

## **A HISTORY OF THE TORONTO SECONDARY UNIT**

**By:** J. Geens (1965-1995)

The "Toronto High Unit" was created as District 32 of OECTA in 1965, its first President being Father Clare Malone of Michael Power High School. This reflects the fact that the majority of Separate School teachers then were members of religious orders. Several factors favoured creating high school units at that time.

First, there were the unique requirements of teachers' professional development and teacher welfare at the high school level. Second, the Robarts' Tax Foundation Plan allowed Separate School Boards such as the MSSB to widen their association with private schools to pay for grades nine and ten. Thus, in 1965, full OECTA membership was predicated on partial employment with a separate school board in those grades.

A noteworthy contribution of the religious orders was made in the form of 15% less MSSB pay for their teacher members than for lay persons. Annual federation dues at that time were \$60.00 per statutory member.

In September 1965 the Unit Started with 19 schools, besides Toronto, Sudbury, North Bay, Barrie, Midland and Whitby. By 1971 membership had reached 506. Including satellite campuses for three schools, in September 1995 there were 36 schools and 2000 members. The rapid membership increases in the 1980s caused strain on the capacity of the volunteer executive to deal with the growing bureaucracy of the MSSB and the enforcement of the complexities of teacher contracts.

In 1981 it was apparent that the duties of the Unit President could no longer be fulfilled between classes, after school hours and on weekends. Therefore, in May 1982 the Unit General Meeting (AGM) authorized then President Joe Ravesi to half a year's release for Unit duties, and to a part-time office in St. Augustine's Seminary. The following President, Greg Pollock, reserved a spare bedroom for his office, convened executive meetings at his home, and when necessary called upon Betty Fitzpatrick for typing.

In May 1986 full-time release, a four-room office, and a full-time secretary were approved by the membership for Sal Amenta who, with Betty Fitzpatrick's assistance, established the current basis for office procedures, committee organization, record-keeping. Sal Amenta and his executive also established the "Toronto Secondary Unit" (TSU), and enlisted Emil Timmermans for drafting a Unit Constitution and By-Law, which was eventually adopted in 1989. After much research, the next executive under Paul Duncan held a referendum in December of that year in which members approved the purchase of the permanent office now occupied by TSU.

Organizational development and service to members have always gone hand in hand at TSU. From all-volunteer and home-based, the Unit Executive is still not fully released from teaching duties, as are the executive officers of similar OSSTF districts. Nevertheless, the President and first Vice-President are now fully released, a health and safety officer is fully released, and two more share one-third time release -- second Vice President and Treasurer. Together with TSU's full-time administrative assistant, Kathy, they are able to respond quickly to members' needs, and to manage the affairs of the second largest single unit in Ontario, third-largest when joint units are included. While the President was once the only one to advise members on contractual or professional matters, a Counselling and Grievance Committee now has officers responsible for regions.

First organized in 1986, this committee was part of a new phase of organizational development as committees were given formal terms of reference and in-serviced on their roles. In addition to the traditional strength of our negotiating committees, under the leadership of Stan Kutz, Mike Monk and Steve Kirby, a few other initiatives included: regular staff meetings under the leadership of Lynda Arbour, Kathleen Gardiner and Steve Kirby; Political Advisory/Action under Ted Schmidt and Maureen Riggin; Affirmative Action, under Joanna Manning; and more recently, Religious Affairs, under Anne Corcoran and Jim Barnes.

Many precedents and traditions were set early within the Unit, and their effects can still be felt today. For instance, it was immediately recognized that negotiations required solidarity; hence, the Unit had always worked with elementary and AEFO members for this purpose. In fact, in 1971 the MSSB made it clear to President Gerry Smialek that it would not negotiate with TSU separately, nor would it allow the high school unit to be excluded from joint negotiations. This history contributed to the crisis of 1986 when TSU was not only given the right by the ERC to negotiate separately, but also expected to unless the members chose to negotiate jointly at a general meeting.

But this could not have been anticipated in the seventies. In those days, negotiations proceeded differently from the way they are now conducted. Before Bill 100 (1975) teachers did not have the right to strike, and with a scarcity of qualified teachers (many taught on a Letter of Permission) it seemed wise to collect written resignations and threaten to submit them en masse before midnight of May 31 or December 31. Many contracts were hammered out in the last hours, with a large cardboard box sitting on the teachers' side of the table, ready to be pushed across.

