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## **Promoting Education Quality: the Role of Teachers’ Unions in Latin America**

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# Promoting Education Quality: the Role of Teachers' Unions in Latin America

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## Abstract

Teachers unions play a major role in education policymaking in Latin America. In this paper, we review the literature and document cases where unions have likely had a positive impact on education. This has been primarily through their effect on the professionalization of the teaching force and their policy advocacy. Through publications, courses, and leadership opportunities, unions likely have positively contributed to instruction and teachers' sense of purpose. Through policy advocacy, unions have informed governments of crucial local knowledge, have contributed research, and have established mechanisms of collaboration. We make the following policy recommendations: 1) Encourage unions' professionalizing activities for teachers; 2) Establish institutionalized spaces where teachers can participate in the making of education policy, regardless of the government in power; and 3) Plan education policy democratically, incorporating unions.

## Introduction

Public sector teachers' unions are major actors in education politics in Latin America. Yet there has been little comparative study of their impact on education the region. There have been case studies, but existing knowledge is uneven, even among the cases that are the most well known (Argentina, Brazil, Chile, and Mexico).<sup>3</sup> Moreover, researchers have tended to focus on the history of teachers' unions, describing union mobilization and political interactions, rather than educational impact.

This scholarly neglect may partially result from methodological challenges. For example, there has been conflict over how to identify, quantify, and analyze indicators related to education quality and teacher professionalism.<sup>4</sup> What's more, important background characteristics, like labor history and the evolution of education policy, vary greatly across Latin America, rendering questionable whether common patterns of teachers' union behavior exist and whether cross-country comparisons can be generalized.

Yet, the potential influence of teachers' unions in Latin America has grown since 1990. Primary enrollment throughout the region has reached near universality in

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<sup>3</sup> Among others, see Núñez (1986) on Chile, Cook (1996) and Muñoz (2005) on Mexico, Ferreira Jr. (1998) on Brazil and Nardacchione (2009) on Argentina. See also Gindin and Melo (2011).

<sup>4</sup> See UNESCO (2004) – especially chapter 1- and Feldfeber (2007).

this period (PREAL, 2006) and education reform has become a priority, as evinced by increasing policy change: while only two countries had national testing systems in 1989, the number had jumped to 21 by 1997 (PREAL, 2001). The push for education reform has continued through the 2000's. For example, as of 2006, no country in the region had national standards but several, including Nicaragua, Argentina, and Colombia, were in the process of forming them (PREAL, 2006). This changing policy context has brought teachers' unions into the limelight as important policy actors. Indeed, Vaillant (2005) notes that in this period the number of conflicts between teachers' unions and governments has grown dramatically.

This report analyzes the role of public sector teachers' unions in Latin America. The public domain is the sector where most teachers work, where teachers' unions are strongest, and where students are most disadvantaged. These important players merit study. Much has appeared in the media about this polarizing topic. On one hand, policymakers have criticized teachers' unions as hindrances to quality-enhancing change due to union policy preferences and strike activity. On the other hand, teachers' unions argue that they have played an important positive role in education. Specialists have fallen on both sides. In the public debate on education, these two points of view have been exaggerated and politicized. In academic terms, the conclusion that unions play just one role is highly suspect. Rather, this role likely varies depending on the nature of the policy, the country, and the historical context.

In this paper, we highlight the positive role teachers' unions have played in education in Latin America. We refrain from making causal arguments and instead aim to show that there have been instances where unions likely have positively affected education quality through two mechanisms: by contributing to professionalization (the development of teacher skills) and by advocating for educational improvements.

We first review the literature on the impact of teachers' unions, drawing primarily on literature from the United States and Latin America. In the second section, we discuss the two mechanisms through which unions have had a positive effect on education quality in Latin America. In the third section, we discuss incentives, reviewing the literature and discuss the relationship of Latin American teachers' unions and incentives proposals. We next offer a few policy recommendations and conclude.

## **Teachers, Teachers' Unions and the Challenges of Improving Education Quality**

In the United States and Latin America,<sup>5</sup> teacher unions' have been thought to influence education via two mechanisms – their impact on policy and their direct impact on schools and school systems. We will address each in turn.

### *The Impact of Teachers' Unions on Education Policy*

Scholarship examining how teachers' unions affect education policy tends to see them as either special interests pursuing a self-interested agenda or encompassing social movements advocating for public education. Much of this literature comes out of the United States. Terry Moe is the most well-known writer in the U.S. who takes this special interests perspective on teachers' unions. The thrust of his argument is that they are political forces against any sort of education reform. Throughout his works, Moe argues that teacher unions function as interest groups, blocking changes to the status quo through activism, lobbying, and campaign donations (Moe, 2003, 2005, 2011). According to Moe, this occurs because unions are democratic. Using teacher surveys and anecdotal data, he concludes that the median teacher (the one representing 50 percent of teachers) does not support education reform and, as a result, union leaders oppose such policies (Moe, 2011). In a separate work, Moe argues that beyond behaving as an interest group, teacher unions have a large constituency; they turn out in higher numbers than non-teachers for elections particularly relevant to education, like that of school boards, the elected bodies that run school systems in most U.S. school districts. Using data from school districts in California, Moe shows this by examining whether teachers' union endorsements impact local school board elections (Moe, 2005).

A couple of scholars of teacher unions have provided additional quantitative evidence supporting the claim that unions sometimes block education reforms in the United States. Carrying out a nation-wide analysis of merit pay policies, Ballou (2001) finds an inverse relationship between the use of merit pay and unionization. Similarly, Hartney & Flavin (2009) show that states with more influential unions, as measured by the share of a candidate's campaign contributions coming from teacher unions, have fewer education reform policies.

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<sup>5</sup> We are not able to provide a complete global overview of the literature. In any case, the following work warrants mention: on South Korea, Taiwan and the Philippines, see Synott (2002), who describes the emergence and struggle of reformist teachers' unions in these countries. He describes how these unions have offered a new perspective on education and an agenda of education reform.

There is a small literature on the politics of education reform in Latin America, which also stresses that teachers' unions behave like interest groups. According to this literature, teachers' unions mobilize in the face of concentrated costs in order to prevent policy adoption. Conversely, when it comes to policies that would benefit teachers, like increased school funding, the benefits would be too diffused to encourage costly involvement in the policymaking process. As Grindle (2004) puts it: "In the generic analytic case of the politics surrounding reform initiatives, losers are clearly aware of their potential losses and quick to oppose change, while winners are much less likely to benefit in the short term or be aware of long term gains" (11). In contrast to Moe's work, where unions are also lobbyists, in these accounts teacher unions are influential primarily via elections. Thus, policymakers can push cost-bearing policy through by reducing costs to teachers' unions, while increasing the demand for reform through societal participation (Barrera-Osorio et al., 2010; Corrales, 1999; Grindle 2004). Grindle (2004), who carries out in-depth case studies of education reform politics in Bolivia, Ecuador, Mexico, Nicaragua and the state of Minas Gerais, Brazil, argues that education reform has occurred where strategic reformers have found diverse ways to overcome teachers' unions' opposition throughout the design, passage, and implementation phases of reform. Aside from Grindle, most of these studies are framed as policy recommendations and lack original empirical content.

Murillo's (1999) analysis of education decentralization in Mexico and Argentina similarly conceives of teacher unions as interest groups whose political influence comes through electoral mobilization and strikes. She raises the point, however, that political influence itself may depend on who is in power. She argues that because the Partido Revolucionario Institucional (PRI)-affiliated teachers' union leader faced internal party competition from the PRD, and because the union, the Sindicato Nacional de Trabajadores de la Educación (SNTE), had a monopoly on union representation, the PRI granted the SNTE concessions in the decentralization process. In other words, Murillo argues that policy influence hinges on whether the ruling party's control over a powerful union is threatened. Note, though, that the situation of the SNTE has changed in recent years. The SNTE had an excellent relationship with the PAN government (2000-2012), and is experiencing conflicts with the current PRI government (Loyo, 2013). There is a large literature on the reaction of trade unions to neoliberal reforms in Latin America that agrees with the party-linkage argument made by Murillo (Levitsky & Way 1998; Murillo 2000; Robertson 2004).

