

PROVINCIAL COLLECTIVE BARGAINING

Introduction to Teacher Collective Bargaining in Saskatchewan

September 2021



SASKATCHEWAN
TEACHERS'
FEDERATION

A Fundamental Freedom

Collective bargaining between groups of employees and employers is a right articulated and protected under the concept of freedom of association, which is recognized in international human rights conventions and in Section 2 (Fundamental Freedoms) of the *Canadian Charter of Rights and Freedoms*.

Collective bargaining enhances the human dignity and liberty of teachers as professionals by providing them a voice and process to influence their employment relationships and environments. Collective bargaining is also intrinsically valuable as an experience in collectivity for members of the teaching profession in Saskatchewan.

The Legislative Framework

Section 1 of the *Canadian Charter of Rights and Freedoms* permits federal and provincial governments to enact laws that may set reasonable limits on the freedoms listed under Section 2, including the freedom of association. *The Education Act, 1995* and *The Teachers' Federation Act, 2006* provide that legislative framework for teacher collective bargaining in Saskatchewan.

Saskatchewan Teachers' Federation members belong to both the provincial organization and a local association, which work together to collectively bargain at both levels on behalf of teachers. *The Education Act, 1995* states which items are mandatory for negotiations at the local and provincial levels. Over time, the scope of bargaining has been expanded beyond the mandatory items listed below. The local collective agreement takes precedence if an item is first negotiated locally and is subsequently negotiated provincially.

Provincial Level	Local Level
<p>A Teachers' Bargaining Committee, appointed by the STF Executive, negotiates direct compensation, teaching and learning conditions, and pension and benefits on behalf of all members of the collective, including:</p> <ul style="list-style-type: none">• Salaries of teachers• Allowances for principals and vice-principals• Superannuation• Group life insurance• Criteria respecting the designation of persons as not being teachers• Sick leave• Duration of agreement	<p>Local implementation and negotiation committees, elected by members or appointed by the executive of each local association, negotiate with the employer teaching and learning conditions that reflect the particular needs of the local collective, including:</p> <ul style="list-style-type: none">• Salaries for substitute teachers• Pay period for teachers• Special allowances• Sabbatical leave• Educational leave• Duration of agreement

STF Processes

Provincial collective bargaining for teachers in Saskatchewan is an ongoing process that includes four overlapping and interdependent phases.

- **Organization and preparation phase** provides the opportunity to gather member input in order to establish the priorities and draft proposals for the upcoming negotiations. The STF Executive approves the letter to select the dispute resolution process which must be sent no later than 101 days prior to the expiration of the existing agreement. The letter to initiate negotiations must be sent early enough that negotiations commence at least 100 days prior to expiration.
- **Negotiations phase** involves engaging the Government-Trustee Bargaining Committee with strategies that inform them of the significance of teacher issues and how they relate to the well-being of teachers and the quality of the public education system. The overarching goal is to achieve the best possible agreement for Federation members. This involves resolving issues to the best of the Teachers' Bargaining Committee's ability given the real-world restrictions and limitations within the context of the negotiations and the negotiations process.
- **Implementation phase** measures the strength of the relationship between the parties to the Provincial Collective Bargaining Agreement. Interpretive bulletins are published to support implementation by school divisions, and many issues that arise in the interpretation of the agreement's provisions are resolved prior to accessing the grievance procedures established in Article 15 of the agreement.
- **Evaluation and learning phase** assesses and evaluates bargaining processes with a view to identifying ways to improve them. The insights gained through individual and collective reflection by members and the various decision-making bodies contribute to the continuous refinement of the provincial collective bargaining cycle.



STF Foundational Beliefs

STF Policy 3.1 (Collective Bargaining) provides the foundational beliefs of teachers upon which each provincial collective bargaining phase is governed and administered by the Saskatchewan Teachers' Federation. Collective bargaining:

- Provides teachers with a collective voice and process to influence their employment relationships and environment.
- Is intrinsically valuable as an experience in collectivity for teacher members.
- Should be characterized by respectful, constructive and professional interactions.
- Is strengthened by opportunities for members to participate in the processes and decision making.

