwhelmingly and immediately got to work, focusing first on school-site based organizing. Two full time officers systematically went to schools that were not well organized. They identified what they called organic leaders in each school who would be able to organize the rest of the faculty. They did this very successfully, to the point where in January they were able to get a 95% yes vote for strike authorization with 84% of the membership voting.



**Pastor Anthony Jenkins, Sr. at Taylor Memorial United Methodist Church, serving as a “solidarity school” during the Oakland teacher strike. Photo: Cirrus Wood**

The new leadership also set up a committee for organizing in the community led by two co-chairs from Classroom Struggle. The committee contacted community organizations throughout Oakland who were very supportive and organized solidarity strike schools that parents volunteered to lead. Strike schools or solidarity schools have a history in Oakland. In all previous strikes since the 80's strike schools have always been set up; it's a tradition.

The most dramatic fact that emerged from this wide-spread parent support was that less than 5% of students actually attended school. Parents chose to keep their kids with them at home, in the solidarity schools or with them on the picket line rather than sending them to school. This put the most pressure on school district because they were losing hundreds of thousands of dollars of state funding a day, because this funding is based on daily attendance.

So how much did this teacher power and community support influence the results of the strike? I would say it influenced it greatly. The district had offered nothing to the OEA before the strike began so the power that was generated can only be attributed to the strike.

*Johanna: How does the OEA contract compare to what UTLA was able to win with their strike?*

Joel: UTLA overall made many more contract gains than did OEA. One important difference between UTLA and OEA is that UTLA very judiciously brought in the Mayor of Los Angeles at a critical point when the strike had the most power. The Mayor appointed two of his staff members who were pro-labor to engage in the negotiations with the Los Angeles school district. OEA also reached out for help to the newly elected (and supposedly pro-teacher) State Superintendent of Public Instruction Tony Thurmond who could have brought some pressure to bear on the district, but either did not have the necessary experience or the motivation to push the district toward meeting the union's demands.

Another difference is the matter of size. The UTLA strike shut down over 900 schools in the second largest city in the U.S. Oakland, while not a small town, is only one tenth the size of L.A. So, the very magnitude of the LA strike gave it more leverage than the Oakland strike was able to generate.

Finally, UTLA's leadership had over four years to meticulously prepare for their strike. The fact that the OEA leadership, after only being in office for a matter of months, was able to lead such a unified and militant strike was an amazing accomplishment. At the same time, the leadership's inexperience

showed up in some important ways we'll discuss later.

*Johanna: Clearly, the OEA rank and file were fired up during the strike, but not everyone was happy with the contract that was negotiated -42% voted no. Why were they disappointed in the contract? Did the large no vote have a demoralizing effect on the members?*

Joel: There were several reasons for the "no" vote. First the strike was so powerful and so solid that any agreement would be in some ways anti-climactic for many of the teachers who experienced the strike. The strike raised expectations enormously; and most rank and file teachers did not have a clear idea of what could/could not be won by the strike. The union had not produced an analysis of the District budget to show how realistic the teachers' demands were and then to measure how much they had accomplished in light of budget realities. Getting an accurate read on the budget is not easy because the District's finances are so opaque. So no one knew for sure how much money the district actually had in order to meet the union's demands. That lack of information led to widespread speculation all the way from "the district has no money and we have to go to the state," to "the district has all kinds of money and we should have been able to win a lot more" and everywhere in between. This lack of clarity contributed to the no vote.

Second, the lack of progress on school closures especially was obvious to all and for many this was *the* key demand.

Third, many were sympathetic to the nurses, who organized against the contract very publicly.

A fourth reason for the no vote was that the leadership ended the strike in a very peculiar way. When the tentative agreement was announced, the union was picketing a school board meeting in an attempt to shut it down, because the Board was meeting to consider cuts in student programs and classified staff in order to qualify for a 22 million dollar boost from the state. So when the leadership asked members to withdraw the pickets from the school board meeting once the tentative agreement was signed, many rank and file members thought that the union was throwing the students and classified workers under the bus. Even though the cuts that were being made had nothing to do with the union contract, the confusion surrounding pulling the pickets angered many of those who were picketing.



