



# When Education and Legislation Meet:

*Teacher Collective Bargaining in Canada*

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December 2013



“When Education and Legislation Meet: Teacher Collective Bargaining in Canada” is the compilation in chart form of research undertaken in 2012-13 as part of a chapter in ***Public Sector Unions in the Age of Austerity*** by Stephanie Ross and Larry Savage (eds.). The Chapter is entitled “Classroom Struggle: Teachers’ Unions, Collective Bargaining and Neoliberal Education Reform.”

The book is available from Fernwood Publishing, 32 Oceanvista Ln., Black Point NS B0J 1B0 and 748 Broadway Ave., Winnipeg MB R3G 0X3, or [www.fernwoodpublishing.ca](http://www.fernwoodpublishing.ca).

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## Table of Contents

WHEN EDUCATION AND LEGISLATION MEET: TEACHER COLLECTIVE BARGAINING IN CANADA.....	1
NEGOTIATING TEAMS AND COLLECTIVE AGREEMENTS: PROVINCIAL OR LOCAL NEGOTIATIONS .....	2
REVERSING GAINS: THE NEOLIBERAL STATE .....	3
Appendix: UNION ORGANIZATION AND COLLECTIVE BARGAINING REGIMES .....	4
Chart 1: Newfoundland and Labrador .....	4
Chart 2: Nova Scotia .....	5
Chart 3: Prince Edward Island.....	6
Chart 4: New Brunswick .....	7
Chart 5: Quebec .....	8
Chart 6: Ontario .....	9
Chart 7: Manitoba.....	10
Chart 8: Saskatchewan .....	11
Chart 9: Alberta.....	12
Chart 10: British Columbia .....	13
Chart 11: Yukon Territory.....	14
Chart 12: Northwest Territories .....	15
Chart 13: Nunavut .....	16
REFERENCES .....	17

## WHEN EDUCATION AND LEGISLATION MEET: TEACHER COLLECTIVE BARGAINING IN CANADA

Provincial and territorial legislation governing education in Canada falls into four categories: governance and certification; recognition of teachers' unions; the right to collective bargaining; and, more recently, reversing the gains made by teachers. Each of these categories characterizes a period in labour relations on the education landscape.

Before Confederation, colonial jurisdictions legislated school acts establishing a top-down governance model as an imperial arm of the British state. Normal Schools, the state training facilities for teachers, standardized entrance requirements, pedagogy, and curriculum. Nova Scotia's first *Education Act* passed in 1808 (Nova Scotia School Boards Association), and Ontario, then Canada West, passed its *Common School Act* in 1846 (Graham 1974, 171). At the time of Confederation, each province retained responsibility for its school system. This was particularly important for the Québécois who were seeking protections for their language and culture. Each province and territory adopted an education act or school act to regulate public education once it eventually became an independent jurisdiction.

Nineteenth- and early twentieth-century teachers had to cope with overcrowded classrooms, low pay, and exploitive working conditions, particularly for women (Prentice 1985, 97-121). Teachers found collective expression in their unions. By the latter half of the nineteenth century, teachers in Quebec and the Maritimes had union representation (Quebec Provincial Association of Teachers; Nova Scotia Teachers Union). Following the First World War, new teachers' unions were organized across Canada. By the end of the Second World War, they were firmly established on the education landscape.<sup>i</sup> The post-war period of labour activism that developed the Canadian welfare state, brought with it legal support for collective bargaining. Many provinces enacted a second category of education legislation to recognize and regulate teachers' labour organizations. The teachers unions were ensured of their continued viability through statutory designation, closed shop status, and dues check-off, but were denied collective bargaining rights (Schucher and Slinn 2012, 22-25).<sup>ii</sup>

In the late 1960s and early 1970s, teachers became militant, engaging in illegal strikes to fight for the right to collective bargaining (Heron 2012, 94-98). During this period seventeen thousand Québécois teachers were on strike for a period of two months; Newfoundland teachers were on strike for over a month; and Ontario teachers held a one-day province-wide strike. The strikes resulted in a third category of legislation, provincial collective bargaining acts regulating labour relations between the

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<sup>i</sup> Earliest date of formation of a teachers' unions according to their websites: NFLD, 1890; NS, 1895; PEI, 1880; NB, 1946; QC 1864; ON, 1918; MB, 1919; SK, 1933; AB, 1917; BC, 1919; YK, 1955; NWT, 1953; NU, 1999.

