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### Negotiations in K-12 Education

## Join the Discussion on Extended Tentative Agreements with Province



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### Negotiations in K-12 Education

## Join the Discussion on Extended Tentative Agreements with Province

Mass meetings have begun to review and discuss the tentative agreement reached on February 2,

between the provincial executive of the Elementary Teachers' Federation of Ontario (ETFO) and the Province of Ontario. ETFO represents 78,000 teachers, occasional teachers, and other education professionals employed in public elementary schools. ETFO members in towns and cities across Ontario have begun to discuss this tentative agreement with the first mass meeting held in Windsor on February 10. Voting will take place from February 27 to March 1 online.

The "tentative extension agreement" with the Ontario government seeks to "extend" collective agreements across the province at both the provincial and local level -- due to expire in August 2017 -- to August 2019. The tentative agreement with ETFO contains new terms that will apply province-wide for wages, funds for targeted measures and requirements for class sizes. If accepted, it would also mean all local portions of collective agreements negotiated between individual school boards and local unions would remain as they were when agreed to in the last round of local negotiations, thus eliminating any formal local negotiation with the right to strike/lock out.

The only provincial education union not to have a tentative agreement is the Ontario Secondary School Teachers' Federation (OSSTF), representing high school teachers as well as education workers in K-12 education. Having stepped away from negotiations with the government and provincial school boards/trustees associations to extend existing agreements in December, it has begun preparations for provincial and local bargaining under the *School Boards Collective Bargaining Act*.

The process used to reach the tentative extension agreements does not conform with the legislated two-tier (provincial and local) collective bargaining process under the *School Boards Collective Bargaining Act* enacted by the Liberals in 2014. The legislation will therefore have to be changed for the extension agreements to come into force if ratified.

The ETFO tentative agreement follows others reached by the Canadian Union of Public Employees (CUPE) on January 7, l'Association des enseignantes et des enseignants franco-ontarien (AEFO) on January 10, the Ontario English Catholic Teachers Association (OECTA) on January 27, the Ontario Council of Education Workers on February 2 and the Educational Workers' Alliance of Ontario (date unknown). All have been holding meetings across the province for members to consider the extensions before ratification votes are held. OECTA members are expected to vote on March 1 and 2. Despite the tentative agreements, there are still a number of local unions that have not reached local agreements with their school boards for 2014 to 2017, meaning they technically are without a collective agreement to extend.

## **Join the Discussion!**

*Ontario Political Forum* is confident that as teachers and education workers discuss what to do by sticking to their own experience and actual working conditions -- students' learning conditions -- they will make headway in sorting out how to affirm their rights under these difficult circumstances. Based on reports from local meetings which have already started, vigorous discussion is taking place with teachers and education workers speaking out about their concerns.

Teachers and education workers from across the province are encouraged to send in their reports, views and questions to *Ontario Political Forum*. E-mail: [ontario@cpcml.ca](mailto:ontario@cpcml.ca).

*(With files from Toronto Star)*



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# Local and Provincial Negotiations Are Two Parts of One Whole

- Mira Katz -

Two-year extensions for collective agreements have been offered to provincial education unions by the provincial government, apparently conditional upon the elimination of local bargaining in this round. On the face of it, it appears that the Liberals just want to prevent any strikes or lockouts taking place in the lead-up to or during the next provincial election scheduled for June 7, 2018 in the hopes it will help them hold onto power.



However, there is more to this arrangement. The government is actively seeking to limit, and in this case eliminate, the voice and say of local unions and school boards, and by extension, locally elected officials. This was what Bill 115, the *Putting Students First Act* was about. Using it, the McGuinty Liberal government imposed province-wide terms on teachers and education workers as well as on school boards by force. It also resorted to taking over school boards, as was the case with the Windsor-Essex Catholic District School Board where it imposed a Supervisor whose first act was to sign a template deal negotiated provincially with the executive of the Ontario English Catholic Teachers Association (OECTA) used to impose contracts on everyone else with Bill 115. This dictate resulted in a sustained effort by teachers and education workers to hold the government to account. The Liberals were forced to rescind the legislation, but did not rescind the contracts it was used to impose. The Wynne Liberals are now using the carrot rather than the stick to eliminate local say over education again. This, after they legislated a structure for provincial and local negotiations through the *School Boards Collective Bargaining Act* in 2014 that was supposed to ensure both took place. Clearly they have abandoned this commitment. Why?

## Significance of Local Say



The local level is where the rubber hits the road and all the neo-liberal measures the government imposes -- through regulation as well as through various funding processes -- get implemented. This level is where school boards can try to do away with certain "non-mandatory" programs and services that students require, change working conditions and/or increase the diversion of public funds to private interests in education. This is often done to make up for government funding cuts while having to implement provincially-mandated programs, class caps or other measures. Some of these measures, such as caps on class sizes, are a

result of demands by unions at the provincial level. Without local negotiations it can be more difficult to ensure they turn into reality.

## **Local and Provincial Are Intertwined**

It is impossible for a "good deal" for the province's teachers and education workers and the students they work with to emerge without workers having a say over their working conditions at the local level since these conditions vary from board to board. The two levels of negotiation -- local and provincial -- go hand in hand. They are interconnected and interrelated. If one is eliminated the whole arrangement is thrown into a new disequilibrium and bigger problems will surely emerge.

Local negotiations -- with the ultimate possibility of strike action being taken -- act as a check on government and school board arbitrariness and contribute to bringing the problems facing education to light in local communities as well as the building of public opinion for investment in social programs.

