

**BCCPAC's Input to BCSTA's Teacher Collective Bargaining Task Force  
October 2012**

**1. What aspects of the current bargaining structure and process are working well?**

The overall success rate of negotiations using the current bargaining system is quite good; the vast majority of cases involving other public sector unions have ended in an agreed upon settlement being reached.

The (somewhat surprising) success of negotiations facilitated by Dr. Jago hint that the current structure and process are not the only issues at hand. If there is a genuine willingness to reach an agreement, it can happen.

**2. What are the problems/challenges related to the current bargaining process and structure?**

The current structure and process has a long history of failure.

The poor success rate of negotiations involving the BCTF has hurt the reputation of BC's public education system. More parents are now considering the independent school option.

The fairly short length of each contract appears to put stress on the system; difficult negotiations seem to be on-going. Longer settlements are needed.

Work stoppages or partial withdrawals have a negative effect on students and families. Parents must often take time off work or incur additional daycare expenses. Students are affected academically, socially, emotionally.

Often contract settlements are reached under duress, or fear of legislation and therefore do not properly address the underlying cause of the dispute.

Job action, temporary work stoppages or slow-downs do not seriously affect either side of the negotiations. There often is no genuine incentive to reach an agreement. Students and families are the ones seriously affected.

Too much negotiating appears to be taking place through the press. The consequences of doing so are not stringent enough.

The current structure does not allow for the inclusion of Students, Parents, the community, or others in any aspect of the negotiations concerning non work-related issues.

The fact that the Ministry is not negotiating directly with the union dilutes the significance of the negotiations and adds an additional layer of communication to get through. The apparent "arms-length" status of the Ministry during negotiations makes it unclear as to their level of involvement and influence on proceedings. Who is in control here?

**3. What ideas/recommendations for improvement would you suggest?**

Implement the recommendations made in the Ready Report (2007) and the Wright Report (2004).

Provide parents and students with the ability to claim and receive damages in the event of a work stoppage or partial work stoppage.

Provide the ability to strike, lock-out , or withdraw services only when the goal is to achieve a collective agreement. Labour action for any other reason should be prohibited by law.

Include parents in the bargaining system to represent the rights of students.

Include parents in negotiations that involve non-work related items.

Province-wide consistency is required when implementing negotiated and legal requirements related to any kind of job action. This would eliminate confusion and provide clarity for all involved.

Create a dynamic bargaining system with "trigger clauses" which would provide flexibility and enable certain predetermined areas of the contract to be re-opened when and if necessary.

Empower an arbitrator to confirm the cost of each proposal and factual information in the event that both sides cannot agree.

Investigate the de-politicization of education in BC as practised in Finland.

Open up this discussion to the general public.

Terry Berting

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