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THE DOVRAT COMMITTEE, OFEK HADASH AND OZ LETMURA: A STORY OF REJECTION AND ACCEPTANCE

Nachum Blass

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**ועדת דוברת, "אופק חדש" ו"עו"ז לתמורה":
סיפור של דחיפה וקבלת**

נחים בלס

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The Dovrat Commission and Teachers' Union Recommendations: A Story of Rejection and Acceptance

Nachum Blass*

Abstract

This chapter deals with the teachers' working conditions after their signing of comprehensive wage bargaining agreements (Ofek Hadash ("New Horizon") with the primary school Teachers' Union and Oz LeTmura ("Courage to Change") with the secondary school Teachers' Organization). These agreements largely resemble principles proposed by the National Task Force for the Advancement of Education (the Dovrat Commission) in 2005. One of the chapter's two primary focal points is a comparison of the major items in the agreements signed with the teachers to the parallel items in the recommendations of the Dovrat Commission. The other is an attempt to answer the question of why the Task Force recommendations encountered such sweeping opposition on the part of the teachers' unions, when the agreements that were eventually signed – after prolonged strikes and bitter struggles – are so similar to the original recommendations. The answer suggested here is that the two primary reasons for the wide rejection were the Dovrat Commission's preference not to increase the government budget for education, and its unwillingness to allow the teachers' unions a voice in formulating the recommendations. Furthermore, the Dovrat Commission's recommendations on some issues contradicted positions deeply rooted and widely accepted within the teacher community.

* Nachum Blass, Senior Researcher, Taub Center.

After a period of prolonged strikes, two comprehensive wage bargaining agreements which may well be termed historic were signed between the representative unions of the teachers in Israel and the government. They not only dealt with wage conditions, which were significantly improved, but also fundamentally changed the structure of teaching job posts. These agreements were preceded by the recommendations of the National Task Force for the Advancement of Education in Israel (the Dovrat Commission) as well as two important documents of the teachers' unions (*HaTza'ad HaKoveah* ("The Crucial Step") of the primary school Teachers' Union and *Oz LeTmura* ("Courage to Change") of the secondary school Teachers' Organization).¹ Analysis of the wage agreements that were signed reveals a clear link and considerable affinity between them and the Dovrat Commission's recommendations on the one hand, and the documents drawn up at the time by the teachers' unions on the other hand. Against this background, the question arises: why were the Dovrat Commission's recommendations concerning the structure of teaching job posts, working conditions and pay rejected so adamantly by the teachers in 2005, only to be largely accepted a few years later?²

¹ "The Crucial Step" is the Teachers' Union's program for the advancement of education in Israel (2004). "The Courage to Change in the Educational System" is the Secondary Teachers' Organization's program for structural and values reform in the educational system, which was submitted to the Task Force for the Advancement of Education in Israel. The discussion in this chapter refers to everything written in these documents as the organizations' official positions. In the same period there appeared another important report, the "ELA (Citizens for Education) Report," which also referred to many of the issues mentioned here.

² The Dovrat Commission dealt with numerous and diverse topics and the wage agreements mainly concerned the structure of the teacher's post, working conditions and pay. This document will not discuss the disagreements between the teachers' organizations and the Dovrat Commission's recommendations on such topics as the regional educational administrations, study curricula, method of funding, etc., but only those items that appear in the wage agreements.

The chapter will briefly describe the process of appointing a Dovrat Commission for Education. It continues with comparisons of the recommendations of the Teachers' Union ("The Crucial Step") and the Teachers' Organization (*Oz LeTmura*), and the wage agreements that were eventually signed.³ The subsequent discussion will deal with the question of why the teachers rejected the Dovrat Commission's recommendations and whether and how it influenced the development of the educational system.

1. The Dovrat Commission: Its Establishment and Letter of Appointment

The Dovrat Commission was established in 2003 by then-Prime Minister Ariel Sharon and Minister of Education Limor Livnat, as a response to growing dissatisfaction with the state of education. It is not known exactly what prompted them to make the decision or which processes led to it, but in a report that appeared in *Ha'aretz* newspaper,⁴ Meir Shani (one of the Dovrat Commission's founders) said the following:

³ The comparison of the report by the Dovrat Commission, the teachers' organizations' two position papers, and the wording of the agreements signed between the government and the teachers is based on an analysis of documents that are open to the public. The discussion and conclusions are based on the positions, knowledge and experience of the author, who participated in the debates in the framework of his role as secretary of the Dovrat Commission's committees on teachers' pay and on resources and budgets. The chapter was sent for preliminary reading to some of the Dovrat Commission's members. Prof. Ruth Klinov, Prof. Na'ama Sabar-Yehoshua, Meir Kraus, Meir Shani, Rabbi Shai Piron, and Ofer Brandes made numerous important and useful comments – some of which are manifest in this document, either as explicit citations or as changes in the original content – though there remain, of course, differences between us. The opinions and conclusions are the author's alone.

⁴ Aviva Lurie, "The Reformist," *Ha'aretz*, 19 May 2004.

“[...] In the wake of findings to which we had been exposed, mainly as a result of a study by Dr. Dan Ben-David,⁵ a Tel-Aviv University economist, on the socioeconomic situation in Israel, we prepared a presentation that showed how the State of Israel had deteriorated in the past 30 years and was becoming a Third World nation, and appeared with it at various forums. Limor Livnat heard about it and asked us to show it to the heads of the Ministry of Education [...] There was a division of labor between us: [...] I presented the field of economics and society, and Shlomo dealt with education, and Limor, who hadn't known him until then, was very impressed and sent me a note with the question: 'Will Shlomo agree to head a committee that I'm about to appoint?' I replied that yes, he would, without asking him. Afterwards she asked him and he said 'No,' and then I went and pressured him and he said: 'All right, but if I'm in, you're in, too.' And that's how it started.”

Meir Kraus, who coordinated the Dovrat Commission's work on behalf of the Ministry of Education, describes matters similarly: “The initiative and enthusiasm of successful hi-tech and business people (Dovrat and Shani, for example) for the advancement of the education system in conjunction with the publication of unflattering results for Israel on international tests, in combination with the Minister's willingness to examine in depth a reorganization of the system (something that politicians generally shun) – all of these gave rise to the idea of a national task force.”⁶

The Dovrat Commission's letter of appointment from September 21, 2003, which was written in coordination and with the approval of its intended chairman,⁷ gave clear expression to economic emphases (“The

⁵ Now Prof. Dan Ben-David, Executive Director of the Taub Center.

