

**PRESENTATION TO LAW AMENDMENTS COMMITTEE  
NOVA SCOTIA LEGISLATURE**

**"Bill 75 - An Act Respecting a Teachers' Professional Agreement  
and Classroom Improvements"**

By Grant Dart, CUPE School Board Coordinator Nova Scotia  
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Good morning.

My name is Grant Dart and I am a National Servicing Representative with the Canadian Union of Public Employees, and I am also the Coordinator for the School Board Sector. The Canadian Union of Public Employees is Canada's largest union, with more than 644,000 members across the country.

In Nova Scotia, CUPE proudly represents more than 4,000 School Board workers, we have classification in every School Board across the Province. Our members are Educational Program Assistants or Teacher Assistants, Secretary's, Bus Drivers, Janitorial/Custodians, Mechanic's, Skilled Trades, Library Techs, Building Operators, and Lunch Ground Monitors. It varies from Board to Board on which classifications of those I listed are CUPE Members, but we are the Support Staff that keeps our schools running.

I want to thank the members of the Law Amendments Committee for this opportunity to speak to Bill 75.

I believe it is important to start by saying how opposed CUPE is to Bill 75 and the position the Government is taking by imposing a Collective Agreement on any Union. Collective Bargaining is the Cornerstone to being Unionized and it works the best when both the parties engage fully in the process to find solutions that work for both sides for the issues they are facing. This incredibly important exercise is by-passed when a 3<sup>rd</sup> party imposes themselves in the process and dictates the terms to be followed. The Government has stated publicly on a

number of occasions their desire for Labour peace in this Province, however this Bill does the complete opposite of that. In this case **members** of the NSTU (not their Executive but the Teachers themselves that make up the Union) have on 3 occasions exercised their Democratic Right (and obligation under the Trade Union Act) to vote on a tentative agreement. All 3 times the members of NSTU have voted NO. Now instead of hearing that voice the Government is imposing terms that were already rejected. Not only that, Bill 75 does not even contain all the provisions that were bargained at the table in the last attempt by the parties! For example the wage pattern is different than what was bargained in the last tentative agreement, as well as the conditions of the service award and the Committee to look at Working Conditions within the Classrooms and Schools. By including these changes within this Bill the Government is sending the message and is showing a total disregard for the bargaining process. For CUPE member's I believe this sets a tone for upcoming rounds of bargaining that can only foster distrust with this Government, and an adversarial approach to Bargaining.

The fact that the Government is willing to take this approach with Labour in this Province is incredibly disheartening and troublesome. Our members do great work within this Province and put their money back into it's local economies. They deserve a voice in the Bargaining process and on the terms and conditions they work under, not to have those terms dictated by a Government.

As stated CUPE believes this entire Bill and the actions of this Government are wrong and harmful, but I would like to speak for a minute on one section of the Bill that is particularly troublesome for CUPE members. That is the Section around the new "Inclusion Committee". CUPE believes that Inclusion in our schools is incredibly important and should be looked at to find best practices and ways to improve the system. That being said a large part of the Inclusion program is working with Students with Special needs. Working with these Student are what CUPE members in our Educational Program Assistants or Teacher Assistants, classifications do, it is our work, and these members are incredibly good at their

jobs. However, in this Bill, CUPE that performs this work on a daily basis, is not even considered as a partner. What is worse is section 11 that reads:

*11 Except for changes recommended in the interim report, until three months following the receipt by the parties of the Commission's final report or until such other time to which the parties may agree,*  
*(a) the Minister may not make changes to the Provincial Special Education Policy and any policies related to inclusive education; and*  
*(b) a school board may not make changes to any school board policy respecting inclusive education.*

This Language is so broad and open ended that it has the ability to interfere with CUPE's bargaining in the future. For example, if CUPE was to table language to try and include more classroom or supervision time for our Educational Program Assistants or Teacher Assistants this language may not allow the Boards to even consider those changes even if both parties were in agreement to do so. This Bill cannot impact others that have the right to look towards the best interests of their professions!

### **Concluding Remarks**

In conclusion, CUPE believe this entire Bill should be rejected, but if not, at least sections 4-11 need to be re-looked at with other Unions in mind and not have their rights to bargain impeded. CUPE urges the members of the Law Amendments Committee to reject Bill 75 and ask the parties to return to Bargaining Table unobstructed to reach a fairly negotiated agreement that works for all parties.