Introduction to Teacher Collective Bargaining in Saskatchewan
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 and when an item is first negotiated locally and is subsequently negotiated provincially.

<table>
<thead>
<tr>
<th>Provincial Level</th>
<th>Local Level</th>
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<tr>
<td>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:</td>
<td>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:</td>
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<td>- Salaries of teachers</td>
<td>- Salaries for substitute teachers</td>
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<td>- Allowances for principals and vice-principals</td>
<td>- Pay period for teachers</td>
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<td>- Superannuation</td>
<td>- Special allowances</td>
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<td>- Group life insurance</td>
<td>- Sabbatical leave</td>
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<td>- Criteria respecting the designation of persons as not being teachers</td>
<td>- Educational leave</td>
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<td>- Sick leave</td>
<td>- Duration of agreement</td>
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<td>- Duration of agreement</td>
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STF Processes

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

- **Organization and preparation phase** establishes the priorities and a set of proposals for the next negotiations. During this phase, the selection of a process for settlement of disputes during negotiations is made by the STF Executive no later than 101 days prior to the expiration of the current provincial collective bargaining agreement and a notice of intent to commence negotiations must be sent no later than 100 days prior.

- **Negotiations phase** involves engaging the Government-Trustee Bargaining Committee with strategies that require them to understand 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 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 without having to access the grievance procedures established in Article 16 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. This policy states that teachers believe decision making is carried out within the governance structure of the Federation and that collective bargaining:

- Secures conditions that support the best possible professional service.
- Includes opportunities for the involvement of all teachers.
- Is strengthened when all teachers engage in the process.
- Is characterized by respectful interactions.

In addition to the beliefs of teachers expressed through organizational policy, the Federation administrative and governing bodies are guided by the following principles. Teachers believe that the collective bargaining process:

- Serves to support the needs of teachers as they provide the best possible professional service.
- Attains the most effective outcomes when the Federation and its members engage in the process respectfully.

Teachers also believe the subsequent collective agreement:

- Is best achieved through direct negotiations 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 single 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 manage 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 resources 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 considers 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.
Provincial Collective Bargaining Organization and Preparation Phase 2016-17

Throughout the 2016-17 school year, the Saskatchewan Teachers’ Federation and its members will engage in the organization and preparation phase for provincial collective bargaining. The overarching purpose of this phase is to establish the priorities, needs and aspirations of the wider membership within the political, social and economic context of the day. This is accomplished through a variety of member education and engagement opportunities and the decision-making authority of the STF Executive and Council.

- **August**
  - STF Executive approves:
    - Organization and preparation phase plan
    - Appointments to the Teachers’ Bargaining Committee

- **February**
  - Presidents’ Forum update on organization and preparation phase plan and discussions on the draft set of proposals

- **January**
  - STF Executive approves:
    - Draft resolutions and notices of motion to go to Annual Meeting of Council re: draft set of proposals, policies and bylaws
    - Two letters of intent to be sent by Teachers’ Bargaining Committee to the Government-Trustee Bargaining Committee and Educational Relations Board re: preferred process for settlement of dispute during negotiations and notice to open bargaining

- **March**
  - STF Executive approves distribution of draft set of proposals

- **April**
  - School Staff Liaison Forum, Mini-Council and Local Meeting discussions on the resolutions and notices of motion for Annual Meeting of Council re: draft set of proposals, policies and bylaws

- **Regional Focus Groups**
  - Discuss and provide feedback on the draft set of proposals

- **Council**
  - Debates and approves resolutions and notices of motion at Annual Meeting of Council re: draft set of proposals, policies and bylaws
STF Executive approves principles for proposal development

Presidents’ Forum update, presentation and discussion on aspects of the organization and preparation phase plan

School Staff Liaison Forum update, presentations and discussions on aspects of the organization and preparation phase plan

Councillor Conference presentations and discussions on organization and preparation phase plan, draft principles for proposals development, policies and bylaws, as well as current context and potential priorities for proposals

Online Member Survey to identify priorities and inform proposal development

Negotiation Phase Begins on May 24 (100 days prior to expiration of current agreement)

Members receive approved set of proposals for provincial collective bargaining

Decision Making

Member Education and Engagement
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.