

**Opinion**

# **Rebecca Friedrichs: Teachers stand against tyranny**

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Published: Feb. 14, 2014 Updated: 3:18 p.m.



The First Amendment to the U.S. Constitution reads, in part, “Congress shall make no law ... abridging the freedom of speech.” Yet, because of laws that favor powerful unions and “labor peace” over the rights of individuals, millions of public school teachers have lost their rights to free speech and free association. We are required, as a condition of [employment](#), to financially support teachers unions and their political agendas.

Americans of all political preferences would rise up against such tyranny if their rights were squelched by corporations, yet teachers unions have been legally trampling the free-speech rights of teachers throughout our nation for decades through forced dues used to fund their one-sided political agendas. This practice is unconscionable; especially considering that unions are tax-free “corporations” who long ago abandoned the individual rights and desires of their members.

For years, many brave teachers have attempted to make our voices heard within our union leadership, but unfortunately, the union we're compelled to hire as our “representatives” doesn't value our personal liberties. Ten teachers in California have had enough. We're suing the California Teachers Association and its affiliate, the National Education Association, to obtain freedom from compelled support for unionism.

Ironically, the union is using our involuntary dues monies to fund the court battle against us.

When unions started, at the turn of the last century, their united support for individual rights was needed and welcomed. Sadly, unions have become what they used to fight – powerful, entrenched organizations more focused on self-preservation and pushing their political agenda than on protecting the rights of individual members.

In education, the behavior of unions is even more horrifying because, in addition to the obliteration of teachers' constitutional rights, our students suffer even greater injustices as the unions use their ill-gotten billions to promote political policies that often create negative consequences inside and outside of the classroom.

The union is currently taking a stand that puts the rights of sex offenders and kidnapers over the rights and safety of school children. NEA, the largest, most powerful teachers' union in America, came out against a bipartisan bill that would prohibit convicted sex offenders, murderers and kidnapers from working in schools. I don't believe in allowing these people in our classrooms and neither do the teachers I know; however, we're all forced to financially support this dangerous and shocking position.

Unions [continue](#) to tell the public that teachers who disagree with their politics have no real complaints because they can “opt out.” Tragically, what they neglect to mention is that we can only opt out of the portion of the dues the union decides are political. We are not permitted to opt out of the collective bargaining portion of the dues, yet much of collective bargaining is political.

Every penny on the bargaining table is provided by hardworking taxpayers, yet, shockingly, unions force teachers to fund policies that are often harmful to taxpayers and the children they're working so hard to support.

Teachers who exercise their right to opt out of the unions' acknowledged political dues are still required to pay approximately \$650 annually for highly political collective bargaining. In return, fee payers are bullied, treated as outsiders, labeled “nonmembers” and lose all “rights of membership” including [liability insurance](#) (although they're still paying for the liability insurance of the union hierarchy). Fee payers lose their voting privileges within collective bargaining, and the right to serve within union leadership. So, although they pay full collective bargaining fees, they're completely voiceless.

Because of powerful collective-bargaining agreements with school districts, the union has control over teachers' email and staff mailboxes. Unions censor and decide what communications teachers are able to send and receive, so it's easy to control members by withholding vital information.

Teachers are often in the dark about how their money is being spent in the political process both inside and outside of collective bargaining. When dissenting teachers try to share liberating information with their colleagues through district communication channels, those teachers are subject to discipline by district administration.

The unions also use fear to influence teachers into supporting union causes. Teachers are subjected to constant political manipulation during mandatory staff meetings at which they're strong-armed on issues such as opposing school choice for children. Then the unions spend tens of millions of teacher-funded dollars, and use the pressured assistance of teachers as political “boots on the ground” to help block the passage of student-friendly ideas like vouchers. Any teachers who find the courage to share opposing views on union political issues are subject to intimidation and shamed into silence.

When teachers ask how they can avoid supporting the union's political agenda, they're told to check a box on their union membership form. This “check the box” system was dreamed up by the unions many years ago when they added an additional \$20 “contribution” to teachers' union dues, which already average \$1,000 a year. Checking this box gives teachers a mere \$20 annual refund from the union's “voluntary” PAC funds.

This sleight of hand is confusing many teachers who honestly believe they're opting out of union politics by checking a box when, in fact, they're still giving approximately \$350 of their annual dues toward the union's admitted nonrepresentational political agenda, and another \$650 a year in mostly political collective bargaining fees. Since many of these teachers have moral beliefs and fiscal standards that place them on the exact opposite side union politics, this practice is unethical and shady at best.

The Supreme Court held in a 1977 decision, *Abood v. Detroit Board of Education*, that states like California (and public employers in those states) can require employees to financially subsidize public-sector unions through “agency shop” agreements. Only the Supreme Court has the power to overrule this deeply flawed decision, and we will ask the court to do exactly that. Only then can teachers' rights to free speech and free association be vindicated.

We believe our case will prevail. In 2012, Justice Samuel A. Alito wrote the following for the majority ruling in favor of the employees in *Knox vs. Service Employees International Union*:

“When a State establishes an ‘agency shop’ that exacts compulsory union fees as a condition of public [employment](#), ‘[t]he dissenting employee is forced to support financially an organization with whose principles and demands he may disagree.’ This form of compelled speech and association imposes a ‘significant impingement on First Amendment rights.’ The justification for permitting a union to collect fees from nonmembers – to prevent them from free-riding on the union's efforts – is an anomaly.

What we're asking for is simple. We want teachers to be able to decide for themselves – without fear or coercion – whether to [join](#) a union and support its activities.

We live in a country that is supposed to be, as Abraham Lincoln said, “of the people, by the people and for the people.” However, because of forced unionism, our country has become a nation that is “of the unions, by the unions and for the unions.”

The time has come to put individual rights over the rights of powerful unions. Fighting compulsory unionism is simply the right thing to do.

*Rebecca Friedrichs is a veteran Orange County educator and one of the plaintiffs in Friedrichs v. California Teachers Association.*