

March 21, 2019

Alcoa Must Pay for Its Reserved Preferential Rate Energy Block! **All Out for ABI Workers' Energy March!**



Ontario Bill 48, *Safe and Supportive Classrooms Act*, 2019

- **Ontario Teachers Oppose Moves to Change Governance Structure of Ontario College of Teachers**

Alcoa Must Pay for Its Reserved Preferential Rate Energy Block!

All Out for ABI Workers' Energy March!

On March 26 and 27, ABI locked-out workers and their allies are organizing an Energy March. It is a two-stage event: a march in the city of Trois-Rivières on March 26 and a march in Quebec City on March 27, ending at 11:00 am with a ceremony in front of the National Assembly.^[1] The ABI workers' many supporters are invited to join the marchers and welcome them upon their arrival at the National Assembly.

The march's aim is to have the energy contract between the Government of Quebec, Hydro-Québec and Alcoa reopened. According to the government, the contract frees Alcoa from having to pay for its reserved, preferential rate energy block in the case of a lockout, which is described as a



"force majeure" beyond its control. The contract is not a mutually beneficial business agreement, as the company's unilateral dictate is imposed on the workers and society, with the assistance of the government.



The outgoing and incoming Presidents of the 14,000 unionized workers at Hydro-Québec delivered a message of continuing support for the locked out ABI workers to Quebec Director of USW, Alain Croteau, March 13, 2019.

The Quebec government is extremely complacent and deceitful in this matter. It falsely claims that nothing can be done unless the contract is reopened, which of course it is not willing to do. At the same time, it refuses to enforce the contract's terms, which clearly state that a "force majeure" must be an "unforeseeable, irresistible event beyond the control of a Party that delays, interrupts or impedes the performance, in whole or in part, by that Party of its obligations under the Contract." Alcoa itself is responsible for the lockout, as the company planned and decreed it and the course of events has shown that it did so to smash the union and lower the working and living conditions at ABI and in the community. It

did so while rejecting the bargaining efforts of the workers, who even agreed to concessions to arrive at a negotiated settlement that would not eliminate their gains over the years and would respect the union. The lockout cannot be considered a "force majeure" even within the contract's terms.

In refusing to take up its responsibility, the Legault government is assisting in prolonging the lockout and giving the message to all supranational private interests that making "Quebec open for business" means that in Quebec the oligopolies are free to act with impunity against workers, communities and society, which is unacceptable. The government must do its duty and force ABI to respect its contract by paying for the block of energy reserved for it at preferential rates. It must apply pressure on Alcoa to lift the lockout and negotiate with the workers and their union so that a collective agreement, which they consider acceptable, can be reached.

Note

1. The United Steelworkers describe the two-stage march as follows:

Tuesday, March 26: Trois-Rivières leg, ending in the Ste-Marthe-du-Cap sector

Meet at 8:30 am at Stade Stereo Plus Parking Lot, 1550 Gilles-Villeneuve Avenue, Trois-Rivières. March to the office of Labour Minister Jean Boulet (1500 Royale Street in Trois-Rivières)

The march takes place between 10:00 am and noon. Departure from Labour Minister Jean Boulet's office is followed by a BBQ in the parking lot of the Sanctuary, courtesy of the FTQ-Construction. Shuttle buses will bring participants back to Stade Stereo Plus at the end of the activity.

Wednesday, March 27: Laurier Place leg, on Boulevard Laurier in Quebec City to the National Assembly

March departs from Place Laurier at 9:00 am. Rally begins at the National Assembly at 11:00 am.

Everyone is invited to accompany the marchers, or join them at 11:00 am in front of the National Assembly (a shuttle bus will be made available for those wishing to return to Laurier Place at the end of the event)



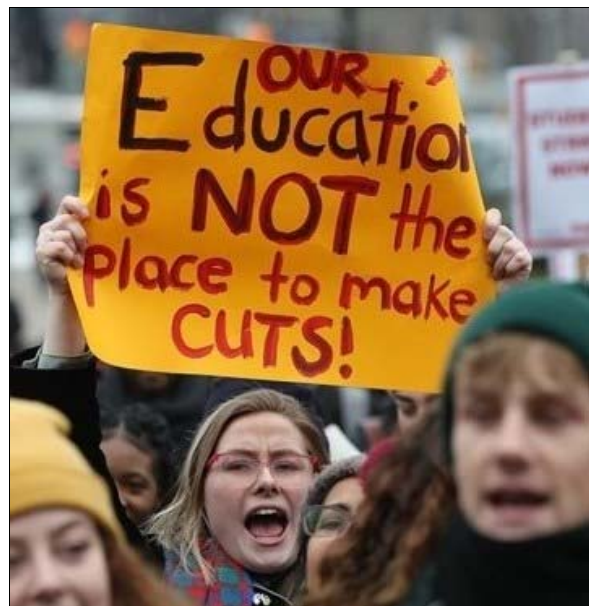
Ontario Bill 48, *Safe and Supportive Classrooms Act, 2019*

Ontario Teachers Oppose Moves to Change Governance Structure of Ontario College of Teachers

On October 24, 2018, Ontario Minister of Education Lisa Thompson tabled Bill 48, the *Safe And Supportive Classrooms Act, 2018*. Schedule 3 of the Act makes changes to the *Ontario College of Teachers Act, 1996* that would weaken the democratic governance structure of the Ontario College of Teachers (OCT) and weaken the voice of teachers within it.