When it comes to cross-national, comparative literature on Latin America, there are many interesting arguments, but the empirics used are few and non-systematic (Núñez; Vera, 1990; Tiramonti & Filmus, 2001; Loyo, 2001; Vaillant, 2005). Comparative work that is better empirically grounded, on the other hand, focuses on the political relations between unions and governments (Palamidessi, 2003). In different ways, both types of work show the difficulties of establishing internationally valid causal arguments about the impact of teacher unions on education systems.

In contrast to the teachers-unions-as-interest-groups view, scholarship coming from Latin America tends to conceive teachers' unions as social movements that play an important, positive role in education policy. This literature tends to examine teachers' unions at the national or subnational level and, particularly when focusing on South American countries, tends to be more critical of governments than unions. This literature sees them as the promoters of the value of public education, not narrow-minded, self-interested lobbyists and campaigners. They are vehicles of social justice, motivated by the right to a quality public education and democracy and delegitimizing regressive policies. Moreover, this literature sees teachers as proactive, not just reactive; scholars have emphasized unions' role in promoting positive change in education, such as through increases to the education budget targeted toward the public sector. There are a handful of U.S. scholars that also take a social movement approach, such as Casey (2006), who argues that teacher unions play a crucial role as political advocates, citing anecdotal evidence such as the promotion of legislation against violence in schools in New York State.

The social movements approach is apparent in the literature on Brazil. The literature describes that during the 1988 constitution-writing process, teachers' unions worked with academic, student, and national trade confederations to advocate minimum funding for education (Gohn, 1992). They succeeded in obtaining a constitutional provision establishing that 18% of federal and 25% of state and municipal taxes go toward education spending. Other scholars point out that, as a result of union efforts, the constitution established a right to democratic management of public education (Silva, 2008). This proviso led many districts to adopt local elections for school principals. Mendonça (2000) argues that the democratic election of school directors contradicted Brazil's hierarchical, patrimonial, and authoritarian societal traditions. From 1995 to

2002, in a context that was more politically difficult for union activities, the teachers' union in the Brazilian state of Paraná faced a wide array of neoliberal education reforms. Among other measures, the government established measures encouraging the direct appointment of principals (Decree 4313 of 2001). With principal appointments replacing elections, the government gained more control over schools. The union fought against this and the courts annulled Decree 4313. The new state government elected in 2002 again promoted the election of principals (Piton, 2004). Thus, the Brazilian literature depicts teachers' unions as pro-active social movements defending democracy and education spending.

### *The Impact of Teachers' Unions on Schools and School Systems*

The other mechanism through which teachers' unions might affect education is through the operation of schools and school systems. However, little consensus has been reached in this area, at least in the U.S. literature, which has been the most prolific. According to Goldhaber (2006), while the few studies on this do not necessarily contradict each other, "they focus on different outcomes (varying different tests and dropout probabilities), use different data and data with different levels of aggregation, and define unionization in different ways" (156). Despite these methodological challenges, there does appear to be a scholarly consensus that teachers' unions increase salaries and spending (Cowen, 2009; Goldhaber, 2006), and there is some evidence that they reduce class sizes.

Perhaps the most influential study in this area is Hoxby's (1996). Hoxby combines U.S. census data from 1972, 1982 and 1992 with data from the National Bureau of Economic Research (NBER) Public Sector Collective Bargaining Law Data Set. Defining "unionization" as having collective bargaining, a contract agreed-upon by the teachers' union and administration, and at least 50 percent of teachers affiliated with the union, she finds that unionization increases school spending by 12 percent. This spending leads to 9 percent higher teacher salaries and class sizes that are reduced by one student per teacher in comparison to non-unionized districts. Other researchers have found similar results: using data from the Sustaining Effects Study, a nationally representative study of U.S. elementary schools carried out the mid 1970s, Eberts and Stone (1984) find that student-teacher ratios are 12 percent lower for unionized teachers, where "unionized" means having collective bargaining. Using that same data

in addition to the High School and Beyond survey, which was carried out in 1983 among a representative sample of high schools, Eberts and Stone (1986) find that unionized elementary schools spend 15 percent more and unionized high schools spend 8 percent more than their non-unionized counterparts.

However, whether unionization translates into higher achievement is unclear. Despite similar findings on spending, Eberts and Stone (1984) and Hoxby (1996) come to different conclusions on unions' effect on achievement in the United States. Hoxby concludes that, because unionized districts have higher high school dropout rates (2.3 percent higher), teachers' unions may increase salaries and decrease class sizes, but this does not translate into higher achievement. However, in a piece reviewing various quantitative studies, Goldhaber (2006) notes that Hoxby cannot identify the mechanism through which unions impact dropout rates; in Hoxby's study, it is impossible to "determine how unionization changes the schooling process, or whether the effects might be different for different types of students" (153). What's more, other researchers contradict the logic that higher pay does not improve achievement in the U.S.; Loeb and Page (2000) find that a teacher raise of 10 percent is associated with high school dropout rates that are 3 to 4 percent lower. In contrast to Hoxby's findings, Eberts and Stone (1984) conclude that students in unionized districts do 3 percent better on standardized tests. This result is strongest among average students, whose achievement is 7 percent higher than their peers in non-unionized districts. They suggest that this results from the fact that unionization leads to standardization of teaching practices, which, while good for average students, may mean less differentiation for high and low achievers.

Johnson and Donaldson (2006), who carry out a review of teachers' unions literature in the U.S., point out that one possible reason for these mixed results is that unionization has spillover effects where policies established through union negotiations are established in non-unionized districts as well. They explain that following unionization, districts adopted the same salaries and working conditions as those achieved in nearby districts "in an effort to ward off union organizing among their teachers and ensure their schools would attract prospective teachers" (113). If this is true, then studies finding positive union effects may be underestimating the impact. Either way, with these spillovers, any studies comparing unionized and non-unionized districts are questionable. Additionally, "unionization," the independent variable often assessed, is an ambiguous concept. While Eberts and Stone (1986) define unionization

as simply having collective bargaining, Hoxby (1996) uses a much more stringent definition (see above). Which qualifies as true “unionization”? Scholars have yet to agree on the correct measure for this phenomenon, rendering scholarly consensus difficult. It may be that the establishment of a direct link between teachers’ unions and achievement has struggled due to these methodological issues.

Additionally, Goldhaber (2006) emphasizes that unions’ impact on the quality of education is difficult to disentangle because factors that affect the quality of education – such as income and violence – may coincide with the presence of teachers’ unions. Because of that, studies may find that unions cause poor educational quality, but really unions may just happen to exist in areas that have other characteristics that affect performance, some of which may be difficult to factor into the analysis and control for. In sum, due to these methodological issues, a direct union impact on student achievement is far from proven.

On the other hand, there is some evidence from Brazil that increasing teacher salaries improves achievement. Menezes-Filho and Pazello (2007) analyze the impact of Brazil’s 1998 spending reform, the Fund for the Maintenance and Development of the Fundamental Education and Valuing of Teaching (FUNDEF) on student testing outcomes. FUNDEF established that a 15 percent of state and municipal revenues go toward per-pupil spending and, of that, 60 percent go toward teacher salaries. Menezes-Filho and Pazello find that where the establishment of this relative minimum led to salary increases, student achievement increased.

Beyond spending and class-size, there are other ways that teachers’ unions might indirectly benefit education quality, such as through improvements to workplace conditions, the attraction and retention of teachers, and professional development. However, given the difficulty of gathering data and analyzing these areas, very few studies address these topics, and those that do exist are qualitative and tend to focus on a limited number of school districts. First, in the case of workplace conditions, Johnson and Donaldson (2006), in their review of U.S. teachers’ union literature, state that “little evidence suggests that unions and collective bargaining have improved the physical aspects of teachers’ work” (123). They hypothesize that this lack of positive evidence may be the result of enforcement difficulty and cost: most teachers’ union contracts in the U.S. guarantee favorable work conditions, like clean, well-ventilated classrooms, but these provisions are difficult to enforce and may not align with teachers’ expectations. Moreover, buildings, equipment, and resources are costly to maintain and

upgrade. On the other hand, both the Hoxby (1996) and the Eberts and Stone (1984) studies find that unionized teachers receive more in-school preparation time.

