

PROVINCIAL COLLECTIVE BARGAINING

(3)



Objectives for Teachers' Provincial Collective Bargaining

May 4, 2019

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Introduction

What is the future of public education in Saskatchewan?

Increasingly, students, parents and communities express concern that public education is not keeping up with the needs of students and the growth of the population. There is a widespread sense that we have lost our way and that some students are falling behind.

Teachers describe the heartbreaking challenge of reaching out to every student without the necessary supports to do so. Teachers also express disappointment with the lack of student services and resources due to inadequate education funding.

The current state of public education in Saskatchewan is not sustainable. The future of our children and students cannot rely on a “good-enough” mentality. Fundamental changes are required in order to address the challenges that the system currently faces.

The time has come to decide the future direction of public education in the province.

Both the public and the teaching profession share the same goal – excellence in Saskatchewan public education for every student in every community.

Achieving this goal means creating and maintaining ideal learning environments and classroom conditions in which all students can succeed. It means creating reasonable guidelines to ensure safe and healthy classrooms. It means ensuring that every student has the help they need to learn and grow. It means recruiting and retaining the best people for the teaching profession.

The goals of this document will help pave the way for excellence in Saskatchewan public education – for everyone. Saskatchewan students, families and communities deserve nothing less.

Background on Collective Bargaining

Objectives for Teachers' Provincial Collective Bargaining

This document is a departure from past Federation practice in that specific objectives are coupled to the specific interest they are intended to address. The rationale for entering negotiations with interests top of mind is to provide a means to engage all parties in more of an interest-focused approach so that the complexities of the modern teaching context can be more fully explored and discussed. Information regarding interest-focused bargaining can be found in the Models of Bargaining section later in this document.

In keeping with Federation policy and practice, the interests have been extensively researched, with the intention of representing the priorities of the 13,500 teachers across Saskatchewan. Members were provided numerous opportunities to share their priorities, including submitting Council resolutions, responding to the collective bargaining survey (November 2018) and participating in member focus groups (January-February 2019). Councillors were asked for their perspectives at the Councillor Conference (October 2018), and members have shared their perspectives directly to the STF Executive and senior administrative staff at the Federation through in-person conversations or through email.

The interests have been developed utilizing information gathered through the processes outlined above and with consideration of the political and social context in which teachers and the Federation find themselves. The Teachers' Bargaining Committee has carefully considered the appropriate strategy to employ to support the attainment of the priority interests communicated by members.

The interest-focused approach to negotiations will offer an invitation for all parties to have in-depth, fulsome and evidence-based discussions in regards to the priority interests of all parties. The priority interests are complex and interrelated, and require attention and analysis. Such a process provides the opportunity to share and address the urgent issues facing education in Saskatchewan – working conditions and learning conditions, teacher recruitment and retention, teacher wellness, the rising cost of living, and the increasing feeling that teachers are being asked to do more for less and with less. The interest-focused approach allows for exploration on how such issues can be addressed in the context of improving student outcomes and finding efficiencies in the system. It is important to seek a new model of negotiations in these challenging times.

The *Objectives for Teachers' Provincial Collective Bargaining*, once adopted at the 2019 Annual Meeting of Council, will become the official document used to guide the Teachers' Bargaining Committee in conversation and discussion with the Government-Trustee Bargaining Committee. The optimistic outcome of an interest-focused approach is the development of appropriate contract language to address the interests.

This document is relatively thin when compared with the *Proposals for Teachers' Provincial Collective Bargaining* documents in the past. The rationale for opening negotiations with fewer interests aligns with the clear priorities stated in the collective bargaining survey and corroborated by feedback from the member focus groups. The interests may be few but are very important, and it was clear that members did not want a large number of interests creating distractions during negotiations. This document is a reflection of the expectations of the membership.

Teacher Collective Bargaining in Saskatchewan

As both public and government expectations for teachers continue to increase, teachers rightly expect to be recognized, respected, supported and compensated as they fulfil their professional responsibilities. Teachers require compensation and working conditions that are fair, reasonable and conducive to supporting strong teaching and learning practice.

