

Teacher Strike Looms in BC

By Roger Annis

February 29, 2012--A sharp, collective bargaining confrontation between the BC government and members of the BC Teachers Federation is heating up. Yesterday, hundreds of teachers rallied in a Vancouver suburb to condemn government cuts to education and threats to further restrict teachers' bargaining rights.

Teachers are voting over the next few days to deepen job action underway since last September (refusal to fill out report cards or conduct formal, extra-curricular activities, etc). A decision yesterday by the BC Labour Relations Board granted permission to step up limited action.

But meanwhile, the government has introduced draconian legislation that imposes a biased and compulsory mediation on the issues in dispute and provides for very harsh financial penalties on teachers and the Federation should strike action be taken. The legislation will take at least one week to be approved by the Legislature (longer if the NDP opposition delays the process), so teachers are likely to step up job action before then. Whether teachers would defy any adopted legislation is too early to tell. The NDP says it opposes the legislation.

Issues in dispute concern wages and, more importantly, the impact of government cuts to education services and the stripping away of bargaining rights from teachers over the past ten years, for example, the right to negotiate class sizes. Tensions over the latter have been building for years.

The government has for several years now imposed a 'net zero' policy on wage increases of public sector workers (though not on elected members of the legislature themselves or managerial positions). This was imposed on CUPE and on the BC Government Employees Union last year. But the BC Federation of Nurses negotiated wage increases in 2009 beyond zero. The government cited 'special circumstances'. The 'net zero' was a feature of the recently-introduced provincial budget. NDP leaders have not spoken against the policy nor suggested they would end it if elected.

The last teacher strike in British Columbia took place in 2005. It occurred in the aftermath of the rout of a strike of health care workers in April 2004 when the province's union leaders called off a general strike at the last minute and left the workers hanging. The following year, teachers stood up to government threats of a legislated end to the strike, including threatened fines and jailings. Then BCTF president Jinny Simms famously said she would be pleased to go to jail if the alternative meant bowing to government threats. That made her a hero in the eyes of most workers in the province. She is now an NDP member of Parliament.

Teachers enjoyed widespread public support for their stand in 2005. The same is happening today.



BCTF contemplates full-scale strike

The B.C. Teachers' Federation (BCTF) has asked the B.C. Labour Relations Board for permission to withdraw instruction

By Andrea Woo, Jonathan Fowlie and Janet Steffenhagen, Vancouver Sun, February 28, 2012

The B.C. Teachers' Federation on Monday night asked the B.C. Labour Relations Board for an "interim order" allowing teachers to withdraw instruction for four days a week, for two weeks. BCTF lawyer Carmela Allevato said withdrawing instruction for such a "precise and limited" amount of time would not cause serious disruption to student learning and should therefore be permitted under a law that designates education as an essential service.

On days of instruction, and at the conclusion of the two-week period, teachers would resume current teach-only job action, Allevato said. The board's decision is expected this morning. The union also asked for

hearing dates for a "final order" regarding a full strike. Because education is designated as an essential service in B.C., the union is required to get labour board approval before it can legally strike.

Allevato argued the burden is on employers to prove the withdrawal would be a "serious and immediate" disruption. "It is not sufficient for the [B.C. Public School Employers' Association] to come in here and make a bald assertion," she said.

The employers' association argued that teachers should only be permitted to withdraw services for one day every two weeks and return to normal practice with respect to student marks, communications and training. Unless those activities resume, students will be at risk of losing opportunities and programs for vulnerable students will be disrupted, said employers' association lawyer Delayne Sartison. Teachers should also give two school days notice before withdrawing services, Sartison submitted.

As well, employers' association executive director Jacquie Griffiths asked the board to "take another look at Phase 1 because of the impact that this had on students [in the past six months]."

Meanwhile, a bill is expected to be introduced in the legislature this week - possibly also today- but it wasn't clear Monday whether the Liberals still planned to impose a new contract or had settled on other measures that would be more about charting a course toward a settlement.

Education Minister George Abbott said he will introduce legislation as early as today to "bring a year of negotiation to a close," though he suggested that what he brings forward may be more about charting a course toward a settlement than simply imposing a completed contract. "The bill could do a number of things: It could introduce a mediator to discuss both monetary [issues] . or it could be non-monetary," he said.

"We could look at the mechanism of a cooling-off period, and a defined term in which we could try to sort those important issues out," he added. "It [the legislation] may be [today] or a day later this week, but that will depend on how quickly we can resolve the outstanding issues."

On the issue of a mediator, Abbott said he would not ask someone to try to bridge the monetary gap between what teachers are demanding and what government is offering. But he did say he is considering a mediator to help see whether an agreement can be found within the government's net zero mandate.

"One does not mediate a gap between \$2.06 billion and net zero, however, within the bounds of net zero there may remain a possibility of talking about things that might be done," he said. "I'm increasingly confident that a mediator can play a constructive role."

Abbott would not say what he would do if the teachers escalate to a full strike - "I don't want to hypothesize based on something the TF has not yet done," he said. But he did say such an escalation would be "hugely disruptive."

"Any walkout precipitates huge demands by the parents of those 520,000 public school students for daycare or for other support, and often it disrupts their ability even to participate in a work day," he said. "These are serious issues from my perspective."

Before calling a strike, the union said it would ask members in a vote today and Wednesday whether they want to escalate the limited job action that began in September to a full-scale strike. Results from that vote are expected to be released Thursday.

BCTF president Susan Lambert said the union would consider the LRB ruling and the results from its membership vote before deciding on a course of action. It would also give parents 24-hour notice before shutting down public schools.

"We are absolutely committed to that," Lambert said Monday as she headed to Surrey for a demonstration by hundreds of teachers angry over the government's announcement last week that it intended to legislate an end to the year-long contract dispute between teachers and public school employers.

The timing and the wording of the government bill could also have an impact. If a law is passed that imposes a contract, job action would be illegal, as it was in 2005 when teachers went on a 10- day strike.