

BOB CHANIN'S REMARKS TO THE RA

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By my rough count, I have, over the last 40 years, addressed Representative Assemblies 687 times. But it was always from the side podium.

I want to tell you, I like this. This is much better.

I'd like to begin by introducing some people who are on stage. First is Kathy Williams, who has been my assistant at NEA for more than 20 years.

As Dennis indicated, I rely heavily on Kathy, and some people have suggested that I cannot function without her on my own. There is absolutely no truth to that assertion, but I have decided not to test my luck.

Inasmuch as Kathy will retire at the end of this year, I figured it was a good time for me to do so as well.

There are also a few members of my family on stage.

My brother Irv, who retired a few years ago and has advised me that retirement sucks. But then again, he has been wrong before.

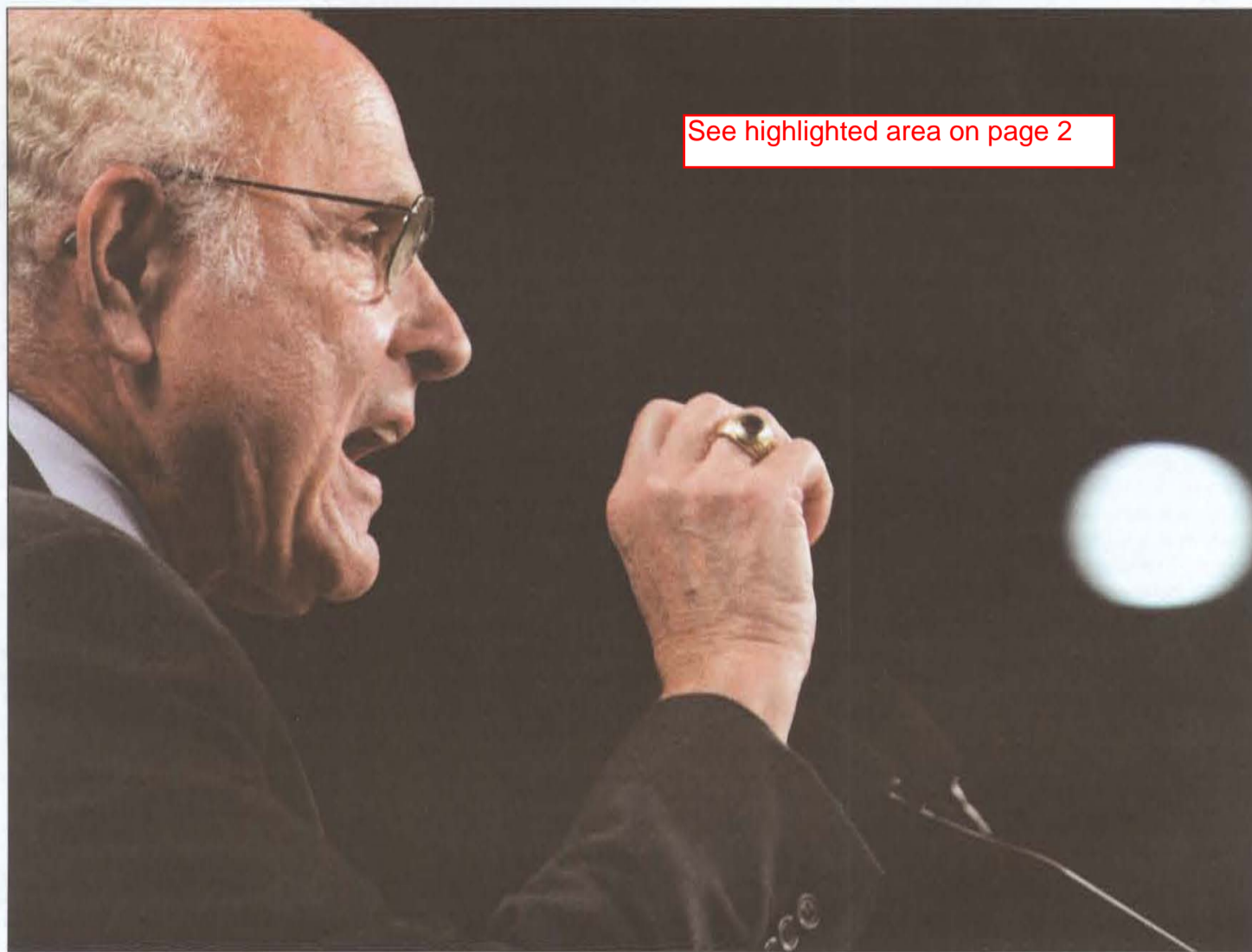
With Irv is his wife, Ila, my sister-in-law. My son-in-law Lee Hedgepeth, whom many of you may know because Lee works for NEA in Campaigns and Elections.

