

Chronology – Key Events in Collective Bargaining Between BCPSEA and BCTF

March 1, 2011	BCPSEA and the BCTF meet for the first negotiation session of the 2011 round of negotiations.
December 10, 2009	BCTF letter to BCPSEA outlining the intention to negotiate changes to bargaining structure and return to local bargaining.
June 30, 2006	On June 30, 2006, at 10:45 pm, for the first time since the introduction of provincial collective bargaining, the BCTF and BCPSEA conclude and sign a freely negotiated provincial collective agreement. The highlights include: five year term (July 1, 2006-June 30, 2011), wage increases of 2.5%, 2.5%, 2.5%, 2.5%, 2%, a one time early settlement incentive of \$3,700 per FTE teacher, and more. For more information, click here .
June 5, 9, 15, 20, 2006	<p>On June 5, 2006, the BCTF tables a counter offer. Also on June 5, 2006, the BCTF files a bargaining in bad faith suit at the LRB stating that BCPSEA's refusal to discuss "manner and consequences" constitutes bargaining in bad faith.</p> <p>On June 9, 2005, the BCTF announces that a strike vote has been taken and, of the votes cast, 85.2% are in favour of strike action.</p> <p>On June 15, 2006, the LRB dismisses the BCTF's bargaining in bad faith claim.</p> <p>On June 20, 2006, BCPSEA presents a counter offer and asks that round the clock bargaining begin to ensure an agreement by June 30, 2006.</p>
May 18, 2006	Bill 33, the Education (Learning Enhancement) Statutes Amendment Act , is enacted to create rules governing distributed learning education programs and permits school

	<p>boards to provide instruction by these means. Moreover, it changes the maximum average class size and provides requirements for meetings and planning regarding class composition.</p> <p>Sections 26 & 27 effective May 18, 2006; sections 1-25 effective July 1, 2006.</p>
April 2006	<p>On April 11, 2006, the first official bargaining session between BCPSEA and the BCTF begins. On April 12, 2006, proposals are exchanged by the parties; on April 13, 2006 they are presented in detail; and on April 25, 2006, initial compensation proposals are exchanged.</p>
April 6, 2006	<p>Recognizing that implementing a new collective bargaining structure would take time and mindful of the fact that the teachers' collective agreement expires June 30, Vince Ready presents his Interim Report #2 to the Minister of Labour, in which he recommends that bargaining take place within the following framework:</p> <ul style="list-style-type: none"> ▪ Irene Holden be appointed as facilitator/mediator to facilitate discussions ▪ Both BCPSEA and BCTF appoint small bargaining committees ▪ One senior representative be appointed by the provincial government to convey government's position on mandate and related public policy matters ▪ Strict timelines at each stage of bargaining, including the exchange of initial proposals.
Dec 2005	<p>The Public Sector Employers' Council (PSEC) circulates the 2006 Negotiating Framework Employer's Guide to all public sector employers' associations. It establishes the government's compensation framework for the 2006 round of bargaining.</p>
Nov 23, 2005	<p>By letter dated November 23, 2005, Vince Ready invites BCPSEA, the BCTF, and the BC School Trustees Association (BCSTA) to make submissions to him by December 16, 2006 on the matters set out in the Industrial Inquiry Commission (IIC) Terms of Reference. On December 15, 2006, the Minister of Labour expands the IIC Terms of Reference to include consideration of the "viability of a local bargaining system, the structures and strategies that would support such a system and the related accountabilities</p>

