

# Canada: Ontario Liberals orchestrate outlawing of teacher strikes

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The Ontario Labour Relations Board (OLRB) ruled Tuesday evening that high-school teacher strikes against three of the province's school boards were illegal and issued an immediate cease-and-desist order. Shortly thereafter, the Ontario Secondary School Teachers' Federation (OSSTF) instructed its members to return to work Wednesday morning.

The OLRB order was one of a series of initiatives orchestrated by the Ontario Liberal government to criminalize the teachers' strikes. While the government claims it is acting to "save" students' school year, its real aim is to ram through its big business austerity agenda—including sweeping social spending cuts and the imposition of concessionary contracts on the workers who administer the province's public and social services.

The OLRB ruling came some 24 hours after Education Minister Liz Sandals had tabled back-to-work legislation in the Ontario legislature and Premier Kathleen Wynne had reiterated that under the Liberals' "net zero" public-sector bargaining policy there is no money to raise teachers' pay or otherwise improve on the concessionary contracts the government imposed upon the province's public school teachers in 2013 via its anti-democratic Bill 115.

Sandals gave as justification for her strikebreaking bill, the Education Relations Commission's finding, issued earlier Monday, that the strikes against the school boards covering the Oshawa, Sudbury, and Mississauga-Brampton regions were jeopardizing the academic year of the 70,000 affected students.

Given that the commission's members are hand-picked by the government and that it was Sandals who petitioned the commission to rule on the strikes' impact, the result of its "deliberations" was never in any doubt.

With the government's support, if not at its instigation, the three strike-bound school boards had earlier appealed to the OLRB to declare the strikes illegal on the grounds that they were in breach of the province's new, two-tier public education collective-bargaining system. With the support of the social-democratic New Democratic Party (NDP), the Liberals last year passed legislation creating a province-wide central bargaining table where major issues of wages, benefits and class size are to be negotiated, whilst individual school boards are tasked with bargaining with individual union locals on more parochial issues.

The school boards argued that the three local strikes were illegal because they were really aimed at pressuring the government to moderate or drop its concession demands, not at airing and resolving local grievances.

In its ruling Tuesday, the OLRB conceded that the legislation does not expressly forbid those participating in local strikes from voicing complaints over "central" issues. But it said it was nonetheless imposing a two-week moratorium on the strike and instructing the OSSTF to "purify" its message, because the strikes violated the spirit of the legislation.

## A much larger clash

Although the teachers returned to work on Wednesday, the Liberals are insistent that their strikebreaking bill become law. This is because they want to both foreclose any possibility the strikes could be relaunched when the moratorium expires and demonstrate their readiness to run roughshod over worker rights to push through their austerity program.

The Liberals are preparing for a much larger clash with the province's teachers, virtually all of whom will be in a legal strike position when the 2015-2016 school year starts next September.

On Tuesday, before the OLRB had even issued its ruling, Sandals announced that the government would consider using it to amend the school boards' Collective Bargaining Act in order to further hamstring teachers' ability to conduct job actions.

The Liberals' bill to criminalize the three strikes threatens teachers with C\$2,000-per-day fines. The OSSTF could be fined C\$25,000 per day if it seeks to resume the local strikes.

Despite rising anger amongst the membership, the OSSTF had from the beginning made it clear it would comply with the government's back-to-work legislation. Tuesday evening's OLRB ruling only served to speed up the union's surrender.

The province's public school teachers have been without a contract since last August. They are confronting a government that in the name of balancing the budget is mounting a frontal assault on public education, including forcing school closures, demanding increased class sizes and imposing cuts in teachers' real wages.

The government also wants to double teachers' in-school workday by forcing them to take on additional supervisory duties, including at lunch and recess. And it is seeking to diminish teachers' autonomy in running their own classrooms, proposing that principals and other school administrators play a larger role, especially with regard to student testing.

In the debate in the legislature on Monday, Sandals challenged the NDP and the Conservatives to fall in behind the bill and fast-track it through that same afternoon. She noted that all three parties had agreed in 2009 to quickly pass a similar bill to force striking Toronto transit employees back to work. While the Conservatives quickly gave their assent, the NDP, with an eye toward weaning the teachers' unions away from the Liberals, mounted token opposition.

Party leader Andrea Horwath said the NDP would not give the unanimous consent needed to pass the bill that day, but she was quick to add that NDP would not use parliamentary delaying tactics to "get in the way of the government using its majority" to rapidly pass the law. Her aides, she told reporters, had assured her it could be adopted by Thursday.

## The unions' phony war against Bill 115

In fighting to defend public education and their working conditions, teachers are pitted in a political struggle with the government and the entire big business establishment, which stands full-square in support of its austerity agenda.

To prosecute this struggle, teachers must urgently draw the lessons of the decades-long collaboration of their own unions with the big business Liberals and from the NDP's collusion with government austerity policies.