My daughter Stacy is with us. Stacy is a teacher in the Hemet Unified School District in California. And with Stacy is her husband, Ralph.

And finally, there is my wife of 52 years, Rhoda. Rhoda has always wanted us to spend more time together. And she is now about to learn that you should "be careful what you wish for."

At tributes such as this, there is a tendency to say overly kind things about the person who is being honored, to exaggerate the role that he or she has played, and to portray as individual accomplishments what were in fact team efforts.

That certainly has been what happened here today. There is not enough time for me to set the record straight—to even mention, much less give appropriate credit to, all of the



people who have guided and assisted me and made it possible for me to accomplish whatever it is that I may have accomplished. Just think of the Verizon cell phone commercial—there has always been a team behind me.

There is one part of the presentation that I would like to elaborate on—that is how and when my relationship with NEA began. Although I have been NEA General Counsel since 1968, that is not where the story begins.

The story actually begins in 1961, which was a few years after I graduated from law school. Although 1961 was before New York had enacted a public sector labor law, some guy named Albert Shanker, who was at the time president of the United Federation of Teachers—which was AFT's New York City local affiliate, had somehow persuaded the New York City Board of Education to hold an election between the NEA and the AFT affiliates to select the collective bargaining representative for New York City's approximately 100,000 teachers.

NEA was unimpressed. Not only did it have 60,000 members in New York City, as compared to only about 20,000 for the AFT, but it believed that teachers as professionals would reject collective bargaining and would turn their backs on what NEA pejoratively referred to as "industrial-style unionism." Other than circulating a few anti-collective bargaining flyers, NEA and its state affiliate in New York did little or no campaigning.

As you can probably guess, NEA got its ass kicked in the New York City election. The voter turnout was exceedingly high, and NEA lost by almost a three-to-one margin. It did not even come close to holding its own membership.

But in hindsight, the New York City election was probably a good thing, because it was a turning point and a wake-up call for NEA.

After wrestling itself to the ground, NEA concluded that teaching is not akin to the clergy—that it is not unprofessional, unethical, or immoral for teachers to make a living wage, for teachers to have adequate fringe benefits. And, most importantly, for teachers to have a voice in determining the conditions under which they spend every day of their working lives. NEA recognized that collective bargaining was how to achieve these things, and it accepted the need to change philosophically from whatever it had been until that time to something called a "labor union," whatever that was.

Let me pause to note that I refer to teachers rather than education employees because during those early years, NEA and most of its affiliates represented only teachers. And that did not start to change until some years later.

This wake-up call was a particularly good thing for me, because NEA decided that it needed guidance to run with the big dogs in this new world of unionism and collective bargaining. To provide such guidance, NEA retained a New York City labor law firm called Kaye, Scholer, Fierman, Hays & Handler, which was the law firm that I had recently joined.

My first field assignment for NEA was in 1963, when I traveled across the Hudson River to New Jersey to work with the New Jersey Education Association. Although there was no public sector bargaining law in New Jersey at that time, the state's first teacher representation election was going to be held in Newark between

the Newark Teachers Association and its AFT rival, the Newark Federation of Teachers. The President of the Newark Teachers Association in 1963 was a young lady named Ruth Beuhrer, who is here today as a retired delegate.

NJEA assigned one of its staff members to work with me. I am sure that many of the NJEA delegates remember him. His name is Jack Bertolino, and Jack was at that time the Director of Field Services for NJEA.

