

## **TSU Reflection**

**By:** Kathleen Gardiner (2000-2008)

I look back now and see the period of my presidency as being divided into two very different periods for education in the province; the change came with the change in the provincial government in October 2003. My first term as president began in 2000, when the provincial government was under the leadership of Tory, Mike Harris. Dalton McGuinty's Liberal government was elected in 2003 and was still the government of the day when I retired from the position of president in 2008.

Before becoming TSU's president, I had served as first vice-president in the presidency of Steve Kirby. Steve was a wonderful mentor, as were Don Schmidt and Sal Amenta, earlier presidents with whom I had served on previous executives and together they helped prepare me to face the many challenges that the Unit and its members were tossed by the successive Tory governments of Mike Harris and Ernie Eves.

The Unit seemed to be in a constant mode of contract negotiations in those years; indeed, we signed two contracts in my first year as president. On the day in January 2001, when we signed a one-year contract, so as to comply with the contractual timelines, I had to immediately turn and hand to the Director, Johanne Stewart, the Unit's notice of intent to begin the next round of negotiations! And then we negotiated three more contracts between January 2001 and June 2005 and the last contract I signed in June 2008.

During this period, the successive governments inserted themselves more and more into the process of what was supposed to be "local" negotiations between each school board and its teachers. With the passing of Bill 160 in 1997, the Tories had begun the process by restructuring education finances so that the provincial government became the sole source of funding for school boards and thus held the purse strings. It continued then to define in law aspects, which had previously been negotiated between the local parties, such as: the teachers' workload, preparation time, class sizes and the length of the contract. This latter had the effect of aligning all teacher contracts in the province by 2003 and it looked as though the Tory government, led by Ernie Eves, was going to impose for the next round of talks, provincial-wide bargaining, something which OECTA had long opposed. In fact, it was the more "education-friendly" Liberal government's Minister of Education, Gerard Kennedy, who introduced what then became essentially a "two tier" type of negotiations in 2004. One of the major changes as a result was that salaries were really then determined at the provincial level.

Another possible effect of the two-tiers of negotiations was a change in the nature of bargaining at the local level. In the 2000-2003 years, the Unit had been able to achieve successful contracts only following a strong show of support from the membership for its bargaining teams with votes for strike action in the 90 to 95 percent range. The 2004-2008 and the 2008-2012 contracts still required many bargaining days and late nights, into the wee small hours but they were achieved with much less rancor between the Teachers and the School Board than in those earlier rounds and without the need

for the threat of strike action. Whether this will continue as a pattern, only time will tell.

While contract negotiations were a large part of our daily operations, as I have mentioned already, there were many challenges facing TSU members, particularly in the early part of this new century.

In June 2000, Brother Edmund Rice secondary school had been closed and then in 2002, two more schools, Regina Pacis and Marian Academy, both in the north west part of the city, were closed. School closures provided a challenge for TSU members not only those on staff at the school being closed, but for the system as a whole. It became clear, following the closure of Rice that a process for possible future events had to be defined and we did this, incorporating the process in the collective agreement. The decision to close these three secondary schools was made by the Board of Trustees on the basis of declining student enrolment in their respective areas. A greater reduction in enrolment throughout the system was to provide us another challenge, the following year.

In September 2003, the fifth year of secondary school education in Ontario was removed, by a decision of the provincial government, largely as a cost-saving measure. In anticipation of this elimination of “grade 13” and with it a significant reduction in student population, the school Board determined that the secondary school teaching staff would need to be cut back, to an extent that would far surpass the usual level of retirements. In March 2003, 236 TSU members were issued lay-off notices; every secondary school teacher hired since September 2001 received notice of termination of contract. This was the second time in its history that the Board had issued lay-off notices to secondary school teachers – the first time being in 1996. This previous experience enabled the Unit executive to prepare and advise the members of their options but it did not make the situation any more palatable for these, mostly young teachers, than before. Of course, the Board had erred on the side of caution and with many students choosing to opt to return for an additional fifth year anyway, a number of notices were rescinded in June, before they even took effect. This was a great relief for some members but for others, they had to wait for some 18 months until they were eventually recalled by the TCDSB, while still others had to find employment with other school boards.

As president, I made several presentations before the Board of Trustees in an attempt to ameliorate this situation but the Board indicated that there were simply insufficient funds to continue to hire at the current level of secondary school teachers. I also made representation to the Minister of Education, Elizabeth Witmer, appealing to her ministry to help alleviate the number of lay-offs by reviewing the funding formula, part of which was based on students attempting 7.2 credit courses per year, while in reality our students were achieving in excess of that number. It was some time before I received a reply from the Minister and before I did, an incident occurred which some would describe, as my “landing in hot water”. While it was not “hot”, there was definitely water involved and “the Witmer Affair”, is one I shall never forget.

