

Opinion

Gloria Romero: Union email intimidation tactics

By GLORIA ROMERO / Staff Columnist

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Larry Sand, a former classroom teacher and president of California Teachers Empowerment Network, summarized it succinctly: “Ah, the commissar has spoken from on high!”

The “commissar” is none other than the president of the Anaheim Elementary Education Association, Kristen Fisher, who dispatched an email to dues-paying union members on Oct. 6.

It seems that Fisher is more than a bit peeved that members are rejecting the union leader’s endorsements made significantly prior to the close of election filing periods. Some members are taking to the streets to walk precincts for the candidate of their choice, former principal Roberto Baeza, who was not even invited to a screening interview by the union’s Political Action Committee charged with making recommendations for endorsement. Further exacerbating Fisher’s frustration was that these members had the audacity to wear their own union T-shirts while talking to voters about why they believed Baeza would be the better representative for students – as well as teachers.

Apparently, the wearing of T-shirts emblazoned with the union logo was just too much bucking of union status quo interests, causing Fisher to issue her directive – from on high – in a mass email blast to all members.

On Oct. 6 she issued the strident reprimand, writing in part:

“AEEA officially endorse(d) the candidates our high school counterpart (ASTA) endorsed. Please cease and desist engaging in activities that weaken our union – specifically, wearing AEEA T-shirts while walking for nonendorsed candidate(s). This is not about your freedom to support candidates of your choice. This is about our association, our union.”

It didn’t take long for members to challenge the reprimand, favoring the U.S. Constitution and First Amendment rights over Fisher’s order to stand down.

When asked about her reprimand, Fisher responded that she had “no concerns” about violating First Amendment rights. “This is about misrepresenting AEEA,” she argued. However, she admitted that AEEA has no policy on the rights of members to wear T-shirts with a union logo when campaigning for candidates other than those chosen by their own PAC.

Indeed, Frank Wells, California Teachers Association's communications representative in Southern California also verified that CTA, with whom AEEA is affiliated, has no policy on the matter, even candidly expressing his view that Fisher's email was a bit "extreme." Nonetheless, he shared Fisher's concern over the possibility of "misrepresentation" of the union when members campaign for nonendorsed candidates wearing the union T-shirt.

The leaked email, while pertaining to a local Anaheim school board race, raises implications of the rights of union members who in states like California are mandated by law to pay an annual membership assessment to the union to fund collective bargaining.

First Amendment rights have become a closely watched political and legal issue when funds are used for political candidates and causes which the members do not support. In fact, 10 California teachers, including lead plaintiff Rebecca Friedrichs of Orange County, have sued CTA over this issue. If victorious, Friedrichs will ensure that individual members will have the right to opt in to the union, rather than being forced to find a way to opt out – facing the wrath and recriminations of leaders like Fisher along the way.

Friedrichs' case is currently before the 9th U.S. Circuit Court of Appeals with expectations that it will be heard by the U.S. Supreme Court next year. Justice Samuel Alito has opined in other cases that "no person in the country may be compelled to subsidize speech by a third party that he or she does not wish to support," giving hope to the Friedrichs plaintiffs.

Meanwhile, AEEA members continue talking to voters about Baeza and their willingness to fight – as union members – to be respected, T-shirts and all.

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