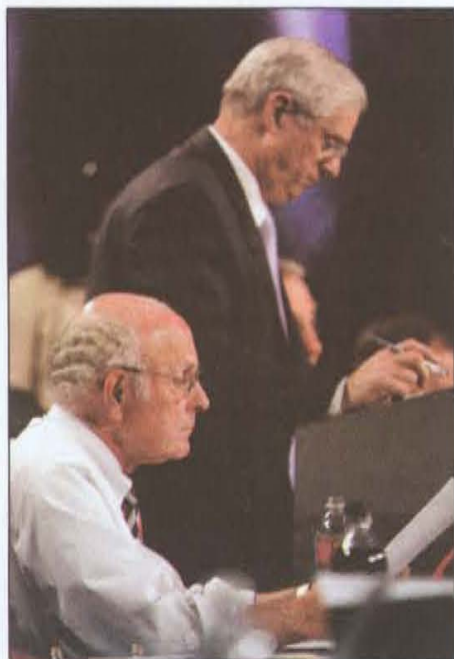
Jack—who already had been with NJEA for about five or six years—told me that we were on the verge of a revolution in public sector unionism generally and teacher unionism specifically. Jack was deeply committed to this revolution, which he saw as God's work. He urged me to leave the Kaye Scholer law firm and work full time for NEA, for teachers, and for public education.

At that time, I had a bright future with Kaye Scholer. In a few years, I was likely to become a partner in this highly prestigious New York City law firm. Moreover, Kaye Scholer was rapidly expanding its practice, and my long-range financial prospects were mind-boggling—I really could have made a lot of money.

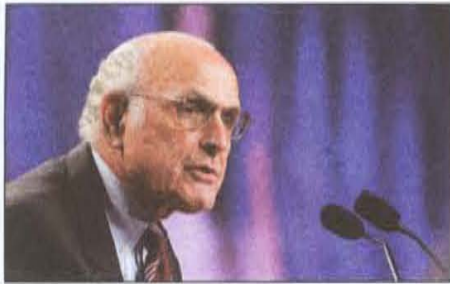
But Jack told me that I should not focus simply on material things. He said that as I grew older, I would realize that there are other things in life that were more important than prestige, power, and money.

I gave a great deal of thought to what Jack had said. I reflected long and hard on the advice he had given me, and I finally concluded that Jack was a schmuck. So I decided to stay with Kaye Scholer.

But Jack was right about one thing: There was indeed a revolution in



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ing NEA and its affiliates against attacks from government agencies, conservative and right-wing groups, and unfriendly media. So much so that it brings to mind the old question, "Are we paranoid, or is someone really after us?" The answer is, we are not paranoid. Someone really is after us.

During the Bush administration, for example, NEA was audited by the Internal Revenue Service, repeatedly. It was investigated by the Department of Labor. And it was called a "terrorist organization" by the Secretary of Education.

Now that the Bush administration is history, that type of governmental harassment will stop, but attacks by conservative and right-wing groups will continue unabated. The Landmark Legal Foundation will continue to file charges alleging that we have violated election campaign law. The Right to Work Committee will continue to file lawsuits accusing us of misusing agency fees. The Heritage Foundation will continue to contend that we are guilty of financial malpractice. And other opponents will continue to argue that paycheck protection statutes and ballot initiatives are necessary to protect Association members from unscrupulous union bosses who are seeking to coerce them into paying for political activities that they do not want to support—when, in fact, the supporters of paycheck protection don't give a rat's ass about the rights of Association members.

And just in case any of you may not have noticed, the *Wall Street Journal*, *Fox News*, *Forbes* magazine—they don't like us very much either.

Why, you may ask, is this so? Why are these conservative and right-wing bastards picking on NEA and its affiliates? I will tell you why. It is the price we pay for success. NEA and its affiliates have been singled out because they are the most effective unions in the United States. And they are the nation's leading advocates for public education and the type of liberal, social, and economic agenda that these groups find unacceptable.

The objective of these investigations, charges, lawsuits, statutes, and ballot initiatives is to limit the effectiveness of NEA and its affiliates by restricting our ability to participate in the political process, cutting off our sources of revenue, and diverting our energies from advancing our affirma-

the making. In 1963, only one state, Wisconsin, had a public sector labor law—before you applaud yourselves, I was going to say "but had done virtually nothing with the law."

During the next few years, there was literally a legislative explosion. More than 25 states enacted statutes giving teachers the right to engage in collective bargaining, and thousands of association/school district collective bargaining agreements were negotiated.

