

SUPPORTING LEADERSHIP AT THE LOCAL LEVEL

GUIDELINES FOR LOCAL IMPLEMENTATION AND NEGOTIATION COMMITTEES



SASKATCHEWAN
TEACHERS'
FEDERATION

INTRODUCTION

This concise summary is intended to assist local associations in meeting the legislative requirements associated with the bargaining process as well as provide a practical guide to support Local Implementation and Negotiation Committees in the collective bargaining process.

ROLE OF THE SASKATCHEWAN TEACHERS' FEDERATION

The purposes of the Saskatchewan Teachers' Federation are articulated in Section 5 of *The Teachers' Federation Act, 2006*. The legislation identifies 14 purposes, a few of which are particularly relevant in the context of collective bargaining. These include:

- To represent and support teachers.
- To promote and safeguard the interests of teachers and secure conditions that support the best possible professional service.
- To represent teachers in collective bargaining in accordance with *The Education Act, 1995*.

Sections 234 through 269 of *The Education Act, 1995* formalize the bi-level bargaining process. Sections 234 and 235, respectively, establish the Federation as the bargaining agent at the provincial level and local implementation and negotiation committees as the bargaining agent at the local level.

The Federation, through appropriate governance processes, establishes bylaws and policies for the purpose of exercising and fulfilling this portion of the mandate.

The following STF bylaws are particularly relevant:

4.1.1 It is the purpose of local associations to:

- (1) Further the objectives of the Saskatchewan Teachers' Federation provincially and locally.
- (2) Support the professional growth of members.
- (3) Bargain collectively on behalf of members for a local collective bargaining agreement subject to the local bargaining provisions of *The Education Act, 1995*.
- (4) Ensure effective communications between members and the Federation.
- (5) Ensure effective representation of members in Federation affairs.

4.4.2 Every local association shall cause to be elected and/or appointed an executive committee consisting of the following officers who must be members of the local association:

- (1) President.
- (2) Councillors (in the number determined by STF Bylaw 2 (Council) Section 2.3).
- (3) Secretary, treasurer or secretary-treasurer.
- (4) Chair(s) of local implementation and negotiation committee(s).
- (5) Such other officers as the local constitution may require.

- 4.4.3 Every local association shall make provisions for the negotiation of a local collective bargaining agreement or agreements in accordance with the provisions of *The Education Act, 1995* and such policies as may be adopted by the Federation.

The Federation has captured the collective beliefs of teachers with respect to teacher collective bargaining in policy 3.1 on collective bargaining:

3.1.2 Beliefs:

- (1) Collective bargaining enhances the human dignity and liberty of teachers as professionals by providing them with a collective voice and process to influence their employment relationships and environments.
- (2) Collective bargaining is intrinsically valuable as an experience in collectivity for members of the teaching profession in Saskatchewan.
- (3) Teacher collective bargaining should be characterized by respectful, constructive and professional interactions between the parties to the negotiations and agreements.
- (4) Teacher collective bargaining is strengthened by opportunities for members to participate in processes and decision making within the legislative framework in the province and the governance structure of the Saskatchewan Teachers' Federation.
- (5) Teacher collective bargaining agreements should:
 - (a) Be fair, comprehensive and holistic by addressing each of the interrelated components of compensation, benefits and working conditions.
 - (b) Secure conditions that support the best possible professional service.
 - (c) Serve to attract and retain capable and qualified people to the teaching profession in Saskatchewan, and enhance the professional status of teachers and the teaching profession.
 - (d) Provide the collective of Saskatchewan teachers with necessary supports for professional and personal well-being.
- (6) Any changes to the legislative framework governing teacher collective bargaining in Saskatchewan must include opportunities for meaningful consultation with the Federation.
- (7) Therefore, teachers individually and collectively:
 - (a) Negotiate in good faith with the parties to the collective bargaining agreement and model respectful, constructive and professional relationships within the collective and in public during collective bargaining.
 - (b) Negotiate collective bargaining agreements that recognize and support the fundamental benefits of publicly funded public education for students and society, and the central role that teachers have as leaders and providers of education in Saskatchewan.
 - (c) Support and encourage opportunities for the participation of teachers in collective bargaining processes while recognizing the distinct roles and responsibilities of those groups of teachers authorized to act on the collective's behalf.

