
From: Urban Surf Kings USK for short [REDACTED]
Sent: Thursday, February 16, 2017 11:14 AM
To: Office of the Legislative Counsel
Subject: Presentation to the Law Amendments Committee on Bill No. 75 - Teachers' Professional Agreement and Classroom Improvements (2017) Act

Feb 16, 2017

Dear Law Amendments Committee,

In the event that the Liberal Government of Nova Scotia does not allow all the people of Nova Scotia who wish to present in person to the Law Amendments Committee in person, I am emailing my presentation in the hopes that its content will seriously be considered in terms of withdrawing Bill 75, or at the very least considered in terms of amendments to the bill. I still do wish to present in person.

Sincerely,
Michael Diabo

Presentation to the Law Amendments Committee on Bill No. 75

The imposing of Bill 75 by the Liberal government is a slap in the face to teachers, the collective bargaining process, and our students, who are the future of Nova Scotia. It fails to address the issues that have had damaging effects on our education system, and continues to pay lip service, and lip service only, to much needed educational reforms. It is reckless, insulting, and fails at everything it claims to be.

First and foremost it devalues and disregards the expertise of the 9300 teachers in our province. We are professionals who are experts in classroom conditions, know what is best for our students, and know what must be done in order to make real change. This contract does nothing to address teachers' concerns, or to meaningfully consider the recommendations teachers have continually brought to the forefront. The Premier and Minister of Education continue to say they have spoken to teachers, and hear their concerns. If this is

true, their response, and the response of this government, to these consulted teachers is to ignore any meaningful dialogue and to impose a punitive contract; a contract that works to silence teachers and to side step any real solutions to help our broken education system.

This imposed contract puts more emphasis and credence on so called experts opinions (who are not in the classroom day to day)/Dept of Education/Minister of Education than it does the teachers (who are in the classrooms every day). The government has numerous studies available on inclusion and classroom conditions that are gathering dust in the Ministers office. All this contract does is add one more study to the shelf. More money will be wasted on studies, instead of putting the money into the classroom now. The government has removed arbitration from the committees in case of disagreement, essentially taking the teeth out of any implementation of any changes. It is at the sole discretion of the Minister to approve or disapprove a recommendation, and we have all seen how poorly those decisions have been made in the past. There is also no guarantee that the \$20 million (\$10 million per year, about \$169 per student) must be used in the education budget. Any money not spent returns to government coffers.

To further put the \$20 million in perspective, this Government has continued to give money to the Yarmouth Ferry (over \$28.5 million), the Bluenose 2 (over \$20 million), and RBC (\$22 million). We cannot even be assured that the \$20 million for education will be spent on education. In comparison to the afore mentioned examples, this government has shown how little it values education, and by association the students, teachers, parents, and all stake holders in education, as well as the future of our province.

118,000 students are being put at risk by this legislation. The best possible result of this imposed legislation is status quo; the best possible result. Status quo is a broken system that fails students, and teachers with the very real possibility of much of the volunteering that teachers have done in the past not continuing. This imposed contract is expecting teachers to do more than they are contracted for with less pay and fewer resources than they had before. And furthermore, this expectation is served up by a government who's modus

operandi is to unconstitutionally impose a contract, rather than go through the steps of clear and fair collective bargaining.

This imposed contract is also a Punitive contract for teachers. Its purpose is to punish teachers, and by default students, for daring to disagree with the government by daring to stand up for our students, for ourselves, and for fellow Nova Scotians. The most glaring example of the Government's punitive intentions is the imposing of the 1st Tentative Agreement's (TA) wage package. The Premier and the Minister of Education justify this by saying that this was the TA that fewer teachers voted against. This is not only utterly disingenuous, but is morally wrong. The Minister knows it, the Premier knows it, and teachers know it, but the Minister continues to spin this as the best wage offer. It is not: it takes away any modest salary increases of the 3rd TA, and does nothing for teachers with less than 10 years of teaching in terms of the service award. The other 2 TAs at the very least allowed them to be eligible for part of the service award. The service award was a fairly negotiated benefit that has been in teachers contract for several decades. Now the Premier decides to further punish teachers by stripping away this negotiated benefit.

The imposed wage pattern on teachers does not even come close keeping up with the to cost of living. Think about that; the Government is actually imposing a wage pattern on its citizens that will make it harder for them to support their families, harder to support their communities, harder to support local businesses (also run by Nova Scotians), and fiscally result in less income from taxes for the government. This is not only mean spirited, but in the long term will harm the province's bottom line. And the bottom line seems to be that all the Premier cares about, to the detriment of our students, our education system, and ultimately our province.

There have been many opinions on the legality of this Bill in terms of fair collective bargaining as protected by the Canadian Constitution. This Bill will be challenged in court at great expense to Nova Scotia. It is my opinion that this will be found to be in violation of the right to fair and collective bargaining in the courts based on at least 3 recent Supreme Court rulings- BC teachers, Ontario Teachers, and Saskatchewan employees. The right to negotiate a settlement, and the right to strike are being struck down by this

imposed contract. The next step in negotiations, binding arbitration, has been publicly denounced by the Premier on several occasions. The fact that Section 14 was included in this imposed contract demonstrates to me this government's uncertainty of the constitutionality of this Bill. Including a clause that says that this cannot be challenged does not make it so. If the Government was so confident in the legality of this Bill, this clause would not be there.

Though this government feels that imposing this contract is an emergency, so much so that it is willing to disrupt the schedules and plans of the MLAs and their families, and the Province House Employees and their families, the Premier has shown that he will not be disrupted by this emergency. In fact neither he or the Minister of Education were present for the vote after the 2nd reading of the Bill. The Premier was still able to present his State of the Province address Wednesday in front of the Halifax Chamber of Commerce. Here are two quotes from his speech:

1. "When I became premier, the one place I thought I could make a difference was in the classroom". - This contract will indeed make a difference in the classroom, and have long term effects on the future of education in Nova Scotia. The difference being that it will make a bad situation much worse immediately and for the future. The Premier, the Minister of Education, and this Liberal government will be remembered as the most anti- education government in Nova Scotia's history.
2. "I walked into a powder keg of 20-plus years of frustrations,". - What I find sad about this statement is the Premier is not taking responsibility for creating this fiasco. It is a statement designed to pass-the-buck, to wash his hands of any fault, and to try and gain sympathy for imposing this contract. The Premier created this powder keg, by the reasons I have already put forth, and is now striking a match to light it, not caring who gets hurt in the explosion.

In conclusion, the only reason our broken education system has not failed our students and our province completely is because of the good graces of the teachers who continue to go above and beyond what they are required to do. Way above and beyond. This government's imposed legislation all but guarantees that teachers will no longer make up for the government's misguided, misdirected, and punitive destruction of the education system. This

government has demonstrated a lack of respect for the students and teachers of Nova Scotia. Imposing this contract on teachers shows that it will punish those who do not support their agenda. Imposing this contract shows a complete disrespect for the expertise and professionalism of those who have more care and understanding of our students than this government. Imposing this contract shows the people of Nova Scotia that this government has no intention or interest in working as a partner to start fixing an underfunded and broken education system. It shows that this government only cares for itself, and not for Nova Scotians. It shows that this government is either arrogant or completely out of touch with what is important.

Bill 75 must be withdrawn for the good of our students, teachers, and all Nova Scotians.

Thank You,
Michael Diabo
Concerned Citizen, Teacher, Proud Nova Scotian

Home of Surf & Twang
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