<sup>ii</sup> Examples of legislation recognizing union representation: NFLD, *Teachers Association Act*; NS, *Teaching Profession Act*; ON, *Teaching Profession Act*; SK, *Teachers' Federation Act*; AB, *Teaching Profession Act*.

teachers' unions and the trustees. Generally, the new labour regimes were unique to the education sector and did not always contain the right to strike.

It is important to note that the unique legislation granting collective bargaining rights to teachers introduced additional steps in the process beyond those required of other workers. In New Brunswick teachers were required to vote on the school board's final offer before they could strike (New Brunswick 1973, s. 77). Ontario established the Education Relations Commission to oversee teachers' collective bargaining (Ontario 1975, s. 59-62). To this day in Manitoba<sup>iii</sup> and in Prince Edward Island<sup>iv</sup>, teachers may not strike; binding arbitration remains the dispute resolution mechanism (Manitoba Teachers' Society; Prince Edward Island Teachers Association 2012). New Brunswick, Quebec (Dolbec 2012), Northwest Territories (Northwest Territories 1996), and Nunavut (Nunavut 2011) apply restrictions to all public sector workers including teachers.

## NEGOTIATING TEAMS AND COLLECTIVE AGREEMENTS: PROVINCIAL OR LOCAL NEGOTIATIONS

In all provinces and territories, legislation requires teachers to negotiate with trustees of the local boards of education, the state, or some combination of the two. Over the past half century, education funding has been almost entirely removed from local property taxes and transferred to the general revenues of provincial/territorial governments.<sup>v</sup> As a result, labour negotiations have tended to migrate to the provincial level as neoliberal states have sought to contain the economic demands of teachers. In Saskatchewan, government appointees outnumber trustees on the collective bargaining committee (Saskatchewan 2010, s. 237). In Newfoundland and Labrador, the School Board Committee's chief negotiator is an appointee of the Treasury Board, who has "sole and final decision on the tentative rejection or approval of a proposal" during negotiations (Newfoundland and Labrador 2007, s. 10).

The majority of the provinces and territories have a form of province-wide bargaining, often in conjunction with local bargaining. Manitoba is the only province that retains exclusively local negotiations (Paci 2012). Nova Scotia, Quebec, Saskatchewan (Schmaltz 2012), and British Columbia have two-tiered bargaining regimes with Ontario and Alberta recently adopting a similar pattern (Ontario Ministry of Education 2009; The Alberta Teachers' Association). This has become the most common teacher-bargaining regime in Canada; cost items are decided provincially while organizational matters are decided locally. Quebec is the most unique. The Centrale des syndicats du Québec (CSQ) represents all public service unions, including teachers, under one structure for

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<sup>iii</sup> Manitoba teachers were granted the right to strike in 1948 but lost it in 1956 (Lemieux 2012: 165-66).

<sup>iv</sup> PEI teachers' wages remain the second lowest in the country, after Quebec (British Columbia Teachers 2012).

<sup>v</sup> Nova Scotia, Quebec, Manitoba, and Alberta retain minimal local taxation.

provincial collective bargaining on cost issues, while individual unions conduct local negotiations for non-cost items.<sup>vi</sup> In Quebec, the legislation permits free collective bargaining, but in practice teachers are prevented from striking over wages (Dolbec 2012, Menard 2013).<sup>vii</sup> As a result, Quebec teachers' wages are among the lowest in the country while their working conditions are among the best.

## REVERSING GAINS: THE NEOLIBERAL STATE

Canada has undergone a critical period of regime change since the mid-1970s. The economic and political elites took up the neoliberal project in an effort to dismantle the post-war social accord that was the Keynesian welfare state. Legal protections for union activity were undermined with the application of new forms of legislation that restricted wages and undermined workers' protections. In education, retrenchment, and the neoliberal reform of state institutions resulted in the commodification and deprofessionalization of teaching (Panitch and Swartz 1993, 80–85, 102; Sears 2003, 59–83).