The critical importance of collective bargaining is now well-recognized in Canadian law. Collective bargaining allows employee groups to address the fundamental power imbalance between employees and employers. It is through collective bargaining that teachers intend to address key challenges that austerity budgeting has created in the experience of students and in teachers' professional and personal lives.

The Education Act, 1995

In Saskatchewan, teachers have engaged in local collective bargaining since 1949 and provincial bargaining since 1973. When legislation was enacted in 1973, a bi-level bargaining structure was created. *The Education Act, 1995* specifies the provisions for bi-level bargaining starting at Section 234 of the Act, where the composition of the bargaining teams at the provincial level is stated, and Section 235 of the Act, where the composition of the bargaining teams at the local level is specified.

Teachers have always viewed collective bargaining as a key avenue for advancing the status and working conditions of their profession, and it is important to understand that the specific items to be bargained at each level are laid out in Section 237 of *The Education Act, 1995*. The items are often referred to as the “mandatory items,” as the Act states that these items shall be collectively bargained if they are proposed at the table.

At the provincial level, Section 237 specifies that the mandatory items **shall** be:

- Salaries of teachers.
- Allowances for principals and vice-principals.
- Superannuation of teachers.
- Group life insurance for teachers.
- Criteria respecting the designation of persons as not being teachers within the meaning of any provision of the Act pertaining to collective bargaining (out-of-scope personnel).
- The duration of a provincial agreement.
- Sick leave for teachers.
- Any other matters that may be ancillary or incidental to any of the matters mentioned in the above items that may be necessary to their implementation.

The parties **may** bargain collectively with respect to matters other than those mentioned above.

At the local level, and for the conseil scolaire, Section 237 specifies that the mandatory items **shall** be:

- Sabbatical leave for teachers.
- Educational leave for teachers.
- Salaries for substitute teachers.
- The duration of a local agreement.
- Pay periods for teachers.
- Special allowances for teachers.

The parties **may** bargain collectively with respect to matters other than those mentioned above.

The Act goes on to specify that if an item that is not on the mandatory list is agreed to be negotiated between a local implementation and negotiation committee (LINC) and the board of education or the conseil scolaire, and subsequently becomes part of a provincial agreement, the provisions of the local agreement take precedence over the provisions of the provincial agreement.

The Act continues with Sections 238 through 269 that specify the available dispute resolution mechanisms and the role played by the Educational Relations Board in providing oversight of the negotiating process.

Models of Bargaining

The literature on negotiations refers to three models that include traditional bargaining, interest-based bargaining and interest-focused bargaining.

Traditional bargaining is the most common process, where parties do little talking ahead of bargaining. They arrive at the table (or just before) with a series of demands or proposals, and they expect the other party to respond with counter-proposals or demands. Some features include:

- Highly positional.
- Little discussion of rationale.
- Little discussion of options.
- Deals mostly based on acceptable compromise.
- Very ritualistic.

Interest-based bargaining, or IBB, is a form of bargaining with a specific, defined process that requires parties to put positions aside and focus exclusively on underlying interests. Some features include:

- No exchange of positions.
- Parties bring “issues,” wants and needs to the table.
- Parties explore all issues, for both parties, jointly.
- Parties build solutions jointly.
- Requires strong commitment from both parties to succeed.

Interest-focused bargaining, or IFB, is a form of bargaining that allows standard bargaining processes to take place, but both parties commit to exploring the “why” anytime either party wants to. It then allows dialogue and joint brainstorming to help find solutions. Some features include:

- Parties may exchange positions, along with the “why.”
- Parties commit to jointly explore rationale, data and solutions.
- Can work effectively on all issues as well as wages and benefits.
- Gives parties more latitude than pure IBB.
- Requires commitment from both parties to succeed.

Negotiations 2019

If you travel across Saskatchewan and speak with teachers, you soon discover an intense level of frustration. Teachers enter the profession because they want to make a difference in the lives of children. After years of cuts and austerity, they say it's increasingly difficult to meet the needs of their students.

Teachers talk about large class sizes, and increasingly complex and diverse student needs. They speak of their inability to coordinate diagnostic and other services for children in need. And, once special programs are designed and prepared, often there is no one available to deliver them. Teachers often report feeling defeated, because they are not able to meet the health, safety and educational needs of their students.

