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GREEN DOT PUBLIC SCHOOLS

Working in a Union Environment

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INFORMATION ABOUT THIS TOOL

This case study explores the creation and implementation of a teachers union at Green Dot Public Schools.

This case study was prepared by FSG Social Impact Advisors. FSG is a nonprofit consulting firm that provides guidance to foundations, corporations, nonprofits, and other public sector entities on issues of strategy, evaluation, and operations. FSG was commissioned by NewSchools Venture Fund to document “promising practices” of portfolio ventures in a format that could be shared across the NewSchools portfolio. To complete this case study, FSG conducted background research on Green Dot and interviewed Steve Barr, Green Dot’s Founder and CEO, as well as Green Dot’s COO and Union President. Joanne Weiss of NewSchools Venture Fund provided additional context on Green Dot.

DISCUSSION QUESTIONS

We hope that reading this case study sparks conversations about how the practices highlighted here relate to your own organization. To help facilitate that process, we have developed the questions below to help guide these discussions. We encourage you to keep them in mind as you read through the case study and to refer back to them as your organization reflects on the case study’s implications for your own organization.

1. What specific working condition challenges does Green Dot’s approach to unions solve?
2. Is your organization facing similar challenges?
3. Can these challenges be solved with good human resources practices?
4. What impact could creating a union like Green Dot’s have on your teachers’ or principals’ job satisfaction? What impact could it have on your organizational effectiveness?
5. Do the priorities that guided Green Dot’s contract development resonate with your own organizational strategy?

INTRODUCTION AND OVERVIEW

Generally speaking, the relationship between teachers unions and charter schools has been contentious. Charter schools are typically perceived as direct threats to teachers unions because charter school teachers generally do not join collective bargaining units. As a result, there are examples of teachers unions trying to limit charter school expansion, block or repeal charter school laws, or sue school districts in which charter schools operate.¹ For example, both major teachers unions, the National Education Association and the American Federation of Teachers, have opposed laws authorizing the establishment of charter schools. At the same time, teachers unions have historically played a critical role in providing a forum for teachers to come together around common areas of concern and raise a unified voice to improve their working conditions.

Recognizing the key role a union could play in facilitating open dialogue around important issues and increasing teacher satisfaction – yet not satisfied with the approach of the existing unions in Los Angeles – a founding group of teachers at Green Dot Public Schools, along with Green Dot’s founder, decided to form their own union. The result is a unique example of how charter school management organizations (CMOs) and unions can develop a positive relationship built on collaboration. The following case offers some valuable insights for other CMOs and individual charter schools who might consider taking this path or are looking for ways to work more collaboratively with teachers unions.

Green Dot Background

Mission and Vision

Green Dot Public Schools seeks to “*transform public education in Los Angeles so that all young adults receive the education they deserve to be prepared for college, leadership, and life.*”² Green Dot operates 10 charter high schools in low-income neighborhoods in Los Angeles. The organization seeks to catalyze education reform throughout Los Angeles by working to influence the Los Angeles Unified School District (LAUSD) to transform its failing high schools into clusters of small successful schools and by helping the district reinvent itself.

History

Green Dot Public Schools was started in 1999 by former political and community organizer Steve Barr. Barr founded Green Dot in response to the low performance of the area’s public high schools. LAUSD’s high schools were not graduating more than 50 percent of their students, and those that were making it through were rarely prepared for college. The vast majority of the students falling out of the system were from low-income families. Barr started Green Dot with a vision of leveraging charter schools as a tool to show the school district and the public that there was a more effective way to provide public education to young adults.³

¹ Hill, Paul, Rainey, Lydia and Rotherham, Andrew. *The Future of Charter Schools and Teachers Unions*. National Charter School Research Project at the Center on Reinventing Education. 2006.

² Green Dot Web site, <http://www.greendot.org/aboutus/index.html>

³ Green Dot Web site <http://www.greendot.org/aboutus/index.html>

GREEN DOT UNION: ASOCIACIÓN DE MAESTROS UNIDOS (AMU)

The Los Angeles Teachers Union Landscape: UTLA and AMU

The United Teachers of Los Angeles (UTLA) is the predominant teachers union in Los Angeles. With the exception of Green Dot teachers and other charter school teachers in Los Angeles, all LAUSD teachers are members of UTLA. UTLA is an affiliate of the California Teachers Association (CTA), a statewide teachers union with more than 1,100 affiliate chapters throughout California.⁴ As Green Dot opens more schools and brings more teachers into their union, UTLA's membership declines.