⁶ All the citations from Meir Kraus and Ruth Klinov in this chapter are from their correspondence with the author and appear with their permission, unless noted otherwise.

⁷ Ruth Klinov writes: “Even before the committee's establishment a few guidelines were concluded with then-Prime Minister Ariel Sharon and

educational system's first goal – to allow the State of Israel a relative long-term economic advantage") and coherent societal conceptions ("The educational system's second goal is increasing social solidarity, and its third goal – reduction of gaps and increasing equality"). The letter of appointment also gave expression to a managerial-operational emphasis in its demand to establish the educational system on advanced managerial principles (clear vision and goals, quantifiable targets, transparency, efficiency, etc.). The Dovrat Commission was requested to draw up recommendations in several areas: central goals for the entire education system; the structure of the public education system; an examination of the teaching profession, for all of its aspects and for all age levels; and improved management in the education system. The Commission was asked to complete its work within a year.

It bears mention that the Dovrat Commission was asked to examine the topic of the teaching profession "in an effort to consult with the teachers' unions and their representatives," but there was no instruction to achieve full cooperation. Neither was anything said about budgetary constraints that the Commission would have to take into consideration.

The Dovrat Commission submitted its report only slightly late – in January 2005 – and the government approved it immediately and almost without any discussion on the 16th of the same month (Government Decision No. 3060).

The government decision states:

1. The government views as a national priority and central goal the implementation of a comprehensive and overall reform in education, which will have a balanced budget according to the Commission's calculations, and adopts the principles of "The National Plan for Education," as presented by the Dovrat Commission.

Minister of Education Limor Livnat. They included a budgetary framework for the cost of the reform."

2. The government will adopt the principles of the recommendations of “The National Plan for Education,” which was drawn up by the Dovrat Commission, with the changes and adaptations required for their implementation, except for the following two topics:

- Wages, working conditions and employment relations
- The Dovrat Commission’s recommendations concerning expanding the required budget beyond the budgetary framework, including the expansion of free education in preschools

3. The government will adopt the budgetary framework on which the plan is based, subject to the priorities of the state budget as will be determined from time to time.

The Minister of Finance and the Minister of Education, Culture and Sport must without delay enter into an uninterrupted, sincere and genuine negotiation with the teachers’ unions and the New *Histadrut*, with the goal of implementing and conducting the reform in agreement and with their active cooperation [...] with the goal of achieving a collective agreement or collective arrangement, on matters that are customarily settled between employers and said workers’ unions.

Unlike the letter of appointment, which merely asked the Dovrat Commission to make “an effort to consult with the teachers’ unions,” the government decision enjoined the ministers concerned to “enter into an uninterrupted, sincere and genuine negotiation [...] on matters that are customarily settled between employers and said workers’ unions.” Nonetheless, representatives of the teachers’ unions had not been made part of the Dovrat Commission itself or of the working teams established in its framework, and that was no accident.⁸ Their lack of participation

⁸ Representatives of the Ministry of Finance and the Ministry of Education weren’t invited to participate in the Dovrat Commission discussions either.

stemmed from the strained relations between the unions' leaders and Minister of Education Livnat, and from the social-organizational-political approach of the initiators of the idea of a commission. In their view, workers' unions had no place in the forums dealing with the planning – and especially the management – of the educational system. Furthermore, in their opinion, the leaders of the teachers' unions over the years had become accustomed to examining everything from the narrow perspective of the teachers' working conditions, particularly those of the veteran teachers. Their positions were perhaps logical from the teachers' viewpoint, but were quite frequently opposed to the steps required to improve the educational system.

By this analysis, the teachers' unions were perceived more as an obstacle that needed to be overcome than as a resource that could and should be harnessed in order to achieve a common goal. Having the teachers participate in the discussions was liable to "throw a wrench in the works" and delay the timely drawing of conclusions, so it was, therefore, preferable to arrive at the recommendations without having them play a part in the discussions or considerations, and to bring them a finished draft for review and comments.⁹ This was in reference mainly to the possible injury to veteran teachers in favor of new teachers (an approach that was indeed among the Dovrat Commission's principal recommendations). At certain stages, Meir Shani, chairman of the Committee on Teacher Pay, asserted that there was no avoiding a protracted and bitter teachers' strike to compel the teachers to accept the

Nevertheless, the Ministry of Education had a representative in the Dovrat Commission serving as coordinator (Meir Kraus), and Ministry of Finance representatives were observers at the deliberations of the Committee on Budgets and Resources.

⁹ On the attitude of those heading the Dovrat Commission toward the issue of having teachers and representatives of the Ministry of Education participate, Ruth Klinov says: "From the start it was assumed that it would be necessary to impose the reforms on the teachers, and there was no chance of reaching an agreement with them."

report's recommendations (indeed such strikes occurred, and the recommendations were not accepted).¹⁰

Also introduced into the government decision was the budgetary constraint, which had been entirely missing from the letter of appointment. It is not surprising that economic considerations and budgetary constraints should be included in a government decision, but there is room for wonder at the decision by the Dovrat Commission's chairman that his recommendations would not deviate from the existing education budget (even though mention was made of returning the sums deducted in the last cut decided on in 2003). This appears to have stemmed from a combination of several factors, including:

- A prior agreement with the heads of the Ministry of Finance that established that, as a condition for their future support of the Dovrat Commission's recommendations, it would not recommend budgetary deviations – and in return, the budget cuts of 2003 would be cancelled. The Commission strictly abided by this understanding and strayed from it only on the topic of preschools, regarding which it recommended a large budgetary increase.
- A noble attitude, although perhaps naïve in the Israeli political reality, that held that allocating additional resources to education is important and desirable, but even in their absence it is appropriate to put forward the best proposals for improvement within the existing budgetary framework.
- A belief (mistaken, in the author's view) that it is possible to execute large educational reforms even without significant budgetary increases.

¹⁰ Nonetheless, as will be noted, the Dovrat Commission chairman and the head of its Committee on Teacher Pay maintained contact with the heads of the teachers' organizations, and updated them on the recommendations that had been reached in order to hear their comments.

