

Provincial Bargaining



The two parties have now met 55 times to attempt to negotiate a new collective agreement. To be clear, the Federation bargaining team entered into the process with a prime directive: to preserve and protect existing collective agreement language, and to negotiate improvements wherever possible, as per the priorities of the membership.

As is becoming clear, the government's bargaining representatives at the table, BCPSEA, have demonstrated what amounts to the government's prime directive: contract stripping.

Not inclined to use the term "stripping" in reference to tabled demands, BCPSEA often relies on the term "concessions," in reference to their contract demands. BCPSEA have characterized their bargaining strategy as one intended to "align" the collective agreement with government priorities. Those priorities have been vaguely outlined in the government's "Education Plan."

When we look past the euphemisms and 'newspeak' in government reference to their stand at the bargaining table, here are a few of their demands in unambiguous terms:

- ✂ Virtual elimination of seniority
- ✂ Use of "performance" as a criterion for filling positions
- ✂ No required process or format for posting positions
- ✂ No postings for positions filled during the year – teachers placed by the employer
- ✂ No grievance process for disputing post and fill violations
- ✂ "Performance" and "suitability" as criteria for decisions to lay off teachers
- ✂ Elimination of due process for discipline and dismissal
- ✂ Administrators gain the ability to direct employee professional growth plans
- ✂ Evaluation to include assessment of achievement of growth plan goals
- ✂ Dismissal for failure to demonstrate 'competence' through the evaluation
- ✂ Cap on sick leave of 200 days
- ✂ Restrictions on maternity/parental leave
- ✂ Erosion of elementary prep time
- ✂ No overall benefit improvements for members
- ✂ Increase benefit for some teachers by reducing benefits for others (net-zero)
- ✂ No improvement in any provision whatsoever
- ✂ No salary increase

Government has steadfastly refused to restore any funding for education. BCPSEA, with no funding to access in their bargaining process, have come to the table with nothing to offer other than degradation or elimination of existing contract provisions.

BC's Education Plan is quite popularly being referred to as: *21st Century Learning/ 19th Century Labour Practices*

BCPSEA recently proposed actions to be considered by trustees as strategies to convince our provincial bargaining team to cave in to BCPSEA demands for contract concessions at the bargaining table. Those proposals included making teachers or the local associations pay for health and welfare benefits, reducing teachers' pay by 15%, and lockout.

Many local boards, ours included, were disappointed that BCPSEA had concocted their provocative proposals without any trustee input, and believed that taking such action would merely inflame the situation, and could well incite an escalation of job action.

At a provincial gathering of trustee representatives, they did not formally endorse the proposals. Since that time, BCPSEA has made application to the Labour Relations Board for a variance on the existing Essential Services Order, which mandates the limits of our current job action. BCPSEA's current application is meant to have report cards declared "essential."

Here is the federal government's definition of what constitutes an essential service:

"... where there are reasonable grounds for accepting the probability, or even the possibility, that human life or public safety would suffer if a work stoppage interrupted the duties of these employees."

One can easily question the belief that public education is truly an essential service. And while it may be flattering to have teachers in our province positioned beside police, fire and medical personnel, it's a bit of a stretch to suggest that report cards will be shelved beside fire hoses, side arms and medicine, as tools essential to the underpinnings of a safe society.

The LRB ruling is pending. Stay tuned to the BCTF web site for that news when it comes out.

Bills 27 and 28

Education Services Collective Agreement Act, and the Public Education Flexibility and Choice Act

In April of this year, Bills 27 and 28 were deemed by the Supreme Court to be violations of our Charter rights. The government was given exactly one year to remediate the situation created by these pieces of legislation.

Here's the rub, when those bills were introduced in 2002, they were used first to strip large portions of our collective agreement, primarily (but not exclusive to) those articles dealing with class size, composition and staffing ratios. The offending legislation also ushered in Bill 33, which has resulted in *thousands* of challenges to violations of the governments own, imposed and larger, class size and composition provisions.

It's impossible to speculate on what government may or may not do in response to the Supreme Court decisions. However, an approach to remediation of the illegal legislation is the subject of negotiations at a table apart from bargaining.

Currently, members of the Federation Executive Committee are meeting with representatives of government to discuss potential remediation of Bills 27 and 28, which must come by April 2012.

We can anticipate reports from those negotiations to first appear in the BCTF Members Portal. If you haven't already done so, please take the time to visit www.bctf.ca, click on the 'portal' and sign up.

The Members' Only area of the BCTF web presence is the best source of news, background and research relative to the current round of collective bargaining. The portal is also an excellent place to find teaching resources, news in education, professional development opportunities, calendar of events and many, many more sources of information important to teachers.