Second, teachers' unions may impact teacher attraction and retention. Multiple U.S. studies using survey data have shown that teachers cite dissatisfaction with the profession as the main reason for leaving. One such study uses the national U.S. School and Staffing Survey to show that, taking into account individual teacher background characteristics, adverse school and district conditions encourage teachers to quit; teachers in schools with higher salaries, more administrative support, fewer student discipline problems, and where teachers have more decision-making influence are less likely to leave (Ingersoll, 2001). If these factors were impacted by unionization (as is salary, see above), then this would suggest that unionization increases teacher retention, which may positively impact education quality.

Third, teachers' unions plausibly improve professional development and teacher training. Bascia (2000) describes how many Canadian and U.S. local teachers' unions have professional development committees with their own budgets. Such committees will engage in professional development activities, bringing speakers, providing materials, and hosting conferences for teachers. In some cases, teachers' contracts require them to attend these events. Bascia explains that Canadian and U.S. teachers' unions have also been increasingly partnering with organizations like universities, administrator associations, or philanthropic foundations to establish new practice-driven professionalization initiatives like mentoring and peer coaching.

As in the U.S., it is not clear whether Latin American teachers' unions impact achievement. Zegarra and Ravina (2003) assess the impact of unionization in Peru on student achievement by carrying out math and language assessments and interviewing teachers in 50 classrooms.<sup>6</sup> Interviewers determined "unionization" by simply asking teachers whether they were union-affiliated. Zegarra and Ravina find that having a union-affiliated teacher does not impact student achievement. They also find, using national school survey data from 2000, that unionized teachers have access to better infrastructure than non-unionized teachers only at *multigrados*, intermediate-sized rural schools. They conclude that unionization does not affect public education.

Despite inconclusive evidence for a direct union effect on achievement, there is evidence that teachers' unions have impacted schools and schools systems in Latin

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<sup>6</sup> These were part of a larger sample of 90 randomly selected classrooms.

America through negotiations over wages and hiring. In many contexts it is clear that union struggles have positive effects on wages. This has been the case in Argentina, where analysts have considered teacher labor unrest high since 2003, even compared to other professional categories. Between 2006 and 2010, provincial public school teachers of the 24 jurisdictions (23 provinces and the federal capital) conducted 294 strikes (an average of 2.5 strikes per year per jurisdiction) (Chiappe, 2011). From 2003 through 2006, and possibly in other years as well, this conflict led to real wage increases: in those four years, the average nominal wage adjustment doubled the growth of inflation, allowing for the recovery of the real value of wages after the sharp decline suffered from the crisis of 2001-2003 (Ministry of Education, 2007).

Murillo et al. (2002) examine the impact of teachers' unions on various education outcomes in Argentina. They use data from the 1997 Social Development Survey, Ministry of Labor-supplied official information on unions and affiliates, and an original data set of class days lost to teacher strikes. Their findings are the following: school days lost to strikes negatively impacted student performance on the 1997 and 1999 national assessments; teacher tenure, a major union demand, has a positive effect on student achievement but increases absenteeism; union strength is weakly associated with smaller class sizes; and where teachers' unions are legally recognized, a higher share of the provincial education budget goes toward wages. They conclude that the indirect impact of teachers' unions is mixed.

There is also evidence that unions have positive effects on the attraction and retention of teachers by limiting precarious contracts. Chile is a good example. During the dictatorship of Augusto Pinochet (1973-1990), teachers' lacked job security, and their working conditions were unilaterally set by local authorities. In the context of the re-democratization of the country, the Colegio de Profesores achieved the passage of the Teachers' Statute (Law 19,070, 1991), which ensured job stability via protection against arbitrary dismissal (Assael; Inzunza, 2008).

In sum, research on teachers' unions' impact on education through policy and through schools is mixed and inconclusive. Virtually the only consensus is that teachers' unions positively affect wages and spending. There is some evidence that unions may also benefit education through professional development, work conditions, and teacher retention. It is not clear, however, how any of this affects the quality of education and achievement. Logically, though, it makes sense that professional development, a positive workplace, and an attractive salary would lead to better

teaching and thus better achievement. Indeed, Johnson and Donaldson (2006) note that “extensive research in schools demonstrates that the workplace can spur or impede the development of effective teaching and increase or decrease the possibilities for school improvement” (121). Nonetheless, more research needs to be done on this point.

### **Quality-Enhancing Programs and Activities**

We add to the literature above by showing instances where Latin American teacher’ unions have positively impacted education through professionalization and policy advocacy. As to the former, the Latin American cases documented below, mostly from South America, provide evidence that teachers’ unions affect the quality of education through teacher skills and knowledge-accumulation. As to the latter, our Latin American examples support the view of teachers’ unions as social movements that articulate broad goals, rather than narrow self-interested policies. While our evidence does not conclusively prove that all teachers’ unions are positive for education all the time, it demonstrates instances where they indeed have been.

“Professionalization” is a familiar concept to scholars in English-speaking countries. However, the notion has been being used more frequently in Latin America in recent years. According to Vaillant (2005), “professionalization” is a process in which an occupation becomes a profession that necessitates particular skills: Professionalization “calls into question the representation of teachers as merely employees, and makes them professionals that possess a well-defined set of skills just the same as other professionals in the fields of science and technology” (22). In other words, any events that train teachers in their craft (including “professional development”) and any publications providing skill-specific information would qualify.

Professionalization occurs through publications and professional development of teachers. As to professional development, teachers’ unions directly impact classroom instructions by training teachers. They organize workshops, training activities, and offer extension courses for credit with universities. Depending on the union, these initiatives are oriented either directly to union members or to all teachers.

For example, in Argentina, the union (Confederación de Trabajadores de la Educación de la República Argentina, CTERA) has played an important role in the development of accredited professional development courses in pedagogical and policy-oriented topics, among other initiatives. In 1994 CTERA signed an agreement with the National University of Comahue (UNC), and began a series of teacher training

programs. In 2000, they developed two graduate tracks that were approved by the UNC: students could earn a certificate (*especialización*) in educational research or in environmental education for sustainable development. More than 1,600 teachers were trained in these programs (Ferreira, 2008).

Professionalization also occurs through the dissemination of pedagogic information and policy awareness. Teachers' unions publish accessible journals and books on pedagogy that are widely subscribed. The Journal *Docencia* of the National Teachers' Association of Chile (Colegio de Profesores), for example, has a circulation of 4,500 copies per issue. Journal contents are available through a digital newsletter and online ([www.revistadocencia.cl](http://www.revistadocencia.cl)). There are numerous other examples: The Colombian Federation of Educators' (FECODE) magazine *Educación y Cultura* is published quarterly, with 7,000 copies in circulation per issue. The magazine *Quehacer Educativo*, published by the Uruguayan Federation of Teachers, is one of the most read pedagogical magazines in Uruguay: it publishes 11,000 copies of each issue and presents articles on the state of education, special education, rural education, etc. In particular, the magazine emphasizes practical pedagogical approaches.

Lastly, for those teachers that are actively involved in the union, professionalization occurs through the experience of organizing. Activism provides teachers an appreciation of their own profession and a deeper knowledge of the education system. Because teachers' union activity centers on particular education projects formed by the union itself, involvement in the formation of education goals and initiatives shapes teachers' sense of their worth as practitioners. Moreover, these activists are often the leaders of the various trainings described above. In other words, participation in the union allows teachers to become teachers of teachers, likely deepening their knowledge, practice, and commitment. This sense of purpose via activism is crucial given a context where teaching has no social status, wages are low, and the social and cultural conditions for the exercise of teaching are difficult.

An example of this link between professional development and labor militancy is the certificate course on Brazilian education and union movements, organized by the teachers' union of Rio de Janeiro, Brazil at the Faculty of Education at the Federal Fluminense University. The course was started in 1993, and those wanting to participate were required to be union activists. The first group of participating faculty members consisted of 18 students from different regions of the state. From 1998 to 2002 the

union published their enrolled members' final assignments for the class (Xavier; Salomão, 2009).

In sum, teachers' unions encourage professionalization through training, publications, and organizing. To our knowledge, there are no systematic studies on the influence of union activism on the professionalization of teaching. However, it seems logical that without the union, much professionalism would be lost: without the existence of activist teachers, the union could not sustain the many discussion forums, seminars, educational conferences, publications etc, which teachers' unions often organize in the region. Activist teachers generate multiplier effects, fostering a learning community among teachers.<sup>7</sup> If these activities improve instruction, which they likely do, they positively influence the quality of education.