- An assessment that every large public system, the educational system included, suffers from inefficient and wasteful management, and it can therefore be improved by efficient use of the wasted resources.

It is possible also that the Dovrat Commission members' long experience in revamping and improving failing businesses without the need for significant additional resources also played a part. Either way, the decision proved to have fateful consequences.

These two basic ideological assumptions of the Dovrat Commission's chairman (and perhaps also of whoever appointed the Commission) – non-cooperation on the part of the teachers and adherence to the existing budget – laid the foundation for a face-to-face confrontation between the government, which adopted the Dovrat Commission recommendations, the teachers' unions and broad swaths of the public. In the first stage, the conflict ended with the absolute rejection of the Commission recommendations concerning working conditions and pay. In the second stage, when the emotional confrontation between the sides subsided and the basic assumptions were removed, agreement was arrived at and the recommendations were accepted almost in their entirety.

Spotlight: The Dovrat Commission: Composition and Structure of the Commission

The members of the Dovrat Commission were carefully chosen after its chairman had spoken with them and described its goals. Clearly the criterion for selection was to grant representation to as many relevant professions and fields of experience as possible while maintaining a certain homogeneity in terms of the approach towards problems in order to forestall interminable discussions and make it possible to reach conclusions and recommendations.

Part of the criticism directed at the Dovrat Commission was that it was managed by businessmen. Beyond the fact that the word "businessmen" is not a dirty word, cynical use was sometimes made of it for the purpose of undermining confidence in the Commission's work. The fact is that only a minority of its members were what are called "businessmen" (Shlomo Dovrat, Meir Shani and Yitzhak Danziger). Also serving on the Commission were two senior economists, experts in the educational field, Professors Ruth Klinov and Victor Lavy. Other members of the Commission were academicians from the educational or related fields - Prof. Ismail Abu Sa'ad, Dr. Meir Buzaglo, Dr. Dan Gibton, and Prof. Naama Sabar Ben-Yehoshua; active educators - Ilana Bar, Rabbi Avraham Gisser and Rabbi Shai Piron; and other experts and officials - Jacky Vanunu (local authority official), Prof. Nili Cohen (jurist), Rabbi Mordechai Karlitz (former mayor of Bnei Brak), former Minister of Education Prof. Amnon Rubinstein, and Ofer Brandes (past assistant to Minister of Education Amnon Rubinstein and special advisor to the Commission). Meir Kraus, senior official at the Ministry of Education, was the Dovrat Commission coordinator on behalf of the Ministry. The Commission's work was organized by Ruth Ottolenghi, former director of secondary education at the Ministry of Education, and Shmuel Har-Noi, who has filled a number of positions in the army, public service and the educational field.

The Dovrat Commission was divided into 12 professional committees, some of which were split into subgroups on additional topics: Committee on Regional Educational Administrations, Committee on Teacher Training and Professional Advancement, Committee on Educational Continuity, Committee on Children and Youth at Risk, Committee on

Measurement and Evaluation, Committee on Educational Streams and Communities, Committee on Legislation, Committee on School Management, Committee on Students with Special Skills, Committee on Teacher Pay, and Committee on Budgets and Resources (the latter two were coordinated by the author, Nachum Blass). These committees were attended by the Commission members and various experts in the fields specific to each committee. Observers were attached also to the committees.

Among the committee members and observers were representatives of the Ministry of Education and Ministry of Finance, but not one representative of the teachers' unions (with the exception of Ms. Ruhama Katzir on the Committee on Teacher Training and Professional Advancement). The fact that the teachers were not invited to participate in the Commission discussions does not mean that their opinions were not taken into consideration. The two teachers' unions drew up detailed and comprehensive documents, compiled by teams of experts. Participating in the preparation of the Teachers' Union's document *Ha'Tzaad HaKoveah* (Teachers' Union 2004), in addition to its own experts, were Y. Gabai, H. Gazi, D. Gordon, Y. Cohen, N. Mark, A. Salent, D. Inbar and E. Peled. Participating in the preparation of the Secondary Teachers' Organization's document *Oz LeTmura* (Secondary Teachers' Organization 2004) – which was based on an earlier proposal that was drawn up by the organization, tried in five schools and had an evaluation component conducted by the Szold Institute – were Y. Friedman, L. Kramer-Hayon, U. Laor, R. Ben-Yishai, S. Kahan, S. Granit, G. Ben Dror, and D. Rosenfarb.

Beyond that, in the course of the Dovrat Commission work – especially towards the end of its discussions, after the principal recommendations had already been formed – numerous meetings took place between the Dovrat Commission chairman and the heads of the teachers' unions, as well as between the chairman of the Committee on Teacher Pay and an extended delegation of the teachers' unions, in order to obtain their consent to the recommendations.

2. The Dovrat Commission's Recommendations and Teachers' Unions' Positions: Similarities and Differences

In this section the Dovrat Commission's recommendations are compared to the positions of the teachers' unions, as expressed in the two documents noted previously and in the wage agreements eventually signed at the end of the process. The Commission dealt with a broad spectrum of topics concerning the education system. This section deals only with topics directly related to the teaching post, structure, working conditions, and pay.

The Dovrat Commission's recommendations will be presented at the start of each of the topics discussed, followed by the relevant recommendations of the teachers' unions, and at the end the understandings reached in the framework of the agreements that were signed: Ofek Hadash with the Teachers' Union, and Oz LeTmura with the Secondary Teachers' Organization. The intent is not to go into the complexities and details of the various documents; the comparison will refer only to the major points and essential differences between them.¹¹

• **Teaching work load and number of work days per week.** According to the Dovrat Commission's proposal, teacher and kindergarten teacher posts should be 40 weekly hours, and the week should consist of five school days of eight hours each. The proposal gave expression to the Commission members' view that the transition to a work structure similar to that of most of the workers in the economy is a

¹¹ It bears mention that there is a genuine difficulty comparing the five documents, each of which has dozens of items. Nonetheless, the Internet is replete with "comparisons" of the Ofek Hadash and Oz LeTmura agreements, and behind each comparison there is usually a particular bias and a tendency to praise one and condemn the other, in keeping with the writer's organizational affiliation.

primary condition for any genuine improvement in the status of the teaching profession.¹²

The teacher unions' proposals were similar in the matter of the work load, but different with regards to the number of work days per week. The Teachers' Organization's proposal was identical to the Dovrat Commission's, whereas the Teachers' Union's proposal spoke of overall work-hours as 36 hours a week.¹³ In both proposals the work week stayed at six days. Ultimately both agreements accepted the teachers' positions (work load of 36 hours in Ofek Hadash; 40 hours in Oz LeTmura and six days week).