CONSIDERATIONS AND REMINDERS

At the beginning of each school year:

- Inform the Federation of LINC chairperson's name and contact information.
- Ensure current, signed agreement is on file with the Federation.
- Connect with the Federation senior administrative staff member dedicated to collective bargaining support to discuss bargaining needs for the coming year.

PREPARATION PHASE

- Contact a Federation senior administrative staff member.
- Draft and submit letters as per pages 20 and 21 of the *Resource for Local Implementation and Negotiation Committees*.
- Evaluate last round, consult members, gather information, conduct research, analyze relationships, trends and context for bargaining.
- Consider holding LINC orientation and education sessions.
- Establish committee norms and protocols.
- Prepare for opening negotiations.

THE ROLE OF THE FEDERATION IN LOCAL BARGAINING

The role of the Federation with respect to local bargaining is to provide support and oversight of the local bargaining process as together we fulfil the vision of the Federation as “a strong collective professional voice for Saskatchewan teachers and quality publicly funded public education for the benefit of all students and society.” One goal in the STF’s *Strategic Plan 2015-20* is to “advance the need of teachers and the teaching profession through collective bargaining and partnerships with education stakeholders.” The Federation can provide a variety of resources to support, inform and strengthen local collective bargaining efforts to meet this goal. It is important that local associations, through their LINC chairperson, contact and work in concert with the senior administrative staff throughout the bargaining process.

THE BARGAINING CYCLE

Local collective bargaining is an ongoing process that includes four overlapping and interdependent phases: preparation, negotiation, implementation and evaluation. The work undertaken in each phase has a different focus but care and attention is needed when developing and carrying out plans and procedures in a manner that complements the process as a whole. A short description of each phase follows, in addition to a number of considerations and requirements which must be tended to.

PREPARATION PHASE

It is important for the LINC to comply with the legislated timelines to inform the employer about the expectation to initiate negotiations and to declare the preferred route for dispute resolution. Template letters and timelines can be found in the *Resource for Local Implementation and Negotiation Committees* (pages 20 and 21).

The overlying purpose of the preparation phase is to establish the priorities and the long-term aspirations of teachers using a variety of member engagement opportunities. As a means of achieving this, teachers must understand the bargaining process and their individual and collective roles within the process. The role of the local association executive and the LINC includes providing opportunities for members of the local to learn about bargaining, and to engage in conversations about the current bargaining context and the issues and needs of teachers to be addressed in this set of negotiations. Federation senior administrative staff members can be an invaluable resource and should be consulted at the outset of this phase of the bargaining cycle.

Following the completion of information gathering, the LINC determines how the interests of teachers will be brought to the bargaining table. It is important that the membership is fully aware and supportive of the issues that will be discussed on their behalf. Some local associations develop a specific set of proposals that are approved by the membership for discussion at the bargaining table while others identify the interests of teachers in a broad and general way. The element that is essential regardless of the approach used is the comprehensive communication with the membership about the process. The success of the negotiations often rests on the level of involvement the membership feels it has in the preparation phase and the quality of the communication among the LINC, the local association executive and the membership.

NEGOTIATION PHASE

The purpose of the negotiation phase is to achieve the best possible agreement for local association members in the current context. This involves resolving issues as identified by teachers to the best of the LINC's ability given the real-world political, social, economic and legislative restrictions and limitations inherent within the bargaining process.

The negotiation phase involves engaging the bargaining committee for the board with strategies that require the board to understand the salience of teacher issues and how these issues relate to both the well-being of teachers and the quality of public education in their school division. These strategies include, but are not limited to, the following:

- Creating norms of engagement mutually agreed upon by both parties and that support the principle of respectful interaction while asserting teacher needs.
- Presenting a descriptive picture of the teaching and learning experiences of teachers in order to make explicit the issues that impede a teacher's ability to provide the best professional service to students. The issues must be grounded in research and presented with anecdotes of teachers' lived experiences.
- Careful and active listening in order to better assess the content of messages received from the bargaining committee for the board.
- Paying close attention to the construction, delivery and impact of teacher messages.
- Continual testing of the assumptions held by both parties, which involves an effort to empathize with board perspectives in ways that will assist in pursuing successful solutions to teacher issues.
- Ensuring the development, delivery and content of materials brought to the table are thorough, sound and clear to bargaining participants.
- Continually scanning and researching relevant sources pertaining to bargaining.

