

BCTF Local Bargaining Initiative

With the completion of their bargaining conference the last week of October, the BC Teachers' Federation (BCTF) now appear to be initiating their first significant public actions in an attempt to garner support from boards of education for a return to local bargaining. These initial overtures to boards, though not identical, follow the same basic framework as shown in the following example:

"Local Bargaining = Local Issues + Local Solutions"

"We strongly believe that local Boards of Education should be re-empowered to bargain local issues and address these with local solutions.

Is the Board prepared to enter into a comprehensive dialogue with us with the ultimate goal of submitting a joint brief to the Ministry of Education and your bargaining agent, the British Columbia Public School Employers' Association, supporting a realignment of the current limited split of issues that we are permitted to address and return to meaningful local bargaining?"

Such requests for a "realignment of the current split" of local vs. provincial issues in bargaining are being put to boards across the province, both at public meetings and through letters (see attached sample).

There is, however, more to the request than might first appear. President Susan Lambert, in her letter to BCPSEA of November 3, 2010, stated that the "realignment" the BCTF is seeking would move everything "except wages, benefits, hours of work and paid leaves" to local bargaining tables. What is being sought is clearly a significant change to the current bargaining structure created by the *Public Education Labour Relations Act* in 1994 in response to many years of conflicts and concerns raised by boards around the province.

It is important to remember that full local bargaining with the teachers' union has not taken place in BC for close to 20 years. Although there have been variations in the structure of teacher bargaining since that date, there have always been, and currently exist, opportunities for both boards and their teachers to address local issues in conjunction with or in addition to provincial discussions between the BCTF and BCPSEA. The most recent round of bargaining (2006) in fact successfully achieved a negotiated provincial agreement, while creating the opportunity for many local issues to be addressed both in the master agreement and through local discussions, including significant mid-contract modifications. The question we are left asking is, "Why change a system that has been successful and clearly addresses the best interests of boards while meeting the needs of teachers?"

It is likely that many more boards will receive a request to support changes to the structure of bargaining before the legal start date of March 1, 2011. You may wish to consider the following before responding:

- The BCTF and all of their union locals continue to organize their bargaining strategies, training, and ultimate goals on a provincial basis. This includes such initiatives as the recent BCTF bargaining conference, provincial training for bargaining representatives, and the coordination of all local bargaining initiatives by the BCTF provincial bargaining committee based in Vancouver.
- All feedback to date from districts to BCPSEA (through our provincial survey, regional meetings, and Symposium discussions) has reflected significant concerns from both trustees and senior staff about a return to local bargaining, as well as a strong desire to retain the current bargaining model and provincial–local split of issues.
- There is no requirement for BCPSEA or districts to renegotiate the current bargaining model and split of issues in spite of the BCTF and union local requests. The current successful bargaining model may be retained.
- Opportunities already exist within the current bargaining structure for local issues to be addressed. There will be significant opportunities for all districts to have input into the common provincial proposals put forward by BCPSEA on behalf of boards of education. In addition, the local mid-contract modification process may be used at almost any time during the term of the agreement to address issues that districts and union locals jointly determine to be of concern.
- It is extremely likely that a provincial bargaining mandate overseen by the Public Sector Employers' Council (PSEC) will exist in 2011 as it has been for all other public sector unions in 2010. Significantly expanded local bargaining would place added pressure on boards to undertake collective agreement changes that are not within any imposed provincial government mandate.
- Most districts do not have the capacity or the time/financial resources to undertake local teacher bargaining, especially with support staff bargaining stalled and likely to demand increasing amounts of already depleted staff time and attention at the same time. Many rounds of previous local teacher bargaining often tied up representative teams for up to 60 full days of negotiations.

Clearly, there are significant concerns for boards of education to consider when contemplating support for the BCTF request and a return to local bargaining.

BCPSEA will be providing all districts with an information package on the current bargaining structure and input processes to prepare boards for the BCPSEA AGM and provincial bargaining conference in January 2011. Our intent is to ensure all boards and their trustee representatives to BCPSEA are fully apprised of all the issues and options before our discussions on the bargaining process begin in January. It will be important for boards to allow time for internal discussion and the overview of district issues by senior staff prior to that time. BCPSEA, through both our district liaison contacts and our senior bargaining representatives, can also provide information and support to districts in advance of the decision-making processes.

Boards may also wish to refer to the recent *Report from the Chair* of BCPSEA Board Chair Ron Christensen, which outlines for trustees many of the issues and options currently in discussion around the province (attached for ease of reference). Additional BCPSEA information updates will also be provided to districts on a regular basis over the coming months.

Questions

If you have any questions about the BCTF local bargaining initiative, please contact your BCPSEA labour relations liaison.

Attachment:

- *Report from the Chair* No. 2010-05, November 1, 2010, “Teacher–Public School Employer Bargaining 2011: BCTF Local Bargaining Initiative”
- Sample letter to Board