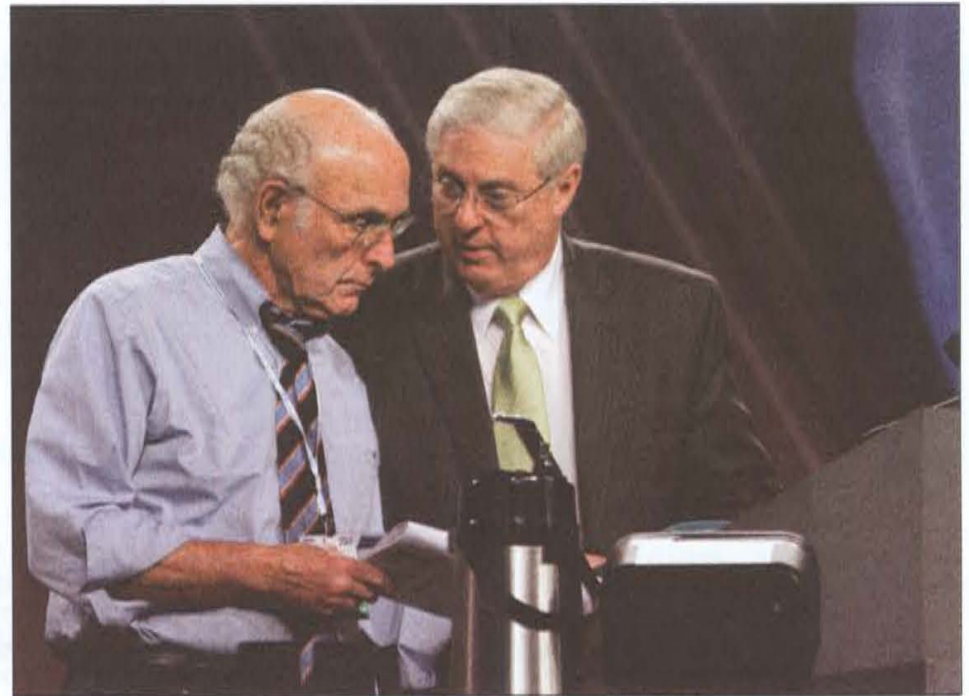
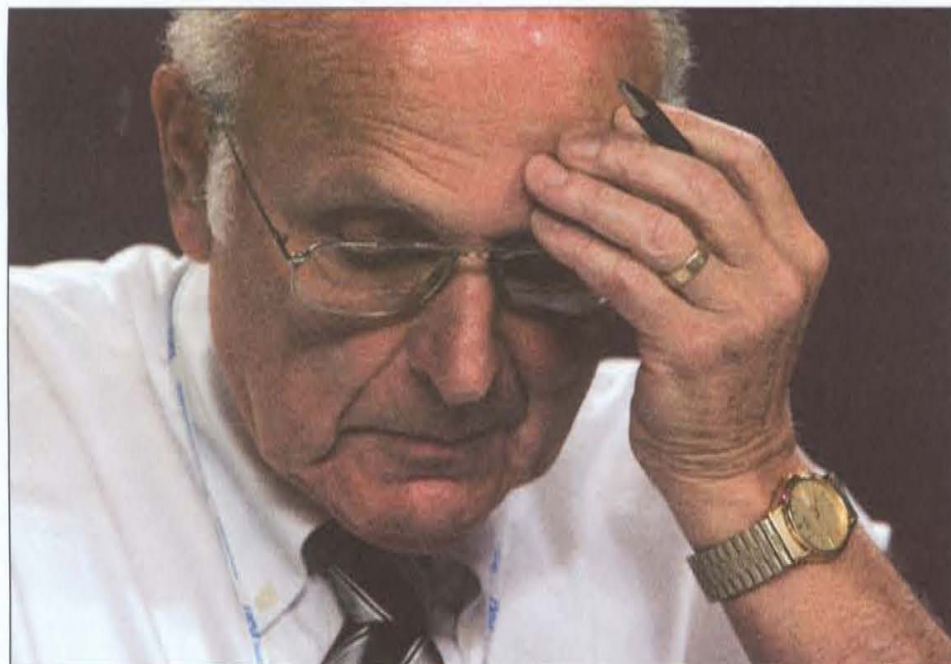
Although I stayed with Kaye Scholer, NEA became my primary client. I worked with NEA affiliates throughout the country. But these were not simply a series of isolated assignments. It was more than negotiating a collective bargaining agreement in Brockton, Massachusetts. Or getting teachers out of jail after they had engaged in an illegal strike in Flint, Michigan. Or defending a teacher who had been discharged because she refused to take any more crap from an insensitive school superintendent in Scranton, Pennsylvania.

