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Commissioner

State of Rhode Island
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
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April 15, 2026

By email

HouseLabor@rilegislature.gov

The Honorable Arthur J. Corvese
Chair, Rhode Island House Committee on Labor
Rhode Island State House
Providence, RI 02903

Re: House Bill No. 7042.

Dear Chairman Corvese:

Thank you for the opportunity to submit testimony on House Bill 7042 before the House Committee on Labor. I am writing in my capacity as Chief Legal Counsel to express concern and state RIDE's opposition to the above-cited legislation. House Bill 7042 proposes to amend existing law, and to provide certified public-school teachers with the right to strike. This legislation would negatively impact Rhode Island students and families, particularly the state's most vulnerable.

It has long been the law in this state, as well as in the great majority of states, that such teachers are legally prohibited from striking. *See Warwick School Committee v. Warwick Teachers' Union, Local 915*, 613 A.2d 1273, 1275 (R.I. (1992) (citing R.I. Gen. Laws § 28-9.3-1); *see also* M. Will, *Teacher Strikes, Explained: Recent Strikes, Where They're Illegal, and More* (Education Week, October 30, 2023) ("In 37 states and Washington, D.C., it is illegal for teachers to go on strike."). Prohibitions against teacher strikes reflect the essential nature of public education and the disruption that work stoppages cause for students.

Although only twelve states currently allow teachers to strike, the impact of such strikes has been "substantial." Recent strikes in large districts such as Los Angeles, California, and Portland, Oregon, have resulted in concerns related to significant loss of instructional time for students, and disruptions for families. *See, e.g.,* S. Sharp & A. J. Campa, *What? A Strike? Parents Blindsided by Looming LAUSD Walkout That is Closing Schools*, L.A. Times (Mar. 18, 2023). Indeed, according to a study by Brookings, over a sixteen-year period, such strikes have affected approximately 11.5 million students and led to the cancellation of 3,403 school days (or 48 million student days). M. A. Lyon, *The resurgence and impacts of teacher strikes* (Brookings, November 18, 2024).

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Moreover, while the available data suggests that strikes lasting longer than ten days negatively impact student performance, *see id.*, it is the agency's opinion that strikes of even shorter duration will disproportionately impact students most in need of support, i.e., students in our historically underserved urban schools and students with disabilities. Replacing special education teachers with substitutes unfamiliar with students' needs can be disruptive and, in some cases, unsafe for students. During a strike, resources are more limited, and students who already face challenges will be disproportionately impacted.

The widespread statutory prohibitions against teacher striking have traditionally been justified by the belief that allowing essential employees like teachers to strike would afford organized labor with disproportionate political leverage, a "disproportionate power" theory premised upon the conviction that: (1) teaching is a service monopolized by public employees with limited competition from nonunion enterprises; (2) the public will exert excessive political pressure on governmental officials to prevent work stoppages, even at the cost of expensive bargaining concessions; and (3) the costs of settlement are easily disguised in "an already incomprehensible municipal budget or tax structure." *See* H. Wellington & R. Winter Jr., *The Unions and the Cities*, 24-29 (1971); Wellington & Winter, *Structuring Collective Bargaining in Public Employment*, 79 *Yale L.J.* 805, 807-09 (1970). And while RIDE believes that this "disproportionate power" theory is relevant, the agency's opposition to House Bill No. 7042 is not premised upon theory, but upon the likely practical impact upon students.

For all these foregoing reasons, I respectfully urge the Committee to oppose House Bill 7042. I appreciate the opportunity to share my concerns with the Committee, on behalf of the Department of Education. If there are any questions, please feel free to contact my office at your convenience.

Sincerely,



Anthony Cottone, Esq.,
Chief Legal Counsel

cc (by email): Honorable Members of the House Labor Committee
The Honorable David A. Bennett
Nicole McCarty, Esq., Chief Legal Counsel to the Speaker of the House
James DeCastro, Committee Clerk