- Information sharing among the LINC, the local association executive and the local association membership.
- Exploring a range of methodologies for analyzing data to ensure the information used in the negotiation process is accurate.
- Constructing and presenting propositions that emphasize the connection between negotiation principles and the process.
- Establishing transparency with the LINC and the local association executive through member engagement, planned communications and opportunities for conversation.

Once the LINC has determined that the negotiation process has met bargaining objectives, it announces to the membership that a tentative agreement has been reached and the ratification process is undertaken as described in the local association constitution. The ratification procedures should evidence the following principles:

- Fairness
- Accountability
- Accessibility
- Accuracy

NEGOTIATION PHASE

- Establish norms for negotiations including type of process to be followed.
- Establish communications protocol.
- Arrange for joint training, if appropriate.
- Work closely with senior administrative staff to access Federation support in terms of research or assistance.
- Engage in process.
- Throughout negotiations engage deliberately and strategically; conduct thorough risk analysis at all key decision-making points; access Federation support as needed.
- Contact Federation prior to adopting a tentative agreement to ensure compliance with legislation and to ensure that tentative agreement is consistent with collective goals and policy.
- Once a tentative agreement is reached, seek support in the drafting of contract language prior to ratification.
- Engage in ratification process.
- If accepted, sign and forward a signed copy to the Federation.
- If defeated, contact Federation senior administrative staff to discuss next steps.

IMPLEMENTATION OF AGREEMENT PHASE

The implementation of the local collective agreement is an important process. During this phase the strength of the relationship between the parties to the agreement is measured. It is important that the members of the local association have a full and complete understanding of the provisions of the local agreement and how they are intended to be implemented. It is also important that the LINC be informed if teachers are experiencing the provisions of the agreement in a manner that is not consistent with the understandings of the LINC.

The implementation of the local collective agreement is the responsibility of the LINC. Questions and/or concerns arising from the provisions of the agreement should be addressed by the LINC chairperson. Discussions about the provisions of the agreement or about the application of the agreement between the board and individual teachers or groups of teachers should be facilitated through the chairpersons of the respective parties to the agreement.

EVALUATION AND LEARNING PHASE

Following the conclusion of each local collective agreement, the LINC should develop a procedure for analyzing, assessing and evaluating the bargaining process with a view to identifying ways to improve the process. This procedure may include collecting feedback about the experience from members regarding their individual and collective engagement in and contributions to the bargaining process. The insights and learning gained contribute to the refinement of the process for the next round of local collective bargaining.

IMPLEMENTATION PHASE

- Inform members of ratification results and details of new contract.
- Implement agreement.
- Implementation remains the responsibility of the LINC.
- Maintain regular liaison with the board to ensure agreement implementation is consistent with the meaning and intent of the agreement.
- Address implementation issues as they arise, accessing Federation support through the senior administrative staff as necessary throughout the life of the contract.

EVALUATION PHASE

- Debrief the negotiation process at the committee level. Document process for future rounds, noting any necessary changes.
- Identify outstanding issues or areas which need to be explored further in future rounds.
- Track provincial context and local issues on an ongoing basis for the purpose of informing the next round of local collective bargaining.

CONCLUSION

Teacher collective bargaining is a dynamic process. It may be challenging at times, yet it is very rewarding when a mutually acceptable collective agreement is reached. The work of teacher collective bargaining at all levels, local and provincial, is one important avenue teachers have to express the voice of the profession and to advocate on their own behalf. The supports gained through collective bargaining at all levels go far to ensure that teachers are able to provide their very best professional service.

Support and assistance is available and encouraged through the Federation senior administrative staff and other Federation personnel who are available to assist you in this important work.



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