The state has pressured teachers into new collective bargaining practices in Ontario, Alberta, and to some degree British Columbia. Teachers' collective bargaining has been placed under the labour relations acts where governments can swiftly enact legislation to suppress teacher militancy.

Recently, the Ontario Liberal government has forced the teachers' unions into provincial negotiations for all cost items (Ontario Ministry of Education 2009). Similarly, Alberta's teachers have been mandated into negotiating a "tripartite agreement" with the Minister of Education and the Alberta School Boards Association (Alberta Teachers' Association 2012). Collective bargaining has become meaningless in British Columbia in the twenty-first century as the Liberal government repeatedly legislated the terms of collective agreements (British Columbia Teachers' Federation). These examples of state-imposed provincial negotiations reflect a tendency of neoliberal governments to centralize power structures to control the bargaining process. Supported by right-wing think tanks, neo-liberal governments have reshaped assumptions concerning the role of the state in providing public services and enacted legislation to undermine teachers' long-held entitlements as unionized workers.

The following charts (Appendix) represent the current conditions for teachers' collective bargaining; but as teachers' unions have witnessed, the state can make swift and unilateral changes. Teachers have watched their wages and benefits shrink and their working conditions intensify as the ideology of austerity puts pressure on all public sector unions to make concessions. The tensions that arise from these conflicts could result in abrupt amendments to the labour regimes represented in this article.

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<sup>vi</sup> One union, the Fédération autonome de l'enseignement (FAE), broke away from the CSQ in 2006.

<sup>vii</sup> Both these sources indicated that the practice differs from the legislation. Dolbec stated that the legislation permitting teachers to strike over wages in the first year of a contract, was never acted upon by the Conseil du Trésor; so teachers leave other items on the table if they wish to strike.

## Appendix: UNION ORGANIZATION AND COLLECTIVE BARGAINING REGIMES

### Chart 1: Newfoundland and Labrador

Newfoundland and Labrador	
Legislation	<i>Schools Act</i> <i>Teachers' Association Act</i> (TAA) establishes the union in legislation. <i>Teachers' Collective Bargaining Act</i> (TCBA)
Bargaining Unit	Newfoundland and Labrador Teachers' Association (NLTA)
Date Founded	1890
Membership	The NLTA represents all K-12 teachers [TAA, 6. (1)]. Principals and vice-principals are included in the union.
Union dues	Deducted by the ministry [TAA, 7.(1)].
Employer Negotiating Team	The school boards and the government are represented by the 7 member School Board Committee. The Newfoundland and Labrador School Boards' Association nominates 4 members. The chief negotiator is appointed by the President of Treasury Board and has "charge of all negotiations" and makes the "sole and final decision on the tentative rejection or approval of any proposal which involves the expenditure of public money". The President of the Treasury Board also appoints 2 additional members (TCBA, 10, 11).
Collective Agreements	The NLTA negotiates 2 collective agreements, the Provincial Agreement and the Labrador West Agreement. The latter covers the teachers of Labrador City and Wabush. The NLTA also represents teachers in negotiations for the Labrador Benefits Agreement, which provides additional benefits for public sector workers in Labrador (The NLTA and You, 7).
Administration of the Legislation	Newfoundland and Labrador Labour Relations Board [TCBA, 36.(1)].
Scope of Bargaining	No restrictions.
Duration of Agreement	A minimum of 1 year (TCBA, 16).
Strikes and lockouts	Strikes and lockouts are legal 7 days after both parties have responded to the conciliation board. [TCBA, 31. (1)]
Grievance Procedures	Arbitration through the Ministry of Human Resources, Labour and Employment ( <i>Provincial Collective Agreement 2008–2012</i> , 31–32).
Education Funding	Funded by the province through general revenues (SA, 75–76).
References	<i>The NLTA and You 2012–2013</i> , (NLTA website)

(Charts modeled on Lawton et al. 1999: 53-60)

Numbering refers to the section in the document.