	necessary to ensure a local bargaining structure.”
Oct 21 & 24, 2005	<p>On October 21, 2005, the parties appear again before Justice Brown who imposes a \$500,000 fine on the BCTF.</p> <p>In an attempt to bring a resolution to the teachers’ dispute, the government enlists Vince Ready as a facilitator. After meeting several times with the BCTF, BCPSEA and the provincial government, and seeing no reasonable chance for a negotiated agreement, on October 21 Ready issues recommended terms of settlement which include Harmonized Salary Grids, Benefits, Recruitment and Retention for TOC’s, a Learning Roundtable, Class Size and Composition Return to Work issues and more.</p> <p>Upon review of Vince Ready’s report, the provincial government accepts his recommendations unconditionally. BCPSEA also announces acceptance of the recommendations. The BCTF submits the recommendations to its members for a vote prior to acceptance or rejection. Of those teachers who vote, 77% vote in favour of accepting the Ready recommendations and returning to the classroom on Monday, October 24, 2005.</p>
October 13, 2005	The BC Supreme Court issues its ruling regarding the penalty phase of the contempt proceedings between the BCTF and BCPSEA. BCTF has continued to be in contempt and the court finds that it is using its assets as an organization to further its contempt. The court issues a number of penalties including prohibition of the BCTF using their assets to further their breach of court.
Oct 9, 2005	Madame Justice Brown holds that the BCTF is in contempt of the LRB Order of October 6, 2005. She orders the BCTF back to work on October 11 and to return to court on October 13, 2005.
Oct 7, 2005	<p>The provincial government enacts Bill 12, the <i>Teachers’ Collective Agreement Act</i>. The Act extends the terms of the existing collective agreement to June 30, 2006.</p> <p>In response to this legislation, teachers mount an illegal strike with picket lines on Friday, October 7, and remain off the job until a resolution is reached and accepted by a subsequent member vote. Teachers remain off the job in an illegal strike for two weeks.</p>

Oct 6, 2005	<p>BCPSEA seeks an LRB declaration that the escalation of job action announced by the BCTF is contrary to the Labour Relations Code. On October 6, 2005, the LRB finds in favour of the employer and orders BCTF members to immediately resume their duties. BCPSEA initiates enforcement proceedings of the LRB Order by filing with the BC Supreme Court the same day. Later, BCPSEA files a contempt of court order against the BCTF.</p> <p>Also on October 6, the government appoints Vince Ready as an Industrial Inquiry Commissioner to recommend a new collective bargaining structure for teachers and public school employers, giving due consideration to the work of the Wright Commission.</p>
Sept 30, 2005	<p>Rick Connolly reports to the Minister and states that the dispute focuses on two key areas of disagreement: compensation, and working and learning conditions.</p>
Sept 23, 2005	<p>The BCTF announces that 88.4% of those teachers who voted were in favour of going on strike. The LRB issues its decision on Phase (a) of the BCTF job action which allows teachers to withdraw services such as supervision of students.</p>
Sept 15, 2005	<p>Rick Connolly, Associate Deputy Minister of Labour and Citizens' Services, is appointed as a Fact Finder to inquire into and report by September 30, 2005 on the collective bargaining dispute between the BCTF and BCPSEA.</p>
Dec 16, 2004	<p>Voice, Accountability and Dialogue: Recommendations for an Improved Collective Bargaining System for Teacher Contracts in British Columbia, is released by Don Wright. While generally accepted by employers, it is rejected by the BCTF.</p>
June 30, 2004	<p>Collective agreement expires June 30, 2004.</p>
May 20, 2004	<p>Bill 55, the <i>Teaching Profession Amendment Act</i>, is enacted to re-enact how an individual becomes a certificate holder and how an individual maintains, loses or has their certificate suspended. It also redefines the role of the teacher education committee.</p>
April 29, 2004	<p>Bill 19, the <i>Education Services Collective Agreement Amendment Act</i> is enacted to delete several sections and</p>

	<p>LOUs including “K-3 Primary Class Size” and “Staffing formula for non-enrolling.”</p> <p>Sections 1-3 effective retro January 28, 2002; sections 4 & 5 effective April 29, 2004.</p>
Nov - Dec 2003	<p>In December 2003, as the first step of the structure review, the Minister appoints Don Wright, a respected senior civil servant, to assist in developing the terms of reference for this review. Specifically, he is asked to:</p> <ul style="list-style-type: none"> ▪ review the history of collective bargaining in BC ▪ consult with the key stakeholders and seek their recommendations concerning the development of terms of reference ▪ establish draft terms of reference for a commission of inquiry. <p>Mr. Wright delivers his report to the Minister on November 10, 2003. On December 19, 2003, he is subsequently appointed as a one-person commission to conduct the inquiry.</p>
September 8, 2003	<p>Minister of Skills Development and Labour Graham Bruce announces he intends to proceed with the inquiry into collective bargaining structures, practices and procedures as provided for under section 5 of the <i>Education Services Collective Agreement Act</i>. He appoints Don Wright, a respected senior civil servant, to assist in developing terms of reference for an inquiry.</p>
April 3, 2003	<p>The objection is heard on April 3 and 4; the Court agrees with the Attorney General and refers the matter to the LRB.</p>
May 29, 2003	<p>Bill 50, the <i>School Amendment Act</i>, is enacted to ensure that students have meaningful input into school planning which will improve student achievement. It also gives boards more flexibility in various areas.</p> <p>Section 1 effective July 1, 2003; sections 1-6 effective May 29, 2003.</p> <p>Bill 51, <i>The Teaching Profession Amendment Act</i>, is enacted to increase public accountability, and to clarify the role of the College of Teachers and enhance its efficiency.</p> <p>Sections 1 (a), 2, 3, 5, 6 (b) & (c), 7-9 & 11-18 effective May 29, 2003; [B.C. Reg. 206/2004] section 1 (b) effective May 7, 2004.</p>