It was mid-March and as part of the TSU delegation, I was attending OECTA's Annual General Meeting. With a provincial election scheduled for later in that year and teachers being "desperate" for a change from this anti-education government, representatives of the three main political parties had been invited to address the members during the course of the three days of the meeting. Ms. Witmer was scheduled to speak immediately before lunch on the final day. OECTA members were not in any mood to hear from the representative of the Tory government, which had abused the profession for so long and requested that she simply take questions; some TSU members demonstrated their displeasure by wearing brown-paper bags over their heads. In addition, not wanting to provide her with a photo op., the meeting had decided that the press was not to be admitted to the session. The Minister was late arriving because she had taken time to speak with the press before coming in to address the OECTA members. As a result, she had very little time and took only a very few questions before her aides indicated that she had to leave. I was anxious to speak to her on the issue of the lay-offs and left the room as she did, hoping to meet her outside. By the time I got around to her exit, she was being plied with questions from the press and was cornered in a very tight space at the end of the hallway, immediately below an escalator. I surmised that she would leave by the escalator and since it was at that moment, stationary, I positioned myself on the escalator, a few steps above the bottom step. At the same time, the assembly had broken for lunch and with hundreds of members streaming in our direction, Ms. Witmer's aides tried to move her to the escalators. There was much jostling and all of a sudden I felt a splash of water land on me. Moments later, the Minister was beside me, looking very stern and tight-lipped. I accompanied her up two levels to the foyer, telling her about the lay-off notices given to 236 TSU members just the previous week and appealing to her to take some steps to ameliorate the situation. She departed the scene without speaking one word. Clearly, the Minister was the intended target of the water-thrower and it was reported that water did land on her. Within the hour, the incident was on television and the press had a field day with it. Catholic teachers were "thugs", they had "mobbed" and "jostled" the Minister; the CBC reported that the minister was "booed off the stage" – even although there was no member of the press present to witness the events inside the room. I received a letter from the TCDSB's chairman indicating that he was "appalled by the inappropriate actions demonstrated during the meeting" - even although he too was not present. Definitely the reports of the events outside were not accurate from my point of view – with a bird's-eye view above it all. And although the incident was but a few moments in my eight years as TSU president, it is certainly one of the most memorable. Oh, the Minister did eventually respond to my letter - she "assured" me that she was confident that there would be no lay-offs and that "attrition" would take care of the employment situation of teachers – also inaccurate.

One other effect of the Tory government's policies worth noting was the significant increase in the number of grievances filed by TSU on behalf of its members. Only eight grievances were filed in each of the 1995 and 1996 years. In 1999, the number rose to 36 and in 2002, an unprecedented 64 grievances were filed by the unit and its members. An increase was not unexpected, indeed it had been forecast when the government

removed the school administrators from the bargaining unit, in retaliation for them having participated in the two-week “political walk out” in 1997; similar increases in grievances had occurred in British Columbia when their school principals had been removed from their union. Whether this occurred because administrators no longer respected the collective agreement or because teachers were now much more militant, either way, it was government policies which contributed to this trend.

Over the course of the Tories’ terms in office, teachers had undoubtedly become more politically savvy. TSU worked cooperatively with the affiliate teachers in OSSTF and ETFO and with the Toronto and York Region Labour Council on a number of campaigns and was the initiator of a Teachers’ Float in the Toronto Labour Day Parade. In the provincial election in October 2003, members individually and collectively were very active in candidates’ campaigns. The Tories were ousted after eight years, which were perceived as having fulfilled the demands of John Snobelen, their Education Minister, to his senior managers, to “create a crisis” in public education.

With the arrival of a government more friendly towards education, the turn-around was like night and day. The new government under Dalton McGuinty consulted readily with the teacher associations and battles such as that over perpetual recertification for teachers ended.

The second half of my presidency was no less busy however, indeed, in 2005, it was determined that there was now a need for a third release officer in the Unit and through By-law changes, that position is now occupied by the Unit’s Second Vice-President. We introduced the Unit Website to keep members informed of local and provincial events.

The Unit began to pay more attention to the needs of “beginning teachers”, those in their first five years in the profession among whom, in recent years, there had been an alarmingly increasing drop-out rate. That was the origin of the Beginning Teachers Committee at TSU and the very successful annual Volley Ball Tournament.

There was a much higher level of consultation with the TCDSB, with very positive outcomes. In 2004 we successfully forestalled an attempt by trustees to place library technicians in secondary schools, as a cheaper solution to keeping the libraries open all day in all schools. The following year, the “teacher” library staffing allocation was increased to achieve the same result. There was also significant in-put from the Unit on School Board Work Accommodation, Safe Schools and Workplace Harassment Policies.

Great improvements were achieved through both grievances and negotiations of the collective agreement: class sizes were reduced by about four students, on average and non-teaching duties, which in 2000 could be assigned every day, were reduced in 2004 to a maximum of three per month. Benefits, which had remained stagnant for a very long period of time, were significantly improved in 2004 and 2008 when the Unit engaged its own consultant; Pregnancy Leave was improved, Related Work Experience was widely expanded and a greater flexibility was made to the Deferred Salary Plan. In

general, the working conditions for members began to improve significantly: eight, one-quarter of all the secondary schools in the Board, opened new buildings or major additions between 2000 and 2008.

TSU members began to say that they no longer felt vilified and were once again proud to acknowledge to others that they were members of the teaching profession.

The struggle was worth it and with the assistance of George Kolos, who was my First Vice-President throughout my years in office, all those who served on the Unit Executives, as local school Teacher Representatives and as members of the many Unit Committees, I am pleased to have served and supported the TSU members as president through those times.