Teacher collective bargaining agreements should:

- Address the interrelated components of compensation, benefits and working conditions.
- Secure conditions that support the best possible professional service.
- Serve to attract and retain capable and qualified people to the teaching profession.
- Provide the necessary supports for personal and professional well-being.

Teachers also believe the subsequent collective agreement:

- Is best achieved through direct negotiation at the bargaining table.
- Positions teachers, the Federation and the profession for future success.

Roles and Responsibilities

STF Members

The solidarity of Saskatchewan Teachers' Federation members is the heart of teacher provincial collective bargaining. Gains in compensation, pension and benefits, and teaching and learning conditions are made possible when teachers speak with a strong unified voice. Members elect representatives to Council and inform provincial collective bargaining priority setting and the development of proposals by participating in member education and engagement opportunities. Leverage at the provincial collective bargaining table is greatly influenced by members and their willingness to support the Teachers' Bargaining Committee and, if called upon, to take collective action at key points in the negotiation process.

Council

Over 230 teacher representatives from local associations make up the Council of the Federation. The overarching purpose of Council is to create a collective focus for making decisions on behalf of the wider Federation membership. Councillors are expected to be familiar with issues of importance to teachers and how the different governance and administrative bodies within the Federation are engaging with, and responding to, these issues. Councillors have the responsibility to adopt policies to guide teacher collective bargaining, elect the STF Executive that appoints the Teachers' Bargaining Committee, inform the development of principles, priorities and proposals, and approve, upon the recommendation of the STF Executive, the final set of proposals that will guide negotiations.

STF Executive

With the exception of the STF President, who is on full-time release from teaching duties, all STF Executive members are practicing teachers. The STF Executive is elected by Council and has the legislated authority to govern and regulate the affairs of the Federation, including matters related to provincial collective bargaining. Primary among those duties is the responsibility to approve terms of reference for, and make appointments to, the Teachers' Bargaining Committee that represents the collective during provincial negotiations. The STF Executive also approves the administrative work plans for the various phases of provincial collective bargaining and the principles for proposal development during the organization and preparation phase, and submits the resolution to Council to approve the set of proposals that will guide negotiations.

Teachers' Bargaining Committee

The Teachers' Bargaining Committee is comprised of the STF President, Vice-President, one additional STF Executive member appointed annually, and the Executive Director or designate. Additional Federation staff, STF Executive members and external resource persons may provide assistance to the Committee as deemed necessary. The purposes of the Committee are to bargain exclusively and collectively on behalf of Federation members regarding the matters identified in Section 237(1) of *The Education Act, 1995* and to implement provincial collective bargaining agreements.

STF Staff

The Federation's staff works closely with the STF Executive to develop and implement work plans to support the four phases of provincial collective bargaining. This includes providing information, content and perspectives into any decisions being made during the process, facilitating member education and engagement opportunities, and preparing formal correspondence and submissions from the Teachers' Bargaining Committee to the Government-Trustee Bargaining Committee.