The second major way that teachers' union positively impact education is through policy advocacy, which occurs through research, mobilization, and the installation of collaborative government–union mechanisms.

First, unions at times engage in research and dialogue to form counter-arguments to reform initiatives they reject. Sometimes, such activities are configured as “pedagogical movements,” which are grassroots quasi-scholarly social movements led by teachers' unions that conduct research, discussion, and advocacy for particular education goals, like compulsory schooling or democratic involvement in the management of education. Such movements have existed in Colombia, where since 1980 Federación Colombiana de Educadores (FECODE) has been the key force behind the pedagogical movement (Valencia, 2006) and Chile, where the Colegio de Profesores led the pedagogical movement in a context of radical neoliberal education policy. While the goals and activities of these movements have varied across countries, they are similar in that they rely on the support of the rank-and-file and have tight links to the national and international academic community.

In the case of Colombia, for example, the pedagogical movement proposed, among other things, free and compulsory education up to ninth grade. It also demanded that the state take responsibility for the maintenance and promotion of education and

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<sup>7</sup> It should be pointed out that teachers' unions have also professionalized members to become national education leaders. Specifically, at times unions have acted as the stepping-stone for leader involvement in government administrations. There are various examples where labor-linked parties, like the Frente Amplio of Uruguay and Brazil's Workers' Party (PT), installed union leaders in their administrations. When the Frente Amplio government assumed office in 2005, Héctor Florit and Lilián D'Elía, Uruguayan union leaders, joined the Central Board of the National Administration of Public Education, composed of five members. Francisco das Chagas, a Brazilian union leader, assumed different positions in the Education Ministry with the arrival of the PT government in 2003.

advocated democratic input in the development and implementation of education reforms. The issues raised by the pedagogical movement arose in discussions during the crafting of the new Colombian constitution, promulgated in 1991 (Pulido, 2007).

On the domestic level, pedagogical movements work with think-tanks and pedagogical magazines, such as those referred to above, and they promote debate among scholars of education through seminars and activities. They also directly provide the government technical information. These movements have an international dimension as well. Education International – Latin America (IE-AL), for example, decided in 2010 to initiate the process of building a region-wide Latin American Pedagogical Movement. This process was kicked off at the Regional Meeting in Bogotá in 2011.<sup>8</sup> The second meeting will be held in 2013 in Brazil. In general, pedagogical movements project an informed voice on behalf of teachers' unions in policy discussions. Such movements are premised on the idea that information, dialogue and mobilization are the key to implementing the best educational models.

Second, teachers' unions have had a positive impact when they have mobilized for quality-enhancing policies. For example, advocacy for and protection of workplace standards has been crucial to the creation of positive school environments. This has been done through “teachers' statutes” (*estatutos docentes*), which establish binding work conditions, salaries, and other benefits through legislation. “Teachers' statutes” may include negotiation, but they are not the outcome of collective bargaining. Rather, in most Latin American countries, teachers' labor standards are established directly through legislation. Given that a safe, comfortable work environment is likely important for effective instruction (see literature review above), teachers' unions' mobilization for and protection of teachers' statutes is essential for their ability to do their jobs well.

Third, teachers' union advocacy has sometimes resulted in extensive cooperation with the government, leading to institutionalized collaboration in the form of boards or committees and ultimately resulting better policy for all stakeholders.

The Confederation of Education Workers of Argentina (CTERA) participates extensively in the policy advocacy activities described above (research, mobilization, and the establishment of collaborative mechanisms). As to research, the CTERA has produced large-scale research on standardized tests, has held two educational conferences in which international experts participated in 1997 and 1999, and has

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<sup>8</sup> For more information, see [http://www.ei-ie.org/spa/news/news\\_details/2029](http://www.ei-ie.org/spa/news/news_details/2029).

cultivated a strong working relationship with local academics. CTERA has participated in an international study with unions in Brazil, Chile and Uruguay, titled “Education reforms in the Southern Cone countries: Some results and conclusions from an inter-union investigation” (CTERA, CNTE, Teachers College, AFUTU, FENAPES, LPP, 2005). CTERA has also engaged in mobilization: During the 1990s, CTERA combined criticism of educational policy with demonstrations, including national strikes. For two years, between 1997 and 1999, the CTERA maintained a tent in front of the National Congress demanding the enactment of a law that would centralize education funding and establish higher salaries. In 2003, the new Peronist government was willing to consider union demands. Because CTERA had actively campaigned against the education policies implemented in the 1990s, the government found in CTERA political and technical support for educational change. In 2006 an education funding law supported by CTERA was passed (Law 26,075). Exemplifying the establishment of collaborative bodies, that same year, a new education law was enacted (Law 26,206), which integrated CTERA into the National Council of Educational Quality – an advisory body that assists in the development, administration, and oversight of the evaluation of the education system (Costa, 2010).

Policy advocacy, through research and dialogue, mobilization, and collaboration, is likely the main way that unions strengthen the quality of public education. This is because union proposals often affect public policy. Of course, in no cases do union interests get directly translated into policy. Other actors and interests are always in play. However, it is important to recognize that unions can bring crucial issues to the fore that governments would not otherwise address, as was done in the case of bilingual education in Bolivia (see box).

To our knowledge, there is no study examining whether union policy advocacy in general improves instruction. It makes sense that if the policies protect bad teachers and have adverse instructional effects, like shorter school days, they may harm educational quality. Yet, if the policies being advocated lead to stronger instruction (as in Bolivia), and better conditions for teachers, thus attracting better candidates and encouraging retention (see literature review), there is reason to hypothesize that they do improve educational quality.

It may be that increased union-government collaboration benefits education quality. Logically, the incorporation of union input leads to policies that all stakeholders feel invested in, which can lead to long-term collaboration, as occurred in Chile with the

design of incentive schemes and partially in Uruguay, with union representation on education management committees (see Chile and Uruguay boxes). In such cases, teachers' unions take ownership of policies, which make successful implementation more likely. It seems likely that increasing teachers' union buy-in would encourage teachers' union investment in policy success.

**Box: Teacher Unions Have Improved the Democratization of Education Management: The Case of Uruguay**

In Uruguay, the teachers' union advocacy and leadership has mostly achieved collaborative and democratic education management. Traditionally, the education system has had top-down, bureaucratic management. It is run by the National Administration of Public Education (ANEP), which is responsible for the planning, management, and administration of the public education system. Upon the election victory of the Frente Amplio in 2004, President Tabaré Vázquez appointed the director of the ANEP with Congress' confirmation. With an ally in the new Frente Amplio government, the teachers' unions advocated for a more democratic means of education management. As a result, the government organized an extensive process of discussion and research. The unions were prominent players in this process, as were the "Teacher Technical Assemblies," national advisory bodies of teachers organized by education level.

Teachers, students, and civil society came together to organize the "Teacher Julio Castro" National Congress of Education in 2006. The Frente Amplio government made it known that the Congress' proposals would form recommendations for a new education law. The 2006 Congress agreed on a proposal for "total co-government" of basic education, meaning that it would be managed by representatives of the educational community, as is the Uruguayan public university system. These representatives would be nominated by the education community without government involvement. Specifically, this means that teachers, non-teaching education workers, and students would govern together. Additionally, the Congress decided to establish that delegates from all levels of the education system would participate in a National Congress of Education, to be held every 5 years. These congresses would have, among other things, the responsibility for evaluating education policy. The Uruguayan teachers' unions strongly supported the Congress' conclusions.

However, the 2006 Congress' resolutions were largely omitted from the final education bill passed by the Uruguayan legislature, Law No. 18.437/08. This bill was not negotiated with the unions, because to the government, the Congress' conclusions appeared too radical to be included in the new law. Rather, the government increased executive control over the management of education. Under this law, the Central Board (CODICEN), ANEP's 5-member governing body, would include two members elected by the teachers and three appointed by the President with Senate confirmation. In other words, CODICEN would consist mostly of government representatives, teachers would be a minority, and the other sectors of the education community would be left out completely. The law maintained the quinquennial education congresses, but removed their authority, delegating the evaluation of the education system to a newly created National Institute for Educational Evaluation, where, again, government representatives would have the majority.

