
From: Cheryl Crocker [REDACTED]
Sent: Thursday, February 16, 2017 8:35 PM
To: Office of the Legislative Counsel
Cc: Marian Mancini
Subject: Bill 75 submissions

Dear Law Amendments Committee,

I would like it recorded that I am a constituent in the riding of Dartmouth South who contacted the Legislative Counsel office on Wednesday morning, February 15, to have my name added to a list of members of the public wanting to address the Law Amendments Committee regarding Bill 75. Later in the day I heard that Lenora Zann, MLA had made a motion to give the Committee more time to hear from the public. Michel Samson, MLA called her motion premature because there were still slots available on the schedule. I assumed this meant that since my name was already on the list I would have an opportunity to present and proceeded to prepare submissions.

Unfortunately, it now appears that Mr. Samson was incorrect. In fact, less than 1/4 of the people who wanted to present to the committee were actually given the opportunity. I thought that the purpose of this committee was to give the public an opportunity to provide feedback about proposed legislation. Apparently that is only the case when it does not interfere with the government's agenda.

I was watching the live stream at the conclusion of the meeting of the Law Amendments Committee and am totally disgusted with the way that the Chair and Mr. Samson dismissed the opposition members who wanted to hear from more witnesses.

The following is the presentation that I would have offered had the opportunity been given:

I have three areas of concern with Bill 75, the Teachers' Professional Agreement and Classroom Improvements Act

1. It does not address teachers' concerns about classroom conditions

Commission on Inclusive Education - Frankly, the commission sounds expensive and time consuming when we already have 9,300 teachers who can be consulted on what needs to change in order to improve teaching and learning conditions.

Council to Improve Classroom Conditions - We have been hearing about those issues for several months now. The teachers came to the government with a list of 16 specific items that would improve classroom conditions and increase the amount of time that teachers have to focus on their students. We were told that the government does not have money to implement the changes that the teachers are asking for. So, again this Council is beginning to sound like a waste of time and money. What is the point of getting people together to identify issues if we don't have any money to put into implementing the solutions?

The Commission on Inclusive Education and Council to Improve Classroom conditions are unnecessary and I would rather see the government invest in resources that will support teachers and improve my children's experience in their classrooms rather than paying more committees to tell them things that they already know.

2. It will make Work to Rule the new normal

Bill 75, if enacted, will impose a contract upon NSTU members that those members voted to reject. It will result in a pay cut for teachers and does not offer any material solutions to the issues with working conditions that have been raised. This Bill is not going to return things to normal for teachers, students and families in Nova Scotia. What is more likely to happen is that work to rule will continue indefinitely – although when it is not occurring in the context of a labour negotiation it technically won't be called "work to rule" anymore. Work to Rule has not had any negative impact on my children's education, but it certainly has not resulted in any improvement in the quality of their education either. There has been a negative impact on the sense of community within my children's school. The breakfast program has been cancelled, healthy snacks are not available from the school canteen, the Christmas concert was cancelled, swim/skate field trip was cancelled, extracurricular activities like the knitting club, run club and intramural sports have not been happening, a used book sale and winter dance that would normally be organized by our Home & School Association did not take place. My children are still receiving an education, but they are missing out on important opportunities to engage in community activities with their peers. Schools are pillars of our communities. I do not want to see this government enact Bill 75 because it will make work to rule the new normal and demolish the pillars of our communities.

3. Bill 75 is unconstitutional and will be struck down on court challenge

My final concern with this proposed legislation is that, if enacted, it is going to result in a lengthy and expensive court case. Section 2 of the *Charter of Rights and Freedoms* sets out the fundamental freedoms that all Canadians enjoy. Subsection (d) protects our freedom of association. The Supreme Court of Canada has affirmed that this section protects collective bargaining rights by protecting the right to associate to achieve collective goals. Legislatively imposing a contract upon the members of the NSTU can reasonably be construed as a government action that substantially interferes with the ability to achieve workplace goals through collective action, which is an unconstitutional limit on the NSTU members' right to free association. Enacting this legislation might bring an end to this dispute for now, but we'll be hearing about it again in a few years when it is overturned by the courts. So, the legacy that we can anticipate inheriting from the Teachers' Professional Agreement and Classroom Improvements Act is that we, the taxpayers in the province of Nova Scotia, will end up having to fund a lengthy court case and will then have to pay for the remedies that flow from having the legislation overturned.

As a resident taxpayer in the province of Nova Scotia, the action that I want to see this government take is to either continue negotiating until an agreement is reached, or if we are truly at an impasse then the issue should go to arbitration.

Submitted by
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