

April 2011

OKANAGAN-SKAHA TEACHERS' UNION

Bargaining Talk: a monthly update on bargaining

April 2011—Although bargaining has commenced, both locally and provincially, there is more to report about developments away from the tables than at the tables.

First, as most of you are aware, the School Board contracted the services of Mr. Dave Stigant, former Assistant Superintendent in Okanagan-Skaha, now retired and consulting, to act as chief spokesperson on their team when bargaining with OSTU.

The Penticton Herald reported that Mr. Stigant's fee is \$800/day.

Although the board does pay TOC costs for up to two OSTU members to participate in bargaining, these costs are ONLY paid for the times when we are at the table. The district does not pay for OSTU to prepare for bargaining (nor are we asking them to do so) although we are quite confident that Mr. Stigant's fees will be for days other than those spent at the table.

Leslea Pryde and Deb Passarell (two-thirds of the core bargaining team) have spent many days attending training, many hours reading and preparing for bargaining and most of that time has been volunteer time.

As for bargaining, OSTU has met twice with district staff, although not with their 'team' as of yet. We have tried to get a protocol agreement signed off however, we still seem to be working on a couple of points.

We have 4 dates scheduled to meet in April and May and hope to see some real progress at those sessions.

At the provincial table a protocol has been agreed to and, in a promising development, many dates for bargaining have been set between now and the end of June. Hopefully, by agreeing to a protocol and a number of dates to meet both sides are demonstrating a willingness to reach an agreement.

Although the media seems per-

"I question why we are bringing back a person who is a negotiator from the 1990s, a time when the atmosphere was very antagonistic. We need to start with mutual respect at the table."

sistent in their 'sky is falling' message, at the end of the day, an agreement will be signed. At the press conference in Victoria during the BCTF AGM while many questions were asked, the only two that made the TV or the paper were, "How big a raise?" and "Will the teachers strike?" What is needed was pointed out by Dave Perry in the quote from the Herald above... mutual respect at the tables. Then a deal will get done.

Inside this issue:

Know Your Collective Agreement	2
BC Appeal Court Overturns Dorsey	2
Stand With Wisconsin	3
Member Milestones	4
Upcoming dates	4

Check out OSTU.CA for ...

- Bargaining Information
- Our Calendar of events
- Frequently Used Documents
- And much, much more.....

BC Appeal Court Overturns Arbitrator's Ruling on Bill 33

We were applauding, and we know many OSTU members will be when they learn of a decision by the BC Court of Appeal that requires principals and superintendents to ensure that any oversized classes are appropriate for student learning throughout the school year, not just on a particular day at the beginning of the year.

"This is an extremely important decision because it means that the legal obligation to ensure a class is appropriate for student learning continues beyond September 30," said BCTF President Susan Lambert. "Principals and superintendents must reconsider their determination of appropriateness if the classroom conditions change, or if promised resources or assistance are not provided or are withdrawn during the school year."

Previously, Arbitrator Dorsey had ruled that once the consultation period was over and the Superintendent and principal had deemed the class appropriate for student learning, that even if changes happened (in this case a CEA was removed from the class after being promised in the consultation) the class was still appropriate.

This case began in 2009, when a teacher in Alberni filed a grievance regarding her Grade 5 class, which had more than the legally allowed number of students with Individual Education Plans (IEPs). Recognizing that the class was not appropriate for student learning, the teacher was provided with an integration support aide. However, the frequent and prolonged absence of the aide made providing appropriate education much more difficult and breached a promise made at the beginning of the school year.

"We are determined to restore these stripped provisions because we know that contractual guarantees are the best way to ensure that students' needs can be met in classes that are manageable. Both teachers and the public expect changes."

Nine out of ten British Columbians believe it is important that BC teachers have a contract that protects learning conditions, and 84% believe that restoration of the right to negotiate learning and working conditions is important. In addition, 70% believe funding for public schools is too low.

As one BCTF lawyer stated, "This is a victory in the very long and difficult battle that teachers are waging to protect kids from this horrendous legislation".

Finally, it is a clear message to BCPSEA that the rulings of Dorsey regarding the legislation are not set in stone.

Did You Know? Article E.25—TEACHING ASSIGNMENTS

Important information about timetabling and schedule organization

1. Timetabling and preparing teacher assignments shall be based on: the number of course preparations and subject areas involved; staff qualifications, training and experience; teacher preferences;

the number of classroom locations; and the balance among staff assignments. The teaching staff shall be consulted concerning timetable constraints and scheduling options prior to assignments being finalized. Wherever possible, special consideration shall be given to the assignments of beginning teachers.

2. The Staff Committee may make recommendations regarding timetabling and teacher

assignments.

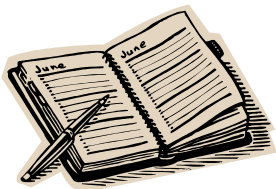
3. A staff meeting shall be held prior to May 30 for the purpose of discussing the proposed timetable and staff assignments for the following school year.

4. If a change in assignment is made, the teacher will be notified as soon as it is known.

5. A teacher who objects to the assignment in the school may request a meeting with the Superintendent or designate, and/or Administrative Officer to

discuss the assignment. The teacher may be accompanied by a member of the OSTU.