Starting in 2010 with a new Frente Amplio administration, education management departed from union demands for "co-government" and retained little of the program proposed by the 2006 Congress. Nonetheless, it is notable that the body governing education, the CODICEN, now included union representatives. While Uruguay's unions did not succeed in establishing complete co-government, they pushed the government in that direction.

Source: DOMINGUEZ and GATTI, 2011

**Box: Teachers' Unions Have Proposed Agendas that Benefit Excluded Populations: The Case of Bolivia**

In Bolivia, the provision of quality education has always been a challenge in rural areas. This case is of current relevance because a significant part of the Bolivian population lives in rural areas. In 2010, 20.5 percent of the Latin American population lived in rural areas and that percentage was decreasing. However, in Bolivia, the size of the rural population actually remained relatively high, at 33.6 percent that same year. In the countries of South America, only Ecuador has a larger rural population (35 percent) (ECLAC, 2012). These areas are densely populated, poor farming communities with a large indigenous presence. Since the 1952 revolution, Bolivian governments have expanded the education system into rural areas. However, this met with limited success

as it failed to take into account the diversity of indigenous cultures and languages. This situation has changed in recent decades, as the education system has recognized the plurality of cultures and languages in Bolivia. The Confederation of Rural Education Teachers Bolivia (CONMERB) was a key player in this change.

CONMERB is the only entity that represents rural teachers (urban teachers have their own organization), and CONMERB's base has always had a significant indigenous presence. In 1983 the CONMERB adopted a pedagogical proposal, the "Global plan for the restructuring of rural education in Bolivia." This plan called for bilingual, bicultural education and was promoted at various union events.

In 1988, in collaboration with CONMERB and with UNICEF sponsorship, the Ministry of Education launched the Bilingual Intercultural Education Project (PEIB). The PEIB awarded scholarships to 75 rural teachers to complete courses specializing in Quechua-Spanish and Spanish-Aymara bilingual education at the Universidad Nacional del Altiplano in Puno, Peru. This program lasted until 1994, and CONMERB participated in the selection of these teachers. The PEIB also designed bilingual primary school curricula and materials, trained teachers in bilingual techniques, and conducted regular assessments of the program's impact. In 1994, Education Reform Law 1565 declared "intercultural and bilingual" education as one of the fundamental goals of Bolivian education. In doing this, the state adopted one of CONMERB's key demands. This provision had also been a goal of the Guarani People's Assembly (APG) and the Unified Confederation of Bolivian Peasant Workers (CSUTCB), an organization with significant indigenous membership.

President Evo Morales continued to push cultural and linguistic diversity in education. Taking power in 2006, he was supported by a coalition of indigenous and peasant organizations, including CONMERB. CONMERB's advocacy for bilingual education became especially important when Morales decreed the National Literacy Program of the Republic of Bolivia (Supreme Decree No. 28675) in April 2006. At the time, 13.7 percent of the population over 15 years was considered illiterate. By December 2008, Bolivia declared itself to be an "illiteracy-free zone," and was subsequently congratulated for this accomplishment by UNESCO (UNESCO, 2009). While the country had not completely eradicated illiteracy, it had made tremendous strides: according to official data, the illiterate population decreased from 823,000 people in 2006 to 100,000 in 2008, an illiteracy rate of less than 4 percent of the population. This was achieved, in part, by literacy instruction in Aymara and Quechua;

it was among rural indigenous populations that literacy increased most significantly. Of the 819,417 covered by National Literacy Program, 24,699 were now literate in Aymara and 13,599 in Quechua (UNESCO, 2009).

In 2008, Supreme Decree N° 29664 created the Indigenous Bolivian University (UNIBOL): the UNIBOL Aymara “Tupak Katari” in La Paz, the Quechua UNIBOL “Casimiro Huanca” in Cochabamba and the Guaraní y Pueblos de Tierras Bajas “Apiaguaiki Tüpa” in Chuquisaca, where the primary languages were Aymara, Quechua and Guaraní, respectively. Spanish was the second language.

It was not until the writing of the new constitution in 2009 that cultural and linguistic diversity in education was permanently institutionalized. The crafting of the new constitution allowed a high degree of democratic debate and participation; as a result, the document established that indigenous peoples have the system-wide right “to an education that is intracultural, intercultural and multilingual education” (Art. 30, II, 12). It also stated: “Education is unitary, public, universal, democratic, participatory, community-oriented, decolonizing and of quality” (art. 78), and “[t]he education system [must be] based on an education that is open, humanistic, scientific, technical and technological, productive, territorial, theoretical and practical, liberating and revolutionary, critical, and supportive.” Importantly, it enshrined the idea of a participatory, community-oriented education that would provide equal opportunities to the entire population, and, in that sense, was “liberating.” The constitution explicitly acknowledged the significant indigenous character of the Bolivian population, declaring that “education will contribute to the strengthening of the unity and identity of each and every part of the Plurinational State, as well as the identity and cultural development of the members of each indigenous nation or peasant indigenous peoples, and to intercultural understanding and enrichment within the State” (Art. 80). The subsequent 2010 Education Act applied the ideals that had been eloquently articulated.

The CONMERB’s influence was essential in bringing the need for bilingual, multicultural education to light. While the impact of CONMERB’s advocacy on student achievement has not been systematically studied, the evidence presented here supports the hypothesis that CONMERB’s promotion of instruction in Aymara and Quechua contributed to the decrease in literacy among the Bolivia population. Beyond literacy, CONMERB has been the chief advocate of indigenous education rights, calling for appropriately tailored education for the historically excluded sectors of the education system (indigenous groups and peasants) in one of the poorest countries in Latin

America. There is reason to think that CONMERB's activism will have longterm effects on quality; with indigenous education rights enshrined in the constitution, actors now have a legal basis on which to stake claims for educational improvements for that population.

Source: Lopez (2005), Crash (2005), Lopez and Murillo (2006), Gonçalves (2011).

### **Unions and Teacher Incentive Schemes**

Policymakers in Latin America have been increasingly experimenting with incentive schemes. While teachers' unions have had diverse reactions, they have largely opposed such policies. In this section, we describe the literature on teachers' unions and incentives and we explain union stances toward them in the Latin American context. By "incentive schemes," we mean any policy that financially rewards teachers. Such policies might be rewarded for student performance, few absences, positive observations, and other factors. Incentives can be rewarded to an entire school, as they are in some school districts in Brazil, or to individual teachers, as they are in Chile.

In the United States literature, the conventional wisdom is that teacher unions oppose such policies. According to Freeman and Madoff (1984), trade unions prefer single rate wage setting because it increases worker solidarity, equalizes pay between members, and decreases the uncertainty associated with having supervisors determine pay. Several studies bear out this opposition. For example, there is evidence that in the U.S., there is an inverse relationship between incentive schemes and strong teachers' unions. In their analyses of performance pay variation across the U.S., Ballou (2001) and Goldhaber et al. (2008) conclude that districts with stronger unions, as measured by having a collective bargaining agreement, are less likely to have merit pay.

Conversely, there is some evidence that unions are open to incentive schemes. Nadler & Wiswall (2011) show that district adoption is unrelated to union strength in the case of Minnesota's Q Comp incentive program. Q Comp is an innovative scheme that allows districts to design their own programs, as long as they abide by a few guidelines, including guaranteeing that teacher salaries will not fall below their current level.

Murnane and Cohen (1986) also find that there are cases when teachers' unions accept incentives, especially when the union is included in the design of the program. Their seminal piece observes that few U.S. school districts have merit pay. They argue that this is because incentives are simply ill suited to the work that teachers do because they are difficult to administer, generate low morale, and, as a result, districts drop it. In their analysis of six U.S. districts that had successfully maintained merit pay for at least five years, they find that the schemes included compensation for extra work, awarded almost every teacher, were "inconspicuous," and included teacher participation in their design. Moreover, in these districts, teachers enjoyed their work and earned above average salaries. Interestingly, program districts with powerful unions had not experienced resistance. Rather, "the union leaders in these districts stated that they made sure due process was observed but that it was not in the union's interest to protect incompetent teachers" (Murnane & Cohen 1986, 12).<sup>9</sup>

There is also evidence that unions are open to incentives outside of the U.S. In his case study of the impact of accountability policies on teachers in Indonesia, Broekman (2013) cites survey data that show that teachers would, in fact, support monetary incentives for merit: 89 percent said they would work harder with more evaluation and 94 percent expressed that monetary incentives for performance would motivate teachers. Nonetheless, the teachers' union resisted Indonesia's new "performance appraisal system."<sup>10</sup> While the union supported the idea of accountability, it opposed this policy because of poor work conditions and what it felt were questionable methods for determining rewards. In sum, there is international evidence that under certain conditions, such as having policy design input and already having high salaries and adequate work conditions, teachers' unions support incentive systems.

