



Thursday, August 27, 2026

Benjamin Shuldiner, Superintendent
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Ibijoke Idowu, President
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Dear Mr. Shuldiner and Ms. Idowu,

We write as attorneys and advocates for parents, students, and communities to remind you in light of recent news reports of SEA's strike authorization vote:

The threatened strike by the Seattle Education Association is illegal under state law.

That fact is established by reference to multiple legal authorities:

1. Statute: "Nothing contained in this chapter shall permit or grant any public employee the right to strike or refuse to perform his or her official duties." RCW41.56.041.
2. Court precedent: *Cnty. of Spokane v. Local No. 1553, AFSCME, AFL-CIO*, 76 Wn. App. 765, 769 (1995) ("Strikes by public employees are in fact illegal"); *Ames v. Pierce Cnty.*, 194 Wn. App. 93, 108 (2016) (describing holding of *Cnty. of Spokane*: "a public employee strike is contrary to Washington law"); *Roza Irrigation Dist. v. State*, 80 Wn.2d 633, 638 (1972) ("this court had held that public employees, while they have the right to organize, do not have the right to strike."); *Port of Seattle v. Int'l Longshoremen's & Warehousemen's Union*, 52 Wn.2d 317 (1958).
3. Washington Public Employment Relations Commission precedent: *Public School Employees of Washington*, Decision No. 14232, 2025 WA PERC LEXIS 119, *5 (Oct. 28, 2025) ("under Washington's common law, public employees do not have a right to strike," citing *Spokane County*, Decision No. 4828 (PECB, 1994)); *In Re Teamsters Local 599*, Decision No. 7052, 2000 WA PERC LEXIS 107, at *18 & n.6 (May 9, 2000) (summarizing Washington law: "strikes by public employees are unlawful and enjoined"); *Port of Seattle v. Int'l Longshore Union*, Decision No. 6181, 1998 WA PERC LEXIS 23, at *23 (Feb. 9, 1998) ("strikes by public employees are unlawful under the common law"); *Community Transit v. ATU Local 1576*, Decision No. 6057, 1997 WA PERC LEXIS 110, at *2 (Oct. 8, 1997).
4. Attorney General opinion: "In Washington, state and local public employees do not have a legally protected right to strike. No such right existed at common law, and none has been granted by statute." AGO 2006 No.3 (Jan. 31, 2006).

The Seattle Public Schools could immediately proceed to court to secure an injunction against the imminent, threatened strike. *See* AGO 2006 No.3, at *6. Several years ago, the Superior Court for Clallam County issued a temporary restraining order against an educator strike based on these principles. *Port Angeles Sch. Dist. No. 121 v. Port Angeles Paraeducator Ass’n*, No. 24-2-00248-05 (Apr. 9, 2024). Defiance of an injunction against an illegal strike could involve fines on the union and even imprisonment of union leaders.

Strong policy reasons undergird the decision of Washington and 36 other states to make teacher strikes illegal: they negatively impact the academic achievement and emotional well-being of students. *See* Dylan Matthews, *How Teacher Strikes Hurt Student Achievement*, [WashingtonPost.com](https://www.washingtonpost.com/archive/local/2012/09/10/teacher-strikes-hurt-student-achievement/2012/09/10/) (Sept. 10, 2012) (detailing studies from professors at the University of Toronto, Wilfrid Laurer University, and the Universities of Edinburgh and Rotterdam all showing student achievement suffers from a teacher strike). The experience of parents and students with schools closed during COVID only reinforced with practical know-how what these academic studies showed: students, parents, and communities all suffer when schools close.

The District and the Association should bear in mind their responsibility to the students and their families. The Washington Constitution guarantees students “the right to an amply provided education under article IX, section 1.” *McCleary v. State*, 173 Wn.2d 477, 518 (2012). Schools are required to “provid[e] an ‘opportunity’ for successful student achievement.” *Id.* at 525. Teacher strikes undermine this right, denying students the opportunity to access the education guaranteed by the state constitution.

Parents and students have a right to expect that schools will open on schedule, that the teachers union will follow the law, and that the school district will enforce the law.

Sincerely yours,

/s/ Daniel R. Suhr

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