**Chart 2: Nova Scotia**

	<b>Nova Scotia</b>
Legislation	<i>Education Act (EA)</i> <i>Teaching Profession Act</i> establishes the union in legislation. <i>Teachers' Collective Bargaining Act (TCBA)</i> governs collective bargaining for teachers. <i>Trade Union Act (TUA)</i> governs collective bargaining for other workers.
Bargaining Unit	Nova Scotia Teachers Union (NSTU)
Date Founded	1895
Membership	The NSTU represents all K-12 teachers, all community college faculty and professional support staff, and all teachers in the Atlantic Provinces Special Education Authority (APSEA). Principals and vice-principals as well as superintendents, directors, and office staff are members of the union.
Union dues	Deducted by school board or college.
Collective Agreements	The NSTU negotiates a Provincial Public School Agreement with the Minister of Education. It then negotiates regional agreements, the APSEA agreement, and 2 community college agreements under the TUA.
Administration of the Legislation	Labour Board
Scope of Bargaining	Provincial agreement: salaries, allowances, benefit plans, pay periods, working conditions, and anything not covered in the regional agreements. Regional agreements: leave plans and staffing.
Duration of Agreement	A minimum of 1 year (TCBA, 32)
Employer Negotiating Team	Provincial agreement: Minister of Education. Regional agreement: the school board.
Strikes and lockouts	Provincial negotiations: Strikes and lockouts are legal 44 days after the Minister has received the conciliation officer's report (TCBA, 34). Regional negotiations: Binding arbitration applies. Strikes are not permitted (TCBA, 20).
Grievance Procedures	Provincial grievances go to the Minister. Local grievances go to an arbitrator (TCBA, 19).
Education Funding	The ministry pays a portion of the education budget from general revenues and sets the amount to be paid by the municipalities from local taxes (EA, 72-76).
References	"Agreement Between the Minister of Education of the Province of Nova Scotia and the Nova Scotia Teachers Union" (NSTU 2011); Bruce Kelloway, NSTU Assistant Executive Director.



**Chart 3: Prince Edward Island**

	Prince Edward Island
Legislation	<i>School Act (SA)</i> <i>School Act: Education Negotiating Agency Regulations, S-2.1 (ENAR)</i>
Bargaining Unit	Prince Edward Island Teachers' Federation (PEITF)
Date Founded	1880
Membership	The PEITF represents all K-12 teachers. Principals and vice-principals are included in the union.
Union dues	Deducted by school board (Memorandum of Agreement, 11.01).
Collective Agreements	The PEITF negotiates a Memorandum of Agreement (MoA) with the Education Negotiation Agency for all teachers.
Administration of the Legislation	Department of Environment, Labour and Justice
Scope of Bargaining	No restrictions.
Duration of Agreement	Minimum of 1 year. ("PEITF Handbook" [PH], SVIII-6)
Employer Negotiating Team	The Education Negotiation Agency is appointed by the Minister of Education to negotiate with the union. Representatives include 3 members from the Department of Education, 1 from the Treasury board, and 2 or 3 from the school boards (ENAR).
Strikes and lockouts	Strikes are not permitted. In the event of an impasse in negotiations, binding arbitration is imposed (PH SVIII-1–9).
Grievance Procedures	Provincial grievances go to the Minister and from there to a Grievance Review Board. Local grievances go to a Grievance Review Board (MoA, 45).
Education Funding	Funded by the province from general revenues (SA, 121).
References	"PEITF Handbook" (PEITF 2012); "Memorandum of Agreement Between the Education Negotiating Agency and the Prince Edward Island Teachers' Federation" (Ministry of Education 2007); Patrick MacFadyen, PEITF Deputy General Secretary

