



# *The Commonwealth of Massachusetts*

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September 20, 2007

The Hon. Benjamin B. Downing, Chair  
Senate Committee on Public Service  
The State House, Rm. 413F  
Boston, MA 02133

The Hon. Jay R. Kaufman, Chair  
House Committee on Public Service  
The State House, Rm. 156  
Boston, MA 02133

**Re: H. 591, “An Act Relative to the Resolution of School Labor Disputes”**

Dear Chairman Downing and Chairman Kaufman:

I am pleased to offer testimony on behalf of “An Act Relative to the Resolution of School Labor Disputes.” As a representative of a community that recently endured a labor contract dispute that evolved over time into a near “worst-case scenario,” I believe that this testimony may be of particular interest to the Committee as it studies the benefits of binding arbitration. While I would prefer to offer said testimony in person, a longstanding commitment prevents me from attending this morning’s hearing.

Owing to a labor dispute between the Springfield Education Association (SEA) and the city’s Finance Control Board (FCB), Springfield’s public school teachers worked without a contract for nearly half a decade, beginning in 2002. As a result of pay freezes, teacher salaries remained stagnant throughout a portion of that period, and Springfield’s educators implemented a work-to-rule policy. Several hundred teachers, many of them decades-long veterans of the system, left Springfield to teach in surrounding communities where working conditions and wages were better. Those who remained were demoralized by the apparent lack of respect shown them by the previous FCB and other city officials.

Over 75% of Springfield’s approximately 26,000 students come from households that are at or below the federal poverty level. I can say without hesitation that Springfield’s teachers are

among the most dedicated and qualified in the Commonwealth. They are an indispensable lifeline for many of our neediest children, and in the absence of a contract, many were faced with a choice of continued employment under unfair conditions or abandoning a school district they cared deeply for. The city will not soon recover from the loss of those valuable resources.

Over the course of contract negotiations, it became clear that the city's previous Finance Control Board had no interest in settling the dispute fairly, despite the considerable damage the failure to resolve the impasse had done to the city's schools and reputation. According to the Massachusetts Teachers' Association, the SEA made concessions to the city that no other teachers' union in the Commonwealth has ever made.

In March of 2006, the FCB referred the dispute to "fact finding," and in a desperate effort to settle the contract, the SEA offered to accept as binding, sight unseen, the recommendations of the fact-finder. The FCB rejected, without explanation, the SEA's offer. That July, I, and eighty-four of my colleagues, delivered a letter to Speaker DiMasi urging him to consider a legislative remedy to the crisis that would include binding arbitration. (A copy of said letter has been enclosed for your review.)

Though the crisis was resolved months later without legislative intervention, in the absence of a legal mechanism for closure of the dispute, the toll on Springfield's students, parents, teachers, and the community at large, was prolonged and destructive.

H. 591 will ensure that other school districts in the Commonwealth are spared similar ordeals by introducing finality in the school bargaining process, once mediation and fact-finding procedures have been exhausted. In these cases, either party to a school contract dispute could petition for a binding arbitration resolution, and any monetary awards granted would be subject to the approval of the local legislative body.

Twenty states currently have binding arbitration statutes for public employees. Four states and the District of Columbia have passed laws extending that right to teachers, including our neighbors in Connecticut and Rhode Island. This measure would extend the same rights to teachers that other public personnel, such as firemen and police officers, already enjoy.

Thank you for your kind consideration of this request. As always, should you have questions or require additional information, please do not hesitate to contact me.

Very truly yours,

Gale D. Candaras  
State Senator