Ontario high school teachers union accepts concessions

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The Ontario Secondary School Teachers' Federation (OSSTF) has reached agreement with seven provincial school boards on a series of contract concessions demanded by the Ontario government of Liberal premier Dalton McGuinty.

Two of the deals—for the Guelph area and York Region north of Toronto—have already been approved by Minister of Education Lauren Broten, whilst the other five—and potentially more in the coming weeks—will also be approved if, as expected, they follow the concessions template set out by the government this past summer.

The major concessions include a two-year wage freeze, a cut in annual sick time from 20 to 10 days, the abolition of the right to bank sick days and receive a payout upon retirement and a delay in the application of seniority-grid pay increases for new teachers.

The contract terms almost entirely mirror the takeaway agreements negotiated by the English Catholic Elementary Teachers union and the Francophone teachers' union struck with the Ontario government earlier this summer. In order for the union to maintain even a fig leaf of credibility with its membership, the two new deals did not include the imposition of three unpaid workdays stipulated in the summer contracts.

McGuinty has insisted that the terms agreed to in those deals had to "substantially" form the basis for any contracts negotiated by provincial high school and public elementary school teachers' unions. In September, his government passed the misnamed Putting Students First Act (Bill 115) that instructed school boards to negotiate based on those contracts. The Act outlawed the right to strike for teachers not yet under contract and set a December 31 deadline for their local unions to come to negotiated settlements or have the deals signed last summer imposed upon them.

The attack on teachers' wages and conditions is part and parcel of an assault by big business governments on the living standards of the working class. The Ontario government's April austerity budget, passed with the support of the New Democratic Party, starves the public health care system of funds, means tests senior citizens for pharmaceutical prescription coverage, closes schools and slashes hundreds of millions from social welfare programs. But the bulk of the budget's proposed savings hang on the imposition of a two-year wage freeze on 1.2 million provincial public sector workers, including civil servants, teachers, nurses, hospital workers and municipal employees.

Refusing to defy the undemocratic Bill 115 with any meaningful strike action, both the OSSTF and the Elementary Teachers Federation of Ontario (ETFO) have attempted to placate angry memberships with an appeal to the courts and with ineffectual instructions to teachers to boycott meetings with principals, reduce the verbiage on written report cards and, in some cases, reduce after-school activities.

As the abolition of the teachers' right to strike and the unilateral imposition of contracts threatened to weaken the government's case in the upcoming judicial review of Bill 115, McGuinty was at pains to show that the collective bargaining process was "allowed to work".

The OSSTF, which has already filed its case with the courts (along with other teachers' unions), is now—with the signing of these new deals—abetting the government in this pursuit. It is expected that with the OSSTF now brought to heel, the elementary school teachers will be next in line for intensified concessions contract negotiations.

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Both the OSSTF and the ETFO have been enthusiastic supporters of the big business Ontario Liberal Party for many years. The union officialdom have stumped for McGuinty in three elections and hailed him as “the education premier”. The OSSTF climb-down comes as a boon for the Liberals at a point where McGuinty’s government is racked by crisis.

McGuinty announced last month that he would resign as premier in January and then promptly prorogued (disbanded) the provincial legislature at a time when his government was under heavy scrutiny for its failure to deal with the teachers’ dispute, as well as its handling of a series of political scandals.

ETFO leader Sam Hammond, who poses as somewhat of a “firebrand”, has characterized McGuinty’s threats as “the most concentrated attack on collective agreements and public sector workers” in his members’ lifetimes. Despite this, Hammond has not ruled out continuing to support the Liberals.

Opposed to any struggle against the Liberals’ austerity program, the teachers’ unions will now make an even bigger to-do about their move to oppose McGuinty’s pay freeze through the courts. Citing a 2007 Supreme Court ruling that overturned the British Columbia Liberal government’s attempt to void an existing collective agreement and impose a new austerity contract on health workers, the unions have postulated that the Liberals’ wage freeze scheme will be struck down by the courts as a violation of workers’ constitutional right of free association in collective bargaining.

In reality, the courts have played a major role in the offensive against workers, upholding one reactionary law after another. Only last year, Canada’s highest court ruled that the workers’ “right to freedom of association” did not necessarily imply any collective bargaining rights; it merely entailed that workers had the “right” to have an organization that from time to time brought their grievances to the attention of their employers.

In the 2007 case, the court reprimanded the government for needlessly bypassing the union apparatus when it imposed concessions by fiat without first entering into negotiations to see if its cost-cutting objectives could be achieved voluntarily. In other words, it was cautioning governments not to undercut the legitimacy of the trade unions, which have played and continue to play a fundamental role in maintaining the existing social order.

At the same time, in its 2007 judgment the Supreme Court reaffirmed the prerogative of federal and provincial governments to engage in “hard-bargaining,” impose collective agreements through legislation in “exceptional circumstances” and strip workers of the right to strike. The acceptance of the government’s templated agreement structure by the OSSTF will only provide the courts with more ammunition to further contain the democratic rights of working people.

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