**Chart 4: New Brunswick**

	<b>New Brunswick</b>
Legislation	<i>Education Act (EA)</i> <i>Public Service Labour Relations Act (PSLRA)</i>
Bargaining Unit	New Brunswick Teachers' Federation/Fédération des enseignants du Nouveau-Brunswick (NBTF)
Date Founded	1970
Membership	The NBTF represents all K-12 teachers. Principals and vice-principals are included in the union (CA, 29).
Union dues	Deducted by the District Education Council (school board).
Employer Negotiating Team	The Board of Management represents the state in negotiating one collective agreement for all teachers in the province.
Collective Agreements	The NBTF negotiates with the Board of Management on behalf of all the teachers in the province.
Administration of the Legislation	Labour and Employment Board (LEB)
Scope of Bargaining	No restrictions.
Duration of Agreement	4 years
Strikes and lockouts	Strikes and lockouts are legal 7 days after the conciliation board report is made, or a decision is made by the LEB not to appoint a conciliation board (PSLRA, 70) The employer may request a secret vote of union members on the most recent offer (PSLRA, 77).
Grievance Procedures	Grievances are presented to a Labour and Employment Board adjudicator for arbitration.
Education Funding	Funded by the province from general revenues (EA, 50.2)
References	"Agreement Between Board of Management and New Brunswick Teachers' Federation/La Fédération des enseignants du Nouveau-Brunswick"(NBTF 2008); Monique Caissie, NBTF Labour Relations Officer.

**Chart 5: Quebec**

	<b>Quebec</b>
Legislation	<i>Act Respecting the Process of Negotiations of the Collective Agreements in the Public and Parapublic Sectors (ARPNCAPPS)</i> <i>Education Act (EA)</i> <i>Labour Code (LC)</i>
Bargaining Unit	Centrale des syndicats du Québec (CSQ) The Fédération autonome de l'enseignement (FAE) broke away from the CSQ in 2006 and presently conducts its own negotiations.
Date Founded	1936
Membership	Provincial negotiations: The CSQ unites 240 unions in education, childcare, health and social services representing 193,000 members, of which almost 100,000 are educators. It is the largest cartel representing teachers in Canada. Local negotiations: individual unions. Principals and vice-principals are not in the union.
Union dues	Deducted by the school board.
Employer Negotiating Team	Provincial: Management Negotiating Committee for French language school boards; Management Negotiating Committee for English language school boards (ARPNCAPPS, 30). Local: employing board.
Collective Agreements	The CSQ negotiates provincial agreements with the 2 Management Negotiating Committees on behalf of its affiliated unions. Local negotiations cover items relevant to the local setting (i.e., use of board premises for union purposes, deduction of union dues).
Administration of the Legislation	La Commission des relations du travail (Labour Relations Division)
Scope of Bargaining	No restrictions in legislation but there are in practice.
Duration of Agreement	A minimum of 2 years (ARPNCAPPS, 61)
Strikes and lockouts	Strikes and lockouts 90 days after a collective agreement expires. In practice, unions can strike for any item other than salary.
Grievance Procedure	Arbitration under the Labour Code (QPAT Entente, 9-0.00)
Education Funding	Provincial grant and school taxes levied by school boards.
References	"Entente Concluded between on the one hand, The Management Negotiation Committee for English-language School Boards and on the other hand, The Quebec Provincial Association of Teachers on Behalf of the Teachers' Unions Which It Represents, (QPAT Entente)" (QPAT 2005). Olivier Dolbec, Executive Assistant QPAT

**Chart 6: Ontario**

	<b>Ontario</b>
Legislation	<i>Education Act (EA)</i> <i>Education Quality Improvement Act, Bill 160</i> <i>Labour Relations Act (LRA)</i> <i>Teaching Profession Act (TPA)</i>
Bargaining Unit	L'Association des enseignantes et des enseignants franco-ontariens (AEFO) Elementary Teachers' Federation of Ontario (ETFO) Ontario English Catholic Teachers' Association (OECTA) Ontario Secondary School Teachers' Federation (OSSTF)
Date Founded	AEFO — 1939, ETFO — 1998, OECTA — 1944, OSSTF — 1919
Membership	The AEFO represents K-12 teachers in the French system; the ETFO represents K-8 teachers in the public system; the OECTA represents K-12 teachers in the Catholic separate system; the OSSTF represents Gr. 9-12 teachers in the public system Principals and vice-principals are not members of the union (Bill 160, 287.2).
Union dues	Deducted by the school board.
Employer Negotiating Team	Board of education [Bill 160, 277.17(4)].
Collective Agreements	Locals of each union negotiate with their boards on behalf of the provincial body. Recent history: In 2008 and 2012 the provincial government demanded provincial agreements.
Administration of the Legislation	Labour Relations Board
Scope of Bargaining	No restrictions. Recent history: Provincial agreement for monetary items; local agreement for non-monetary items.
Duration of Agreement	Either 2 or 4 years.
Strikes and lockouts	Permitted 14 days after the Minister of Labour has released a report that a conciliation board is not advisable (Bill 160, 277.15)
Grievance Procedures	Arbitration through the Minister of Labour.
Education Funding	Funded by the province from general revenues (EA, 257.5–.14).
References	“Collective Agreement between Hastings and Prince Edward District School Board and the Elementary Teachers' Federation of Ontario” (HPE ETFO 2008); <i>We the Teachers of Ontario</i> (OTF 2012).