A form letter to all teachers from Ed Brisbois, then chairperson of the MSSB, dated May 12/70 states in part: "You are now being asked by your Economic Policy Committee to resign from the Board's service. If the Board has to receive and accept these resignations it will be with deep regret on my part."

While such threats and posturings have always been part of negotiations, settlement was always achieved without rancour, and relations and relations with the Board then were cordial. Every teacher, for instance, received a personally signed Christmas card from Ed Nelligan, the director.

In December 1973, with the threat that 180,000 students across the province could be without teachers, the educational system was thrown into confusion by Bill 274, which would have revoked teachers' rights to resign en masse, and invoked compulsory arbitration. Led by Myrna McPherson, teachers of TSU joined their colleagues on Tuesday, December 18 1973 to withdraw their services for one day and rally at Maple Leaf Gardens for a march to Queen's Park. In the end, Bill 274 did not receive a second reading, and most disputes were settled by collective bargaining.

Previous to this, our teachers had accepted a three-year contract (1972-75) when the oil crisis produced the rampant inflation of 1973-75. Following the USA example of price and wage controls, the Canadian government introduced similar legislation for Canada in October 1975, setting up the Anti-Inflation Board. TSU's new president, Tony Adams, joined negotiators Mike Flanagan and Ed King to fly to Ottawa along with the EAC and Trustees, to convince the AIB to allow a 39% increase in salaries to stand.

By 1975 TSU had established a tradition of appointing highly competent negotiators to the new, joint "Economic Advisory Committee" (EAC). Such persons as Jack Fenn, John Ware, Frank McAllister, Father Fitzgerald and Jim Brown had already earned the respect of both Elementary Unit negotiators and TSU members.

In 1975 Bill 100 became law, allowing teachers (but not principals and vice-principals) to strike for better salaries and working conditions. At this time, our high school teachers decided deliberately not to seek improvements in working conditions through the contract in order to preserve the viability of the private schools. That same year, the Executive under Mrs. McPherson reached a memorandum of understanding with Metro Elementary Unit (MEU) and AEFO to formalize ad-hoc arrangements for negotiations. MEU would appoint seven members to the EAC, TSU two, and AEFO one. EAC expenses would be paid on a pro rata system based on audited membership. Unit presidents would be ex officio members of the EAC.

Bill 100 brought to negotiations such built in delays as fact-finding and mediation. By 1979 TSU negotiators Ed King, Vince Nicholo, and Greg Pollock had introduced Long Term Disability Insurance, and had come to grips with the process of negotiating under Bill 100. It was while Susan Sillery was president that our high school teachers came close to striking for the first time. The enormity of the problem of co-ordinating a strike in grade nine and ten while keeping the private sector of the schools open was brought home forcefully.

While a strike was avoided in 1979, it became apparent that ultimate responsibility for a strike lay not with the appointed EAC, but with the elected joint-executives. Thus, a constitution was set up for this joint, controlling body between 1980 and 1985. The joint-executives consisted of the elected representatives of TSU, MEU, and AEFO; together, they made policy and directed negotiations through the EAC. Thus the EAC and the Strike Co-ordinating Committee were directly responsible to officials elected by its membership. It was under this system that the strike of April 5-11, 1986 took place.

Between 1979 and 1985 differences between the teachers and the Board widened. Teachers perceived themselves as highly-educated professionals being denied partnership in the educational process by a Board that saw them only as employees in a period of “restraint” while the MSSB had hired an industrial lawyer to represent the Board at negotiations. More and more the Staff Allocation Committee approach of the MSSB was seen not to be effective. Teacher negotiators Vince Nichilo, Tom Etele, Greg Pollock, Joe Ravesi, Tom Donovan, Vince Citroniti and Chas Hamilton all indicated that bargaining was unduly prolonged by the Board’s use of the features of Bill 100 to delay contract settlement.

In 1985 on Easter Sunday, a contract was finally achieved at the last minute without resorting to a strike. Again, the horrendous problems facing a strike in high schools were encountered and many theoretic solutions proposed. Unfortunately, working conditions did not improve by the following year, so President Greg Pollock led the teachers in the five-day strike, as Sal Amenta’s committee co-ordinated the high school action. Tom Millius served as EAC chairperson during this round of negotiations with Vince Citroniti. For the first time teachers gained in writing grievable working conditions in their contract.