These anecdotal reports are supported by recent surveys and focus groups, in which teachers talk about classrooms where it's difficult to build relationships and fully support each student.

The *Objectives for Teachers' Provincial Collective Bargaining* offers a new and innovative approach to opening negotiations with the Government-Trustee Bargaining Committee. The interest-focused approach provides a mechanism to thoroughly explore the challenges faced by students and teachers in the current context where budgets are being balanced on the backs of students. It is an approach with a focus on the critical areas of concern for teachers and a few housekeeping and ancillary items to improve the functionality of the Provincial Collective Bargaining Agreement overall.

A new process and the solid support of teacher members provides an opportunity to share the concerns of teachers and to reach a negotiated settlement that supports the needs of teachers and students.

Areas of Focus

Teaching and Learning Conditions

Vision

The classroom environment is complex, challenging and dynamic. Teachers are constantly adjusting their professional practice and using their skills in order to respond to a wide range of individual student needs.

The environments in which students learn are the identical environments in which teachers carry out many of their professional responsibilities. Teachers must experience supportive working conditions that contribute to student learning, including reasonable class sizes and appropriate supports to meet the diverse needs within the class.

Optimal working conditions are characterized by good practices between employers and teachers, and are based on a common set of beliefs and understandings that are embedded in the Provincial Collective Bargaining Agreement.

1. Class Size

Interests

- Classrooms are lively, complex and dynamic environments that require adequate funding, sufficient supports and appropriate class size limits to ensure teachers can meet their professional responsibilities.
- Student learning requires classrooms that are safe, healthy and productive.
- Increased targeted and conditional funding is required to support appropriate class size and composition.

Rationale

- Optimal class size optimizes student learning.
- Class size cannot be separated from class composition so when class size is considered, the degree of student diversity in the class must also be considered and appropriate resources allocated.
- The establishment of effective classroom environments for students is a shared responsibility.
- Appropriate class sizes are essential to allow teachers to effectively address the needs of all the students in their classroom, particularly the needs of the most disadvantaged students.
- Appropriate class size is one means by which teachers have the opportunity to fulfil their professional responsibilities.
- Appropriate class size corresponds directly with improved student behaviour and engagement with classroom activities, leading to improved learning outcomes.
- Research indicates that parents support smaller, appropriately resourced class sizes.

Objective

- To develop a process or methodology to ensure classes are the appropriate size and have the appropriate resources.

2. Class Composition

Interests

- Teachers, as professionals, have the opportunity to utilize their skills and training to meet the individual needs of each of their students to the best of their ability.
- Classrooms are lively, complex and dynamic environments that require adequate funding, appropriate class size limits and classroom supports in order to respond to the needs of each individual student.
- All students have the right to education.
- Increased targeted and conditional funding is required to support appropriate class size and composition.

Rationale

- Class size cannot be separated from class composition so when class size is considered, the degree of student diversity in the class must also be considered and appropriate resources allocated.
- Teachers are prepared to support the diverse students in their classrooms and require the appropriate resources to meet the needs of all students within the scope of their duties and training.
- Teachers want to work with employers to establish effective classroom environments in support of all students.
- Economic expansion and demographic shifts have led to larger class size and increased complexity of individual student needs.
- Classrooms must be safe, secure and inclusive, and require appropriate resources to support diverse student needs.
- Safe, secure and effective classrooms support student learning.
- Classrooms that lack the appropriate supports for students with exceptional needs may be unsafe for the students and the teacher.

Objective

- To develop a process or methodology to ensure classrooms are appropriately resourced based on the level of need of the students.

Compensation

Vision

Across Saskatchewan, teachers' professional knowledge, skills and judgment are the foundation of our strong public education system. Teachers are proud of the excellent services they provide to students and society. Strong teaching contributes to successful student learning and is the core of Saskatchewan's high-quality education system.

Teaching is a profession that continues to become more complex and demanding. Teachers expect that the direct compensation they earn aligns with the increases in expectations of the employer and the public, reflects societal trends and serves to attract and retain quality people in the teaching profession.

Therefore, teachers should experience direct compensation that provides them and their families with a secure, reasonable salary that aligns with their level of education, experience and professional responsibilities.