Government-Trustee Bargaining Committee

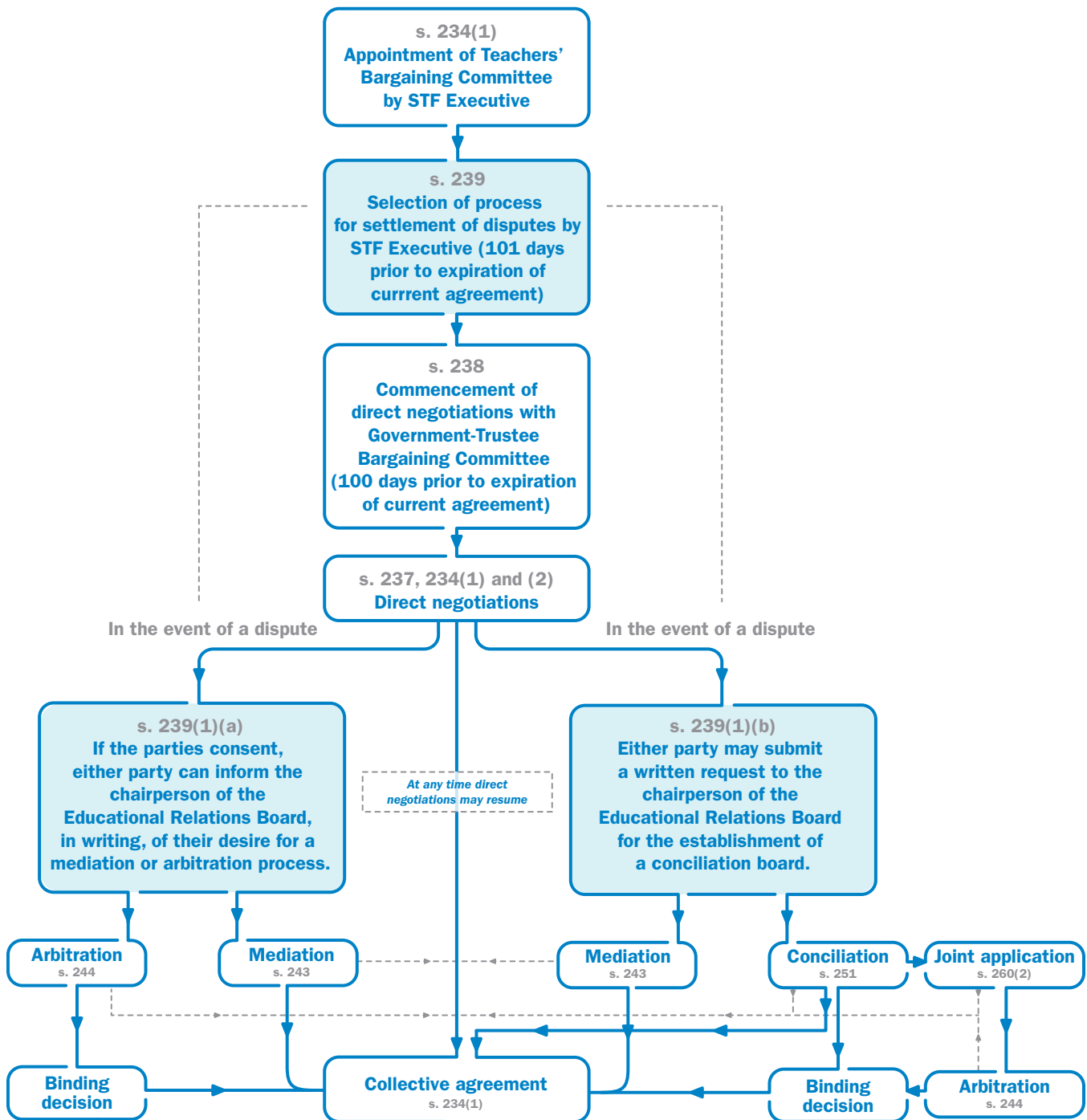
Section 234(2) of *The Education Act, 1995* specifies that five representatives from the government and four from the Saskatchewan School Boards Association are to form a Government-Trustee Bargaining Committee for teacher collective bargaining. The lieutenant governor in council appoints the five representatives to bargain on behalf of the provincial government.

Educational Relations Board

The Educational Relations Board oversees teacher negotiations and receives any applications for mediation, conciliation or arbitration during negotiations. The ERB is made up of two representatives appointed by the Federation, two representatives appointed by the Saskatchewan School Boards Association and a chairperson agreed upon by both parties. If a chairperson cannot be agreed upon by both parties, the chief justice of the Queen's Bench names someone to the position. Service on the ERB is an order-in-council appointment for four years, which may be extended if necessary.