## Chart 7: Manitoba

	Manitoba
Legislation	<i>Labour Relations Act (LRA)</i> <i>Education Administration Act</i> <i>Public Schools Act (PSA)</i>
Bargaining Unit	Manitoba Teachers' Society (MTS)
Date Founded	1919
Membership	The MTS represents all K-12 teachers. Principals and vice-principals are members of the union.
Union dues	Deducted by the school board (PSA, 41; LRA, 76)
Employer Negotiating Team	The school board negotiates with the assistance Manitoba School Board Association.
Collective Agreements	Locals have the legislated authority to negotiate collective agreements with school boards. The MTS provides input.
Administration of the Legislation	Labour Board administers the LRA (WTA CA, 8.2)
Scope of Bargaining	No restrictions.
Duration of Agreement	A minimum of 1 year [LRA, 74)(1)].
Strikes and lockouts	Strikes and lockouts are not permitted; locals submit to binding arbitration (LRA, 97–112).
Grievance Procedures	Arbitration through the Labour Board (WTA CA, 8.2)
Education Funding	Provincial general revenues and local taxation (PSA, preamble).
References	"Collective Agreement Between the Winnipeg School Division and the Winnipeg Teachers Association of the Manitoba Teachers' Society (WTA CA)" (MTS 2010); Tom Paci, Department Head, MTS Teacher Welfare.

## Chart 8: Saskatchewan

	Saskatchewan
Legislation	<i>The Education Act</i> (EA) <i>The Teachers' Federation Act</i> (TFA) <i>Teacher Collective Bargaining Act</i>
Bargaining Unit	Saskatchewan Teachers' Federation (STF)
Date Founded	1933
Membership	The STF represents all K-12 teachers (TFA, 17). Principals and vice-principals belong to the union.
Union dues	Deducted by the school board.
Employer Negotiating Team	The employer negotiating team consists of a government-trustee committee comprised of 4 representatives of the boards of education and 5 representatives of the Ministry of Education (EA, 234).
Collective Agreements	The STF negotiates a provincial agreement with a collective bargaining committee representing boards of education. It then negotiates with individual boards for local agreements.
Administration of the Legislation	Educational Relations Board (EA, 261)
Scope of Bargaining	Provincial agreement for salaries, regular allowances, pension, benefits, and sick leave (EA, 237). Local agreements for salaries for substitute teachers, leaves, pay periods, working conditions, and special allowances. The local agreement takes precedence.
Duration of Agreement	Negotiated during collective bargaining.
Strikes and lockouts	Strikes and lockouts are legal after the formal dispute resolution mechanism provided by the EA has been exhausted.
Grievance Procedures	Grievances go to an arbitration board set by the Educational Relations Board (EA, 261–63).
Education Funding	From general revenues (EA, 310).
References	"Provincial Collective Bargaining Agreement Between the Boards of Education and the Government of Saskatchewan and the Teachers of Saskatchewan" (STF 2010); Randy Schmaltz, STF Senior Administrative Staff.