The transition to a five-day school week came up during the discussions on a long school day, and was also discussed extensively in the report of the Public Committee for Examining a Long School Day (the Adler Committee). Shortening the school week was supposed to help finance the transition to a long school day, through the transfer of the Friday school hours to the other days of the week. The staunch opponents of this move were officials of religious education, who feared the "cancellation of the Torah" (*bitul Torah*). Some of the teachers were also opposed because they thought it would make it difficult to free one day a week for professional development, and other parties voiced concern about keeping students busy on Fridays. Ultimately, these contentions led to cancelling the linkage between the decision on a long school day and the decision on a transition to a shortened school week (Report of the Public Committee for Examining a Long School Day, 1996). The teachers' opposition was not particularly strong, however, because the existing work arrangements allowed them, even before the transition to Ofek Hadash and Oz LeTmura, to discharge a full-time post

¹² Nonetheless, the Dovrat Commission did not address the structure of the school year and the teachers' long vacations.

¹³ In a survey conducted on the topic of the Teachers' Union's position regarding a five-day school week, it emerged that most of the teachers support the transition to a five-day work week. The survey was conducted by the Rafi Smith Institute and based, among others, on focus groups among members of the Teachers' Union.

in five or even four days a week. Eventually the issue of the number of school days per week was not included in the new wage agreements, and the students' school week and teachers' work week remained at six days.

• **Share of frontal teaching hours out of total work-hours.** Until the signing of the new wage agreements, the number of frontal teaching hours required of a teacher in primary school education stood at 30, and in secondary education at 24. Nonetheless, many of the teachers (mothers of children up to the age of 14, male and female teachers above the age of 50, teachers filling various other positions at the school, and teachers preparing students for matriculation) enjoyed some flexibility in this matter, so in practice the number of frontal teaching hours in primary education was 25.5 (see Cohen 2011).

According to the Dovrat Commission's proposal, during the work week teachers in primary school were supposed to teach 26 frontal hours (25 hours in the 7th-8th grades), and teachers in secondary education – 23 frontal hours. In the remaining hours the teachers would engage in one-on-one instruction, fulfill various roles in the school, and conduct other professional activities. According to the proposal, the only reduction in hours of the position would be for mothers of children up to age 14 – and it would reduce the number of non-frontal hours.

The idea behind this recommendation was to bring about an increase in the actual quota of teaching hours in order to reduce the number of teachers and thereby raise their pay and improve their level. Likewise, it was meant to ensure full attendance by teachers at schools throughout the students' school week, which was also intended to be 40 hours.

The Teachers' Union's document "The Crucial Step" proposed that teachers in primary school would teach 24 frontal hours, and in secondary education – 21 hours (in other words, reduce the number of actual teaching hours). The Oz LeTmura document proposed that teachers in secondary education would teach 24 frontal hours (i.e., leave the status quo in place).

In the Ofek Hadash agreement the sides agreed that teachers in the 1st-6th grades would teach 26 frontal hours, whereas teachers in the 7th-

9th grades – 24 hours. According to the Oz LeTmura agreement, too, the teachers in the 7th-12th grades are supposed to teach 24 frontal hours. Ultimately, in the agreements the teachers' unions came close to the Dovrat Commission's recommendations, and even went beyond them in the case of secondary education.

- **Termination of most deductions of required frontal hours due to fulfilling other duties or specific reductions (maternity and age-related).** As mentioned, one of the most important principles which guided the work of the Dovrat Commission was organizing the educational system so as to reduce the number of teachers in order to make it possible to choose good teachers (increase choice) and raise their pay. As mentioned in the previous item, one of the methods proposed for that was to directly increase the number of frontal teaching hours required of a teacher.

Another primary recommendation in that direction was to cancel the regulations which entail a reduction in frontal teaching hours.¹⁴ The Dovrat Commission recommended cancelling, or more precisely replacing the benefit with additional pay for education hours (given to class homeroom teachers), age-related hours (given to teachers above the age of 50), hours for matriculation preparation, and hours for coordination of study subjects and class levels.

The Teachers' Union's document makes no reference to the topic, while the Oz LeTmura document proposes "cancellation of the method whereby various job benefits are granted through a reduction in hours and its substitution with a percentage increase in pay" (p. 16), or, in other words, full agreement is expressed with the Dovrat Commission's recommendations. Nonetheless, the Secondary Teachers' Organization

¹⁴ Prior to the professional negotiation over the Ofek Hadash program, an updated assessment was conducted of the average number of teaching hours in a class. According to the assessment, the average number of teaching hours a week taught by a teacher in a full-time post in primary education was 25.5; a teacher in lower secondary school taught in class 21.5 hours a week; and a teacher in upper secondary school taught 19 hours a week.

changed its position in the subsequent pay discussions, expressing its opposition to the cancellation of the hourly benefits. This issue lay at the focus of the protracted negotiations between the Teachers' Organization and the Ministries of Education and Finance.¹⁵

Ultimately, in the agreement with the Teachers' Union all of the reductions were cancelled (except those for age and mothers who teach), whereas in the agreement with the Teachers' Organization all of the benefits and rebates were left intact – an achievement the organization's spokespeople are wont to make much of. This is the most prominent difference between the two wage agreements, and the most prominent deviation from the Dovrat Report's recommendations. However, it is very important to emphasize that as opposed to in the past, the reduction in frontal hours for performing specific jobs does not reduce the overall number of hours a teacher is required to be at school; in other words, all of the jobs (including homeroom teacher and preparation for matriculation) must be performed at school.

- **Raising teachers' compensation.** The Dovrat Commission recommended that teacher and kindergarten teacher wages be raised and adjusted to the pay level of academic workers of similar education in the state service, taking into consideration their working conditions. Great emphasis was placed in particular on raising the pay of beginning teachers. "The Crucial Step" document proposed that teacher pay would be similar to the average wage in the economy, whereas Oz LeTmura demanded a raise of 60 percent for the transition to a 40-hour position.

