

Union forces Boston teachers to work without a contract as COVID-19 persists in public schools

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Boston Public Schools (BPS) teachers have now been working without a contract since the last one expired eight months ago, on August 31, 2021. According to the Boston Teachers Union (BTU), as of the most recent bargaining update on April 11, the school district has not responded to a majority of the BTU's proposals or have made proposals that would increase educators' workloads and lower the quality of education for students.

BPS has also canceled four of seven bargaining meetings in the first three months of 2022. According to the BTU, the BPS proposals presented on April 5 demand a number of concessions from teachers, including requiring them to "work 90 additional hours annually [more than two full-time workweeks] without compensation," as well as removing "all limits on class size and instead making them 'targets.'"

Even as the district plays hardball, the BTU is keeping teachers in classrooms. However, struggles are breaking out among educators across the country, raising the possibility of a united struggle for better wages and working conditions. On Friday, April 29, hundreds of teachers in the Oakland Unified School District in California took part in a one-day strike in opposition to planned school closures and mergers due to a major budget deficit in the district.

The eruption of struggles by educators is international. On Monday, April 25, more than 250,000 teachers in Sri Lanka, as part of a broad movement of the working class, took part in a one-day strike demanding the resignation of President Gotabaya Rajapakse, and for relief from transport difficulties facing teachers and students due to acute fuel shortages and soaring prices.

The unions nationwide are determined to isolate struggles of teachers in each district from each other. In early April, the teachers union in Sacramento shut down an eight-day strike of teachers, with a tentative agreement including pay raises far below the rate of inflation, and before teachers had even had a chance to vote on the contract. In March, 5,000 educators in Minneapolis, Minnesota, carried out an 18-day strike against school austerity and deplorable teachers' conditions before the Minneapolis Federation of Teachers shut it down and forced through a rotten contract.

Boston teachers and students have been forced into schools while waves of COVID-19 cases reached record numbers, with the 7-day average reaching over 20,000 cases per day in

Massachusetts from the Omicron BA.1 wave. More than 1.5 million cases of the virus have been reported in the state and the virus has killed more than 19,000 people since the pandemic began in early 2020.

Cases of the dangerous BA.2 variant are continuing to rise in the Northeast, with Massachusetts registering 3,341 positive cases, with a 5.04 percent positivity rate. From April 7 to 27, a period which included a holiday break, 1.12 percent of all students and 2.64 percent of all school staff (2,339) in Massachusetts tested positive for COVID-19. This is about 61 percent more than that reported April 14, according to data published by the state.

Yet during this period of mass infection, the BTU opposed any action by teachers, even while hundreds of BPS high school students walked out of classes on January 14 to protest the state's policy that all classes must be held in person.

Throughout the pandemic, the BTU has represented the interests of the Biden administration and the capitalist class as a whole, who have prioritized resumption of economic activity over the population's health and lives, with schools caring for children so parents can go back to work being a crucial component of this agenda.

The contract proposed by the BTU is deceptively labeled "Creating the Schools Our Students Deserve *Post-Pandemic and Beyond*" (emphasis added). The union's proposed agreement omits the words "COVID" and "mask" and does not mention remote learning as an option for families. Instead, there are minor adjustments to reimbursements for materials, a proposal that "members of all faiths" be given up to two religious holidays per school year, meaningless statements regarding funding for extracurricular activities, and standards for monitoring and adjusting ventilation that are woefully inadequate according to multiple government health agencies.

The phrase "post-pandemic" is found throughout the document, as if teachers being exposed to the lethal virus at the workplace on a daily basis can be fooled into thinking the threat has somehow disappeared. The "preamble" states: "Through our contract negotiations, we will continue to advocate for the teaching and learning conditions that will help our students succeed, particularly in light of recovery and post pandemic needs."

Reflecting its determination to enforce its "post pandemic" policies, the union declared in a March 23 document titled "April

In-Person Membership Meeting Protocols and Rules of Order” that while BTU members can attend meetings remotely, only those who attend membership meetings in person will be allowed to vote. This constitutes a form of voter suppression targeted against members who continue to have concerns over the pandemic and the acute danger of in-person gatherings, including many older members, along with those with disabilities and vulnerable family members, and those without reliable transportation.