1. Salary

Interests

- All teachers, including those with added responsibilities, as holders of the public's trust, should experience compensation that attracts and retains talented and highly qualified individuals to the profession.
- All teachers, including those with added responsibilities, should receive compensation that aligns with their professional qualifications and experience as teachers.
- All teachers should receive salary that reflects the increased workload.
- All teachers should receive salary that maintains pace with inflation, and returns and maintains spending power.

Rationale

- The workload of teachers has increased significantly, warranting increased compensation.
- The complexities of the classroom environment have increased significantly, warranting increased compensation.
- Adequate direct compensation supports the ability to recruit and retain quality teachers.
- Over the past decade, the Saskatchewan economy has performed relatively well compared to the rest of Canada as measured by a number of key indicators, providing the ability of government to increase compensation. Saskatchewan labour trends support an increase in teacher salary.
- The 2017-2019 arbitration contract featured no compensation increases for teachers over a two-year period, thus eroding their purchasing power.

Objective

- To attain a three-year agreement with a two percent increase in 2019-20, a three percent increase in 2020-21 and a three percent increase in 2021-22.

2. Allowances for Principals, Vice-Principals and Assistant Principals

Interests

- Principals, vice-principals and assistant principals should experience allowances that align with the added responsibilities entrusted to them as school leaders.
- Adequate allowances support the ability to recruit and retain quality teachers to serve as principals, vice-principals or assistant principals.
- The calculation of the allowance for personnel equivalents should include all staff in the school building.

Rationale

- New initiatives and assigned responsibilities continue to be implemented at the school level, resulting in a significant increase in the workload of principals, vice-principals and assistant principals and warranting an increase in the allowance.
- Principals, vice-principals and assistant principals have responsibilities beyond their teacher colleagues and continue to experience more demand on their time, warranting an increase in the allowance.

Objective

- To attain a three-year agreement with an increase in the allowance of two percent in 2019-20, three percent in 2020-21 and three percent in 2021-22.

3. Grid Structure

Interests

- To revise the salary grid as a means to create a salary structure that supports recruiting and retaining quality teachers.
- To support the financial security of teachers new to the profession.

Rationale

- A condensed salary grid would support the ability to recruit and retain quality teachers.
- A condensed salary grid would allow teachers to attain their maximum earning level sooner, which would reduce the attrition of new teachers (five years of teaching or less).

Objectives

- To remove step 1 and step 11 from the salary grid.
- To incorporate a 0.5 increment at step 15 and step 20 of the salary grid.

Substitute Teacher Supports

Vision

Substitute teachers fulfil a critical role within the public education system in Saskatchewan. Substitute teachers are certified, qualified professionals that deserve a contract of employment that supports their unique position in the education system.

It is important to recognize the contribution and commitment of substitute teachers by providing support and protection of teacher colleagues through a substitute teacher contract of employment.

Interest

- Professional teachers offer the best possible service when they have economic and professional security in the form of a contract of employment.

Rationale

- Substitute teachers are fully certificated professionals who deserve a contract of employment.
- A substitute teacher contract of employment should be created and appended to the Provincial Collective Bargaining Agreement to be used exclusively by employing boards of education when engaging substitute teacher services.
- Substitute teachers should be entitled to the programs and services associated with the professional role of teachers.
- As professionals in important positions of care and responsibility, substitute teachers require employment-related advocacy and support.

Objective

- To develop a contract of employment for substitute teachers which will be appended to the Provincial Collective Bargaining Agreement.

Summary

Education is all about individual student growth, learning and success. It is about opportunities and hope for the future.

In order to have a strong future public education system, we need to recognize the opportunities and challenges ahead.

Education, like the province of Saskatchewan, is changing – and we must change with it, modernizing not only our teaching methods and curriculum, but also the way in which the classroom environment is structured and funded. Schools are not what they were a generation, or even a decade, ago – so how can Saskatchewan account for this reality?

We need to ensure that every student has the opportunity to learn in a safe, healthy and encouraging classroom environment. We need to create reasonable guidelines for class climate and student learning conditions. We also need to create the ideal conditions under which talented and dedicated individuals will consider teaching as a career.

This is a critical point in the history of public education in Saskatchewan. It is time to make the right decisions that will ensure strong, successful classrooms for every student in every community across the province.



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