The Dovrat Commission's recommendations were more generous than what "The Crucial Step" document required, but fell short of the Teachers' Organization's demands, because the pay of academicians in the state service is higher than the average wage in the labor market. The

¹⁵ It is hard to know for certain what the reasons were for the Teachers' Organization's change of position, but it may have stemmed from the vigorous opposition to this item in Ofek Hadash by some of the teachers affiliated with the Teachers' Union.

exact size of the raise in percentage points in the final wage agreement is unclear, and given to various interpretations.¹⁶ Nonetheless, the relative beginning wage proposed by the Commission at the end of 2004, which stood at NIS 5,500 for a teacher with a bachelor's degree and NIS 6,050 for a teacher with a master's degree, was higher than the pay won by the teachers' unions in 2008 and 2011 (NIS 5,591 and NIS 5,861, respectively). On the other hand, the pay of teachers who have reached maximum seniority in the agreements was higher than proposed by the Commission – NIS 15,382 versus NIS 10,285 for teachers with a bachelor's degree and NIS 15,720 versus NIS 13,750 for teachers with a master's degree. The tendency on the part of the teachers' unions to favor teachers with seniority at the expense of beginning teachers is clear. Nonetheless, the Dovrat Commission recommended allowing a pay increase of up to 12 percent for teaching more frontal hours than the required minimum, and in special cases, by a decision of the school administration, an increase of up to 20 percent.

- **Components of teachers' compensation.** The Dovrat Commission proposed to base teacher pay on fixed components and variable components.

- **Fixed wage components: seniority, education, and pay scales**

Seniority. The previous seniority formula in teacher pay set raises of 5 percent during the first seven years, 2 percent a year from the eighth to the 25th year of seniority, and 1 percent a year until maximum seniority – 36 years.

The Dovrat Commission did not demand the cancellation of seniority, but did recommend reducing its weight. It proposed a formula that would have added 2 percent to beginning pay in each of

¹⁶ As mentioned previously, most of the publications dealing with a comparison between the agreements refer to the pay issue, particularly the issue of pay per hour, and each of them finds ingenious ways to prove its point. Ultimately, after all the comparisons, although the pay raise in each of the agreements is granted in a different way, it is still rather similar.

the first 20 years, and another 1 percent a year for the following ten years. There is an enormous difference between the two formulas. Whereas under the previous formula the teachers' pay table at maximum seniority was higher than the starting wage by 114 percent, under the Commission's formula, teacher pay at maximum seniority would have been higher by only 50 percent.

In the proposals of the Teachers' Union there is no specific reference to the seniority issue, whereas the Teachers' Organization's proposal speaks of a 2 percent raise per year during the first 20 years and 1 percent a year from the 21st year. That is: the cumulative raise at maximum seniority (35 years) was supposed to be 72.5 percent.

The final settlement of the issue differed in each of the two agreements signed with the teachers' unions: in the agreement with the Teachers' Union it was agreed to a raise of 2 percent in each of the first seven years and 1 percent per year subsequently until the 36th year, altogether – 50 percent, (exactly as the Dovrat Commission proposed, although distributed over a greater number of years, i.e., the Commission's report did better for the teachers). In contrast, in the agreement with the Teachers' Organization the original seniority formula was retained.

Education. Before the signing of the wage agreements, any improvement in the teacher's level of education guaranteed a raise in pay. The transition from the level of a teaching qualification to an academic degree resulted in a raise of about 15 percent, another 8 percent for a second degree, and another 7 percent for a doctorate.

The Dovrat Commission recommended making entry to the teaching profession conditional on a bachelor's degree, granting a 10 percent raise for a master's degree, making the transition from Pay Level 5 to Level 6 conditional on qualifying for a master's degree (with the transition itself adding 11 percent to the wage), and an additional 3 percent for a third degree.

In the wage agreements with the two teachers' unions it was agreed to a pay raise for a master's degree in the range of 4-5 percent, and another raise of similar size for a doctorate.

Pay scales. Until the signing of the current wage agreements, the pay ladder was dictated by the wage scale, benefits for professional development and other types of remuneration of fairly limited extent (except for a large one for school principals and deputies). Employers had no discretion regarding raises in pay.

The Dovrat Commission proposed a fundamental change, which primarily involved setting pay scales where the transition between them is conditional only in part on seniority (a minimal time period was set for advancing from one level to the next) and on education (a bachelor's degree at least was required for the lower levels and a master's degree for the senior levels). Additional conditions for the transition between levels were the performance of various jobs at school, excellence in teaching and other criteria, some of which were proposed explicitly and others which were to be set at a later stage.

The teachers' unions accepted the Commission's approach in principle, and it was set in the final wage agreements.

In the wage agreements it was said that the criteria for transition from one level to the next would be determined by the Ministry of Education and the National Authority for Measurement and Evaluation (a body established in the wake of the Dovrat Commission, hereinafter: RAMA – the Hebrew acronym), in consultation with the teachers' unions. The differences between the Commission proposals and those of the teachers' unions lay in the details: the number of levels, the time period between transitions from one level to the next, and the procedures for approving transition between them. Eventually, promotion levels were set for teachers, and it was determined that a limit would be set on the share of holders of each level out of all the teachers (it is still unclear whether this refers to their statewide share or their share at each school). Likewise it was agreed that a limit would also be set on the share of holders of senior

levels out of all the teachers. Ofek Hadash and Oz LeTmura proposed to keep in place seniority, education and supplementary courses as central components in the determination of pay, and added the performance of various jobs at school to that.

- **Variable wage components (differential payments to teachers)**

The Dovrat Commission recommended including variable wage components in teachers' pay, for the purpose of augmenting and strengthening the administrative tools at a school principal's disposal and creating incentives for teachers. These components were supposed to take into account the background characteristics of the students (primarily the school's socioeconomic situation), exceptionally crowded classes, specific and temporary difficulties in a particular class, and so forth. The intention was to make the school principal a central and influential factor in recommendations for pay raises, and the added wages were intended to be conditional on the actual terms of work, not permanent and not part of the ordinary wage. The Dovrat Commission also recommended granting bonuses to school staff and considering compensating teachers of exceptional excellence. The proposal included a mechanism for the evaluation of teachers and of their potential for professional advancement, with the intention that teachers would have professional horizons that would guarantee due compensation for their abilities, professionalism, education, and achievements.