Phase One Continues

Our situation is not unlike that of most districts across the province. Our local employer is feeling the pressure. The recent provincial Rep Assembly saw motions presented that spoke alternately to escalation and conciliation. Neither approach was adopted. The general feeling is one of 'stay the course.' And when teachers take time to contemplate options to forgo things like: staff meetings, supervision, report cards, administrivia, etc. it doesn't seem like such a burden to bear in the interests of encouraging the government to restore funding to public education.

Local Bargaining

Bargaining at the local table continues. We have signed off on several articles, cleaned up some stale contract language, and done a bit of 'house keeping' in the process. However, there is some work to do.

We are dealing, locally, with the "net zero" mandate, as are all local associations as they bargain; there is a standing, unequivocal "NO" in response to any local proposal that has a cost attached. We have also met some reluctance to speak about other issues of critical importance to the membership.

For teachers working in some of our older schools, health and safety concerns are raised on an almost daily basis, particularly when it's cold and/or wet. We have met stalwart opposition to the inclusion of Health and Safety provisions in our collective agreement.

We have proposed that when the district is planning new schools and renovations, the STA should be involved in providing input to the planning process. We have met opposition to this proposal.

Over the years, many questions have been raised regarding copies of personnel information in more than one file, as well as independent personnel files maintained by administrators in schools. We have proposed that there be only one copy of an official personnel file, and that ancillary, or secondary files not be maintained in the schools, and available for third party access. Our proposal to provide protections from the misuse of information kept in unofficial files has also not been accepted. Our employer demands 'flexibility' in this, as in many other circumstances. .../3

CALENDAR OF EVENTS

December 2011

- 7 Exec Meeting
- 16 Schools Close for Winter Break

January 2012

- 3 Back to School
- 4 Exec Meeting - 4:00 p.m. STA Office
- 18 General Meeting - 4:00 p.m.
Isabelle Reader Theatre

February 2012

- 1 Exec Meeting - 4:00 p.m. STA Office
- 9 Staff Rep Training Day & Assembly
8:30 a.m. Highland Pacific Golf Club
- 17 Tri-District Pro- D Day

Student Progress

I've been attending the district PAC meetings (SPEAC) as well as dropping in to any school PAC that will have me. I've been attending these meetings to answer questions, listen to parents' concerns, and to correct much of the misinformation that is being spread in the local and provincial press.

So far, I've found parents' general disposition to the current job action ranging from supportive to 'reserved.' I've yet to encounter vocal or aggressive criticism of our Teach Only campaign. Given the misinformation in the press, please take the opportunity, should it arise, to assure parents that what we see at stake, is not only our working conditions, but the prospects for public education.

In the course of my meetings with parents, I've told them to expect a willingness on the part of teachers to speak on the phone, exchange messages through students, email, or to entertain visits after school in the absence of traditional report cards; any and all of these potential modes of communication, of course, will be mutually agreed upon by parent and teacher. I have also, repeatedly, suggested to parents that they send a note to school with their child, including a phone number, best time to call, email address, or other preferred method of contact, such that a channel of communication can be opened and maintained.

As many of you have heard, our district, like many others in the province, will be generating BCeSIS - formatted report cards to be sent home. Most of these report cards will contain little more than the student's name and attendance data. With the exception of students who are in classes taught by administrators, and in a few other cases, the report cards to be distributed will be largely blank. If the subject of report cards comes up in conversation, I would recommend that teachers suggest to parents that they send the meaningless report cards (with the child's name redacted) to the minister of education, encouraging him to restore funding to public education. Correspondence of any kind sent to the legislature requires no postage.

The Government Education Plan

The government's recently released Education Plan can be better characterized as the "Fix The Teacher" plan. Much of the government's plan alludes to antiquated methodologies and a dearth of teachers lacking guidance and control over their professional development. Proposals at the provincial bargaining table include offers from the government to release us of the burden of autonomous control of our professional development, and put that control in the hands of an administrator, who will direct professional development, and later evaluate a teacher on her accomplishments under that directed "development."

The government's plan speaks repeatedly of "support" for the teacher. The way in which that support will manifest itself is evident in the current demands for contract concessions being presented by BCPSEA at the provincial bargaining table. (please see "Provincial Bargaining" on page 1)

The government plan also makes frequent reference to new technology and personalized learning initiatives, and alternately referring to existing teaching models as being stuck in a previous century. There is no acknowledgement of the remarkable performance of BC students on international measures of achievement, nor any mention of the on-going work that teachers are constantly undertaking, in order to avail themselves of the latest technology, or to improve their methods through regular professional development.