**Students rally with teachers during strike. Photo: Anda Chu/Bay Area News Group**

One other thing: many high school students were involved in supporting the strike and very much against the agreement though it is not clear why, since the union was not bargaining about student

demands that had emerged from the students themselves. In Los Angeles, students had demanded that the District end random searches for weapons in many district high schools and UTLA had included this in their contract bargaining. There was nothing like this in the Oakland strike. Of course, OEA's demands around class size and student supports were directed at improving students' learning conditions and the union had also put forward a demand, which it won, that the district support training teachers to implement restorative justice practices, something that high school students are very supportive of.

*Johanna: Was the controversy around the ratification of the contract demoralizing for the most activist teachers?*

Joel: It's too soon to say for sure, but there are many indications that the dissatisfaction with the contract is not carrying over into dissatisfaction with the leadership or the union. For example, during the contract ratification process, the Rep Council had split almost 50/50. But the Council meeting immediately following the strike was very positive, with no recriminations and no hostility toward the leadership. Another indication that people were not demoralized is that the organizing committee which had met during the strike held a post-strike meeting with more people attending than had attended during the strike. Many teachers who had not been involved in the union now want to be involved.

The union is also moving to repair relations with those who voted no. The no vote was centered in the high schools, where the wildcat movement was strong before the strike began. The leadership is organizing meetings at those schools, to debrief and discuss lessons learned- positive and negative- and how to take the next steps forward. How that turns out, in my opinion, will be key to evaluating the long-term success of this strike.

*Johanna: Could you say more about these wildcats?*

Joel: A few weeks before the strike began, as many as 12 schools, mostly high schools, wildcatted by holding two one-day sickouts, calling for better pay and conditions. These actions were led mostly by younger teachers. To some extent, at least at the beginning, the strikes occurred out of frustration with the slow pace of bargaining. The union had been in bargaining with the district for almost two years with nothing to show for it. The wildcatters were mostly unaware of the new leadership and its attempts to organize the rank and file since the summer of 2018. Many of the wildcat leaders were dismissive of the union, believing that their own self-organization was sufficient. But as the strike grew closer, many of these same leaders became active in the union, leading demonstrations and so forth. Hopefully, even though many of these leaders voted against the contract, they will continue to be active in the union.

*Johanna: What are the challenges facing the OEA in terms of expanding the depth and reach of teacher self-organization and developing rank and file leadership?*

Joel: The leadership of this strike did an amazing job activating previously uninvolved members of OEA. They built structures, such as a sizable organizing team before the strike began, and held meetings of around 100-120 strike captains during the course of the strike. They also created a strategy team of around eight people who made the decisions on actions during the strike. This produced a problem as many of the strike captains disagreed with some of the strategy decisions and pushed back against them. But there was no institutional means by which the opinions of the strike captains had to be taken into consideration. The opportunity to build a larger strike committee with better connections to the rank and file was therefore lost.

Also, even though the rep council of OEA had directed the bargaining team to provide daily

summaries of negotiations with the district during the strike, this didn't happen. In fact, the bargaining team, which was inherited from the old leadership of OEA and continued under the new leadership, invoked confidentiality in the contract negotiations—this even though the Rep Council had made clear its opposition to confidentiality which it considered a tactic for keeping the rank and file in the dark and disempowered.

So what we had was a leadership that courageously fought and organized a social justice battle against the district, but did so too much from the top down. Some of the reasons for this have to do with inexperience: the elected leaders had never negotiated a contract before, much less led a strike. OEA had a tradition of compartmentalizing the work, so the right hand did not know what the left hand was doing. Establishing a strategy team to centralize strike activities was a step in the right direction, but it was done at the cost of two-way communication with the rank and file and its most active leaders.

Another factor in this top down process has to do with what I think is an inevitable tendency of leadership, even the most militant, to trust its own knowledge rather than risking opening up decision-making to members who may or may not agree with the leadership's point of view. This is why having a check on the leadership from a well-organized rank and file is so important.

For the OEA leadership to build confidence in the entire membership after this strike, it will need to reevaluate the manner in which it conducted the strike. It will need to open up not just avenues for activity but for real leadership. It will need to develop committees, led by rank-and-file members, that take up the important projects coming out of this strike— projects like fighting the upcoming school closures, fighting against cuts in restorative justice programs with students, and organizing statewide actions with other locals for increased funding and against charter school expansion. All committees would involve work with students and parents as well. The union should be encouraging school site organizing and making space for school sites to share organizing ideas across the district based on the sense of empowerment that students, teachers, and parents feel as a result of the strike.

