

# Hearing scheduled to consider injunction against protesting Detroit teachers

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Twenty-three teachers, defendants in a case filed by the emergency manager of the Detroit Public Schools (DPS), have been ordered to appear before a judge Monday morning to answer accusations that they engaged in and/or encouraged others to engage in an “illegal strike.”

Hundreds of teachers have participated in “sickouts” over the last several months to protest deplorable conditions in the schools and escalating attacks on their jobs and living standards by DPS Emergency Manager Darnell Earley. These culminated in the largest protests to date on Wednesday, when 865 teachers called in sick, closing 88 of the district’s 97 schools the same day President Obama visited Detroit.

On Thursday, Michigan Court of Appeals Judge Cynthia Diane Stephens, citing technical grounds, denied an initial request from Earley for a temporary restraining order to halt further protests. Judge Stephens scheduled a “show cause” hearing on Monday where school authorities will make the case for her to grant a preliminary injunction barring further protests.

A spokeswoman for the court told the *World Socialist Web Site* that a “notice to appear” had been mailed to all defendants for the hearing, which will be held at the Detroit Court of Appeals. The outcome of the hearing will determine if the case proceeds, she said, and if the injunction is granted, it is entirely up to Judge Stephens to determine what the appropriate penalties would be for its violation.

In addition to a temporary restraining order, a preliminary injunction and a permanent injunction “enjoining defendants from continuing strikes and inducing others to strike,” the DPS complaint requests that the court assess “damages in an amount over \$25,000, and any other relief the Court deems

appropriate.”

With the teachers enjoying popular support and the state already enmeshed in a political crisis over the Flint water crisis, which involves the same emergency manager who now runs the DPS schools, the judge decided to delay a direct confrontation with teachers. Instead she has given more time to the Detroit Federation of Teachers and the American Federation of Teachers to contain and strangle the protests.

Before Obama’s visit, the AFT was in close contact with the administration about the protests. In recent days, various Democratic Party politicians, from Detroit Mayor Duggan to presidential candidate Hillary Clinton, have feigned support for the teachers. This has prompted union officials to tell teachers that “their voices have finally been heard” and it is time to stop the job actions.

The lawsuit contains an extra incentive to the unions by naming the Detroit Federation of Teachers and both its current and former local president, Ivy Bailey and Steve Conn—as defendants.

If the unions are unable to suppress the protests, the courts and the entire political establishment are prepared to use fines and even more punitive measures to make an example of the teachers and try to silence working-class opposition.

The nearly two-dozen defendants include veteran teachers who have been outspoken in exposing rodent- and roach-infested classrooms without heat, decaying school buildings, the severe teacher shortage and high class sizes. They have used social media to expose the precarious situation facing educators who have suffered a decade-long wage freeze while seeing a 124 percent increase in out-of-pocket health care expenses.

After years in which the DFT collaborated with successive emergency managers to impose these

conditions, rank-and-file teachers decided to take matters in their own hands and launch the protests independently of the DFT. Some were organized in the group DPS Teachers Fight Back, which is listed as a defendant in the legal complaint.

Former DFT President Conn and his group, Detroit Strike to Win, are also targeted for legal action. While Conn has sought to take credit for the protests, in a bid to regain the presidency of the union, he has little credibility among teachers after years of promoting racial politics and carrying out unprincipled maneuvers with the Democratic Party. A call by Conn for further sickouts Thursday received no support.

Under Michigan's reactionary laws, strikes by public employees are illegal. If the bipartisan Michigan Employment Relations Commission (MERC) determines that individual teachers violated the state's law, it can impose fines on a teacher equal to one day's pay, plus \$5,000 for each full or partial day of school missed.

On Thursday, Michigan Republicans in the state legislature proposed and promised to quickly pass legislation that would make it easier to define sickouts as illegal strikes. The legislation would reduce the 60-day deadline for the employment commission to conduct a hearing on complaints to two days.

"If our current state law isn't sufficient to prevent activists from hurting kids, it's time we strengthen it," said Republican Sen. Phil Pavlov said.

While scrambling to hold on to his job and stay out of jail, Governor Rick Snyder took time to denounce teachers. Asked by CBS News what his message to teachers was, Snyder said, "I would hope you would stop harming the children. I appreciate the fact that people have strong feelings on different issues. But to do it at the expense of affecting the school day for the children, I don't think that's appropriate."

Former Flint emergency manager and now the EM over the Detroit schools, Darnell Earley added to the hypocrisy, denouncing teachers for taking away "another day of instruction" for Detroit students.

In reality, teachers are championing the rights of students for a high quality public education. In this, teachers are fighting not only Snyder, Earley, Duggan & Co. but the Obama administration, which has overseen the destruction of 300,000 teacher jobs, the mass closing of public schools and the near doubling of

charter school enrollment. They are also fighting the DFT and AFT, which function as full partners in imposing corporate "school reform."

Responding to the threats of injunctions and fines, a Detroit teacher said, "Teachers have the right to speak out. That's our First Amendment. We have the right to say what we want and to post on social media what we want. They were getting away with so much evil that they became overconfident.

"I am proud that no entity will control us. The AFT/DFT thought we were stupid. They have their marching orders and their political connections. What I like is that the teachers only trusted each other. We have a long history of fighting."

Workers must defend the Detroit teachers and oppose any legal witch-hunt against them.



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