**Chart 9: Alberta**

	<b>Alberta</b>
Legislation	<i>Labour Relations Code,</i> <i>School Act (SA)</i> <i>Teaching Profession Act (TPA)</i> <i>Teachers’ Collective Bargaining Act (Repealed)</i>
Bargaining Unit	Alberta Teachers’ Association (ATA)
Date Founded	1917
Membership	The ATA represents all K-12 teachers in the public and separate boards. Principals and vice-principals are members of the union; teachers who carry out central office administrative functions for the school board are not union members (TPA, 5.1)
Union dues	Deducted by school board (TPA, 13).
Employer Negotiating Team	Provincial framework agreement: Minister of Education and the president of the Alberta School Boards Association. Local negotiations: board of education trustees.
Collective Agreements	The ATA negotiates local agreements with the trustees. Recently the Province demanded a tripartite framework agreement with the ATA, the Minister of Education and the Alberta School Boards Association.
Administration of the Legislation	Alberta Labour Relations Board
Scope of Bargaining	No restrictions. Recent history resulted in a Framework agreement for salaries, working conditions, a “no strike” agreement for local negotiations, and other monetary items. Local agreements were to include the framework agreement.
Duration of Agreement	Negotiated.
Strikes and lockouts	Strikes or lockouts are legal 14 days after the mediator does not recommend terms of settlement, after the date fixed for acceptance or rejection of the mediator’s terms, or after notification of the results of a strike vote. The school board may apply for a membership vote on the most recent offer.
Grievance Procedures	Arbitration through the Ministry of Labour (ESD-CA, 25).
Education Funding	The Minister sets the mill rate for the municipalities to apply to local property taxes. Municipalities collectively fund the Alberta School Foundation Fund from which boards receive their funding (SA, 174–76).
References	“Edmonton School District No 7 Collective Agreement (ESD-CA)” (ATA, 2007); ATA Teacher Welfare Program department.

**Chart 10: British Columbia**

	<b>British Columbia</b>
Legislation	<i>Labour Relations Code (LRC)</i> <i>Public Education Labour Relations Act (PELRA)</i> <i>School Act (SA)</i> legislates public education.
Bargaining Unit	British Columbia Teachers' Federation (BCTF)
Date Founded	1919
Membership	The BCTF represents all K-12 teachers in publicly funded schools. Principals and vice-principals are not in the union.
Union dues	Deducted by the school board (VTF CA, A.4).
Employer Negotiating Team	The British Columbia Public School Employers' Association (BCPSEA) represents all the school boards.
Collective Agreements	The BCTF negotiations with the PSEA for a "provincial matters" agreement that is included in local agreements. Legislation ended local bargaining in the mid-1990s.
Administration of the Legislation	The LRC and the Public Education Labour Relations Act (PELRA, 3).
Scope of Bargaining	Bargaining of working conditions is severely limited (SA, 27). The BC government has legislated collective agreements since 2005 and used its majority to remove contractual language in teachers' collective agreements (Kuehn).
Duration of Agreement	A minimum of 1 year (LRC, 50).
Strikes and lockouts	Strikes and lockouts are legal 72 hours after the Labour Relations Board and the employing school board have received notice of a strike (LRC, 59).
Grievance Procedures	Grievances concerning both provincial matters and local matters go to arbitration through the Labour Relations Board (see below, VTF CA, A.6).
Education Funding	Funded by the province from general revenues (SA, 114).
References	"Provincial and Local Matters Collective Agreement Between British Columbia Public School Employers' Association/Board of Education of School District No. 39 (Vancouver) and British Columbia Teachers' Federation/Vancouver Teachers' Federation, (VTF CA)" (Vancouver Board of Education 2006); Larry Kuehn, BCTF Director of Research and Technology



