

Bills 27/28: Government/BCTF Consultation Process



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June 3, 2011

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Government/BCTF Consultation Meeting, June 3, 2011

Further to [@issue](#) No. 2011-13 dated May 20, 2011, representatives of the provincial government and the employers' association held their second meeting with representatives of the BC Teachers' Federation (BCTF) to engage in the initial phase of the consultation arising from the April 2011 BC Supreme Court [decision](#) on the *Education Services Collective Agreement Act* (Bill 27) and the *Public Education Flexibility and Choice Act* (Bill 28).

Paul Straszak, President and CEO of the Public Sector Employers' Council, appointed by government to coordinate the consultation process, noted that the Court accepted the legitimacy of the government's objectives in removing school organization matters such as class size and composition from the collective agreement and into public policy through legislation, but found government in breach of the *Charter of Rights and Freedoms* because it had not consulted with the union prior to enacting the legislation. The Court has given the government 12 months from the issuance of its decision to "address the repercussions" of the decision.

Straszak stated that government wants to fully meet its obligations arising from the Court's decision, noting that government had been through a similar process following the decision in the healthcare sector re Bill 29, the *Health and Social Services Delivery Improvement Act*.

Straszak reviewed the steps that led to the successful negotiation of a resolution with the unions impacted by the healthcare decision. He indicated that government intends to outline in detail its policy objectives and negotiate in good faith with the BCTF on how it can achieve those objectives, being mindful of teachers' working conditions.

The BCTF representatives indicated they are not prepared to engage in consultation unless certain pre-conditions are met:

1. That government immediately repeal the legislation and reinstate the collective agreement language
2. That government inject at least \$275 million in funding, which the BCTF said would allow restoration of class size and composition guarantees
3. That government negotiate compensation with the union.

The BCTF reiterated that only when these pre-conditions are met would they engage in policy discussions with the government representatives.

The meeting ended with no agreement on the process that would lead to substantive negotiations. The government representatives advised the BCTF that they would consider what they heard and get back to the BCTF in the next week.