While there have been few studies of Latin American teachers' unions' stances on incentives, the experiences of various individual cases seem to uphold the conclusion that teachers' unions are usually against them. However, resistance has depended on the type of incentive. Teachers' unions have opposed individual incentives based on evaluations of teachers themselves (Ecuador, Peru, Chile and partially Mexico) or of

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<sup>9</sup> Murnane and Cohen emphasize that none of these districts adopted these programs because budget constraints meant they could only pay some teachers well.

<sup>10</sup> This is a complicated incentive scheme that pays higher salaries to teachers with high scores on 24 competencies in a variety of areas, including pedagogy and professionalism and assessed with classroom observations and audits.

students' test scores (Chile and several Brazilian states) (Gindin, 2010). Unions have prevented the implementation of the most radical policies (Chile, Mexico)<sup>11</sup> and have convinced new governments to repeal or revise incentive schemes (Argentina, and Peru, partially). On the other hand, some incentives have not generated conflict, such as those for initial and continuing training (Chile, Argentina and Uruguay, among others) and to teach in rural or difficult areas (Bolivia and Colombia) (Morduchowicz 2011). For other incentive schemes, such as those based on absences, union support has been mixed, but this may have been the result of contrasting program design (São Paulo versus Argentina). For the remainder of this section, we will first articulate what teachers' union stances on incentives have been in Brazil, Argentina, and Peru, we will explain the logic behind such stances, and we will then explain why teachers' unions have supported incentives in some cases.

In Brazil, experiences with incentive programs has been mixed. The São Paulo teachers' union did not actively oppose an absence-based policy that was in place between 2000 and 2008. However, personal author interviews indicated that this support may have been the result of bonuses that were easy to obtain because the policy was lenient and permitted any number of absences with a doctors' note. We know of no studies on the impact of this program on education quality, but it seems likely that it did not boost student achievement. In other cases, Brazilian unions have experienced performance incentives, and reactions have been mixed but mostly negative. Rio de Janeiro municipality's Prêmio Anual de Desempenho policy, for example, did not face much union opposition. This policy was implemented only in 2009 and it is not yet known how effective the policy has been. An incentive scheme that rewarded teachers for high scores met severe opposition from the São Paulo teachers' union (the "Prôva") when it was first implemented in 2009, but opposition subsided when the program was modified to be more accessible in 2011. This program's effectiveness is currently being studied by the World Bank (Bruns et al. 2012). The experience from Brazil suggests that union support relates to the design of incentive policies. However, it is not yet clear that the policies most supported by teachers' unions in Brazil are best for educational quality. In Argentina and Peru, unions have opposed and delegitimized potentially flawed, non-consensual incentive policies. In Argentina, unions opposed policies aiming to combat absenteeism by basing incentives on perfect attendance, which were

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<sup>11</sup> According to Morduchowicz (2011), policies that award teachers with high-scoring students are increasingly being replaced, in part as a result of union opposition.

implemented in most Argentine provinces in the 1990s. It pressured teachers to work even with relatively serious problems and to refrain from striking. Unions considered it akin to extortion. The value of the attendance bonus varied from province to province, but in an extreme case (that of Santa Cruz) the value of the “perfect attendance” bonus was greater than the basic wage. In 2004, the base wage in Santa Cruz was 161 pesos (local currency) and the “perfect attendance” bonus was 250 pesos. A primary school teacher in her tenth year would earn a total of 952.83 with this bonus (Ministry of Education, 2004). Since 2003, teachers engaged in a new cycle of protest, demanding the end of the attendance bonus. They succeeded in many districts. In 2012, this bonus remained in only few school systems, including in Buenos Aires, Formosa and Entre Ríos (Ministry of Education, 2012).

In Peru, the government of Alan García (2005-2011) promulgated a reform of the Teachers’ Statute without negotiating with the Trade Union of Education Workers of Peru (SUTEP). The reform was proposed along with a series of other anti-union measures (for example, the government reduced the number of union leaders who could be exempted from their teaching duties to concentrate on union tasks). Public Educator Law No. 29,062 was enacted in 2007 amid an indefinite SUTEP strike explicitly against this bill. One of the biggest points of contention was the proposed evaluation of teacher performance. In the law’s current form, the Committee for Evaluation of Education, in which two parents and three teachers participate, manages the teacher evaluation, which applies criteria set by the Ministry; after three unsatisfactory evaluations, teachers are dismissed. Ollanta Humala, who presented himself as breaking with his predecessor Alan Garcia and the policies of the last two decades, assumed the presidency of Peru in 2011. The SUTEP continued demanding the repeal of Law 29 062, organizing a new strike in 2012. Partly because of the opposition of SUTEP, the Teachers’ Statute was reconsidered, and a new law passed (2.9944) (Chiroque 2013, and Chiroque, personal communication).

Resistance to individual incentives based on evaluation can also be understood from the logic of collective association, where unions are protecting their very existence from a policy that has to potential to fragment it, hindering its ability to adequately mobilize. Crouch (2005) explains this logic:

Seeking and achieving collective goals, such as improvements in base and average pay, requires collective mobilization. For example, the rank and file must be amenable to go on strike and not break strikes...This collective identification is likely to be undermined if the reward structure emphasizes

individual effort. Then, the returns to individual effort could become higher than the returns to collective effort, thus reducing incentives for collective effort to seek generalized improvements (397).

Additionally, teachers' unions have argued that individual incentives encourage competition between teachers, while disincentivizing school-level and cross-school collaboration. Objections also stem from the logic of how the incentive is designed. For example, rewards based on averages mask the results of individual students, potentially affecting teacher behavior; if incentives reward average gains, large score increases among just a few students will drive the overall average. Thus, in this case, teachers might focus their attention on the students with the most potential to improve their scores, at the expense of the other students (Johnson and Donaldson 2005). Lastly, opposition exists because these policies appear to contradict two values central to teachers' unions: the right to have regulated, non-discretionary working conditions and the right to negotiate in order to achieve these conditions.

In order to understand the relationship that teachers' unions in Latin America have had with incentives, one must acknowledge the role that unions have played in establishing adequate working conditions and pay. Teachers unions have been essential in the regulation and betterment of workplace standards, both domestically through teachers' statutes and internationally through the conventions and recommendations of the International Labour Organization (ILO). In Latin America, from the 1940s on, teachers advocated for and managed to achieve state-sanctioned teaching regulation through statutes or the establishment of teachers' statutes.<sup>12</sup> These statutes limited the discretion of state education managers (see page 13). They also established job security and uniform salary scales and other provisions that standardized the teaching corps.<sup>13</sup> As suggested in the literature review above, if these provisions help retain better teachers, they will improve education. But scholars have yet to reach consensus on this, partly due to the methodological challenges of addresses the policies that arise in unionized areas.

At the same time, the right to negotiate the design and creation of these regulations has been enshrined by international organizations. The Recommendation

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<sup>12</sup> In fact, this is the dominant way that teaching in regulated: regulation is stipulated in a state law or resolution that had been informally negotiated with the teachers' union, lacking formal collective agreement. Of the three activities commonly considered basic labor rights (organization, strikes and collective bargaining), collective bargaining is the least recognized in the region.

<sup>13</sup> One exceptionally late case was the Paraguayan Teachers' Statute, passed in 2001 after teacher strikes pressured the legislature.