Just as differences had widened between the teachers and the Board during the time leading to the 1986 strike, the interests of secondary teachers had begun to diverge from those of elementary teachers. With completion and the transfer of teachers as well as students from public to catholic schools, enrolment and membership mushroomed. Suddenly, the distinct needs of our secondary teachers, working in schools that are structured, scheduled and administered differently from elementary schools, demanded attention. While individual members in other units fought OECTA’s jurisdiction over membership, TSU openly debated issues of fair representation. With the key issue being whether OECTA adequately addressed secondary teacher’s concerns, a fresh look at joint Unit relations and negotiations was needed.

It was in this climate that the Educational Relations Commission made a far-reaching announcement. In December 1986 it ruled that existing OECTA secondary units had to negotiate separately from their elementary counterparts unless the memberships chose not to. President Sal Amenta was forced to hurriedly convene a Unit General Meeting in January 1987 to decide whether to serve notice that same month to negotiate separately, or to continue

negotiating jointly. Surprised by this ruling, the Unit decided it was not sufficiently prepared to begin separate negotiations and chose to negotiate jointly with MEU/AEFO. A two-year contract was made, the last to be negotiated jointly.

In 1988, the Unit membership voted to have its executive try to negotiate a new understanding with MEU for joint negotiations, one that would recognize the needs and aspirations of TSU, and at the same time accord it stronger representation on the EAC. Unfortunately, Sal Amenta's team had to report that agreement could not be reached because MEU insisted on maintaining the status quo. In the following year, a second referendum authorized incoming President Paul Duncan to negotiate separately in 1989. Based on past contracts, a two-year agreement that for the first time addressed high school issues only was reached in June 1989 by our negotiators led by Stan Kutz.

One of the reasons implicit in the creation of District 32 was OECTA's faith in the eventual completion of the Separate School system. By 1970 new terminology such as "continuum", "extension", "truncated" and "K to 13" came into regular use. Ontario Liberal and New Democrat opposition agreed OECTA's cause was just. But by May 1971 the minutes of the UAGM showed much anxiety if not paranoia.

"Mr. Smialek (TSU President) reported that the Provincial OECTA had requested from the high school districts as to what action would be expected from OECTA in the event of Catholic high schools being closed down. Mr. G. Smialek posed the possibility of the school buildings being taken over by a public school board. Would OECTA/OSSTF (sic) be expected to bargain that all teachers of that school be hired by the public board? Even those non-members in Grades 11-13? Even those on probationary contracts?"

The Provincial election of October 1971 justified that anxiety, even paranoia. Having run on a platform of anti-extension, Bill Davis' Progressive Conservatives were re-elected with the highest majority of his career. Catholic high schools in Ottawa did close down. In Toronto new and old methods of financing private schools were found; walk-a-thons, bingos, lotteries, raffles, car washes, Monte Carlos, and a myriad other fund-raising activities. Taking on heavier teaching loads became common, and as the population of the religious orders declined, it was to the lay teachers that these tasks were passed on.

Pessimism gripped OECTA, and it was during the 1973 Provincial AGM that a motion was proposed to abolish the high school units, as they had come to be called. Mrs. McPherson led TSU to "nip in the bud" this motion by convincing the delegates to postpone the debate about abolition "until completion is achieved".

By the early 1980s many schools were in crisis. Religious orders with fewer and fewer members in the classroom found the cost of subsidizing students in Grades 11, 12 and 13 prohibitive. At the same time, the flood of immigrants to Toronto and the implementation of Bill 82 (1979) meant that the curricula had to be expanded to include ESL, guidance, general and basic classes. In 1983-84 drastic measures were being used just to survive. Then, on June 12, 1984 Premier Davis reversed his policy towards separate schools, announcing his government's intention to bring about completion.

Whether this change of heart was motivated by the teachers' "overwhelming arguments", the pending court action by the Catholic Students' Union, or the shift in voting patterns in Ontario, is now beside the point. Catholic schools were not only saved, they would be fully funded by taxes which had for so long gone to the public schools only. The funding would be introduced over a period of five years.

As a result of completion, this five-year period saw a doubling of unit membership and a corresponding growth in students and school sites. The pressures on secondary schools led to increasing solidarity among high school units, a new call for separate negotiations, and growing demands that OECTA address secondary issues. Sal Amenta worked closely with secondary presidents throughout the province and took local steps to place the unit on a solid legal footing. Emil Timmermans and Marc Llanos readily accepted the task of drafting the TSU Constitution and By-Laws, which were finally adopted at the 1989 AGM. In 1994, under the leadership of a past-presidents' committee, TSU adopted a mission statement, and incorporated it into the constitution.

