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Public Employee Unions: 'Political Kryptonite'

By Robert F. Sanchez

The same year Neil Armstrong took off from Cape Canaveral and became the first man to walk on the moon, few paid much attention to another Florida event that gradually would have an astronomical impact.

The Florida Supreme Court – in a stunning display of judicial activism – reversed long-standing precedents and rendered a dubious decision forcing this state's elected officials to bargain with public employee unions.

The potential long-term consequences were little noted at the time. It was as though a meteor had landed unobserved in a remote part of the Everglades --a meteor laced with a political version of "kryptonite," the substance that saps Superman's strength.

Gradually, this 1969 ruling has had an increasingly toxic impact on Florida's body politic. It is driving costs ever higher while also hampering local governments' ability to meet their basic responsibilities.

How Florida got into this mess is detailed in a new study from The James Madison Institute, a non-partisan policy center based in Tallahassee. That study, *Public Employee Collective Bargaining: The Florida Experience* by Robert "Jake" Bebbler is posted on JMI's website, www.jamesmadison.org.

Now Floridians must decide what to do about the problems created by more than

three decades of union inroads in government. As with any malaise, the first step is to identify the problem – and many Floridians have not yet made the connection between excessive union power and our increasingly costly and dysfunctional local governments.

State legislators have tended to ignore the problem because the unions representing most state workers have little clout. Their membership tends to be concentrated in a few legislative districts and scarce in the rest.

Yet state lawmakers ought to sit up and take notice. The exorbitant salaries and benefits granted by some local governments lure away state employees such as Florida Highway Patrol troopers in whom the state has invested a lot of money for training.

Moreover, the state supplies much of the money with which local school districts pay their teachers and other employees. However, the state isn't a party to the schools' collective bargaining, and that has led to problems.

The class-size amendment, for instance, gained much of its support from angry parents in two big South Florida counties where the school boards had repeatedly yielded to the inordinate demands of militant teachers unions.

When the Legislature would provide enough additional funding per pupil to give

teachers, say, a 3 percent raise, the school board would roll over and provide a larger raise. How? By packing more kids into each classroom. Then the union, having prevailed on pupil-teacher ratios, would complain about crowded classrooms.

Union power is often felt with brutal directness at the local level. There, the turnout in municipal and county elections is often so shamefully low that bloc voting by public employees virtually hand-picks the local officials with whom they then negotiate exorbitant salaries and benefits.

If their demands encounter resistance, they picket, pack the halls with rowdy protesters, and threaten retribution at election time. The unions' favorite negotiating ploy is salary leapfrog, a game in which each bargaining unit compares its contract with those in other bargaining units or places that rank higher in pay and benefits. This ploy is especially effective in Southeast Florida; the three-county area has more than 100 municipalities.

Yielding to union demands is one of the reasons why the city of Miami went broke despite its high taxes and dismal government services. It's why so many Florida cities and counties haven't reduced millage *rates* this year, even though property values have soared. It's also why dismissing an incompetent teacher, a rogue cop, or a lazy bureaucrat is so difficult.

Granted, public employees -- like all other Americans -- have a right to due process, to form groups, to petition their government, and to participate in the election process when they're not on duty.

Even so, public employees should not have rights superior to those of the taxpayers who pay their salaries -- but they do. Through collective bargaining, the unions' demands take precedence over other public needs being weighed in the budget process.

Unfortunately, an activist Florida Supreme Court conferred such preferential rights back in 1969. Like the reasoning of the rejected astronaut who thought it would be A-OK to land on the sun "because we'll do it at night," it was an astronomical mistake.

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