Both teachers' unions agreed to recognize excellence by differential compensation, but the promise was fulfilled only in the Oz LeTmura wage agreement.

- **Termination procedures.** One of the widespread criticisms leveled at the teachers' unions is the impediments they pose to terminating the employment of teachers who do not meet the profession's demands. The Dovrat Commission addressed this issue extensively and drafted termination procedures based on three principles. The first was the

creation of an evaluation report for teachers, which would have to be completed annually. This was meant to prevent arbitrary termination when previous evaluations were positive (and also to prevent rapid promotion when previous evaluations were negative). According to the Commission recommendations, the evaluation reports were supposed to be open to the teachers and teachers were to have an opportunity to appeal what was written in them. The second principle was that upon initiation of a termination, the teacher would have a right to bring representatives and counsel to the discussions. The third principle was giving teachers an opportunity to improve their performance. This right is of greater significance the greater the seniority of the candidates for termination. In addition, the Commission proposed that teachers whose employment is terminated would receive a grant to help them in adjusting to a career change – the size of which is determined by the teacher's seniority.

The teachers' unions' proposals did not mention the topic of termination, but in the Oz LeTmura wage agreement the matter appears in Appendix E, which defines the procedures required in order to terminate a teacher's employment. Several important things are included in the appendix: first, a termination procedure can be launched only after negative assessments of the teacher have been collected in the framework of the annual evaluation conducted at the school. Afterwards the teacher enters a "year of pedagogic accompaniment," in the framework of which various parties will visit the teacher's classes and the teacher will be given an opportunity to improve his or her performance. Failing this, an orderly process of visits to classes begins in the following year, and only at the end of this – if the teacher's performance has not improved sufficiently – it will be possible to terminate employment.

As opposed to the Dovrat Commission recommendations, with regard to the termination issue the Oz LeTmura document makes no distinction between young and veteran teachers, there is no reference to the teacher's previous performance (ostensibly a single negative assessment in evaluation may suffice), and there are no adjustment grants. Therefore,

the settlement reached in the final agreement falls short of the Dovrat Commission's proposals from the aspect of protecting the rights of terminated teachers.

- **Time clocks.** The Dovrat Commission's report included a recommendation that time clocks be punched, which does not appear in "The Crucial Step" and Oz LeTmura documents, but does appear in the wage agreements with the two teachers' unions. Here, too, the wage agreements inclined towards the Commission.

- **Teachers' rooms and physical conditions.** The Dovrat Commission recognized the need to significantly improve the physical conditions afforded to teachers. Attention was focused on personal work rooms for teachers, separate washrooms, and computer and communication services. Funding was even allocated to the topic, and the Ministry of Education was asked to prepare plans for improved teacher rooms. These matters were also mentioned in the teachers' wage agreements, but no clear-cut rules were set.

- **Class size.** Although the Dovrat Commission did not recommend a reduction in class size, it did clarify that a change in the method of funding might be helpful in this matter, insofar as schools serving weaker populations would be allocated sufficient funds to enable them to divide large classes.

The Teachers' Union recommended classes of 25-27 students. On the other hand, the Secondary Teachers' Organization did not refer to the matter in the Oz LeTmura document submitted to the Dovrat Commission. This is surprising in light of the fact that the topic was at the crux of the great teachers' strike, at the end of which the teachers were promised that the government would take action to cut the maximum class size to 32 pupils.

Class size was not included in the wage agreements, but the Ministry of Education appointed a committee to examine the ramifications of the decision to make classes smaller. That committee submitted several recommendations, but only a small minority of them was implemented.

The difficulty of implementation stems mainly from the high cost – including the one-time component of investment in construction – which according to assessments carried out by the Taub Center could reach more than NIS 9 billion (Blass 2008).

There were many other items in the Dovrat Commission's report concerning the training and continuing education of teachers, the school principal's job, and the teachers' physical working conditions. At least some of them were also discussed in the wage agreements. These central points, clearly indicate that the similarity and accord between the Dovrat Commission's recommendations and the documents submitted by the teachers to the Commission – and even more so for the wage agreements that ultimately were signed – far exceeded the points of disagreement.

3. Analysis and Understandings

Why was the teachers' opposition to the recommendations of the Dovrat Commission so sweeping, despite the great similarity between the Commission's report and that of the teachers' unions, and in the agreements ultimately reached between them? Why was the agreement with the Teachers' Organization only signed three years after the agreement with the Teachers' Union?¹⁷ Why did the teachers' unions so resolutely oppose the Dovrat Commission's report and contend that it would lead to grave injury to teachers as well as to massive layoffs? The answer to these questions lies at two levels:

Exclusion of the teachers from the Dovrat Commission's deliberations. As mentioned previously, the Commission's report in large measure expressed a managerial worldview holding that the education system is an organizational-economic system, like any other

¹⁷ The agreement with the Teachers' Union was signed on August 31, 2008, and that with the Teachers' Organization was signed on August 14, 2011, although the first schools that entered the Ofek Hadash framework preceded the agreement with the Teachers' Union by a year.

complex and intricate system, and therefore given to command and control using advanced managerial tools. This is not to say that the Commission ignored the moral, ideological and political aspects so central to societal systems in general and the educational system in particular; nor were they unaware of the complex and conflicted social reality in which the Israeli educational system functions. However, most of them, on the basis of their years of experience and their familiarity with the bitter struggles between the teachers and the Ministries of Education and Finance, were convinced that the teachers' unions, in their professional demands and the restrictions they imposed on school principals in everything concerning compensating good teachers and terminating the employment of bad teachers, are to a large degree one of the primary factors responsible for the sorry state of the educational system. Under these circumstances, it was impossible and would even be a mistake to cooperate with them in the Commission's deliberations.

