



BC CONFEDERATION OF PARENT ADVISORY COUNCILS

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September 25, 2003

Mr. Don Wright
c/o Deputy Minister's Office
Ministry of Skills, Development and Labour
PO Box 9594 Stn Prov Govt
Victoria, BC V8W 9K4

Dear Mr. Wright:

Thank you for your invitation to BCCPAC to make observations and recommendations on the development of the draft terms of reference for the commission to review the structures, practices and procedures for collective bargaining by the employers association, school boards, and the BCTF.

BCCPAC members believe that our students and their learning are very directly affected by current collective bargaining structures, practices and procedures in BC, as well as by what is contained in contract language, and by any changes to contracts. Labour negotiations involve not only the BCTF, but also CUPE and the many other unions represented in our school districts. All these negotiations impact parents, children, our children's educational outcomes, and the proper functioning of our schools. Parents and students are the ones who feel the effects of any kind of disruption of service in our public schools.

The ability of Parent Advisory Councils (PACs) and District Parent Advisory Councils (DPACs) to support schools and student learning will be directly affected by the commission's recommendations, and any resulting legislation. When negotiations are taking place, the atmosphere in our schools is often terrible, as union members, employers and politicians alike use students to further their stand on the issues. Pressure tactics by these groups can create tensions in school climate, which in turn affect the ability of PACs, SPCs, and Student Councils to operate autonomously, effectively and in a truly balanced, respectful, democratic fashion.

With regards to the terms of reference for this commission, BCCPAC would like to make the following recommendations:

1. "Administrative Fairness" principles (www.ombudsman.bc.ca) would support the consideration of advice of parents and the parent voice in the decision-making process. The review should incorporate opportunity for significant input from PACs, DPACs and BCCPAC. We feel that it would be extremely helpful to the commissioners if they were to meet, for example, with the BCCPAC Board of Directors in order to engage in some dialogue around various bargaining issues, as we have seen them unfold over the years. Similarly, it would probably be very instructive for the commission if it were to organize some sessions with PACs and DPACs around the province, to engage in dialogue around some specific collective bargaining questions.

2. The commission should review the *BCCPAC Statement of Policy* and identify all the resolutions which not only directly address collective bargaining issues, but all issues which will be affected by the commission's recommendations. We are attaching, for your reference, a sampling of resolutions extracted from the *BCCPAC Statement of Policy*. The full document, as well as index and tracking, is available on our website at www.bccpac.bc.ca.
3. There are some specific clauses and issues, which cause difficulty for parents and students. For example, the Harassment clause in the collective agreement is often used against parents, with serious legal consequences to the parent. Any clauses dealing with volunteers affect the involvement of parents and the community in our schools.
4. As much as possible the commission should endeavour to analyze the pros and cons of various aspects of collective bargaining in the context of the School Act and Ministry of Education administrative directives. There are currently a number of processes that devolve responsibility for planning and resource allocation to the local schools and SPCs. How will these be affected by changes to province-wide, or district-level contract language?
5. The concept of choice needs to be introduced. The current structure places a large amount of control over hiring practices, grievances, and staff representation in collective agreements. For this reason, all schools and their SPCs are essentially subject to the same constraints, which limit "choice" within the public system, in many cases, to only superficial discussions.
6. The commission needs to definitely consider which items should be within the collective bargaining process, and which items should stay in the realm of public policy. An open debate on this concept would give the public an opportunity to explore and understand the options and their ramifications.
7. The commission needs to have a free hand to look at everything, and to question current status-quo assumptions. There is a lot of information available about changing roles for teacher unions throughout the world. The commission needs to include people who have knowledge and expertise in the alternatives that have been tried elsewhere in order to encourage the consideration of other possibilities. What works, what doesn't work, and what stays the same no matter what you do?
8. The commission needs to analyze the issues arising if membership in the BCTF were to become "optional", What would be the impacts on hiring practices at the school level? How would traditional labour-management issues be handled without creating more difficulty for PACs and SPCs?
9. We hope that the review will be completed before the next round of negotiations begins.

Our members have directed that “BCPSEA receive parent input on contract issues relevant to our children’s education,” and that “the BCCPAC Board of Directors ... continue to advocate on behalf of parents and students in any further public education restructuring discussions.”
(Resolutions 1997.3 and 1996.9)

BCCPAC members are very concerned about how this round of talks will affect our children. Many school communities are still dealing with the results of the last round of bargaining. We need a new approach in collective bargaining because historically the old methods have allowed schools to be arenas to further both the employee’s and employer’s point of view and students have been used as pawns in the negotiating process. We would like to see a process that does not allow students and PACs to be used in this way. We would like to see a commission that looks for a new way for adults to solve contract issues without affecting the daily operation of schools while they are negotiating.

We appreciate the opportunity to provide suggestions for the terms of reference for this commission, and we look forward to engaging in further discussions with your Ministry during the review itself.