Concerning the Status of Teachers of ILO-UNESCO (1966) and various ILO Conventions (151 in 1978 and 154 in 1981) have called for cooperation, collective bargaining, and bilateralism in the establishment of school working conditions. The ILO considers it acceptable that managerial prerogatives, such as assignments and recruitment, in addition to broad education policy agendas, be excluded from such dialogue. Yet, the ILO has stated that the consequences of such policies for teachers' employment and work conditions should be negotiated (International Labour Office, 2013). However, it is difficult to identify what falls beyond the range of work conditions and therefore should not be negotiated. Incentive schemes, for example, appear to constitute education policy, but they certainly also affect teachers' employment and thus, might warrant negotiation. Moreover, the assumption that teacher unions' should not be involved in education policy is questionable, as the "reform unionism" movement in the U.S. has argued (Johnson 1987).

Moreover, the desire to protect hard-won regulation has hardened as teachers' statutes have been attacked over the years. The importance of work regulations and union voice was made salient when labor laws were suspended (*de jure* or *de facto*) by military dictatorships. They were recuperated during democratization, but since the 1990s, neoliberal governments have criticized and attempted to reform labor regulation. In this anti-labor context, unions were wary of any splits that could open the "Pandora's box" of labor negotiations. As a consequence, unions cemented their perception of the status quo (this was the case in Argentina, Bolivia, Peru, Ecuador, Mexico, Colombia, and partially in Brazil and Venezuela). In other words, unions have become more protective in light of an increasingly market-oriented environment. This has meant that, in general, unions mistrust negotiations on work conditions and that, when teachers' statutes have been reformed unilaterally, unions have made an effort to delegitimize them (cf. the Argentine and Peruvian cases cited here).

Nonetheless, there have been cases where teachers' unions have supported individual incentive schemes, but this usually occurs when government have been willing to compromise. Once incentives are added to the agenda, unions typically put forth several demands. First, their main demand is that they have a voice in incentive policy-creation. While this means that policies are unlikely to be implemented exactly as originally designed by government technocrats, it dramatically increases the likelihood of union backing. Cases that have succeeded in establishing negotiated incentive schemes are Mexico and Chile (see box 4). While negotiation does not

necessarily mean that conflict can be completely avoided, lack of negotiations has led to massive teacher strikes in Peru (2007) and Ecuador (2009).

Teachers' unions' second demand has been that teacher evaluation be part of broader education policy. For example, in Chile, the union called for it to be part of the Teachers' Statute. The logic here was that if evaluation and incentives were going to be established, they needed to be incorporated with the general regulation of the teaching profession. The unions feared that if not part of a larger discussion of education policy, evaluations would serve to blame teachers for education results that may also have to do with the greater education system. Similarly, unions felt that teacher evaluation should be part of the evaluation of the entire education system (Uruguay) (see boxes).

Third, unions have demanded the preservation of job security. This was achieved in the case of Mexico, where teacher evaluation is voluntary, and there is no penalty for poor evaluations.<sup>14</sup> Most Mexican teachers participate in evaluation, because with no consequences for poor performance and with increasing economic incentives, the program resembles a horizontal salary ladder. Mexico is the only country where education and employment policies are consistently negotiated with the SNTE. This situation is not the result of a unique democratic culture. Rather, the Sindicato Nacional de Trabajadores de la Educación (SNTE) is the only union in the region which has virtual veto power on education policies, education policies regardless of the governing party (see page 4 for more on the SNTE).

Chile, on the other hand, gave up job security in its negotiations with the government. In the crafting of the 2003 incentive scheme, the Colegio de Profesores (CP) agreed that an unsatisfactory performance on three mandatory consecutive evaluations would lead to dismissal. At the same time, the incentive scheme managed to incorporate many of the CP's priorities. In 2011, the government unilaterally reformed this system, facilitating teacher dismissals. In 2012, 42 teachers had to leave the system because of poor results on the evaluation (Ministry of Education of Chile, 2013). Note, that the situation in Chile cannot be generalized: the CP has a tradition of negotiation with government and, as a democratic organization, the CP's approach has enjoyed the support of a significant percentage of the teaching force. Moreover, the education

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<sup>14</sup> The SNTE and the government negotiated the *Carrera Magisterial* in 1992. The *Carrera* is run by a committee composed of seven union members and eight government appointees. See Santibañez et al. (2007).

debate in Chile is more sophisticated than that of its neighbors since the union's rhetoric is the most technical and proactive.

### **Teachers' Unions and Community Participation**

Teachers' unions have been wary of some decentralizing policies intended to promote the participation of parents or local communities in education or school management. In part this is probably due to a corporatist tendency within the teaching base, but also due to the sense that this is a step toward the privatization of public education (see Piton, 2004 for the case of Paraná, Brazil). However, in some contexts, the unions have demanded the participation of the community. This is the case of Brazil, where the teachers' unions demand the participation of the school community in the election of principals (which has been achieved in many states and municipalities) (Mendonça, 2000).

Currently, the governments of Bolivia and Venezuela promote community participation in the management of the education system, and they have had the support of part of the teachers' unions (see box, in the case of Venezuela). In both cases, the devolution of control over education to communities has been one aspect of a larger project of radical democratization of the state itself.

#### **Box: Unions can be Agents of Community Participation in School Management: The Case of Venezuela**

The Venezuelan government's promotion of Community Councils by the Venezuelan government is probably one of the more unorthodox policies developed in Latin America. Community organizations are regulated by law, with functions ranging from social control of public policies to their direct management. Community councils have been at the center of various political and legal debates, and the 2006 law that initially regulated them was repealed by the Communal Council Law in 2009 (Álvarez; Guadilla Garcia, 2011). This public debate over Community Councils has extended to their role in education (Leon Alvarez, 2007-2008).

Some teachers unions rejected education Community Councils, but the National Union of Teachers Unitary Force (SINAFUM), which is the largest organization, and was allied with the Chavez government, supported the project.

The *Fifth Collective Contract*, a document created every few years establishing work conditions for the national teachers, was signed in 2009 by the SINAFUM, the Venezuelan Federation of Teachers (FVM), and the government.<sup>15</sup> The contract included the creation of “Community Councils of Education,” which were given broad pedagogical and administrative control. These councils aimed to establish “...participation, articulation, integration, and control of Education Policies by state representatives, community organizations and citizens, allowing civil society to directly exercise control of the management of public policies and projects aimed at meeting the needs and aspirations of communities in building an equal society and promoting social justice” (clause 1). The councils were to include “Technical Education Boards” that would advise curriculum formation (clause 13) and the determination of “the organization of the school calendar and school day” (clause 16). Additionally, the contract stated that temporary teaching employment required, among other things, “[h]aving done community work supported by the technical board of education of the respective region, together with the relevant Education Authority” (clause 22). Similarly, employment as a regular teacher and promotions required “... an internship and community accreditation, as evaluated by the Technical Education Board and the permanent school council on teacher evaluation.” Resolution 058/2012 of the Ministry of Education abolished Regulation 751 of 1986, and created educational boards that would be “jointly responsible for the management of education policy” (art. 3) and include workers, students, and parents. Among its objectives were to “guarantee the development and defense of a comprehensive, ongoing quality education for everyone...” (art. 5). These educational boards have extensive jurisdiction, including the “coordination, guidance and execution of pedagogical and administrative actions in educational institutions, with the goal of contributing to the efficiency and effectiveness of school management” (art. 7).

The relationship between this new institution, the teachers' unions and educational outcomes has not yet been the subject of academic study. However, this regulation empowers communities to take control of school management and work conditions - a decentralizing reform that teachers' organizations in Latin America have sometimes opposed. However, the SINAFUM supported it. This shows that, in contrast to the perception that teachers' unions always defend the status quo, some unions are

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<sup>15</sup> FVM is a traditional federated union. It opposes the government.

willing to support unorthodox reforms in the management of education systems, including school management, if they trust that the government honestly seeks to empower local communities.

**Box: Union Participation can lead to Collaborative Incentive Schemes: The Case of Chile**

In 1991, the Chilean legislature passed the Teacher's Statute with the support of the teachers' union, the Colegio de Profesores (CP). While the Teachers' Statute included individual teacher evaluations, it took several years for the nature of evaluations to be ironed out through negotiations. In the meantime, group bonuses were agreed upon in 1996, with the National System for School Performance Assessment (SNED), which provides a "Bonus for Academic Excellence" to entire schools based on student performance on standardized tests. Negotiations over SNED involved important concessions to the CP, including salary increases; despite this initial resistance, several rounds of surveys of Chilean teachers in the late 1990s showed strong support for performance evaluations tied to incentives (Mizala and Romaguera, 2005). Perhaps more importantly, this survey support suggests that teachers' experience with the SNED impacted teachers' willingness to support individual incentives. Additionally, Mizala and Romaguera (2005) found a positive effect on student achievement scores for schools close to the SNED cutoff point for winners and losers.

