

November 29, 2011

The Labour Relations Board dismisses the latest application by BCPSEA

The LRB has dismissed an application by BCPSEA to compel teachers to do report cards and to fine the BCTF 15% of teacher's salaries and benefits.

In his decision, Michael Fleming notes that both parties agreed to the essential services order which is in place. None of the circumstances that gave rise to BCPSEA's complaint were unforeseen or unpredictable. For these reasons, Fleming ruled that BCTF members are in full compliance with the order and there are no grounds to change it.

Report cards are an important tool, but they are not essential. They are only one way in which teachers communicate students progress to parents, said BCTF President Susan Lambert. Informal communication, including face-to-face conversations, can provide parents with a deeper understanding of their children's progress, and certainly we have seen that going on all this term.

Fleming noted that BCPSEA's initial application arguably suggested that teachers were refusing to inform parents by other methods regarding the progress of students. However, I find BCPSEA has not provided an evidentiary basis for this suggestion.

It is apparent that BCTF members are providing a range of feedback to students and parents, Throughout this job action, teachers have been working 110% and more, as always, said BCTF President Susan Lambert. Teachers are teaching, and students are learning.

Fleming saw no evidence for a 15% charge against the BCTF for unearned salaries and benefits. He wrote: They [teachers] are not performing certain non-essential duties but there is no assertion teachers are working only 85% while receiving 100% pay.

We have to speculate what motivated BCPSEA to bring this application forward. It certainly has no credible justification. Now, this resounding dismissal could be seen as a powerful message to the trustees. Instead of putting more pressure on teachers, they should be demanding that government give its bargaining agent a new mandate to negotiate a collective agreement that respects teachers and meets the needs of students in the public education system.

The full text of the LRB ruling will be posted on the BCTF website tomorrow.

Susan Lambert
President