THE Provincial Collective Bargaining Process

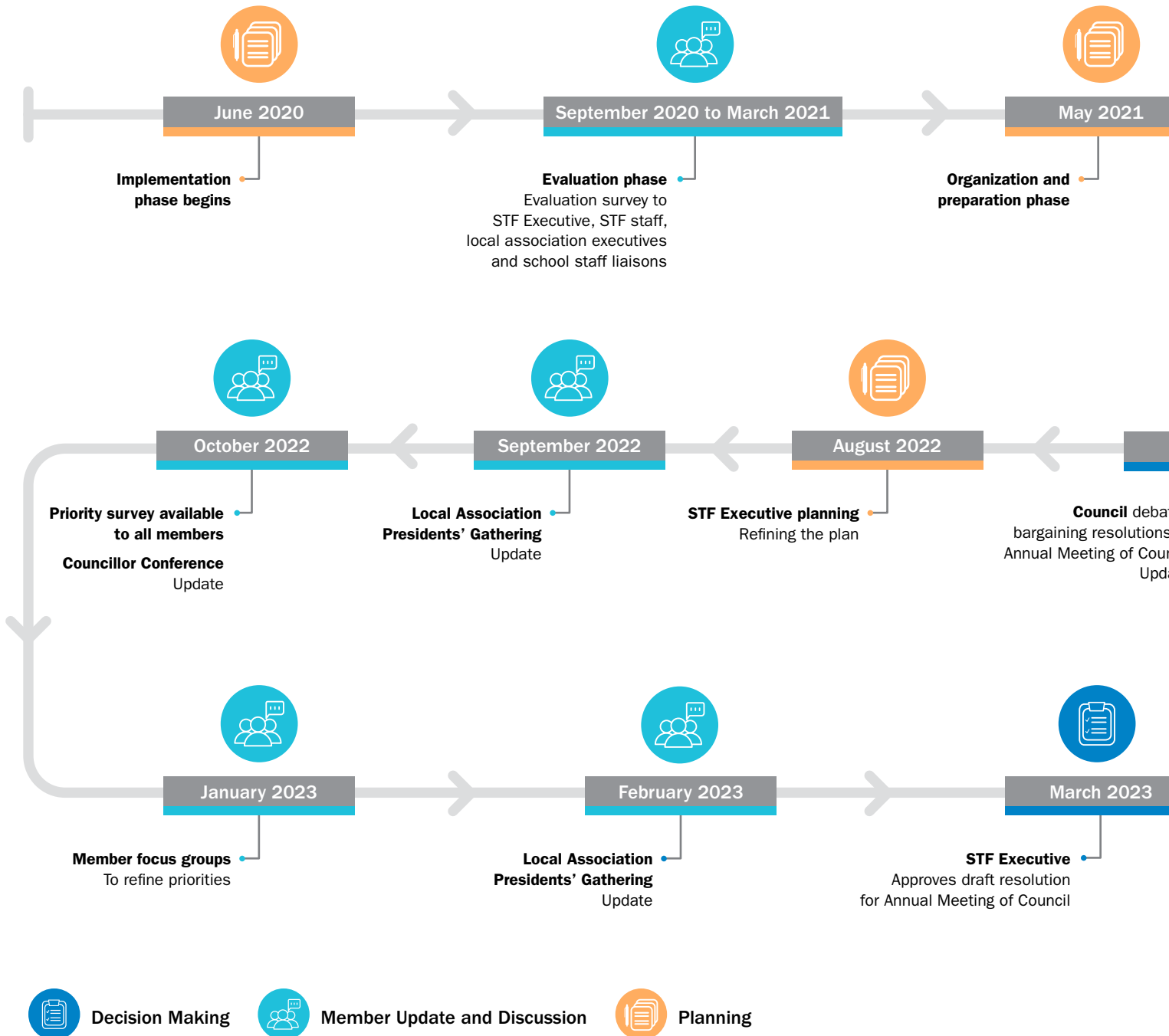
The legislated processes to prepare for and engage in provincial collective bargaining negotiations are found in *The Education Act, 1995*.



