

# La Habra strike ends in litigation

By Bill Guy



Although the 225 members of the La Habra Education Association called off their four-day strike and finally returned to their classrooms on Dec. 16, the fight is far from over with the La Habra City School District's superintendent and board of education.

"LHEA members returned to their classrooms with heads held high, knowing we took the high ground with our integrity and dignity intact," says LHEA President Danette Brown, who leads the teachers in the K-8 elementary district located in the north Orange County city of La Habra. "We had hoped to prevail through negotiation, but now we are seeking redress through litigation."

LHEA has filed legal motions against the district's surface bargaining, their refusal to provide the association legally required bargaining information, the unfair multiyear contract imposition, and the illegal withholding of teachers' salary related to step-and-column and health benefits in the absence of a bargained contract.

CTA President David A. Sanchez wrote to LHEA members during their strike, "I hope you know that by standing up for your profession and by not allowing your superintendent and school board to bully you into subservience, you are perhaps teaching your students a lesson in fairness that they might not learn in any other way."

More than 90 percent of LHEA members walked the picket lines or refused to cross them on each of the strike's four days, and the number of La Habra students attending school during the strike shrank from about 80 percent the first day to barely 50 percent when the strike ended.

Parents and community members supportive of the teachers literally took over in a raucous six-hour Dec. 9 school board meeting, citing numerous instances of inappropriate behavior by the hired substitutes. The board acceded to the parents' demands that financial experts representing the board and CTA make efforts to craft a framework within which negotiations between the two bargaining teams might be possible.

Following lengthy talks between the financial analysts from Friday until nearly midnight on Monday, Dec. 13, both analysts agreed that their proposed framework offered parameters that should result in a settlement. Bargaining by the teams was set to start Tuesday, Dec. 14, at 3:30 p.m., and in a gesture of good faith, LHEA called off its strike and notified the district that teachers would return to their classrooms beginning Tuesday morning.

When teachers reported to their work sites for duty, expecting to reunite with their students, the district literally and figuratively slammed the doors in their faces by illegally locking them out and directing them to sign a legal document promising that by gaining entry they were giving up all rights to resume their strike. CTA attorneys assisting LHEA advised the teachers not to sign the documents and requested an injunction from the California Public Employment Relations Board forbidding the lockout.

At the end of the school day on Dec. 14, LHEA members gathered outside the La Habra district office in a rally to cheer their bargaining team at the start of the planned negotiations session, joined by scores of parents and numerous Los Angeles and Orange County area television mobile news crews.

“It was soon apparent after the bargaining session started that the district’s team had no intention of settling a contract based on the framework recommended by the financial experts,” says Brown. “Even so, LHEA’s bargaining team endured an almost eight-hour charade of repeated rejections and insulting, callous counterproposals from the district before talks broke off.”

The district repeatedly rejected the framework recommended by financial experts representing both parties, instead offering punitive proposals unacceptable to the teachers. Rejecting the experts’ recommendation of standard, acceptable restoration language common in negotiated agreements throughout the state, the district continued to insist on punitive language that would result in additional, permanent cuts for the teachers.

“After leading teachers, parents and the community to believe they would honor the recommendations of the financial experts they had suggested to help craft a mutual compromise, the district’s bad-faith bargaining was yet one more breach of public trust,” says Brown. “During the course of their sham bargaining, the La Habra City School District committed numerous grievances that LHEA can litigate, and that process is already in motion.”

Even though LHEA members reported for duty Dec. 14 and were willing to work the next day, the district directed the teachers to stay out of their classrooms again on Dec. 15, which cost an additional \$50,000 in unnecessary substitute pay.

On another front, LHEA is supporting efforts by an organized coalition of outraged parents and citizens to initiate a petition drive for school board member recall with the ultimate goal of ousting Superintendent Susan Belenardo from the district.

Sanchez urges CTA’s local chapters and members who have not already done so to contribute to the La Habra Education Association’s strike crisis fund. You can do so via PayPal at [bit.ly/dRMFyj](https://bit.ly/dRMFyj), or by check to: LHEA Strike Fund, NOCUT, 749 South Brea Blvd., Suite 42, Brea, CA 92821.