Story of A Teacher Strike in Newark, N. J.

(Continued from page 15)

cess time and time again and who was serving on the NTU negotiating team, had seen it coming.

"School boards think they can always go to court and get an injunction," Bates says. "So they think they don't have to bargain."

Teachers have gotten mauled by no-strike laws and injunctions in lots of places . . Woodbridge, N.J.; New York City, Boston, Illinois, North Dakota, Indiana, Rhode Island, Maryland.

There is no law in New Jersey prohibiting public employee strikes.

But neither is there a law permitting such strikes — although such laws have been enacted recently in Hawaii and Pennsylvania — and court decisions made it possible for the school board to go to Essex County Court and get an injunction against a teachers' strike.

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The injunctions were issued Saturday night — the night before the membership strike vote.

Carole Graves never was formally served hers.

The injunction was left with one of her neighbors.

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It was after midnight when process servers got around to Frank Fiorito, 42-year-old school English teacher and executive vice president of the NTU.

His wife wouldn't let them in. They left the restraining order on the doorstep.

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The strike started Monday. The arrests were under way before the week was out.

First, Mrs. Graves, Fiorito and executive board member Donald Nicholas were picked up.

A day later, two more officials were picked up: Mrs. Rufalo and vice president Edward Tumin.

A week after the strike started, sheriff's officers appeared at the union headquarters looking for the last two officials in their sweet-William Troublefield, an executive board member who was on the negotiating team, and James Lerman, 24-year-old junior high school English teacher who edits the Newark union's monthly newspaper.

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The seven union officials posted their bond and went back to work — on the strike.

Experienced mediators testify that once talks break down and a strike starts, some time has to pass for passions to cool before renewed bargaining can get anywhere.

So the strike went on.

The injunction was still being violated, County officials tried a new tact: they started arresting rank and file teachers on the picket lines.

"This was terror for the teachers," said Fiorito. "They were busting our teachers every day. They booked, fingerprinted, photographed every one of them — the whole bit.

"They'd take a dozen one day, 20 the next day. We began to lose count after a while."

But the arrests were no more successful in breaking the strike than the injunction had been in preventing it.

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Howard Goeringer vowed to union officials when they bailed him, "I'll be on the line again tomorrow."

And he was. Before the end of the strike, he was arrested again.

Monroe Kurtz, a scrappy, 36-year-old union officer whose elementary school has the highest percentage of union members in the city, got picked up in the county courthouse on a charge of "loitering."

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The big mistake was starting the rank and file arrests. NTU officials had been worried when the first arrests were made.

"Rank and filers used to be willing to picket because they had the feeling that they wouldn't get hurt," AFT negotiator Bates says. "They figure only the union leaders will get arrested."

The worry in the NTU's office was that the arrests would break the strike.

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Instead, the arrests seemed to strengthen the teachers' determination. That left officials in a quandary.

The seven NTU officers named in the injunction got sentences of three months in jail, three months suspended and personal fines of $500 each.

Rank and file teachers got sentences ranging from 10 to 40 days (two-time loser Goeringer pulled the 40 days) and $200 fines.

The union was fined $40,000.

The strike was over before the trials were.

Mayor Addonizio finally stepped in about midway into the strike; and the chief school board negotiator, whom union officials disliked was eased aside.

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Once the talks began, they moved quickly.

An NTU negotiator relates, "The mayor would say, 'Does it cost anything?' The Board would say, 'No.' And the mayor would say, 'What's the hangup? Give it to them.'"

The NTU won its union recognition, its grievance procedure, a more effective schools plan at one school and salary increases averaging $2,200 a year.

But the county courts say "six months — three months suspended,' I took a flying leap. I thought, 'Oh, my God.'"

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Mrs. Rufalo had to get a leave of absence from the school board from her job as a "helping teacher" — in effect, coaching new teachers and showing them the ropes.

Oddly enough, no problem with that one. School board officials had begun treating Mrs. Rufalo with great respect by now.

Her sentence had been cut short on the grounds that her health was being endangered.

She isn't so generous toward the school board, or toward the injunction that put her there.

"I think the cruel thing is how they abused the injunction," she says. "Never did question the fact that the board was being extremely unmoving in the negotiations.

"The board got the injunction before the strike was even called. They've got this fantastic weapon, so they think they don't have to do a damn thing."

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There's a better way.

AFT President David Selden joined the Newark picket line at the height of the strike, was arrested — as he had expected to be — and served 43 days in Caldwell Penitentiary to dramatize that point.

"The United States," says Selden, "is one of the very few democratic countries in the world that has a flat prohibition against public employee strikes.

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"Most European countries — including Great Britain, Sweden, Norway, Denmark, France, Italy and others — take it for granted that a person who works for the government has a right to stop work in order to bring about changes in his condition of employment."

Even the Nixon Administration seems to have recognized that right, at least indirectly.

In the 1970 postal workers strike, President Nixon carefully used the minimum possible force to try to end the walkout.

He called Army reservists to active duty. The job they were given was to work the mail — they didn't do very well, but then no one expected them to — not to apply force to the postal workers.

Nobody went to jail.

"Without the power to strike," says Selden, "there can be no meaningful collective bargaining."

Organized labor in this country won its right to exist in 1932 when Congress passed the Norris-LaGuardia Act and banned the use of injunctions to prohibit strikes.

What is good for the nation ought to be good for the nation's governments — from the White House to the smallest town hall.

THEY STOOD IN the middle. When parents tried to replace some of the teachers out on strike, children would often ask their teachers if they should cross the picket lines to attend classes. One teacher said she always advised them to enter school. The children were out of school for 16 days when the Newark, N.J. teachers went out on strike for wanting to improve conditions for themselves and their pupils. Some of the city's schools are more than 100 years old.

IRONICALLY ENOUGH a group of teachers look over a copy of the injunction brought against them by the Newark school board as they stand under the word "JUSTICE." The Newark teachers were among the first in the country to defy a court injunction forbidding them to strike. In doing so, they raised the question of whether public employees have the right to strike. The teachers won their fight.

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