*Johanna: United Teachers of Los Angeles has followed a similar trajectory to OEA—a rank and file caucus comes into power, transforming the union and broadening its mission to striking for the schools our students deserve. What challenges do these two unions share?*

One of the challenges facing the leadership of both unions is the challenge of capacity. In both cities, a rank and file reform caucus successfully won either all or a part of the elected leadership. This inevitably means that those who were caucus leaders now have key roles to play in the union – as officers, Exec Board members, organizers, and so forth – leaving them less time to build the caucus. Unless the caucus has a secondary leadership that can pick up the ball and keep the caucus growing, it tends to stagnate. This is especially true as many members tend to question the need for the caucus once a progressive leadership is elected. This is what has happened in UTLA, though the Union Power caucus is making efforts to turn that around.

Joel: The situation is a bit different in Oakland. While Classroom Struggle is allied with OEA President Keith Brown, the Building Our Power slate unfortunately never did evolve into a broader progressive caucus. At the same time, several of the Classroom Struggle activists played key roles in the union before and during the strike, and will continue to do so. How this will play out for Classroom Struggle following the strike is not clear. Given the unprecedented member activism and politicization that the strike unleashed, the caucus has many opportunities to grow. But the lack of a deep bench of activists within Classroom Struggle makes that a challenge.

Another challenge facing the OEA leadership is how to repair historic racial divisions within the

union. One of the great achievements of the new leadership is that now a number of teachers of color, especially African American teachers, are playing primary leadership roles. The new President of OEA, Keith Brown, belongs to many African American organizations and has deep roots in Oakland's black community. Ismael Armendariz is the new First Vice President.

It could not have happened at a better time in a city that is primarily Black and Latino to have the two top officers of the OEA be Black and Latinx. At the same time, there has been a history in OEA of racial antagonism between black and white teachers and this has led the current leadership to mistrust sharing power. This was one reason that the new leadership kept the strike strategy committee to a small and trusted group. Building a multi-racial leadership with teachers of color in the lead is essential; overcoming the historic racial divides that inevitably arise in urban districts will be another important challenge for the OEA.

OEA and UTLA face similar issues arising from their urban locations experiencing skyrocketing rents, displacement, homelessness, growing inequality, and so forth. Both LA and Oakland school districts are targets for privatization. Both districts are already underfunded and becoming further underfunded by charter expansion.



Teachers and community supporters protest charterization on day 2 of Oakland strike. Photo: Ray Chavez/Bay Area News Group

Another commonality is that as urban school districts, they are disproportionately impacted by the need for special education funding. Poorer communities, low-income communities of color, have a higher percentage of special ed students and among those a higher percent of the most severely disabled and therefore more costly students. The federal government mandates that schools serve these students, but refuses to pay for these mandates.

What all this means is that no matter how powerful a strike that either local can muster, by themselves they are even less able to win substantial improvements in school conditions than other districts with relatively more resources.

*Johanna: In many states teachers have engaged in political strikes aimed at state legislatures who control school funding. Is this something that OEA is working on? With UTLA? With other teacher locals?*

Joel: Actually, conventional wisdom would tell you that California should definitely be a prime



candidate for militant statewide action. California is ranked 43<sup>rd</sup> in per pupil funding and has among highest class sizes of any state. Teacher salaries in absolute terms are higher than the national average but not when you factor in cost of living, especially housing costs. The state provides 90% of education funding. Yet, the RedForEd movement has yet to reach California except in support of the recent local strikes in L.A. and Oakland.

Ironically, one reason that teachers have not organized statewide around funding and privatization issues is that California has local wall-to-wall collective bargaining. That means that by law if teachers unionize, districts have to recognize the union and engage in collective bargaining. On the other hand, in the states where we've seen statewide teacher strikes, collective bargaining is either "permissive" (Oklahoma), meaning that districts can legally refuse to bargain with the union, or is outlawed altogether (West Virginia and Arizona). Just as important, the legislatures in these states play a much more direct role in determining teacher salaries and working conditions, unlike California, where salaries, etc., are set through local district/union negotiations. So, with weak unions and state determined salaries, the rank and file in the Red States were able to organize themselves, primarily through social media, and strike statewide. In California, however, because of the pervasive practice and culture of local collective bargaining, teachers have tended to see the districts as their primary target even though the state controls the purse strings that each district depends on.