The whole was, in fact, far greater than the sum of its parts. I had become involved in a national movement, a movement that was being led by NEA and affiliates, a movement that I realized ultimately would transform both public sector unionism and public education.

In short, I had begun to see things through the eyes of Jack Bertolino, and in 1968, when NEA asked me to come to Washington to be its General Counsel, the decision was a no-brainer. I readily accepted and began a relationship with NEA that has now lasted more than 40 years.

Much has changed during those 40 years. For me personally, the most obvious change is that I have grown old. Gracefully to be sure, but nonetheless old.

But NEA has changed as well. And to me, one of the indications of this change is that I have found it increasingly necessary to spend time defend-



tive agenda to defending ourselves. At first glance, some of you may find these attacks troubling, but you would be wrong. They are, in fact, really a good thing.

When I first came to NEA in the early 1960s, it had few enemies and was almost never criticized, attacked, or even mentioned in the media. This was because no one really gave a damn about what NEA did or what NEA said. It was the proverbial sleeping giant, a conservative, apolitical, do-nothing organization. But then NEA began to change. It embraced collective bargaining. It supported teacher strikes. It established a political action committee. It spoke out for affirmative action, and it defended gay and lesbian rights. What NEA said and did began to matter. And the more we said and did, the more we pissed people off. And in turn, the more enemies we made.

So the bad news, or depending on your point of view, the good news, is that NEA and its affiliates will continue to be attacked by conservative and right-wing groups as long as we continue to be effective advocates for public education, for education employees, and for human and civil rights.

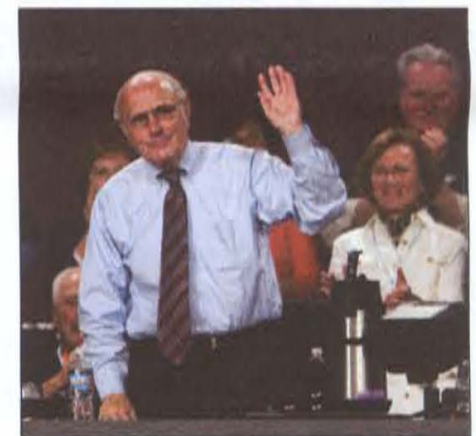
And that brings me to my final—and most important—point, which is why, at least in my opinion, NEA and its affiliates are such effective advocates. Despite what some among us would like to believe, it is not because of our creative ideas. It is not because we care about children. And it is not because we have a vision of a "great public school for every child."

NEA and its affiliates are effective advocates because we have power. And we have power because there are more than 3.2 million people who are willing to pay us hundreds of millions of dollars in dues each year because they believe that we are the unions that can most effectively represent them, the unions that can protect their rights and advance their interests as education employees.

This is not to say that the concerns of NEA and its affiliates with closing achievement gaps, reducing dropout rates, improving teacher quality, and the like are unimportant or inappropriate. To the contrary, these are the goals that guide the work we do.

But they need not and must not be achieved at the expense of due process, employee rights, and collective bargaining. That simply is too high a price to pay.

When all is said and done, NEA and its affiliates must never lose sight of the fact that they are unions—and what unions do first and foremost is represent their members. If we do that, and if we do it well, the rest will fall into place. NEA and its affiliates will remain powerful, and that power will in turn enable us to achieve our vision of a "great public school for every child."



Today, NEA has thanked me for some of the things that I have done, but this is in a sense backwards. It is I who should thank NEA for giving me the opportunity to spend almost 50 years of my working life for causes that I truly believe in, and to be part of an organization that has made a difference in the lives of children and education employees, and that has led the defense of public education.

Ladies and gentlemen, the last 50 years have been one hell of a journey, and the future promises to be no less exciting or challenging. I regret that I will not be continuing the journey with you, but it is time for a new generation to drive the bus.

Thank you.

— For complete coverage of the RA's tribute to Bob Chanin, visit www.nea.org/ra