

Union with labor dispute of its own threatened to cut off workers' health benefits

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The National Education Association, the nation's largest union, reversed course July 26, on its threat to cut off health insurance to about 300 Washington, D.C.-based workers in an effort to end a bitter contract dispute.

"The NEA is not discontinuing its unionized staff's [health insurance](#) and

will continue to pay insurance premiums as we bargain a new contract," Kim Anderson, NEA's executive director, said in a statement to KFF Health News. "Both parties have mutually agreed to mediation and we are making every effort to reach an agreement as quickly as possible."

The NEA's decision came just hours after KFF Health News reported on the union's warning that it would cancel health benefits on Aug. 1 for striking workers, including some with ongoing medical issues. Officials at the NEA staff union confirm they had been notified by the NEA.

Some private employers have used the threat of cutting off health benefits as leverage against unionized workers, a tactic that has drawn scrutiny from congressional Democrats and is prohibited for state employers in California. Experts on labor law say they've never seen a union make the move against its own workers.

"This is like a man-bites-dog situation where the union is now in a position as the employer," said Paul Clark, a professor of labor and employment relations at Penn State University. "It's not a good look for a union."

NEA workers with pressing health needs were worried but said they wouldn't fold. Joye Mercer Barksdale, a writer on the NEA's government relations team, said she needs coverage for a medical procedure to address atrial fibrillation, a cardiac disorder. "This is insane for the NEA to use our health benefits as a bargaining chip," she said.

But Barksdale had said she was "not ready to give in." She said she was thrilled by the reversal.

The NEA Staff Organization, the union representing workers at the NEA's headquarters, launched a strike on July 5 in Philadelphia, during the union's annual delegate assembly. It was its second walkout this

summer as the two parties negotiate a new contract, navigating sticking points such as wages and remote work.

In response, the NEA ended the conference early. President Joe Biden was supposed to speak at the event but withdrew, refusing to cross the picket line. The NEA on July 24 endorsed Kamala Harris for president.

On July 8, the day after the conference had been scheduled to end, the NEA locked out workers. In a letter the day before, the NEA informed its unionized workers that they would not be paid, effective immediately, and their health benefits would expire at the end of July unless a new deal were reached.

"NEA cannot allow NEASO to act again in a way that will bring such lasting harm to our members and our organization," Anderson, the NEA's executive director, wrote in the letter, obtained by KFF Health News. "We are, and have always been, committed both to our union values and to the importance of conducting ourselves as a model employer."

Democrats in Congress, including Sens. Sherrod Brown of Ohio and Bob Casey of Pennsylvania, introduced legislation last year to protect striking workers from losing their health benefits, after several large companies, including General Motors, John Deere, RTX (formerly Raytheon Technologies), and the maker of Kellogg's cereals, threatened to or did cut off coverage during labor disputes.

"Workers shouldn't have to choose between their family's health and a fair contract," Brown said in a statement to KFF Health News.

The legislation was endorsed by large labor unions, including the Service Employees International Union and United Steelworkers, according to a press release from Brown's office. The NEA wasn't among them.

"This tactic is immoral, and it should be illegal," United Steelworkers' president at the time, Thomas Conway, said in the release.

Kate Hilts, a National Education Association digital strategist, says she fears that losing her coverage will leave her unable to afford treatment for a rare autoimmune disease that attacks her kidneys. Her next treatment was slated for August. "I wake up every day and can't believe this is happening," she says.

Joye Mercer Barksdale, a writer on the National Education Association's government relations team, worries that losing her employer-paid insurance could be bad for her health, as she needs a medical procedure to address atrial fibrillation, a cardiac disorder. "This is insane for the NEA to use our health benefits as a bargaining chip," she says.

Officials at the NEA, which represents teachers and other administrators, declined an interview request. In a statement Wednesday, the organization's president, Becky Pringle, said "we are making every effort to reach an agreement as quickly as possible" with its staff union.

"As union leaders who have been on strike, we recognize the significance and impact of these important decisions on a personal and family level. We truly value our employees and look forward to continued collaboration with NEASO to develop a new contract that benefits us all," she said.

Kate Hilts, a digital strategist who works for the NEA, said she feared losing her coverage would leave her unable to afford treatment for a rare autoimmune disease that attacks her kidneys. Her next treatment was slated for August.

"I wake up every day and can't believe this is happening," she said. "You would expect this from an employer that is antiworker or has a terrible

labor record, but I am totally flabbergasted that a labor union would do this that bills itself as pro-worker, pro-family, pro-education, and pro-children."

The NEA staff [union](#) has filed multiple charges with the National Labor Relations Board this year, including allegations that the NEA withheld holiday overtime pay and failed to provide information on the outsourcing of millions of dollars in bargaining unit work.

California is one of the only states that protects striking workers from losing health coverage. The [state legislature](#) passed a law in 2021 that blocks the tactic from being used against public employees and another law in 2022 that allows any striking workers who lose their insurance to immediately get heavily discounted coverage through the state's Affordable Care Act marketplace.

If they had remained locked out, the NEA workers would have been eligible for coverage under COBRA, a federal program that allows people who are fired or laid off to maintain their employer-sponsored insurance for 18 months.

But the coverage can be a financial hardship, as individuals often must pay the entire cost of their insurance premiums, plus a 2% administrative fee.

Another option for workers would have been coverage through the Affordable Care Act marketplace, though that also can be costly. And it may have been unclear how soon that coverage would begin or whether insurers would cover their existing doctors.

"I'm hoping the NEA will be so ashamed of what they are doing that, at the very least, they will not take away our [health benefits](#)," Barksdale said before the NEA's decision.

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