That same year the Ontario Government granted Separate Schools a share of the commercial assessment for education, fulfilling most of the recommendations of the 1986 MacDonald Commission.

Completion did not occur without its challenges, however, though the Supreme Court rejected legal arguments against it in 1987. Then individual members in other units legally fought OECTA's jurisdiction over membership and representation. At the same time, the Hamilton Separate School Board challenged the legality of the ERC ruling establishing separate negotiations. Both challenges were defeated in the Supreme Court in 1989. That year, avoiding the rancour that had occurred in Hamilton, the MSSB announced the purchase and transfer of four schools from the public school boards in Toronto. At the same time, St. Michael's College School opted to become a private school and left the unit.

However desirable the funding, completion has brought its own problems which all educators, and teachers in particular, must continue to address singly and collectively. At the 1985 AGM the delegates from the elementary schools voted overwhelmingly to retain high school units.

Today we still face the same questions: How will the Catholicity of our schools be maintained, especially after the ten-year period when Separate School Boards can no longer practice preferential hiring of Catholic teachers? How will our schools cope with the worldliness and violence in our society? How will OECTA respond to the unique problems in our secondary schools?

We have also faced new questions, and challenges of change have continued unabated. Completion, for example, has not materialized into equal funding, primarily because public schools have continued to enjoy preferential legislation in their tax base. When will the promise of full and equal funding be fulfilled, especially in view of the increasing constraints on public spending?

Following the 1990 provincial election, teachers expected that a party sympathetic to workers would restore better contracts as Ontario expectantly awaited an economic recovery. Thus, at a general meeting to approve an initial proposal, teachers voted overwhelmingly for Steve Kirby to bargain for a “just cause” provision, though it meant accepting a salary lower than that offered to elementary teachers. They believed that the loss could be regained in subsequent rounds, but unfortunately the economy did not improve. Bob Rae’s government underwent conversion as it was swept away by the new deficit hysteria surrounding the growing provincial debt.

In an effort to have the public sector share the burden supposedly endured already by the private sector alone, the NDP compromised its position on collective bargaining with the Social Contract. Teachers felt betrayed and scapegoated as they saw their salaries shrink after decades of steady increase, and frozen on the grid. Aware of the teacher bashing from an unsympathetic, resentful public, the Unit was further demoralized as working conditions deteriorated. Larger classes and fewer resources, were but a symptom of labour conditions in Ontario, which featured widespread insecurity caused by restructuring, downsizing and a widening gap between rich and poor.

During this stressful period, President Don Schmidt and Chief Negotiator Steve Kirby strengthened communication with members by visiting schools, calling staff-rep meetings, and issuing publications. A strong tradition in TSU, communications have not only kept members fully informed of issues and challenges, but also involved them in political action. From the days of the Dispatch to the present Highlights, the editorial leadership of Terry Engel, Ben Antao, Maureen Riggin, Tom Donohue, Kathleen Gardiner, and Steve Kirby have co-ordinated hard-working committees in their service to the democratic process in unit affairs.

Bob Rae's conversion led his government to make deficit-reduction a top priority, and he chose to reduce it by requiring sacrifices from the public sector. Teachers were not persuaded that this was the best way to protect jobs, but the Social Contract is history now. It is a painful record of frozen wages and lost increments, and as we faced Mike Harris' deep cuts in education, both working and learning conditions deteriorated apace. Would teachers retreat into their classrooms, secure today and hopefully for another day, or would they lead the social justice movement? Would they champion the cause of those far less privileged, or would they "protect their turf"?

Whatever teachers would do as a group, TSU would continue to serve as a model for many areas setting up or developing their own secondary units. Having concentrated for so long on the survival of both our schools and our unit, TSU continued to offer more of the services long available in other affiliates. For example, the Membership Services Committee under the leadership of Bill Doyle between 1985 and 1993, established a tradition of social functions, mixed tournaments, excursions and special corporate membership offers. Also, TSU members continued to run for provincial office, following the footsteps of Joe Ravesi and Emil Timmermans who worked on the OTF Board of Governors and the Provincial Executive.

Where we would go from there depended very much on the way teachers viewed and accepted further challenges and how well we retained our dedication, commitment, and faith.