The Green Dot Union

When forming Green Dot, Barr was committed to the idea of establishing a teachers union because he sees them as an integral component of urban school reform. According to Barr, *“Creating non-union jobs in a union-dominated industry is difficult to think of doing. If you are going to reform urban education, you need a union component to do it.”*

However, he wasn't satisfied with the existing union models in L.A., because he felt they reflected an outdated values system and career trajectory. So in 2003 Green Dot set up its own teachers union called *Asociacion de Maestros Unidos* (AMU) which is Spanish for “Association of United Teachers.” AMU was formed as an affiliate of the California Teachers Association (CTA).

I felt that there had to be a better union than the one they have now, which has a huge generational gap between the values of older and younger members.

- Steve Barr, Founder & CEO

Union Formation Process

In 2000, Barr convened a working group of six founding teachers at Green Dot to talk about the idea of forming a union.⁵

I sat down with the first six young teachers, told them we wanted to do education reform AND union reform. They were mostly in their early 20s, just out of school, all Latino, all with social justice backgrounds. They all said, “Great.”

Developing the Contract

The contract was formed around a few key priorities that Barr felt would set AMU apart from other teachers unions. These included:

- A salary and benefits package that reflects how the school values teachers
- Treating teaching as a professional occupation
- Accountability for performance

⁴ CTA Web site <http://www.cta.org/about/>

⁵ It took from 2000-2003 to get AMU established because of the paperwork involved, as well as the fact that Barr and the teachers were busy getting other Green Dot schools opened.

These issues were fleshed out in a letter that was subsequently submitted to the State Labor Relations Board. The six teachers then went to CTA to apply for affiliate status. While Barr was the driving force, it was important to have the teachers at the forefront in dealing with CTA since they would become the initial union members.

Building the Partnership with CTA

Since CTA is the only statewide teachers union, affiliating with them was a logical choice. In addition, Barr had a pre-existing relationship with the organization from his past political organizing work. CTA responded positively to the request from Green Dot to affiliate with them. According to Barr, *“CTA said that we were doing what all schools should be doing. They liked the fact that we let teachers lead in the classroom and that we give teachers a lot of ownership over decision making at their schools.”*

CORE ELEMENTS OF AMU

The Contract

AMU represents a significant departure from traditional teachers unions and those differences are outlined in the terms of the contract (see Toolkit). The primary elements of the AMU contract (and how that compares with the UTLA contract) are as follows:

Terms	AMU	UTLA
Salary	Salary – 7-12% higher than LAUSD salary schedule	LAUSD salary schedule
Tenure	No tenure – “just cause” employment agreement (process to fire teachers with employee input)	Tenure after 2 years
Work Day	“Professional day” with no set expectations around hours	Specific minutes per day per activity
Accountability	Performance metrics and “just cause”	None
Healthcare	Better quality (e.g. PPO vs. HMO), but no lifetime benefits	Average, but lifetime benefits

There are several significant differences between the AMU and UTLA contracts that highlight some of the unique characteristics of Green Dot’s approach to unionization. Key differences include:

- **Lack of Tenure.** Whereas UTLA teachers are guaranteed tenure after two years, Green Dot teachers work under a “just cause” employment agreement that enables principals to fire teachers using “due process” if they are not performing according to standards. This is a major difference from most teachers union contracts, in which guaranteed lifetime employment plays a major role.
- **Professional Work Day.** Green Dot does not define the number of hours a teacher is expected to work, but rather lets teachers dictate their own schedules based on what it takes to get their job done. This is a

significant departure from the contracts used by UTLA and most other teachers unions, which lay out a very detailed set of guidelines around the length and structure of a teacher's workday.

- **Accountability.** Green Dot's contract places a lot of emphasis on accountability. Teachers are held accountable for high levels of performance through the "just cause" employment agreement, combined with a teacher evaluation process that identifies gaps in performance and creates a mechanism for enforcing high standards. In contrast, UTLA makes it virtually impossible to hold teachers accountable for underperformance. According to Marco Petruzzi, Green Dot's Chief Operating Officer, "UTLA's process is so complex that nobody ever gets fired because no one wants to deal with it."

Other important differences are the length of the contracts and the extent to which details are spelled out. AMU's contract is 30 pages, in contrast with UTLA's, which runs 363 pages. Whereas UTLA's contract outlines issues such as the length of a work day in great detail, Green Dot covers key issues more broadly in order to give schools autonomy over how decisions are made. As Petruzzi explains, "*The [AMU] contract doesn't spell everything out — it provides some broad guidelines and allows a lot of decision making to happen at the school site level. We think this is very healthy because it allows teachers to feel ownership over decisions at their school.*"

Green Dot signed a three-year labor agreement with AMU in May 2003, which expired in June 2006. The union membership is currently in negotiation with Green Dot's leadership over several key issues, including compensation, the definition of "professional work day," teacher evaluation, and site-based decision making. The negotiation process has been amicable for the most part, with the exception of some pushback from CTA over workday policies.