The BTU, rightly fearing a backlash over its treacherous and anti-democratic maneuvers, issued a reminder in a separate letter that strict discipline would be enforced against any alleged disruptions at meetings, up to and including removal from meetings, expulsion from the union, or even arrest by police. This was clearly done to intimidate any members who want to express opposition to the BTU’s “post pandemic” policies.

The lie that the pandemic is over is entirely in line with the positions taken by the BTU since the beginning of the pandemic. Attempting to maintain its public image and credibility with teachers, the BTU has occasionally feigned opposition to this policy of mass infection, while signing every document, contract, and “side-letter” behind closed doors to build a framework for forcing students and teachers back into crowded and poorly-ventilated buildings, with no enforceable measures to switch to remote learning, regardless of rates of infection in the city.

A memorandum of agreement (MoA) signed between BTU and BPS in September 2020 omitted any mention of HEPA filters and CO2 monitoring in school buildings. Instead, the MoA suggested teachers open windows in their classrooms during the fall and notoriously harsh New England winter. The BTU then postured as if it were outraged by this “solution” and called for teachers to post videos of cold classes with open windows, a situation the union had created together with BPS.

While the MoA stated that teachers would no longer have to teach in person if the city’s percent positivity rate was above 4 percent, it also included the following crucial loophole: “When the Boston Public Health Commission (BPHC) *or other City or State authority* determines that the district can reopen, BTU bargaining unit members will be expected to return to BPS Buildings.” In other words, the school district, together with the BPHC and potentially any other city or state agency, would decide when schools reopen, regardless of infection rates.

Just over one month from the beginning of the school year, cases predictably rose above the 4 percent threshold. Despite having negotiated away its decision-making power, the BTU went through the motions of filing a lawsuit against the city, to which the city’s lawyers responded by citing the loophole in the September 9 MoA. In issuing his ruling in favor of the city, Judge Robert Gordon correctly noted the significance of the loophole in the MoA, which in his words “assigned the judgment of whether and when teaching could safely occur within BPS facilities to independent health care professionals.”

After its predictable defeat in court, and without calling for a vote by the union’s members, Jessica Tang, whose salary as BTU president amounts to \$176,000 according to nonprofitlight.com, signed a “side-letter” on January 10, 2021, relinquishing all grievances regarding BPS’s reopening for in-person when the

positivity rate exceeded 4 percent as well as allegations that BPS violated the MoA by doing so. It also agreed that “if the positivity rate for COVID-19 is above 10% [!] for two weeks BTU may *request* impact bargain [sic] regarding any impacts from the COVID-19 positivity rate on BTU’s members’ terms and conditions of employment ...” (emphasis added). That is, it removed any positivity threshold above which teachers could switch to remote teaching.

Less than one month later, on February 2, 2021, a BTU member bulletin explained that teachers have “no right to opt to remain working remotely only. Members who are directed in despite their preference or necessity may choose to take a leave, according to all applicable policies.”

The BTU, integrated into the Democratic Party as are all unions, has become the bureaucratic labor police force that seeks to both suppress strikes and, when they occur, stop them from spreading out of control.

The period of the pandemic has seen an enormous growth in the class struggle as workers and youth across the globe have mobilized against the policies that have caused millions of unnecessary deaths from the pandemic, high rates of inflation, police brutality, war and austerity. Massachusetts has seen strikes by Harvard graduate student workers, St. Vincent Hospital nurses, Museum of Fine Arts Boston workers, and protests by parents and health care workers to save Boston’s Tufts Children’s Hospital from closure.

Boston teachers’ most powerful allies are their fellow teachers in school districts across the country, as well as parents and the working class as a whole. To appeal to this powerful base of support, Boston teachers must develop their initiative and challenge the isolation of their struggle by the BTU by forming a rank-and-file committee. Such a committee would serve as a powerful pole of attraction in the fight to counter the austerity demands of BPS, fight for improved school conditions and to allow for properly funded, high-quality remote learning.



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