
BACKGROUNDER

2005LCS0016-000902
Oct. 6, 2005

Ministry of Labour and Citizens' Services

INDUSTRIAL INQUIRY COMMISSIONER TERMS OF REFERENCE

PROVINCE OF BRITISH COLUMBIA
Ministry of Labour and Citizens' Services

NOTICE OF APPOINTMENT OF AN INDUSTRIAL INQUIRY COMMISSION

TO INQUIRE INTO LABOUR RELATIONS MATTERS BETWEEN

The British Columbia Public School Employers' Association ("BCPSEA")
AND
The British Columbia Teachers' Federation ("BCTF")
[the "Parties"]

WHEREAS Section 79 of the *Labour Relations Code* of British Columbia provides that the Minister of Labour may cause to be made such inquiries as he considers advisable respecting labour relations matters and may do the things he considers necessary to maintain or secure labour relations stability and promote conditions favourable to the settlement of disputes;

AND WHEREAS the December 2004 report of the Commission to Review Teacher Collective Bargaining, *Voice, Accountability and Dialogue*, (the "Wright Commission") recognizes that:

- more uniform terms and conditions of employment for teachers are important in reaching successful collective bargaining outcomes,
- achieving a real provincial agreement is important to putting the parties into a position where mature collective bargaining is more probable, and
- the split of issues between the provincial and local tables should be revisited, with the recommendation that issues which are not major cost drivers and are primarily "relational" should be negotiated at the local level;

AND WHEREAS the Wright Commission recommended a bargaining process to promote mature collective bargaining and the settlement of collective agreements between the parties at the bargaining table;

NOW THEREFORE, pursuant to section 79 of the *Labour Relations Code* of British Columbia and in the public interest, I hereby designate

Vince Ready

as an Industrial Inquiry Commission:

To make inquiries, consult with the parties, and make recommendations to the minister concerning the following labour relations matters between the parties:

- i. Determining which matters if any, should be concluded at local bargaining.
- ii. Methods and costs associated with the harmonization of compensation structures within the financial mandate established by Government from time to time.
- iii. Establishment of a provincial master collective agreement.
- iv. Bargaining processes for provincial negotiations that are timely, structured, provide for public accountability, promote settlement at the bargaining table and foster effective and productive union/management relations.

The report and recommendations of the Industrial Inquiry Commission on these matters must:

- Take into consideration, but not be limited by, the findings and recommendations of the Wright Commission as set out in that commission's December 2004 report.
- Set out a process that concludes all matters in a timely manner before collective bargaining between the parties for a renewed collective agreement commences in Spring 2006.
- Comply with section 7(3) of the *Public Education Labour Relations Act*.
- Comply with section 27 and 28 of the *School Act*.

The Industrial Inquiry Commission shall determine the persons it will consult on any or all of these matters, in addition to the BCPSEA and BCTF.

The Industrial Inquiry Commission shall determine its own procedures as it deems necessary and advisable for the proper and efficient carrying out of its mandate and shall make every effort to report its findings to the Minister of Labour and Citizens' Services by no later than December 31, 2005.

GIVEN UNDER MY HAND at Victoria, British Columbia, this 6th day of October A.D. 2005.

Original signed by,

Michael de Jong
Minister of Labour and Citizens' Services

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