Leadership Structure

AMU is led by a president who is nominated and elected by the union membership. This president is always a teacher at one of Green Dot's schools and his or her responsibilities include keeping the membership informed of union activities, chairing membership meetings, and serving as the face and voice of the union to internal and external constituents, such as Green Dot leadership and LAUSD. The president is also available to mediate conflicts between teachers and school leadership if the need arises, though this is rare.

Other leadership positions include vice president, secretary/treasurer, and site representatives – the last of which has been difficult to fill given the demands the role places on teachers' time. In addition, AMU has five standing committees, each made up of three to six AMU members and chaired by a member of the AMU executive board (e.g. president, vice president, or secretary/treasurer). These committees include:

Committee	Responsibilities
Negotiations	Spearheads all contract negotiations with Green Dot leadership
Evaluation	Develops employee evaluation process and criteria
Website	Manages AMU's website, a primary communications vehicle with union members
Professional Development	Gathers information about professional development opportunities and sends teachers to professional development trainings
Budget/Calendar	Reviews school calendar and budget and provides suggested changes to leadership

Membership Involvement

Every teacher is a dues-paying member of the union, but only a few play an active role. Members find it difficult to get involved with the union because of the demands of working at a Green Dot School. In addition, AMU is a young union, and teachers are still learning how to get involved.

The high degree of teacher satisfaction is another factor leading to low member involvement. Teachers are drawn to Green Dot because of its schools' reputation for offering good salaries and working conditions, and according to survey data, the vast majority of teachers report that they feel positively about their school and feel that their needs are met. As a result, there is little incentive for teachers to engage in labor negotiations.

While it is possible to create similar working conditions without a union contract, having a union holds Green Dot accountable for ensuring that these good working conditions remain intact, since there is a mechanism in place for teachers to take action if their needs are not met. The union contract also provides a vehicle for teachers to give their input into labor policies, which helps them feel involved in decision making and therefore builds commitment and loyalty.

From the standpoint of AMU's President, the lack of teacher involvement is a challenge. Out of 146 teachers, only 15 – 20 people show up for monthly membership meetings, making it difficult to get input on issues under negotiation. Due to demands on teachers' time, it is also hard to fill leadership positions, such as Site Representative, which remain open at 3 of the 7 schools. Since AMU's primary objective is to provide a vehicle for all teachers' voices to be heard, AMU's President views the lack of representation as a concern.

Beyond monthly membership meetings, the primary means of communication between AMU's executive board and the general membership include a newsletter, emails, and a member survey, which is the main vehicle for gathering input on teacher concerns. The survey data is then used to pinpoint the issues that should be negotiated with Green Dot's leadership. The most recent survey generated 77 responses from among 146 teachers, which was considered a fairly high response rate.

Communication and Conflict Resolution Between AMU Members and Principals

AMU encourages teachers to address their concerns directly with school principals, and most teachers follow this recommendation. Principals also generally maintain open lines of communication with the union, which significantly reduces the escalation of conflicts. However, AMU will intervene to help resolve issues between teachers and principals if there are major disagreements. For example, AMU recently got involved in a situation where a teacher was at risk of being fired for failing to meet performance expectations. The teacher was placed on a discipline plan that mandated what skills needed to be taught over a specified timeframe. The teacher did not agree with the proposed plan, and AMU's president mediated a discussion between the teacher and principal that resulted in a modified set of expectations to which both parties agreed.

Most of our teachers hate UTLA and that's one of the reasons they come to our schools, but they don't come because they want to be union activists — they just want to work with the kids.

- Steve Barr, Founder & CEO

AMU'S IMPACT

In what ways does unionization benefit a CMO? What are the implications for teacher satisfaction, school principals, and organizational effectiveness? What about the impact on broader education reform efforts? Both the leadership and teachers at Green Dot point to a number of ways in which unionization has created some tangible benefits.

Benefits to Green Dot

Green Dot has experienced several important benefits as a direct result of the union.

- ***Helps build good working relationships with LAUSD/city officials.*** Green Dot has been able to “fast-track” decisions and projects that require city approval because of their affiliation with CTA.
- ***Attracts key partners.*** Green Dot has been able to attract powerful supporters, such as Service Employees International Union (SEIU), a major national union that has a seat on their board and has given Green Dot a substantial donation.
- ***Diversifies funding streams.*** Green Dot has received funding from donors who are union supporters and who would not otherwise support charter schools.
- ***Mitigates against conflict escalation and legal battles.*** The union contract clearly spells out policies and procedures around how to handle discipline issues and teacher firing, which substantially minimizes the risk that teachers will be treated unjustly or feel the need to take legal action for unjust treatment.

