

[U.F.T. charter employee claims school illegally helped union](#)

By Conor Skelding

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An employee of The U.F.T. Charter School in Brooklyn is accusing administrators of illegally assisting the union that both represents its teachers and operates the school: the United Federation of Teachers.

The employee, whose name was redacted on copies of the charge filed with the National Labor Relations Board, charges that the school's administration violated a portion of the National Labor Relations Act. The clause in question prohibits "company unions" dominated by an employer and forbids an employer from contributing "money to a union it favors or [giving] a union improper advantages that are denied to rival unions," according to the NLRB's [guide](#) to the law.

"During the past six months and continuing, the Employer, at its two locations, has violated the Act by unlawfully assisting the United Federation of Teachers, and by collecting and remitting dues to the Union from employees' wages," according to the charge, which was filed on June 15. (It is unclear whether the "and" means that dues collection is the sum of the charge or one part.)

"The only question is the unsupported allegation of assisting the United Federation of Teachers," said David Bloomfield, a professor of education at Brooklyn College and the CUNY Graduate Center. "Collecting and remitting dues to the union is what any management does in these circumstances."

However, the filing of the charge itself raises the issue of a potential conflict of interest: whether a union that represents employees may also manage them.

"The sub-question is what structures has the union put into place so that it can meet its duty of fair representation?" Bloomfield asked. "This is an interesting way to raise the issue. But without more [information] it's doubtful that the NLRB will be able to make a finding."

Lee Adler, who teaches public sector collective bargaining and labor law at Cornell University's School of Industrial and Labor Relations, said that because it is unclear who filed the charge, it is hard to assess the case.

"The NLRB complaint reveals very little to us about possible violations. It is not yet public who filed the complaint against the union or why. Learning these things will make it possible to better understand whether this charge is in fact viable," he wrote in an email.

Dick Riley, spokesman for the U.F.T., said that the U.F.T. is the certified representative of teachers at The U.F.T. Charter School, so the question is a non-issue.

"The U.F.T. holds the bargaining certificate for the teachers there, and they are covered, essentially, by our contract with the rest of the system," he said.

He declined to comment on the pending charge or to describe how the union reconciles its dual role at the school. Email and phone messages left with the school administration were not returned.

The charter, founded in 2005, has [struggled for years](#). In February, the U.F.T. announced that it would [close](#) the K-8 charter, but seek to renew open the high school's charter.

Read the charge here: <http://bit.ly/1dA7OTF>

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