**Chart 11: Yukon Territory**

	<b>Yukon Territory</b>
Legislation	<i>Education Act (EA)</i> <i>Education Labour Relations Act (ELRA)</i> <i>Teaching Profession Act (TPA)</i>
Bargaining Unit	Yukon Teachers' Association (YTA)
Date Founded	1955
Membership	The YTA represents all K-12 teachers in publicly funded schools and is open to education support personnel and Native language instructors (TPA, 5). Teachers need not be members of YTA but they must pay union dues (TPA, 6) Principals and vice-principals are members of the union.
Union dues	Deducted by the Department of Finance (TPA, 11)
Collective Agreements	One collective agreement is negotiated for all teachers and education support personnel.
Administration of the Legislation	The Yukon Teachers' Labour Relations Board, an arm of the federally mandated Public Service Labour Relations Board (PSLRB), administers the collective bargaining and grievance adjudication systems for Yukon teachers.
Scope of Bargaining	No restrictions. Recent history: class size limits have been suspended by the government.
Duration of Agreement	A minimum of 1 year [ELRA, 26(2)]
Employer Negotiating Team	Officers of the Public Service Commission negotiate on behalf of the Commissioner in Executive Council (see below, CA, 2.01).
Strikes and lockouts	Strikes and lockouts are legal 14 days after the report of the conciliation board has been received (ELRA, 77).
Grievance Procedures	Adjudication through the Teachers' Labour Relations Board.
Education Funding	Funded by the territory from general revenues (EA, 174).
References	"Collective Agreement Between the Government of Yukon and the Yukon Teachers' Association (CA)", (YTA, 2009).

**Chart 12: Northwest Territories**

	<b>Northwest Territories</b>
Legislation	<i>Education Act (EA)</i> <i>Northwest Territories Teachers Association Act (NWTAA)</i> <i>Public Service Act (PSA)</i> and federal employment legislation governs collective bargaining.
Bargaining Unit	Northwest Territories Teachers' Association (NWTAA)
Date Founded	1953
Membership	The NWTAA represents all K-12 teachers and administrators in publicly funded schools and some educational assistants. Principals and Vice-principals are members of the union [PSA, 48 (1.9)].
Union dues	Deducted by the school board (see below, YSS CA, 2.02).
Collective Agreements	The NWTAA negotiates 3 collective agreements, 1 for teachers, specialists and education assistants in Yellowknife, 1 for Yellowknife Catholic teachers, and one for teachers in the rest of the NWT (NWTAA website).
Administration of the Legislation	The PSA and federal employment legislation governs the collective bargaining regime.
Scope of Bargaining	Working conditions are not included in the collective agreements.
Duration of Agreement	Negotiated during collective bargaining.
Employer Negotiating Team	Board of education trustees (NWTAA website).
Strikes and lockouts	Strikes and lockouts are legal after rejecting the recommendation of the mediator.
Grievance Procedures	Adjudication through the PSA.
Education Funding	Funded in Yellowknife by municipal property taxes and in the rest of the territory from general revenues (EA, 128).
References	"Collective Agreement Between Yellowknife Catholic Schools and the Northwest Territories Teachers' Association on behalf of the Yellowknife Separate School Region (YSS-CA)" (YTF 2008); Adrien Amirault, NWTAA Assistant Executive Director

**Chart 13: Nunavut**

	<b>Nunavut</b>
Legislation	<i>Education Act (EA)</i> <i>Public Service Act (PSA)</i> <i>Nunavut Teachers' Association Act (NTAA)</i> <i>Inuit Language Protection Act</i>
Bargaining Unit	Nunavut Teachers' Association (NTA)
Date Founded	1999
Membership	The NTA represents all K-12 teachers and administrators in publicly funded schools. Principals and vice-principals are members of the union [PSA, 41 (1.9)].
Union dues	Deducted by the ministry (see below, CA, 10).
Collective Agreements	The NTA negotiates one collective agreement for all teachers.
Administration of the Legislation	The PSA governs collective bargaining. However, Nunavut has no binding arbitration and no labour relations board.
Scope of Bargaining	Few working conditions other than health and safety are included in the collective agreement.
Duration of Agreement	Negotiated during collective bargaining.
Employer Negotiating Team	Minister responsible for the Public Service Act.
Strikes and lockouts	Strikes and lockouts are legal 20 days after rejecting the recommendation of the mediator (PSA, 41)
Grievance Procedures	Adjudication through the collective agreement with arbitrators agreed to by both sides.
Education Funding	From general revenue (EA, 128).
References	"Collective Agreement Between the Nunavut Teachers Association and the Minister Responsible for the Nunavut Public Service Act (CA)", (NTA 2005).

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