Timeline for Organization and Preparation 2020-23

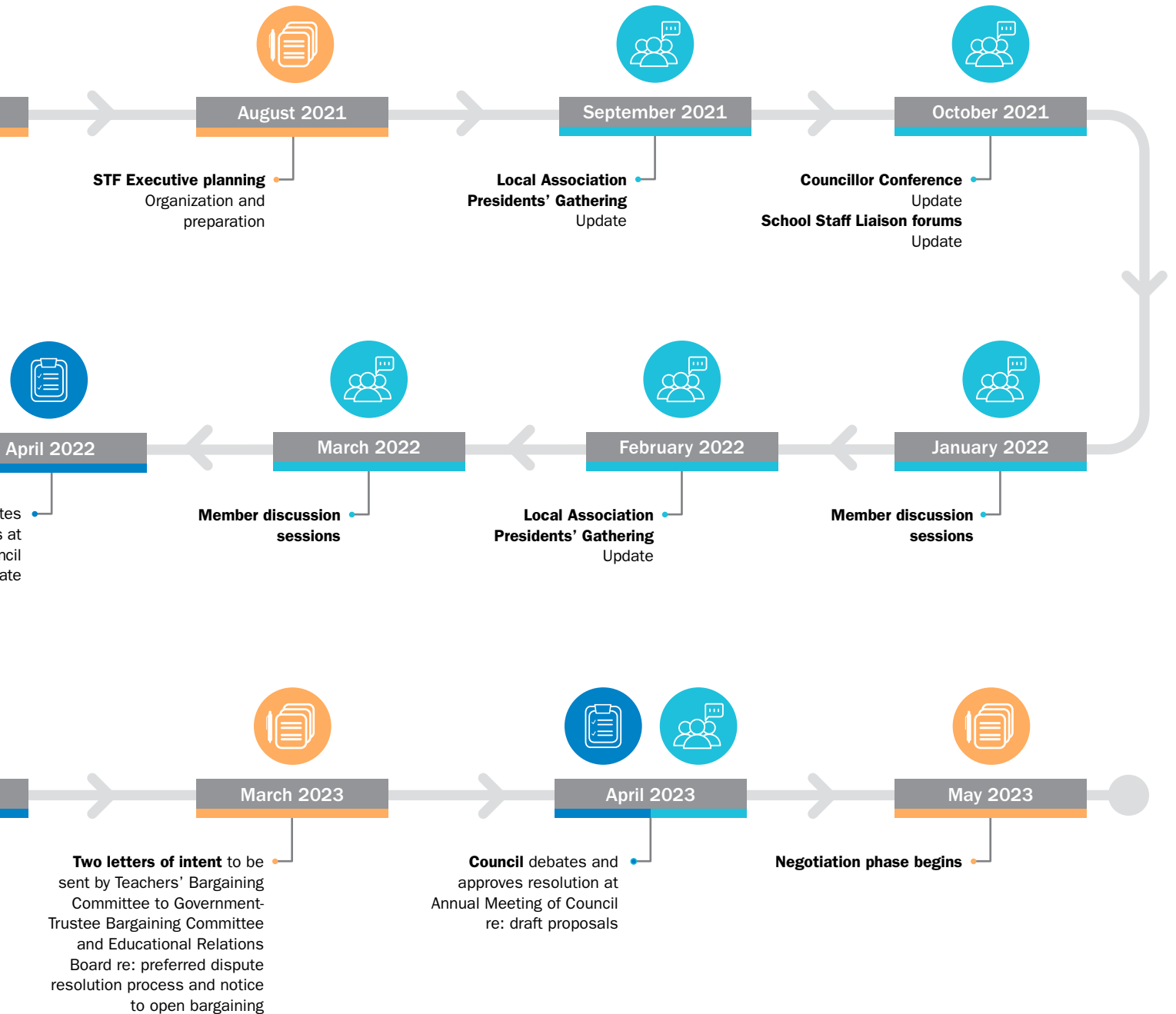
The STF Executive and Federation staff will provide opportunities for bargaining discussions and input from STF members, including local association presidents, STF councillors, school staff liaisons and the entire membership. The discussions and input will support the Teachers' Bargaining Committee preparations before the commencement of the next round of provincial collective bargaining.

A high-level organization and preparation plan is offered in the road map below. The plan shows how time will be utilized to properly evaluate the round just concluded, refine the bargaining strategies based on member feedback, establish the priorities, needs and aspirations of members, and build the asking package for the next round of negotiations that will commence in May 2023.



The road map is “anticipated” and is based on the current social, political and economic context. The Teachers’ Bargaining Committee values input from member voice in supporting their work while recognizing changing contextual realities may require nimbleness in response or approach.

STF member discussion and feedback opportunities include but are not limited to: school staff liaison forums, local association events, local association president gatherings, bargaining resolutions, Council debate of resolutions, a priorities survey, focus groups to refine survey responses and eventual Council debate and adoption of an asking package. We encourage members to join the discussion and support the work of the Teachers’ Bargaining Committee.





Questions about teacher collective bargaining?
Contact STF Bargaining Support by email at bargaining@stf.sk.ca.

Discussions about teacher collective bargaining?
Use the TeacherTalk private members' forum in MySTF on www.stf.sk.ca.



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