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BCPSEA Responses to BCTF and Local Teachers' Association Statements

This *For the Record* addresses statements made by the BC Teachers' Federation in their news release dated December 16, 2011. Please [visit our website](#) for more information, including specific bargaining proposals, other bargaining related materials, and reports arising from each bargaining session.

“CUPE deal increases pressure on government to revise mandate for teachers”

News Release, BC Teachers' Federation (BCTF), December 16, 2011

Statement	BCPSEA Response
<p>“BCTF President Susan Lambert welcomed three key elements of the deal: “The employer dropped its concession demands, put money on the table, and addressed CUPE concerns about their bargaining structures,” she said, adding that “the government is treating the two bargaining tables very differently. The concessions being demanded at the BCTF table are deep and broad. They would fundamentally restrict teachers’ rights and virtually eliminate fair process in hiring, transfers, and evaluation.”</p>	<p>As reported in <i>The Vancouver Sun</i> on Friday, December 16, “Quiet negotiations between the B.C. Public School Employers' Association and unions representing thousands of support workers in public schools have produced a tentative two-year deal...In announcing the deal, the employers' association and CUPE said negotiations had been collaborative and cordial, with both sides satisfied with their success in bargaining more items provincially, rather than locally.”</p> <p>The “government” is not treating the two bargaining tables differently. An agreement similar in approach to the agreement achieved between BCPSEA and representatives of the K-12 support staff unions, including CUPE, should be able to be achieved by the parties at the bargaining table. One of the approaches the BCTF could use would be to come to the bargaining table and engage in the back and forth of bargaining, including the necessary discussions to explore the principles underlying the bargaining proposals, rather than continuing to focus energy on their media campaign.</p> <p>The BCTF takes the position that changes or different approaches to addressing issues represent “concessions.” This is consistent with the BCTF approach in previous rounds of bargaining, where concessions are broadly defined as <i>any agreement that results in the BCTF, a local of the BCTF, or any member of the BCTF losing any provision, term or benefit that previously existed.</i></p>

<p>“Lambert emphasized that the government’s net-zero mandate has not been applied across the board. “Nurses, anaesthesiologists, police, firefighters, and now CUPE have all broken the net-zero mandate,” she said....”</p>	<p>As reported in <i>The Vancouver Sun</i> on Friday, December 16: “The association and the Canadian Union of Public Employees announced the agreement Thursday, saying it adheres to the province’s net-zero mandate for public-sector contracts but includes a clause allowing renegotiation if the Liberals end the wage freeze before the contract expires June 30, 2012.”</p> <p>The framework agreement includes \$750,000 from the Ministry of Education to support policy discussions on issues of mutual interest to the employer and the unions, including examination and discussion of impediments arising from and the options to facilitate the introduction of shared services; a focus on best practices to integrate skill development for support staff with district goals and student needs; a study of the potential for regionalization of wages and benefits; and skills enhancement for support staff.</p> <p>The framework agreement also confirms the commitment that \$7.5M/year of the \$165M Class Organization Fund (COF) announced by the Minister of Education in October 2011 to deal with complex classroom issues will be focused on education assistants, who are integral to the delivery of educational programs in our province’s classrooms.</p>
<p>“Another positive element to the CUPE deal is that it incorporates both provincial and local bargaining. This is a goal of the BCTF bargaining too, but so far the employer has insisted that negotiations must take place at the provincial table.</p> <p>“CUPE’s bargaining structures were altered to meet their needs. I don’t understand why the same could not be done to allow teachers to negotiate local solutions to problems or challenges in local school districts,” Lambert said.”</p>	<p>A system of provincial and local bargaining has been in place between BCPSEA and the BCTF since 1994. The issue of which matters are bargained at the provincial table and which matters are bargained at local tables has been governed by a Letter of Understanding mutually agreed-upon by the parties. Due to the BCTF’s persistence in presenting provincial bargaining matters at local matters negotiation tables, contrary to the existing agreement on what is known as the provincial–local split of issues, BCPSEA referred this dispute to a mutually agreed-upon arbitrator. Arbitrator Jackson issued a first decision on August 28, and clearly stated that the BCTF could not unilaterally delegate provincial matters to local tables, as they had been doing. The arbitrator’s second decision provided further direction to the BCTF and timelines for action. The arbitrator’s final decision, again agreeing with BCPSEA, was issued September 17.</p> <p>As BCPSEA Chair Melanie Joy stated in the BCPSEA news release of September 18, 2011, “Arbitrator Jackson clearly confirmed the existing bargaining framework and the existing agreement between the parties that the BCTF was unilaterally attempting to circumvent,” said Joy. “The desire to bargain the same issues 60 times in 60 districts is a strategy the BCTF promoted in order to achieve what it wants. That approach is costly, inefficient, and detrimental to the public education system as a whole. Scarce resources need to be directed into classrooms for students, not wasted at the bargaining table by the union trying to whipsaw local school districts.”</p> <p>“The BCTF is on strike. They need to get on with bargaining and make a commitment to work with us to negotiate a collective agreement so students can learn and teachers can teach without any further disruption to the school year.”</p>

The British Columbia Public School Employers’ Association (BCPSEA) is the employers’ association and accredited bargaining agent for all 60 public boards of education in British Columbia. BCPSEA operates as a co-governance model between the provincial government and the boards of education. Representatives from the 60 boards of education elect nine school trustees to the BCPSEA Board of Directors.