Just three years ago, the Liberals, under the leadership of the so-called Education Premier, Dalton McGuinty, launched a ferocious assault on public school teachers and hundreds of thousands of other public sector workers. With the explicit support of the opposition Conservatives, the Liberals imposed a two-year public sector wage freeze and criminalized teacher job action using the notorious Bill 115, the so-called Putting Students First Act.

The NDP claimed to oppose Bill 115. But this was a sham. It supported the budget in which the Liberals announced their wage freeze and continued to prop up the then-minority Liberal government in the legislature for close to two years after Bill 115's adoption.

Like the NDP, the teachers' unions claimed to oppose Bill 115. But they enforced its no-strike provisions and quickly reconciled themselves with the Liberals, once Wynne had replaced McGuinty and granted tiny modifications to the concessionary contracts the government had imposed by fiat.

These modifications were more than paid for by the pension givebacks the OSSTF and the other unions, including the Elementary Teachers' Federation of Ontario (ETFO), agreed to in a separate side-arrangement that was never even put to teachers for a vote

Typifying the unions' true relationship with the government, OSSTF President Ken Coran, upon his retirement in the summer of 2013, immediately announced that he would stand as a candidate for the Liberals in an upcoming provincial by-election.

A large part of Ontario's union officialdom has in fact been closely allied with the Liberals since 1999, when a number of the province's largest unions established the pro-Liberal "Ontario Working Families Coalition."

### **The scuttling of the 1997 strike**

This turn to the Liberals came in response to two watershed events. In the 1995 election, the NDP government of Bob Rae was thrown out of office after imposing three years of social services cuts combined with the unilateral evisceration of already existing public sector contracts. The NDP's rightward lurch opened the door for the election of Conservative premier Mike Harris and the imposition of his anti-worker, slash-and-burn "Common Sense Revolution".

Through 1996, hundreds of thousands of workers participated in a series of rolling political strikes and demonstrations against the Harris government in a dozen provincial cities. Surprised by the militancy of workers across the province and fearing that the movement was getting out of the control of the labour bureaucracy, the unions abruptly shut it down after more than 100,000 workers marched on the Ontario legislature in Toronto.

Then in 1997, when teachers, with broad support from parents and students, entered into a militant political strike against the Conservatives, the unions once again moved to scuttle the fight. The leaders of the five teachers' unions that constituted the Ontario Teachers' Federation (OTF) called the strike—which they termed a "political protest"—fully expecting that the government would obtain a court injunction ruling it illegal. This

would have then provided them with a pretext for terminating the strike and cutting a deal with the government. But the Tories' application for an injunction was rejected. The Ontario Court judge hearing the case concluded that popular support for the strike was so great state intervention against it might dangerously erode support for the existing political order. In effect, the judge ordered the teachers' unions to assume responsibility for ending the strike.

The OTF and Ontario Federation of Labour leaders quickly complied. In the immediate aftermath of the rejection of the government's request for an injunction, they offered the Tories sweeping concessions. When the government refused their offer, they declared nothing further could be done and ordered the teachers back to work. Shortly thereafter, the teachers' unions moved to significantly deepen their support for the big-business Liberals.

The teachers' unions today follow along the same path. In the 2014 election, the OSSTF forked over C\$386,000 to campaigns geared toward re-electing a Liberal government. Spending by the ETFO totaled C\$1.2 million. The Ontario English Catholic Teachers Association ponied up another quarter-million.

During the current contract dispute, OSSTF and ETFO bureaucrats have been ready, as ever, to bluster against the government, all the better to conceal their support and that of the Ontario Federation of Labour for the Wynne Liberal government.

The unions have systematically refused to mobilize their memberships in a province-wide challenge to the "net zero" strictures of the government and have done little to publicize, let alone oppose, the budget cuts that are cascading through all the province's public and social services.

In the upcoming struggles of the teachers, some hard lessons must be drawn. The teachers' unions, whether they continue their alliance with the Liberals or shift their support to the equally pro-austerity NDP, are utterly opposed to a working-class political challenge to the government and the drive of big business and its political representatives to make working people pay for the capitalist crisis.

At issue in the struggle to defend public education are two opposed social principles: should education spending and the curriculum be determined by human need, or subordinated to the capitalist market and the profits requirements of big business? There is no question that the means exist to provide a quality education for all. But if society's resources are to be mobilized to end poverty and systematically raise the cultural and material level of the people, then economic life must be radically reorganized so as to bring the banks and corporate giants under the democratic control of the working class.

Such a transformation can be brought about only through a political struggle—the fight for a workers' government. Even were the unions not controlled by a privileged caste of bureaucrats, these organizations by virtue of their aims and composition are completely inadequate for leading such a struggle. What is required is the immediate formation of rank-and-file committees independent of the unions to prosecute the struggle. This must be done in concert with the building of a new mass socialist party of the working class.



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