So, some important info for teachers and staffs to consider. A staff committee can give input on timetabling. A staff meeting should be held prior to May 30th with the express purpose of discussing the proposed timetable. If you have questions contact your staff rep or the OSTU office.



Get to know your collective agreement

Wisconsin?!?! Outlawing Collective Bargaining?

Several months ago, if asked about Wisconsin, you may have answered, “Green Bay?” or “Cheese?” but few Canadians would have predicted that a government/labour showdown that would galvanize a jurisdiction and perhaps even a nation would happen in Wisconsin. At the BCTF AGM in Victoria, Wisconsin Teachers’ Union Vice-President, Bev Kippers spoke to delegates about the recent attacks on workers’ rights by Republican Governor Scott Walker.

Walker and his government sound an awful lot like the Gordo Liberals with some Bill VanderZalm Sacred union hating tossed in as well. In a Bill which he told the public was needed to balance the budget (after giving big business tax cuts which totaled more than his cost saving measures in the Bill) Walker intended to limit collective bargaining by unions to salaries only. On top of that little change, they also inserted a clause that would allow the state government to take control of any municipal government or school board, dismiss it, and appoint a single uber-lord to run the town, city or school district.

Kippers told BCTF members how the teachers organized, unions across the state organized and once the groundswell began, it couldn’t be stopped. In just days, in the capitol city of Madison (pop. 208,000) there were as many as 100,000 protestors who took over the capital building and declared that “Democracy Was Speaking” and that the capitol wasn’t the governor’s house but a house of the people.

Michael Moore (filmmaker), Danny Devito (actor), Charles Woodson (NFL Player), Tom Morello (musician), Ben Folds (musician), John Stewart (TV personality) and many others have attended protests, made statements through social media or mainstream media in support of working class folks in Wisconsin.

This situation has many commonalities with British Columbia and other Canadian provinces. Union membership as a percentage of all of the workforce has been in decline over the last 25 years. Right-wing or ‘Fiscally Conservative’ governments all over are giving corporate tax breaks (BC has the lowest corporate tax rate in the G7..... But we’re broke!) and at the same time declaring that they are struggling to balance their budget. At the same time, right leaning media (in the USA FOX News has been unbelievably callous about unions. One commentator stated that teaching was a part-time job yet teachers wanted more money and exorbitant pensions!!) start to sell the message for the “Fiscal Conservatives” that the reason budgets are strained is because public sector workers’ salaries, pensions, and benefits are outlandish.

On April 2nd a rally was held at the Peace Arch Crossing near White Rock where Canadians and Americans joined together to show support for workers’ rights. On April 4th Rallies were held in 30 states in support of workers’ rights. Along with Wisconsin, Rhode Island, Ohio, Washington, Utah, and other state governments (and some provinces.....) are in the process of legislating away union rights. We must STAND WITH WISCONSIN.... Because this fight is about all working class people. The wealthiest 400 Americans have more money than 150 million other Americans COMBINED. At no time in the history of Canada and the United States has the majority of wealth been in such a small segment of the population. At the same time it is not the under-taxed or untaxed wealthy and corporate entities that are asked to “share the burden” of tough times, it is workers and unions that are asked to make concessions and sacrifices.

For more on the Wisconsin story and this movement to attack unions visit the following websites:

- <http://www.huffingtonpost.com/news/wisconsin-protests>
- http://host.madison.com/wsj/news/local/govt-and-politics/article_0abe773a-5ba2-11e0-a42c-001cc4c03286.html
- <http://www.weac.org/Home.aspx>



Member Milestones

- **Bev Krieger** announced her retirement effective June 30th after 31 years of teaching in the district.
- **Vanda Wilson** announced her retirement effective June 30th after 20 years of teaching in the district.

Congratulations!!!!

Interesting & Entertaining Links:

The Daily Show: *John Stewart interviews Education Historian Diane Ravitch*—<http://watch.thecomedynetwork.ca/the-daily-show-with-jon-stewart/interviews-a-z/the-daily-show-with-jon-stewart---interviews-r/clip427693#clip427693>

The Daily Show: *John Stewart satirizes the anti-teacher campaign by right-wing politicians in the US-* <http://watch.thecomedynetwork.ca/the-daily-show-with-jon-stewart/#clip427691>

The Daily Show: *John Stewart explains how teacher's salaries and benefits are the cause of the economic crisis*—<http://watch.thecomedynetwork.ca/the-daily-show-with-jon-stewart/#clip425836>

Upcoming Dates.....

- April 12—Executive Meeting
OSTU office @ 4pm
- April 12—District Budget Development Meeting 7pm @ PSS Library
- April 20— OSTU meets with District for Budget input.
- April 26—PQT Meeting 4pm @ OSTU
- April 26— OSTU Rep Assembly 4pm @ Days Inn
- April 27—TTOC Meeting 4pm @ OSTU
- April 28—Pro-D Committee Meeting 345pm @ OSTU

**May 18—OSTU
Annual General
Meeting
4pm-6pm @ Days Inn**

697 Martin Street
Penticton BC
V2A 5L5

Phone: 250-492-4915
Fax: 250-492-5540
E-mail: ostu@shaw.ca

**OKANAGAN-SKAHA
TEACHERS' UNION**