Nov 20, 2002	The BCTF files a petition in BC Supreme Court for a judicial review of the Rice award. The BCTF wants the decisions in the arbitration to be set aside because they believe Rice violated the principles of natural justice, erred in law, and exceeded his jurisdiction.
July 2002	Eric Rice, Q.C., is appointed as the arbitrator for the section 27.1 interpretive process (arising from Bill 28) to remove class size references from the collective agreements. The BCTF refuses to participate in the process.
May 30, 2002	The BCTF files a petition in BC Supreme Court alleging that the teachers' <i>Charter</i> -protected rights, namely Section 7, Section 2 (b) & (d), and Section 15, were violated with the passage of Bill 27 and Bill 28.
May 7, 2002	The BCTF files a petition in BC Supreme Court seeking to have the definition of "strike" in the <i>Labour Relations Code</i> struck down, asserting that the definition violates the BCTF's right under section 2 of the <i>Charter</i> . This issue dates back to January 28 when teachers walked off the job in a planned day of what they characterized as political protest and did not agree that the walkout should be considered an illegal strike. In response to the BCTF petition the Attorney General of BC brings a preliminary objection stating that the matter should proceed first before the LRB.
Jan 28, 2002	Bill 28, the <i>Public Education Flexibility and Choice Act</i> is enacted. The Act removes school organization matters (such as class size) from the scope of bargaining and places them in public policy. Class size limits are placed in the <i>School Act</i> with an accompanying <i>Class Size Regulation</i> . The intention of the amendments is for the planning of schools to be accomplished through a new framework consisting of parents, teachers, principals, school boards and the newly created school planning councils. This has the effect of moving school organization matters from the collective agreement and collective bargaining into public policy. It also amends the <i>School Act</i> by codifying in section 27.1 a legislative vehicle to resolve conflicts and inconsistencies between the amendments to the <i>School Act</i> and the collective agreement.

	Also on January 28, 2002, the teachers walk out in a one-day political protest strike.
January 27, 2002	The <i>Education Services Collective Agreement Act</i> and the <i>Public Flexibility and Choice Act</i> pass and receive Royal Assent.
November 29, 2001	The parties request that Stephen Kelleher Q.C. act as facilitator to assist the parties in moving the negotiations forward.
November 25, 2001	Assistant Deputy Minister of Skills Development and Labour Richard Longpre is appointed by the Minister of Skills Development and Labour as Fact Finder to report to the Minister on the likelihood of a timely settlement. <ul style="list-style-type: none"> ▪ There had been 60 bargaining sessions with 3 matters signed off. ▪ Longpre reports come out on November 29.
August 16, 2001	<p>The newly elected provincial government enacts Bill 18, <i>Skills Development and Labour Statutes Amendment Act</i>, to amend the <i>Labour Relations Code</i> to include education as an essential service, to ensure that students' right to education is not denied during disputes.</p> <p><i>72 (1) If a dispute arises after collective bargaining has commenced, the chair may, on the chair's own motion or on application by either of the parties to the dispute,</i></p> <p><i>(a) investigate whether or not the dispute poses a threat to</i></p> <p><i>(i) the health, safety or welfare of the residents of British Columbia, or</i></p> <p><i>(ii) the provision of educational programs to students and eligible children under the School Act, and</i></p> <p><i>(b) report the results of the investigation to the minister.</i></p> <p><i>72 (2.1) If the minister</i></p> <p><i>(a) after receiving a report of the chair respecting a dispute, or</i></p>