Yours sincerely,

A handwritten signature in cursive script that reads "Terri Watson". The signature is written in black ink and is positioned below the typed name.

Terri Watson
President

Attachment – Extracts from BCCPAC *Statement of Policy*

The BCCPAC *Statement of Policy* contains resolutions adopted by our membership at AGMs from 1992 to the present. The following are extracts from that document:

2003.8 Freedom to educate

That BCCPAC urge government to enact legislation that prohibits school districts from entering into collective agreements that restrict the right and ability of districts to contract out for any services other than teaching.

2003.9 Flexibility to direct PAC funds

That BCCPAC urge the Minister of Education to ensure that PAC funds are not encumbered by school district policies or collective agreements when purchasing goods or services.

2003.10 Stronger volunteer language

That BCCPAC urge the government to enact legislation that prohibits collective agreements that require the consent of the employee group for parents or other volunteers to participate in commonly practiced and reasonable volunteer activities at schools.

2003.11 Selection criteria for teachers in special education resource positions

That BCCPAC urge the Ministry of Education, Ministry of Advanced Education, BC School Trustees Association, BC Teachers Federation and the BC College of Teachers to adopt specific selection criteria for teachers in special education resource positions at school and district levels.

2003.13 Funding for legislated increases in teacher salaries and benefits for 2002/2003 and 2003/2004 school years

That BCCPAC appeal to the provincial government to provide the necessary funding to pay for the legislated increases in teacher salaries and benefits for the 2002/2003 and 2003/2004 school years which would otherwise fall to be met by school boards.

2001.5 Class size language

That although parents understand and support small class sizes as being an advantage to children, it is a concern that the current class size language is not continued in the contract past June. The reality of funding available and the looming teacher shortage does not make the balance of small class sizes and the maintaining of other important equities for students attainable. BCCPAC must lobby to ensure that this class size language is not continued.

2000.19 Class size limits, intermediate and secondary

That BCCPAC express to the Ministry of Education, BCPSEA and BCSTA, parents' concerns that strictly limiting class sizes, in the BC Teachers' Collective Agreement, for intermediate and, particularly, secondary schools will cause undue hardship to students and compromise their education.

That BCCPAC lobby the Ministry of Education to increase funding to school districts to allow them to work, with flexibility, on reducing class sizes.

2000.22 Excluding volunteer language from collective agreements

That BCCPAC lobby the Ministry of Education, the BC School Trustees Association and BC School Employers Association, as well as encourage Parent Advisory Councils and District Parent Advisory Councils, to lobby their local school boards to ensure that language regarding volunteers in schools be excluded from collective agreements.

2000.4 Education as essential service

That Resolution 1993.1 be rescinded and replaced with the following: "That BCCPAC lobby the government of BC to amend the Labour Relations Code (Bill 84), Part 6, Section 72, to include 'education' wherever the phrase 'health, safety, or welfare of residents of British Columbia' is stated."

1999.15 Stabilizing teacher/student class assignments

That BCCPAC lobby the Ministry of Education, the BC Teachers Federation, the BC Public School Employers Association and other educational partners to review policies, contract language and practices to ensure that students are assigned to permanent teachers and programs no later than the end of the first week of school. Future employee group contract language should reflect that the movement of students beyond this date is not permissible; and

That BCCPAC work with partner groups to ensure that all possible measures are taken to ensure staffing levels are in place prior to the start of school in September.

1999.10 Underfunding of education

That BCCPAC call on the provincial government to increase the funding for K-12 education to ensure:

- a) All collective agreements negotiated by the province will be fully funded.
- b) The costs of legal and labour relations arising from grievances and arbitrations and implementation of remedies to grievances will be fully funded.
- c) Each year's per student funding amount is adjusted for inflation.

1998.6 BCTF union local presidents be full-time union

That BCCPAC request of the BCTF and the BCPSEA that teachers elected to the president's position in the local or sub-local union be either paid full-time by the union or moved to a part-time teaching position.

1998.2 Retribution

That BCCPAC promote the development of policy and process to ensure students and parents will be protected from retribution when students or their parents bring forward any concerns to schools or school districts.

1997.3 Parent input to BC Public School Employers Association (BCPSEA)

That the BC Public School Employers Association receive parent input on contract issues relevant to our children's education.

1996.9 Public education restructuring

That the membership direct the BCCPAC Board of Directors to continue to advocate on behalf of parents and students in any further public education restructuring discussions.

1995.3 Multiple teachers in a classroom in one year

That the BC Public School Employers Association remove the clause in the teachers' collective agreement that allows there to be multiple teachers entering and leaving a single classroom throughout the school year.

1995.2 Teachers and noon hour supervision

To ensure that the BC Public School Employers' Association be asked to include supervision by teachers during noon hours in all teacher contracts in BC.