While teachers' positive evaluation of the SNED likely made an impact on the willingness to adopt individual incentives, also crucial was the unions' voice in the process. Beginning in 1997, the CP put forth several stipulations for the individual incentive scheme mandated by the Teachers' Statute. They argued that the evaluation forming the basis of the incentive should 1) be geared toward teacher improvement (without punitive measures), 2) occur after an assessment of the overall educational system, 3) not include student testing, 4) promote self and peer assessment without the participation of system outsiders, 5) establish the right to appeal, and 6) receive the approval of teachers nationwide (i.e., not be implemented antagonistically "against" teachers.)

In 2003, the CP and the government came to an agreement on incentives, co-designing the Variable Pay for Individual Performance (AVDI) reward. The AVDI became legally formalized through Law 19,933 on Teacher Evaluation, enacted in

August 2004. The evaluation that would determine the AVDI was based on peer-reviewed teaching quality, which would be done by teachers from different schools, so that peer reviewers would have both independence and a thorough knowledge of the profession. The evaluation would also be treated as formative, meaning that it would be associated with teacher improvement, and would not include student standardized test scores. These provisions were important victories for the Colegio de Profesores.

While there were tensions during the negotiation of the AVDI, it received the support of the rank-and-file; the CP's stances were validated in national elections in which more than 50,000 teachers participated, a majority of the teaching force. Still, in order to disperse negotiating tensions, the government had committed to move forward with a new round of collective bargaining to revise the law regulating teachers' working and employment conditions (the *ley de carrera docente*, that would modify the Teacher's Statute of 1991). In 2007, the CP, determined to move forward with its proposals for the new career, held seminars with teachers, and it began negotiations with the Ministry of Education in 2008.

However, negotiations were soon stalled. The student demonstrations led to the repeal of the Pinochet regime's education law, a demand shared by the CP. However, the new General Education Law (20370/2009) permitted non-teachers to teach Secondary Education,<sup>16</sup> which the CP considered problematic. The CP argued that this provision would deprofessionalize teaching and that it had been promulgated without union input. The CP abandoned negotiations. When Sebastian Piñeira assumed the presidency in 2010, the government further distanced itself from the CP. Discarding previous administrations' commitment to negotiate, the government sent Congress an initial version of the *ley de carrera docente* that had been crafted without the involvement of the union.

Without the ear of the current government, the CP maintains several demands. It advocates the creation of a National Commission on Accreditation that would replace private accreditation agencies, the involvement of peer-elected teachers on the committee that manages teacher entrance exams, and the repeal of the letter G of art. 46 of the General Law of Education (see footnote 23). Moreover, to approximate OECD

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<sup>16</sup> Letter G of Article 46 declared that a qualified high school teacher has "the professional title of the respective education level and specialty where appropriate, or is entitled to engage in teaching according to the laws in force, or is in possession of a professional qualification or degree of at least 8 semesters, from an accredited university, in a field similar to the subject of teaching, for which he or she shall be allowed to teach for a maximum period of three years renewable for another two, continuously or discontinuously, and at the sole request of the principal of the school."

averages, the CP proposes that teachers spend 60% of the school day teaching and 40% doing non-teaching tasks, like preparing, meeting with parents, and having school meetings. The union continues to support teacher evaluations, but propose that there be 30 students per course. Since these proposals would provide in-school time for professional tasks besides teaching, decrease class sizes, and require that only certified teachers be allowed to teach, there is an argument to be made that the CP's demands would lead to better prepared teachers providing better-targeted instruction.

The union has generally been an important voice in the formation of education policies, particularly with regard to incentives. The fact that the government has permitted the CP to be a participant in the creation of education policy has meant that policy could be designed in a way that garnered teacher support – group rewards based on testing, individual rewards based on peer review.

See Crouch (2005) and Mizala and Romaguera (2005)

### **Conclusion**

It is difficult to assess the contribution of teacher unionism in Latin America to quality education, because a) the regional situation is heterogeneous and changing, b) the academic literature is relatively small and has tended not to focus on the causal impact of teachers' unions on education quality, c) scholarship that does attempt to establish causal connections tends to link decontextualized union variables to decontextualized educational variables. The trickiness of making such causal arguments is clear, for example, when one considers that scholars cannot agree on how “unionization” should be defined and that the presence of unions themselves may affect entire education systems (the spillover issue described above on page 7)

However, based on the cases documented above, some inferences can be made. Teachers' unions in Latin America have been active players in education policy and teacher instruction. While they are often seen as hindrances for positive change, we have shown that there have been cases where unions have been bearers of positive change and have encouraged professionalization and quality instruction. Professionalization has occurred through the provision of pedagogical resources for teachers, including workshops, courses, and publications, as we showed in the cases of Argentina, Brazil, Colombia, and Uruguay. It seems likely that they do since they provide teachers concrete tools to improve their instruction. Additionally, it may be that

the mere experience of participating in a union has a professionalizing effect on teachers. By taking on the responsibility for forming policy proposals, leading teacher education, and contributing to publications, teachers may hone their skills and become more committed and thoughtful in their craft.

Most importantly, though, has been the impact of teachers' unions on education policy. Teachers' unions help foster healthy, two-sided debate through "pedagogical movements" that contribute research and encourage mobilization (see page 12). Where their voices are taken seriously, teachers' union input leads to policies that appeal to all the relevant stakeholders, thus increasing investment and probably improving implementation. Additionally, they provide on-the-ground knowledge of issues that the government may not be aware of, greatly enhancing education policy. And finally, their involvement in policymaking can lead to long-term collaboration through the formation of joint committees and other mechanisms, strengthening government-union cooperation and policymaking.

### **Policy Recommendations**

The literature and cases discussed above show that there are not clear policy prescriptions when it comes to teachers' unions and education quality. However, teachers' unions do engage in professionalizing activities that likely benefit the quality of instruction, and there do seem to be certain circumstances in which teachers' unions can serve a positive role in the creation, promotion, and implementation of quality-enhancing education policies. In order to facilitate those activities and that positive role, some specific policy recommendations are:

- 1) Encourage teachers' union involvement in professional development. This could be done through funding for union-university alliances or direct resources to unions so that they can hold pedagogical programming. This could also be accomplished by providing incentives for teachers' to take on training roles within the unions, themselves becoming teachers of teachers. Such incentives might include a reduced teaching load or extra compensation for these activities. Finally, professionalization could be further aided with support for teachers' practical pedagogical publications. As these publications already disseminate

instructional guidance, low-cost support, such as online links from Education Secretary websites and regular circulation at schools, could increase their reach and impact.

2) Establish institutionalized spaces where teachers can participate in the making of education policy, regardless of the government in power.<sup>17</sup> This can be difficult, because it means that the state gives up some power and decisions on education policy may be delayed. However, it is important to democratize state management, increase transparency, form participatory citizenship, and engage unions. We have shown that unions often engage in targeted research themselves and possess local knowledge, so, beyond increasing buy-in, their inclusion in policymaking will lead to ultimately better policies.

3) Plan education policy democratically, incorporating unions. In effect, they are the organizations of the workers that sustain the education system with their efforts. Most unions are willing to discuss controversial topics, including those that generate conflict (as do incentives for absenteeism or teacher evaluation), provided that these discussions a) are part of a more comprehensive discussion on the system and education policy, b) are not geared to blame teachers for educational problems and c) respect certain labor rights such as stability and adequate work conditions. Indeed, as we showed above, such labor rights may, in fact, benefit the quality of education. Governments should seize the opportunity.

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<sup>17</sup> This power should not involve mechanisms of control over the rank-and-file, since such control can have negative effects, as demonstrated in the Mexican case. The Mexican teachers' union has direct power over the management of teaching (teaching appointments, transfers between different schools), which has allowed corrupt practices within the union and a relatively undemocratic internal structure (Muñoz, 2005).

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