The elimination of local bargaining will lead to greater problems for teachers and education workers and the students they teach. Teachers and education workers will lose an important mechanism for stopping and exposing school boards' attempts to "rob Peter to pay Paul." For example: without the requirement to negotiate at the local level, boards may simply refuse to implement any measures that would benefit teachers and education workers and their students, even those that require no funds. Or, they may demand that in order for any changes to be made to any term of the local portion of an agreement, a bargaining unit has to first agree to give up grievances over employer violations of local contract provisions. This ends up leading to a pressure for members' rights and interests to be sacrificed as collateral damage.

## **Talk of Labour Peace**

No matter what the government may think or hope, "labour peace" cannot come out of eliminating local decision-making -- unless of course what is meant by "labour peace" is actually suppression of workers' rights. "Labour peace" on that basis is not acceptable to those whose rights are being suppressed and will only harm the educational environment. For the unions this is also significant as they cannot afford to create a situation where the two levels within the union are in conflict because one is being suppressed. Both levels are required to have a say. A "split" will only contribute to weakening the unity and strength of teachers and education workers, which has been greatly strengthened since the fight against Bill 115. Preserving and building this fighting unity is important as we head into a very difficult period. The election of Trump and the program for the destruction of public education his administration will pursue in the United States will have ramifications, not the least of which will be an increase in the arrogance of the monopolies in education who wish to see public education opened up further as a source of profit for themselves.

It has been shown in the past that an equilibrium can be established among teachers and education workers, school boards and the government if negotiations are based on recognizing and affirming the right of those who provide and administer public education to have a say over their wages and working conditions, which are students' learning conditions.



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## Other Developments

# Minister Orders Review of York School Board



On January 26, Ontario's Minister of Education Mitzie Hunter commenced a "review" of the York Region District School Board (YRDSB). The Board is the third largest school district in Ontario with 123,000 students and 15,000 employees and an annual budget of almost \$1.4 billion.

A review is part of the process that can lead to direct takeover of a school board by the Minister if she so decides, eliminating trustees elected locally and replacing them with a provincial Supervisor who is given broad arbitrary power over the entire board and its employees on behalf of the government. Both reviews and takeovers are used to threaten and then force school boards to restructure and adopt various neo-liberal governance measures to impose the will of private interests defended by the government by eliminating locally elected voices.

Neo-liberal governments justify this on the basis of claims about elected school boards' alleged financial mismanagement or dysfunctionality. This diverts from the refusal of the provincial and federal governments to recognize education as a right, increase funding in social programs to provide this right with a guarantee and establish mechanisms for the people to decide over the direction of the economy and matters that affect their lives.

In the case of the YRDSB the Minister claims that the review is a result of "community concerns." In ordering the review, she said, "There have been significant and growing concerns from parents and community members regarding governance and equity issues in the York Region District School Board (YRDSB). These include allegations of systemic racism, concerns about the board's equity and inclusive education policies, accountability for spending on trustees' international travel, and deteriorating relationships between the trustees, the director of education and the board's senior staff."

Such justifications hide that systemic racism, for example, is not a problem of certain individuals or an individual school board, but of a system in which rights are not recognized and guaranteed so that all individuals can flourish and where racism is organized at the highest levels of the state.

The review appears to be preparing conditions for a government-dictated restructuring of the board. The reviewers' mandate is to "recommend improvements, particularly regarding equity, accountability and transparency, to regain public confidence in the school board. In addition, they will recommend ways to improve the working relationships at the board, including amongst trustees, between the board and the director of education, between the director of education and senior staff, and with the community. In addition they will review whether board members and the director of education are fulfilling their legislated duties." The reviewers are to submit a final report to the Minister with recommendations for next steps by April 7.

Hunter appointed Patrick Case and Sue Herbert to review "governance and performance issues at the YRDSB." Case is the Chair of the Board of Ontario's Human Rights Legal Support Centre. Herbert is a retired deputy minister of the Ontario Government (1997 to 2008), including most recently, of the Ministry of Northern Development and Mines. From 2013 to 2014 she led the negotiation of "strategic mandate agreements" with Ontario's 24 community colleges on behalf of the Ontario government. That process was aimed at restructuring the funding and governance of Ontario's universities and colleges further on a privatized, neo-liberal basis. It permitted the province to impose the demands of the monopolies on public post-secondary education by getting around locally-elected Senates and other local decision-making bodies within post-secondary institutions and to enshrine the demands of the monopolies in a "strategic mandate agreement" to which public funding was tied.



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## **Nova Scotia Legislature Prepares to Impose Contracts**

### **All Out to Stand with Nova Scotia Teachers!**



**Teachers' rally rejects Nova Scotia government's attempts to legislate parameters of contracts, December 6, 2016.**

On February 9 Nova Scotia's 9,300 public school teachers who are members of the Nova Scotia Teachers Union (NSTU) voted to reject a third tentative agreement reached between their provincial union and the Liberal government headed by Premier Stephen McNeil. It is reported that 78.5 per cent of members voted against accepting the tentative agreement. Emphasizing the clear stand the vote represents, the union reported that turnout for the vote was 106 per cent, with the extra 6 per cent accounting for substitute and active reserve teachers. In response, the McNeil government has recalled the Legislature to try and impose a contract through law.

Ontario's teachers and education workers continue to stand with their peers in Nova Scotia, showing the growing unity across the country in defence of public education and rights. Local as well as provincial unions continue to be active on social media to show support as well as to inform their members about the resistance in Nova Scotia.

Those who make up the public education system across the country are learning from one another

and supporting one another in the course of the fight for the rights of all.

*Ontario Political Forum* calls on the working people of Ontario to step up support for their peers in Nova Scotia as they face off against the McNeil government in order to affirm their rights and the rights of all working people.

For background information on the resistance of teachers in Nova Scotia see: [Workers' Forum](#), February 9, 2017 and [Workers' Forum](#), December 8, 2016.



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