This local parochialism is encouraged by the California Teachers Association (CTA), which, with 320,000 members, is arguably the most potentially powerful public sector state affiliate in the National Education Association. However, the CTA has failed to organize a fight back around funding, starting way back in 1978 with the passage of Proposition 13—the law which limited property tax increases on all property, both commercial buildings and private homes and has been a disaster in terms of the state budget—for all state services, not only public education. Nor has the CTA organized a fightback against the growing privatization of education in California whereby privately run charter schools now enroll over 10% of California students, mainly in low income urban areas. This is because CTA is a staff-dominated organization with a service union orientation that prioritizes cultivating cordial relationships with Democratic Party politicians and school board members rather than organizing its own members to take action—whether at their school sites, in their community, or at the state level.

To overcome local parochialism and the CTA's conservatism, about two years ago, UTLA, OEA, and the San Diego Education Association (SDEA) formed what later came to be called the California Alliance for Community Schools (CACS).



Now a consortium of ten of the largest locals in California, CACS is committed to building toward coordinated statewide mass actions and working with community organizations to fight for increased

school funding and against further charter school encroachment on the public school system. It has also played a key role in moving CTA to take action on a number of fronts.

On the issue of funding, CACS has been working with community organizations to place an initiative on the 2020 California ballot that would reform Proposition 13 with a “split-roll” property tax whereby commercial property and homes would be taxed differently. Prop 13 limits would stay in place for homeowners but lifted for commercial property, potentially raising over \$11 billion a year for schools and other needed services. The top leadership of CTA resisted joining this effort. They wanted to protect their treasury rather than spend the millions it would take to counter the big money the real estate industry will pour into the No campaign. The Democrats don’t want to take on the real estate industry either. But recently, through the organizing within CTA by CACS locals, the CTA State Council voted overwhelmingly to support this effort. Also, as a result of the powerful UTLA strike, L.A. Mayor Garcetti publicly endorsed the initiative.

While the Red State teacher strikes have been a source of inspiration throughout the country, CACS understands that it will take a combination of political education and action to overcome local union parochialism and CTA conservatism. One way CACS has promoted this is through linking local contract struggles with the need for state intervention. In both the Los Angeles and Oakland strikes, the union leaderships raised the need for expanded state funding and deepened the anti-charter narrative. The strikes helped to turn around public attitudes about charter schools and about school funding. At the same time, in order to foster cross-local solidarity and coordinated action, CACS locals successfully urged CTA to call for simultaneous “walk-ins” and “RedForEd days” in support of those strikes throughout the state.

Following the UTLA and OEA strikes, CACS is currently attempting to build momentum for a mass lobby and rally day in Sacramento on May 22 to support legislation for a moratorium on charter school expansion as well as for increased public education funding. Some CACS locals, especially in the Bay Area, may very well encourage member sickouts to ensure mass participation. Not surprisingly, CTA leadership is resisting building such an action, consistent with its “inside the beltway” strategy of not embarrassing Democrats. As of this writing, CACS is bringing a motion to the CTA State Council to get full CTA support.

One encouraging development has been the recent emergence of California Educators Rising (CER), a statewide rank-and-file grouping centered on its facebook page with many of the same goals as CACS. During the UTLA and OEA strikes, California Educator Rising successfully developed an adopt a striking school program whereby schools throughout the state paired up with a striking school to offer whatever support was needed – financial assistance, moral support, etc. While CER has not come close to matching the size of the red state facebook audiences – not surprisingly given some of the challenges mentioned previously — it has definitely helped to spread the word and involve more people. CER is also pushing for a big turnout on May 22 in Sacramento.

There is plenty of work to do, obviously, but grass-roots momentum is building among California teachers.

*Originally posted at Against the Current.*

*Joel Jordan is a retired teacher activist who spent many years organizing with the Los Angeles teachers’ union (UTLA) before relocating to Oakland where he helps coordinate the California Alliance for Community Schools.*