

General Update: Provincial Collective Bargaining Between BCPSEA and the BCTF

No. 2019-01, May 1, 2019

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Distribution: BCPSEA Trustee Representatives, Superintendents, Secretary Treasurers, HR Contacts, BCPSEA Board of Directors

Overview

The BCTF and BCPSEA bargaining teams met for the first time on January 28, 2019 to discuss procedures and protocol. Formal negotiations commenced on February 19, 2019.

In total, the parties have met a total of 33 days as of April 30. The tone at the table has been respectful, with conversation focused on understanding each other's perspective on key issues. Although discussions have been moving forward, the pace of agreement on issues and movement on the parties' positions has not been significant.

Following is a summary of the discussions to date.

❖ January and February

The parties met for a total of 13 days between January 28 and February 27.

Discussions focused on bargaining protocol and how the exchange of proposals would proceed. Both parties reiterated their desire to reach an agreement by June 30, 2019.

Discussion also occurred relating to Letter of Understanding No. 1 (LoU No. 1) Designation of Provincial and Local Matters. Specifically, the BCTF engaged BCPSEA in conversation related to their desire to move items from the provincial table to the local table so that more items could be bargained at the local school district level. Throughout these discussions, BCPSEA explained that we would consider their proposal within the broader context of all proposals, once they were tabled. BCPSEA also explained that because this is not a matter that is desired by our membership, any change to LoU No. 1 and the split of provincial versus local bargaining issues would need to be accompanied by a significant trade-off for BCPSEA members.

❖ March 4 - 13

The parties met for seven days during the month of March. The parties did not meet the weeks of March 18 and March 25.

During the first few meetings in March, the BCTF continued to engage BCPSEA in discussions about how local bargaining could be more successful. The parties discussed the possibility of a process to support the local parties if their negotiations reach impasse. This discussion took place over a number of days and an agreed-to facilitation process was signed off March 12, 2019.

Concurrent with the discussions about local bargaining processes, both BCPSEA and the BCTF tabled many of our respective proposals, explaining the rationale and context. By March 13, 2019, the BCTF had tabled all of their 42 proposals and BCPSEA had tabled over half of our 14 proposals.

A significant issue emerging in discussion was related to the BCTF inclusion of a statement in most of their proposals regarding maintaining superior local provisions. BCPSEA requested clarification as to how the BCTF's desire for superior provisions impacts the provincial bargaining structure and the provincial parties' respective authority in being able to make bargaining decisions on provincial matters at the provincial table. Significant dialogue ensued over a number of meetings relating to provincial bargaining structure, with the parties clarifying their respective positions. The conversations revealed a gap between the parties' understanding and positions on the matter.

❖ April 2 - 30

The parties met for a total of 13 days and discussed a variety of topics.

BCPSEA finished tabling all our proposals on April 3, 2019. The employer proposal related to teacher workload was presented on April 3 and the following day the BCTF reported that they are very disappointed with the BCPSEA teacher workload proposal and believe it is a concession. BCPSEA explained that it is not concessionary as it is not seeking to take any resources away from the agreement, but rather to redistribute them in a more effective way.

On April 10, the BCTF presented the history of their Supreme Court challenge, explained the significance of the restored language to their members, and explained how they see this bargain as a way to strengthen the language and fill gaps in districts that do not have teacher workload language. This led to further dialogue over a number of days in order to understand each other's perspectives and to determine if there is any common ground between the parties on this matter. By the end of the month, the parties had not yet identified a way to move forward with discussion on this topic in an efficient manner. The parties both stated their desire to continue the conversations over the next few meetings to determine if there is a way to address concerns of both parties.

Another significant topic discussed in April was the Public Sector Employers' Council (PSEC) bargaining and compensation mandate. After BCPSEA presented specific details about the total financial mandate within which BCPSEA is negotiating, the BCTF expressed concern about its size. In response to their questions about how the mandate was derived, a presentation was delivered by a PSEC Secretariat representative (who is also a member of the BCPSEA bargaining team), explaining how the mandate is set by government within consideration of other government priorities and the larger provincial budget, and was shared with union stakeholders. It was also explained that the mandate applies to all broad public sector groups. The BCTF expressed disappointment about the limited funds available within the mandate and concerns about how their members' compensation and workload needs could be addressed within the mandate. This topic emerged over the course of a number of meetings.

Three items were successfully signed off in April, which contained small edits to already existing provisions:

- LoU No. 4 (Employment Equity — Aboriginal Employees)
- Article E. 1 — Non-sexist Environment
- Article E.2 — Harassment / Sexual Harassment.

The topic of LoU No. 1 continued to be discussed, with the focus of the discussions related to the BCTF's request for BCPSEA to consider simplifying a number of sub-titles in the current Appendix 1 of LoU No. 1. They explained that they view the sub-titles to be either unnecessary or redundant. BCPSEA agreed to review both Appendix 1 and Appendix 2 of LoU No. 1 and, on April 23 and April 24, BCPSEA shared our prepared documents on the matter. Detailed discussions about the intent of BCPSEA's edits to the order of phrases, wording changes, and punctuation took place over a few hours during the next few meetings.

❖ Next Steps

The parties plan to meet regularly throughout the months of May and June. In total, 26 bargaining days are scheduled during these months. Although each of the parties has stated the hope to achieve a fully negotiated settlement by June 30, 2019, there are a number of significant positional issues requiring further clarification before substantive issues can be resolved. Notwithstanding this fact, both parties have been clear about their commitment to focus on trying to move bargaining forward at a productive pace to achieve the mutual goal of a June 30 conclusion.