The OCT was created under the Progressive Conservative (PC) government of Mike Harris, but was contemplated under the preceding Bob Rae NDP government. Its function is to license, govern and regulate the Ontario teaching profession in the public interest, according to the College. Teachers and principals employed by publicly funded schools in Ontario are required to be members in good standing of the College.

The March 2019 issue of *Professionally Speaking*, the quarterly magazine of the OCT, reports that in March 2018 the OCT contracted Governance Solutions Inc. (GSI), a private consulting company, to conduct a review of its governance structure. Its report, tabled in November 2018, contained 37 recommendations to change the governance structure of the OCT to make it more "nimble and effective." The Ontario College of Teachers executive noted, "The completion of the report is timely as the College's commitment to effective governance practices and structures aligns with the government's direction, as outlined in Bill 48, the *Safe and Supportive Classrooms Act, 2019*."



Some of the changes proposed by the GSI review include:

1. Reducing the size of the OCT Governing Council from 37 members, comprising 24 teachers and 14 persons appointed by the provincial government, to 14 members -- 7 teachers and 7 government appointees.
2. Replacing the current elections process, through which teachers nominate and elect their representatives to the Governing Council, with one where the OCT chooses council members from a qualified pool. According to GSI, this would make the process less "political."
3. Selecting Council members from a separate pool for the College's Statutory, Regulatory, Standards of Practice and Education Committees.
4. Changing the tenure of Council members from two three-year terms to up to four renewable two-year terms.

5. Altering the composition of Council committees to ensure an equal number of teachers and public members for the Investigation, Discipline and Fitness to Practice Committees, a majority of public members (appointed by the government) for the Audit and Finance, Governance and Nominating and Human Resources Committees, and a majority of members from the profession on the Standards of Practice and Education Committee.

6. Changing the term that Chairs can serve on committee to a one-year renewable term from a three-year Council term.

7. Reducing the role of Chair of the OCT Governing Council to part-time from full-time and eliminating the role of Vice-Chair completely.

8. Making the Executive Committee a Committee of the Whole with a changed mandate and change the manner in which meetings would be conducted.

Additionally, among other things, GSI recommended that the name of the OCT be changed to "The Ontario Teachers Regulatory Authority" because the public was "confused" about what the OCT actually did.

Ontario Teachers' Federation and Affiliates Respond

The Ontario Teachers' Federation (OTF) is a statutory body established under the *Teaching Profession Act* as the professional organization for teachers in Ontario to "promote and advance the cause of education, to promote and advance the interests of teachers, and to secure conditions that will make possible the best professional service." At the end of February 2019, in a written submission to the OCT, the Ontario Teachers' Federation (OTF) and its Affiliates, which together represent more than 236,635 teachers, raised their concerns about these proposed changes.[1]

At the start of its submission, the OTF noted that the survey conducted by Governance Solutions Inc. was based on a very small sample of respondents (only 255 of 8,000 teachers responded while only 89 of 15,775 members of the public responded). Furthermore, GSI did not include Francophone teachers and groups in their review.

The OTF and its Affiliates also pointed out that GSI conducted its review within a corporate framework and that some of the recommendations may suit a private corporation where there may be competing interests, but this orientation is hardly the one to apply to a professional governance body where there are no competing interests, the OCT being organized to regulate the teaching profession for the public good.

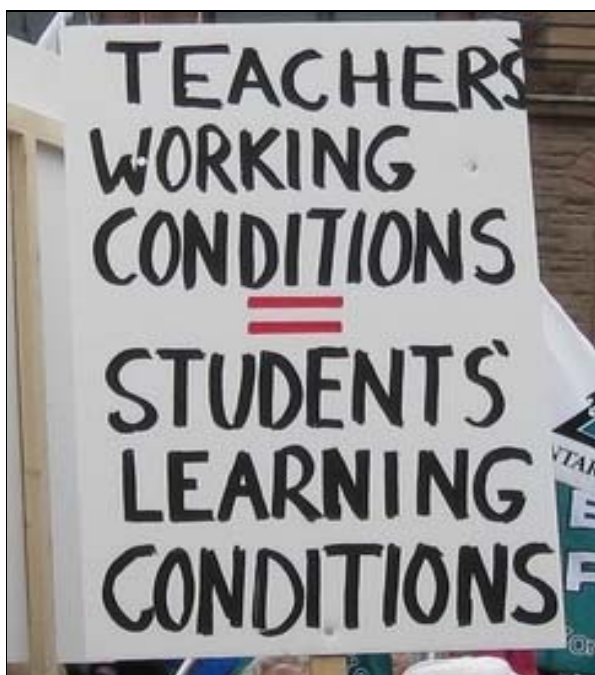
They also assert that since its founding, the election to the OCT Governing Council has been democratic and that the principle of self-regulation is a well-established practice. "The essence of professional self-regulation is that the members of a given profession are best suited to understand, advise, guide and judge their profession." The authors point to various other professional organizations such as the Ontario Dental Association and the Law Society of Ontario where the vast majority of those sitting in governance are from the profession.