	<p><i>(b) on the minister's own initiative</i></p> <p><i>considers that a dispute poses a threat to the provision of educational programs to students and eligible children under the School Act, the minister may direct the board to designate as essential services those facilities, productions and services that the board considers necessary or essential to prevent immediate and serious disruption to the provision of educational programs. (emphasis added)</i></p> <p>Sections 1-11 effective August 16, 2001; [B.C. Reg. 206/2001] sections 12 & 13 effective September 11, 2001.</p>
March 5, 2001	Collective bargaining between the BCTF and BCPSEA commences.
June 25, 1998	Bill 39, the <i>Public Education Collective Agreement Act</i> , was introduced in the legislature.
June 8-16, 1998	School boards conducted their ratification votes by the June 18, 1998 deadline. BCPSEA announced the results — 87.6% of total school board votes rejected the agreement. Provincial ratification votes are conducted on a weighted basis by student population.
Early April 1998	Government representatives refused to disclose to BCPSEA the nature of their continuing discussions with the BCTF. The Premier and the BCTF publicly announced the Agreement in Committee (AiC) with additional funding to support the agreement reached. BCPSEA is informed at the same time the public announcement is made. BCPSEA is asked to submit the AiC to member school boards for ratification.
September 1997	The parties resumed negotiations for a provincial collective agreement. Both parties tabled written proposals. BCPSEA proposals assumed no increase in government funding, as was the indication from government at the time — the “fully fund the bargain” stance.
September 1997	The parties resumed negotiations. BCTF and BCPSEA agreed to submit written proposals. The BCTF recast their original proposals, and BCPSEA, in a departure from their interest-based bargaining approach, submitted a comprehensive set of proposals in the form of a collective agreement, much like the BCTF had done. The parties were still operating within the bargaining context and environment

	<p>that had existed before the transitional agreement.</p> <p>These events led up to the legislated agreement:</p>
May 1996	A Transitional Collective Agreement (TCA) was reached and ratified by both parties. School board ratification was on a weighted vote basis. 54% of the total school board votes cast were in favour of the TCA.
May 1995–April 1996	Little progress was made and the provincial government, with an election expected, called the parties to Victoria in an attempt to facilitate a transitional agreement.
May 1995	The parties began negotiations.
April 1995	The BCTF and BCPSEA completed the 'split of issues' — all substantive issues, including monetary provisions, were placed at the provincial table. The local matters were those having limited importance with respect to working conditions and had no monetary impact.
1994	<i>Public Education Labour Relations Act</i> passed, designating the employers' association as the bargaining agent for school boards in the province, and the BC Teachers' Federation as the bargaining agent for public school teachers. It required that the parties negotiate which matters would be dealt with at each local bargaining table and which matters would be negotiated provincially.
July 9, 1993	<p>The <i>Final Report of the Commission of Inquiry into the Public Service and Public Sector</i> (Korbin Commission) was released, establishing the basis for legislative initiatives to change the structure of the public sector. Soon after, on July 27, Bill 78, the <i>Public Sector Employers Act</i> (PSEA) was passed, establishing the Public Sector Employers' Council (PSEC) and employers' associations in six sectors of the public sector:</p> <ul style="list-style-type: none"> ▪ health ▪ social services ▪ K-12 public education ▪ colleges and institutes ▪ universities crown corporations, agencies, and commissions
March 6, 1992	The provincial government established the Commission of Inquiry into the Public Service and Public Sector with

	<p>mediator/arbitrator Judi Korbin as commissioner. The mandate of the commission was to:</p> <ul style="list-style-type: none">▪ “examine the human resource practices of the public sector; and▪ propose a new framework of human resource management that allows government to meet the public’s demand for services within fiscal limitations.”
1987-1994	<p>Locally certified teachers’ associations and the province’s 75 local school boards negotiated three full-scope collective agreements between 1987 and 1994. The collective agreements were extensive, complex instruments covering all manner of working conditions and compensation.</p> <p>By coincidence most of the collective agreements were set to expire on June 30, 1994, when the legislative structures were created to facilitate provincial bargaining.</p>