Due to this preconception, the teachers' representatives were not seated as members of the Dovrat Commission or of the committees that were established, nor were they granted a place in the teams' deliberations as observers – even though representatives of the Ministries of Education and Finance participated in these deliberations. Nonetheless, the Dovrat Commission chairman and the chairman of the Committee on Teacher Pay met with representatives of the teachers' unions once every few weeks, updated them on the principal recommendations, got their responses, and gave them drafts for review and comment. It can, therefore, be said that the teachers' unions were constantly informed of the recommendations that were being formulated and had sufficient time to respond; and respond they did. On some topics their opinion was accepted and on others not. The final recommendations appear to have been ones they could live with,¹⁸ but the attempt to reach agreement with the representatives of the teachers' unions in the final stage of the Dovrat Commission deliberations, when the

¹⁸ Letter by Meir Shani from July 22, 2012.

recommendations were already drawn up – through intensive meetings of the Commission chairman with the heads of the teachers' unions, as well as protracted discussions between representatives of the teachers' unions and Meir Shani, chairman of the Committee on Teacher Pay – was fruitless and in vain.

Could these agreements have been reached if the teachers had been made a part of the Commission? Opinions are divided. Ruth Klinov, for example, believes that the changes proposed by the Dovrat Commission were “far-reaching structural changes, and there was not a chance that the teachers would accept them, whether or not they would have been allowed to serve on the committees [...] As opposed to that, its conclusions regarding less contentious topics were similar to those of the teachers' unions, and the work done by the committee on the topics of pay and working hours helped to reach the agreements with them.” Meir Kraus thinks that “blaming the failure of implementation on the fact that the teachers' representation was not allowed a place along the way limits the scope of the examination that this event warrants and calls forth [...] There is no doubt that the organizations, too, were not handled properly, although I cannot say how this relationship should have been managed, nor am I certain that their full integration in the committees would have been the proper solution.”

A different argument is that the fact that the teachers' unions were not given a place on the Dovrat Commission may perhaps have allowed it to recommend conditions that were potentially good for the system, which would not otherwise have been possible. In fact, it took several years for the teachers' unions to reach agreement with the government on a draft proposal similar to the one drawn up by the Commission. According to this approach, if the teachers had been part of the Commission, it is reasonable to assume that the draft would not have been drawn up in the first place and there would have been no pressure for such a significant systemic change.

Despite these positions, the fact that the agreements ultimately signed were so close to the sides' positions at the start of the process speaks for

itself, and proves that it was possible to reach these agreements at earlier stages. That may have required the Commission to work longer with less “efficient” deliberations, but the reward would have been a narrowing of the bitter struggle that accompanied them. Today, of course, it is entirely impossible to prove which of the positions is more correct.

To this basic practical aspect of how the Dovrat Commission operated (lack of participation on the part of the teachers’ unions), which aroused antagonism towards its recommendations from the start, must be added first and foremost the basic conflict of interest between workers and their employers, which frequently outweighs their common goals; the strained relationship between the heads of the teachers’ unions, especially the chairman of the Secondary Teachers’ Organization, and then-Minister of Education Limor Livnat and the Minister of Education serving after her, Prof. Yuli Tamir; and the deep distrust of the government representatives in the deliberations over the wage agreements. The bitter traditional rivalry between the teachers’ unions and their battles over the loyalty of lower secondary school teachers also made no small contribution to the breakdown of deliberations over one wage agreement, and to the agreement with the Teachers’ Organization’s being signed only three years later.

The decision not to deviate from the existing budgetary framework.¹⁹ It is impossible financially, organizationally, socially, or politically to carry out a reform at the level and scope proposed by the Dovrat Commission without a significant increase in budgetary allocations. Cumulative experience shows that educational reforms in Israel and elsewhere around the world that were intended to improve the educational systems have involved substantial budgetary increases, both for significant increases to the basic budget, not only in the transition

¹⁹ This statement must be slightly qualified, because the Dovrat Commission demanded that the funds deducted in the last cut of the Ministry of Education’s budget be returned. Furthermore, it was noted in the report that in order to implement some of the recommendations, especially on the topic of kindergartens and a long school-day, additional funds would be necessary.

period, but also for major deviations from the original estimations in the implementation budgets. Nonetheless, it often turns out that when there has been a will to persist in reform implementation, the resources, which no one even dreamed of at the time of the reform planning, have been found.

However, as noted previously, the Dovrat Commission chairman was committed to prior understandings with the Prime Minister, Minister of Finance and Minister of Education, and he believed that since the educational system was being managed inefficiently it would be possible to achieve significant improvement even without additional budget allocations. This approach was also expressed in the report itself, which stated: "In our work we found many cases of inefficiency and inefficient use of resources in the education system, such as duplication of organizational entities (staff, districts, authorities), inefficiency in the teachers' training network, and the improper use of resources intended to strengthen weaker populations" (p. 50).

During the deliberations over the various drafts of the report another position was also heard, suggesting that the report should state:

"Nonetheless, it seems to us after in-depth examination that the correction of these flaws and inefficiencies alone cannot lead to the educational system's rising a full step in the level of services that it provides to its students and their learning and educational achievements. Without significant additional resources, it is impossible, simultaneously and in parallel, to significantly improve the teachers' pay, to lengthen the school day, to reduce the number of students in the classrooms, to upgrade the quality of the physical infrastructures, to increase the class sessions and prevent dropout, and to enable whoever has failed to complete a term of study by the age of 18 to do so at a later stage. After a year's work it is clear to us beyond any doubt that such an upward step can be accomplished only gradually and over several years, and it requires a change in society's general set of priorities and an increase in the educational system's share of overall national resources. As noted,

this undertaking may be impossible in the short-term, but it is undoubtedly necessary in the medium- and long-term.”

Ultimately this position was not accepted, even though leading members of the Dovrat Commission supported it.²⁰

Various estimates performed in the framework of the Committee for Budgets and Resources pointed to the extent of the additional budgetary allocation required to implement all of the Commission recommendations. That sum was in the range of NIS 4-5 billion, but the Dovrat Commission chairman and Ofer Brandes, who played a central role in drawing up the Commission recommendations, rejected these estimates. They believed that they were unfounded and unrealistic, that there was no chance that the government decision makers would accept them, and that the calculations they themselves had performed showed it was possible to implement the Commission recommendations even without any additional budget.