On the notion that the elections to the Council, whereby currently teachers select and then elect from among their peers those who will represent them on the Council, are too "political," the OTF rebuffs this charge pointing out that elections are by their very nature "political" and that the teacher federations may endorse various candidates to serve on the OCT Council, but the membership is left to decide for themselves who should represent them. The OTF submission points out that since the beginning of the OCT, the elections to Council have been "a robust, transparent process" and that elections to the OCT Council should continue to be decided by teachers.

The OTF and its Affiliates say they "fundamentally reject any proposal to eliminate the current majority of teacher members on the Council." They also point out that even at 37 members, the Council numbers are hardly excessive. They note that currently the ratio of the total teachers to the number of Council members works out to 6,396:1 as compared to 4,685:1 for accountants, 3,238:1 for engineers, 956:1 for doctors and so on, and make the case that the reduction of the number of Council Members to a proposed 14 would further increase the ratio of teachers to representation, making it less effective.

Also called into question was the recommendation to change the name of the Ontario College of Teachers to "The Ontario Teachers Regulatory Authority." There is no basis to argue that the term "College" is "confusing," the OTF submission points out, adding that the College's primary role according to its mandate is to regulate the profession -- to licence teachers, ensure professional standards are met and to discipline members who fail to meet the standards of the profession. Furthermore, they point out, professions such as doctors, nurses, dentists and others also use the term "College" to refer to their governance organizations without causing any confusion.



The OTF and its Affiliates also object to GSI's suggestion that the "Governance and Nominating Committee" of the College, the majority of whose members will be from outside the teaching profession, should select teacher members of the Council so they are no longer elected by their peers, to "avoid either the reality or the perception that a small group of members of the profession, potentially highly politicized, controls the selection process, which is the current situation that must change if self-regulation is to be preserved at the college." The OTF response reiterates that teacher representatives on the Council are elected from across Ontario by local teachers in a robust, transparent process and that this should continue. It points out that other self-governing professional bodies in Ontario also elect their profession council members and that the concern raised by GSI has no merit in fact.

The OTF also objected to the recommendation of GSI that: "The College will directly measure harm reduction among Ontario's students and/or adopt an explicit logic chain model to link strategic priority activities to this desired outcome, and report publicly on these outcomes."

The OTF response points out that the mandate of the OCT does not "actually refer to the protection of students. That said, risk reduction is a product of a well-governed profession. To the extent that the College carries out its regulatory role (licencing, standards and discipline) in a robust and transparent and judicious manner, it is effectively protecting students and acting in the public interest."

The OTF submission also opposes the proposal to empower the Executive Committee to act as a Committee of the Whole. It notes: "Given our earlier objections to the composition and size of Council, we do not believe that the Executive Committee could effectively operate as a Committee of a Whole. And, while we understand why some matters such as human resource issues may be better dealt with in private by the Executive Committee or in camera by Council, we would strongly suggest that attempts to address even more Council matters in private would not seem to be in the public interest."

The OTF and its Affiliates also rejected the claim by GSI that the open debate and discussion expected at Council meetings attended by parties "with special advocacy interests" have created a "culture of fear" at Council meetings, noting, "We would expect Council members whether elected or appointed, to fulfill their important role by openly engaging in discussion of professional regulatory matters, while recognizing that members of that same profession should take an active interest in same."

It can be seen in these responses from the OTF and its Affiliates that teachers are justified in raising objections and concerns about this review and the agenda behind it. This move by the Ford government to impose changes to the governance structure of the OCT can only be seen as a pernicious attempt to further restrict teachers from having a say and control over their profession, and by extension the education they deliver to Ontario students. Teachers along with other education workers are a powerful political force in Ontario and Canada. They organized their numbers to overthrow the Rae NDP government in 1995, the Mike Harris PCs in 2003 and the McGuinty/Wynne Liberals in 2018 as part of their political efforts to affirm their rights. The same fate awaits the Ford PC government.

Note

1. The Affiliates of the Ontario Teachers' Federation are the Elementary Teachers' Association of Ontario (ETFO), Ontario Secondary School Teachers' Federation (OSSTF), Ontario English Catholic Teachers' Association (OECTA) and Association des enseignantes y des enseignants franco-ontariens (AEFO).

(With files from Professionally Speaking, Ontario Teachers' Federation, Government of Ontario)



(To access articles individually click on the black headline.)

[PREVIOUS ISSUES](#) | [HOME](#)

Website: www.cpcml.ca Email: office@cpcml.ca