When you're a charter school maneuvering through a Democratic city, the union label really helps. We've gotten breaks that other charter schools didn't. We were opening a school in Boyle Heights in East LA and needed to rush a building safety zoning ordinance through. This action usually takes a year, and we needed it to happen in a month. The mayor made it happen because we're affiliated with the union.

- Steve Barr, Founder & CEO

Benefits to Teachers

AMU's president points out that unionization also has some important benefits for teachers. These include:

- ***Sense of security and control.*** According to AMU's president, the contract provides teachers with a sense of security, control, and comfort, by offering higher salaries and greater freedoms in the classroom than they would receive in LAUSD.
- ***Representation and respect.*** The union contract and mechanism for expressing concerns in a formalized way makes teachers feel that their opinions matter. Additionally, they receive support in any situation where they need to voice grievances with school or central office administrators.

Having a union gives Green Dot credibility as an organization, and provides a mechanism for teachers' needs to be recognized.

- AMU president

IMPLICATIONS FOR BROADER EDUCATION REFORM EFFORTS

In addition to the impact on Green Dot and its teachers, Barr sees clear signs of AMU having a broader impact on the education reform landscape in Los Angeles. For example, CTA is now trying to actively organize charter schools. Now that a working model exists, they are more amenable to the possibility of working collaboratively with the charter school community.

Green Dot's union formation has also stimulated a healthy debate among teachers throughout Los Angeles about what a union contract could and should look like, which opens up the door for union reform on a much broader level. The fact that UTLA perceives AMU as a threat to their membership is another indication that their presence is being felt at a broader level. UTLA has responded by launching "misinformation campaigns" about Green Dot. These campaigns involve spreading rumors such as "*Green Dot overworks its teachers,*" "*the organization is run as a for-profit,*" and "*Green Dot schools don't accept special education kids.*" According to Barr, these tactics have a positive impact on union reform, as teachers learn that the rumors are false, and therefore their loyalty toward UTLA is diminished. Barr sees this as one indication that a critical mass of reform-minded union supporters is beginning to form in LAUSD.

There is a vision starting to take hold now around creating a "competitive" union to stimulate an inter-generational conversation that will drive reform.

- Steve Barr, Founder & CEO

CHALLENGES

Unionization has not come without significant challenges, both for Green Dot and for the union itself.

Primary challenges for Green Dot include:

- ***Building buy-in within the charter school community.*** Barr encountered a lot of pushback from other charter school leaders when he first proposed the idea of forming a union. It took nearly three years to prove that the model worked and to overcome some of the skepticism.
- ***Eliminating certain funding prospects.*** A number of funders are unwilling to support Green Dot because of the existence of their union.
- ***Ensuring that the vocal minority of disgruntled members do not overtake the union.*** Having a union provides a platform for vocalizing concerns and imbues members with a sense that they have a right to speak out. However, the most vocal members tend to be a small group of disgruntled teachers who make demands that are not representative of the majority of the membership.
- ***Dealing with hostility from UTLA.*** UTLA and Green Dot have a highly contentious relationship because UTLA loses members to Green Dot's union.
- ***Encouraging greater union engagement as an accountability mechanism.*** An interesting challenge for Green Dot is keeping the union active enough so that teachers are taken seriously as collaborative partners and the administration feels a degree of pressure to continue to provide teachers with a good working environment.

Challenges for AMU Leadership include:

- ***Building awareness and engagement.*** It is difficult for AMU's president and executive board to recruit members to meetings, make them aware of their rights as members, and engage them in decision making. As a result, the president must take a more active role by visiting school sites, working closely with site representatives, and engaging in one-on-one meetings with members to disseminate information.
- ***Vagueness of contract.*** Certain aspects of the contract – such as teacher evaluation, school-based management responsibilities, and the definition of the work day – are vague in the contract, which means expectations are sometimes unclear. AMU is in the process of negotiating to clarify these areas.

ADVICE AND LESSONS LEARNED

Forming a union is not for every CMO and being a member of a union is not necessarily a priority for every teacher. Having said that, there are certainly lessons to be learned from Green Dot's experience that could benefit CMOs and teachers should they desire to explore the opportunity to create their own union.

For CMOs

- Be proactive about creating good working conditions that will meet employees' needs and create a sense of shared ownership in the school community.
- Get the best and brightest teachers and principals on board.
- Agree on core values, principles, and the mission up front, before getting into the details. This helps to create common ground.
- Seek out a reform-minded union with which to affiliate.

For Teachers / Union Members

- Make sure to research different contracts. Don't start from scratch — build off of an existing contract.
- Establish that you want to work *with* management, not *against* them.
- Talk to management before you do anything else.

GREEN DOT UNION TOOLKIT

Additional Documents (Available Separately)

- **Union Contract (Green Dot Document)**
<http://www.newschools.org/files/GreenDot-A.doc>