The heads of the teachers’ unions and others who criticized the Dovrat Commission report immediately pounced on the large discrepancy between the report’s recommendations and the resources it allocated to them, directing much of their criticism at that gap. Ultimately, significant sums were added to the education budget of a magnitude similar to the estimates of the Committee on Budgets and Resources in order to simply

²⁰ Ruth Klinov, for example, says that “in effect a lack of flexibility in the founders’ group revealed itself, and there was a refusal to change several proposals that were not acceptable to the committee members, even such as were not acceptable to the majority. In particular there were differences of opinion concerning the ability to meet the financial constraint.” Meir Kraus says: “In the matter of the budget there was a mistaken assumption that there are tremendous wasted surpluses within the system, and more efficient use of them would generate the resources required to carry out the reform [...] In the deliberations of the budget committee they examined the various items and the possible sources for diversion and found a few hundreds of millions, whereas to carry out the reform several billions were required. The unwillingness to ask for an increase in budgetary allocation [...] was a mistake.”

fund the wage agreement, without reference to the other recommendations.

In summary. The Dovrat Commission recommendations, which were the deepest and most comprehensive presented before decision makers in many decades, were received with sweeping opposition by the two teachers' unions. While on the face of it it may seem that in the wake of the struggle between the teachers' unions and the Ministry of Education the Commission recommendations were given the kiss of death, in fact their impact can be seen in several areas. First, they led to the establishment of two important bodies: the National Authority for Measurement and Evaluation (RAMA), and the National Institute for Training School Principals (*Avnei Rosha*). In addition, the socioeconomic index drawn up by the Shoshani Committee – which included discriminatory policies towards the Arab Israeli population such as granting privileges to settlements in national priority areas and to new immigrants – was replaced by the “Strauss Index.” This measure removed these components from the index’s calculation and included in it the income component, thus becoming more egalitarian – like the rest of the Dovrat Commission recommendations. However, the Commission recommendations had their largest practical influence in the area of teachers’ working conditions. Here the power of the combination of the Commission recommendations and the programs for change drawn up by the teachers’ unions can be seen. This led to a sober assessment of reality and a similar conception of education’s goals which ultimately led to important outcomes with the potential for genuine change in the educational system. Beyond its concrete practical influence, the Dovrat Commission had – and still has – a far-reaching effect in shaping the framework of the discourse and public debate on everything that concerns the basic issues of the education system in Israel.

Appendix

Appendix Table 1. **Comparison between Ofek Hadash and Oz LeTmura wage agreements and the Dovrat Commission's recommendations**

	Dovrat Commission	Ofek Hadash (Grades 1-6)	Ofek Hadash (Grades 7-9)	Oz LeTmura
Work week ²¹	5	6	6	6
Frontal teaching hours	23-26 ²²	26 ²³	24	24 ²⁴
Other hours	13-17	10	12	16
Total weekly work-hours	40	36	36	40
Time clock	Not discussed	No	No	Yes

²¹ Days of school activity. In the wage agreements with the teachers it was determined that they can work five days a week whereas the school is open six days a week.

²² Twenty-six hours in primary education and 23 hours in secondary education.

²³ Job hours are not deducted from the number of frontal hours. The Teachers' Union's original proposal spoke of 24 frontal hours in primary schools and 21 hours in secondary education. In Ofek Hadash, hours reduced for mothers who teach are taken from the hours at school and not from the frontal hours. Age hours are still deducted from frontal hours, but no additional hours will be deducted due to continuing education studies.

²⁴ Work-hours are deducted from the number of frontal teaching hours, as well as work-hours with the Teachers' Organization.

Appendix Table 1. (continued)

	Dovrat Commission	Ofek Hadash (Grades 1-6)	Ofek Hadash (Grades 7-9)	Oz LeTmrah
Starting salary, BA ²⁵ , NIS	5,500	5,581 financial benefit only	5,581 financial benefit only	5,581
Maximum salary, BA, NIS	10,835	15,382	15,382	15,382
Starting salary, MA, NIS	6,050	5,650	5,650	5,650
Maximum salary, MA, NIS	13,750	15,720	15,720	15,720
Pay components	Seniority, education, jobs, skills, outputs	Seniority, education, skills, outputs, continuing education. benefits, percentage benefits for jobs performed	Seniority, education, skills, outputs, continuing education benefits, percentage benefits for jobs performed	Seniority, education, skills, outputs, continuing education benefits, percentage benefits for jobs performed

²⁵ The Dovrat Commission proposed that teachers' pay would be higher than the average wage in the social science professions and higher than the average wage in the economy. In its original proposal the Teachers' Union proposed indexing to the average wage in the economy, and the Teachers' Organization demanded a 60 percent raise. All of the Dovrat Commission's proposals are in 2005 prices.

Appendix Table 1. **Comparison between Ofek Hadash and Oz LeTmura wage agreements and the Dovrat Commission's recommendations**

	Dovrat Commission	Ofek Hadash (Grades 1-6)	Ofek Hadash (Grades 7-9)	Oz LeTmura
Evaluation	To be determined ²⁶	To be determined by Ministry of Education with Teacher's Union and RAMA	To be determined by Ministry of Education with Teacher's Union and RAMA	To be determined by Ministry of Education with Teacher's Union and RAMA
Advancement	Seniority and evaluation – criteria to be determined, tenure requirement, no limit to number of teachers at senior level	Seniority and evaluation – criteria to be determined, tenure requirement, number of teachers at senior level limited	Seniority and evaluation – criteria to be determined, tenure requirement	Seniority and administrative evaluation, jobs performed, limited number of advancements
Differential pay	Level and group bonuses, tried personal bonuses	Not discussed	Not discussed	Grants to 15% for best evaluations, grants to staff of excellent schools

²⁶ The National Authority for Measurement and Evaluation (RAMA) was established in the wake of the Dovrat Commission's recommendations.

Appendix Table 1. (continued)

	Dovrat Commission	Ofek Hadash (Grades 1-6)	Ofek Hadash (Grades 7-9)	Oz LeTmura
Termination procedure	Set procedure by seniority, can take 1-2 years, adjustment grants, number of annual terminations are limited, evaluation is basis for procedure	Not discussed	Not discussed	Set procedure of not more than 2 years
School size	250-600 in primary school; 400-1000 in secondary school	Not discussed	Not discussed	Not discussed
Class size	No reduction	Gradual reduction to 32	Gradual reduction to 32	Gradual reduction to 32 ²⁷
Physical conditions	Individual work areas, improved washrooms	Individual work areas	Individual work areas	Individual work areas

²⁷ The reduction was determined in the wake of the secondary school teacher's strike, but is not part of the wage agreement.

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