



## A Huge Victory for BC Teachers

In a landmark decision by the British Columbia Supreme Court handed down today, the court declared the legislation that stripped teacher collective bargaining rights in 2002 unconstitutional and invalid. Madam Justice Griffin found that Bills 27 and 28 were a substantial interference in bargaining rights and infringed on freedom of association guaranteed under the Charter of Rights.

In 2002, working and learning conditions clauses, such as class size, support for special needs, and hours of work, were stripped from teacher collective agreements by the Liberal government. Contrary to the government's claim, Madam Justice Griffin concluded that the class size and related provisions in collective agreements did not lead to inflexibility in the system. In fact the ruling described the government's evidence, as based on anecdotal hearsay from BCPSEA, less than objective, vague, and unsubstantiated.

"While not a perfect tool, collective bargaining has long been seen as the best vehicle for resolving differences between management and labour," states Justice Griffin. Further, she adds, "Giving workers a voice in the process of determining their working conditions, even where they are not substantially successful in advancing their position, is regarded as a means of increasing instability in the workplace."

There is no doubt that this ruling restores our right to full free collective bargaining. Teachers now expect the restoration of collective agreement language regarding class size and composition. The court has told government to rectify the situation and we expect government to do so, promptly.

For more information and to read the complete ruling, go to [bctf.ca](http://bctf.ca).

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