

Bill 12, *Teachers' Collective Agreement Act* Introduced in the Legislature Today

The provincial government has today introduced Bill 12, *Teachers' Collective Agreement Act* which, if enacted, will bring an end to the current job action involving the British Columbia Public School Employers' Association (BCPSEA) and the British Columbia Teachers' Federation (BCTF).

The most recent collective agreement between BCPSEA and the BCTF expired on June 30, 2004.

Bill 12, once effective, extends the term of this expired collective agreement to June 30, 2006. This means that all of the terms and conditions of employment set out in the most recent collective agreement will now continue until June 30, 2006. No wage adjustments or other collective agreement amendments were provided for in the legislation.

Job Action

Under the *Labour Relations Code* (section 57, Strikes and lockouts prohibited during term of collective agreement), an employee bound by a collective agreement must not strike during the term of the collective agreement. Once Bill 12 receives Royal Assent (expected this week), a collective agreement will then be in force and the BCTF will no longer be in a legal strike position. At that time, its members must resume their normal duties (i.e., the duties they performed prior to the initiation of Phase (a) of the current Job Action Plan).

Industrial Inquiry Commission

The Minister of Labour has indicated that during the period between now and the commencement of the next round of collective bargaining, an Industrial Inquiry Commission will be appointed under the *Labour Relations Code* to develop a new bargaining process that will be in place for the next round of negotiations. In a Ministry of Labour news release, De Jong said that he expects to announce the commission before the end of the week.

Industrial Inquiry Commissions are appointed under section 79 of the *Labour Relations Code*. Commissions can be appointed for a wide variety of labour relations purposes, including maintaining or securing labour relations stability and promoting conditions favourable to settlement of disputes.

Under section 79(4) of the *Labour Relations Code*, the Minister must provide the Commission with terms of reference which set out the specific matters the Commission must address. The timelines for the work of the Commission will also become clearer once terms of reference have been announced.

BCPSEA worked with school boards throughout the Wright process to seek ideas and suggestions concerning how to improve teacher-public school employer collective bargaining. We will build on that work and continue to seek advice from boards with a goal of improving the collective bargaining processes and outcomes such that teachers, employers, and ultimately students, benefit from the work of a functional process.

Questions

If you have any questions about the legislation or IIC process, please contact:

Hugh Finlayson, CEO 604.730.4515 hughf@bcpsea.bc.ca

If you have questions related specifically to essential services matters, please contact:

Essential Services Hotline 604.374.2262

The hotline is intended as an expedited method for you to have your emergent questions answered; e.g., for emergent issues such as the legality of work stoppages and related questions, assistance in preparing your essential services plan, questions about Orders of the Labour Relations Board.

For non-emergent questions, please contact:

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