

Interview: Ken Novakowski (KN)

Interviewer: Dan Blake (DB), Al Cornes (AC)

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Note: This is Part 2, continuing directly from Part 1, recorded a few days later in May 2015.

[00:00:10] DB: This morning we are continuing our interview with Ken Novakowski, the President of the BCTF from 1989 to 1992. Present today are the interviewers Al Cornes and Dan Blake, technical work and assistance from Lesley Harrington, at the BCTF Information Services. Good morning, Ken.

[00:00:30] KN: Good morning.

[00:00:32] DB: Just to continue on from the other day—go back to the Bills 19 and 20 for a minute, if you would. Can you comment on the logistics of the administrators, that is, the school administrators, leaving membership in the BCTF.

[00:00:53] KN: Yes. I think, that over a number of years it became clear, that the administrators, who had a lot of influence in the BCTF over time, and had lost some of that influence politically, as a result of teachers having to organize, to have their perspectives presented over those of the administrators. Although there were administrators on the Executive Committee, at least one administrator, who did get elected to the Executive Committee, so they always did have that voice. But they had a PSA—an administrators' Provincial Specialist Association—that was their voice and their vehicle for changes that they would like to see, and policies in the Federation, and so forth. And, they also began, as a PSA, to express some dissatisfaction with their lack of capacity to influence the BCTF, in many ways. So, when the Bills 19 and 20 had come down, it was surprising to us, that the government had chosen to cast the administrators as management in the new structures that they had created as a result of that legislation. And, the administrators therefore could not be a part of our bargaining unit, because they were to be on the opposite side of the table from us henceforth, if not physically, then at least, in terms of their role.

[00:02:26] KN: That was a very dramatic change for the organization, it, not only diminished our membership significantly, which it did, but our resources were used as well by that change; but it had a huge impact ultimately, on the relationships, that existed within schools. Because the administrators were always a part of the union, a part of the organization, any decisions that were made, they were obligated to support them, and abide by them, as much as they felt they could, and that did create some conflicts over a number of instances, but generally, they were

there, and they were considered by the teachers to be colleagues, in that sense, they were part of the same educational group, in the schools. And that legislation changed that—all of a sudden administrators became them, not us, and the ramifications, in terms of relationships at the school level—it took a few years for those relationships to change significantly—but they clearly did, and that was a significant change, having them removed from our bargaining unit. Even though, it was legislation that had removed administrators from the bargaining unit, a number, and I should say at the outset—there were a small handful of administrators, principals, vice-principals, who chose to give up their positions, so they could remain as members of the BCTF and members of their local.

[00:04:08] KN: There weren't very many, a handful—half a dozen, maybe more, but not many, that chose to do that. Most of them simply continued to be administrators, and were removed from BCTF membership. The BCTF tried a number of things to accommodate them, to set up series of memberships, that allowed them to continue with the Salary Indemnity plan, to continue with some form of membership in the organization; and I can remember the Executive Committee granting them money to have a conference, to help them organize their new reality as well, so there were these things, where we tried to make it as amicable a separation, as we could, given it was happening as a result of something

[00:04:57] KN: we did not ask for, and what was quite a surprise to us. Nevertheless, once the administrators had left and formed a new organization—the Principals and Vice-Principals Association, they took the BCTF to court for a share of the assets of the BCTF. They felt that, while they had been the members of the BCTF and contributed their membership dues, and so forth, to the BCTF, that the BCTF had gained assets as a result of that, that they were now wanting a share of. We did not agree with them, we didn't feel that was appropriate, we did not kick them out, legislation had essentially, made it impossible for them to continue to be members, and therefore, we had a fight on, about that issue, which ultimately went to the Supreme Court of BC, and we lost the case. Surprisingly, because I thought we had a pretty solid case, and it cost us \$3.9 million. And I can remember that, what we did to pay that \$3.9 million, is that we instituted a levy against members, so the members had to pay that additional amount in their dues that given year, and we let it be known, that they were paying that money, to their administrators, because this is the way it had played out, and there was not a lot of happiness around that result.

[00:06:27] KN: But that was the final severing of the administrators from the Federation. But the long-lasting legacy of that legislation is, and has to do with relationships at the school level, and casting the administrators as managers in that role, which changed the dynamic at the school level considerably.

[00:06:52] DB: So, the next big challenge that comes along is the College of Teachers. Can you tell us a bit about the college?

[00:06:57] KN: Yes. The College of Teachers was another surprise, because up until that time, the teachers' certification was handled by a joint certification board, between the ministry and the Federation, where we had representatives on the board. And, of course, what it had opened up is a completely new avenue for another body to have control over the discipline of teachers. With legislation we have finally achieved full collective bargaining rights to the extent, that we could bargain and negotiate a whole set of terms and conditions, that will allow us to have some say in the hiring, and the discipline, and the dismissal of teachers through that process. So, we saw that the employer was responsible for acting when they felt appropriate, to discipline, or in fact, in many instances, to even dismiss a teacher, because of cause. And there was a process in our collective agreements that would allow them through grievance procedure to have a fair hearing, to have due process, and for, ultimately, an arbitrator, to decide what should happen. So, we felt, that that was sufficient, we didn't feel we needed another body to take up the same complaints, the same concerns with the member, and put them through a completely different process.

[00:08:34] KN: We referred to it as "double jeopardy", as teachers were now going to have to go through two different processes over the same misdemeanor, or the same action they've taken. So, we debated what to do with this College of Teachers. There were fifteen out of twenty members of the College Board, who were to be elected by the members of the college; and members of the college were not just teachers, administrators—anybody with a teaching certificate was a member of the college. So we embarked on a process, where we endorsed, in every region, someone, who had the label of being endorsed by the BCTF in that region, to run for the college, and of course, teachers were... We've just gone through a major certification sign-up, 99% of teachers voluntarily decided they would stay with the BCTF, so they were very strong and supportive of the BCTF, and the fifteen people, who were elected, were those, who had been endorsed by the BCTF. That was really the only course of action we thought we could take, was to basically try and have some sort of influence on the college, and to limit its mandate as much as we could

[00:09:54] KN: through this process. Not to limit its mandate, but limit its exercise of the mandate, that they had legislatively. We knew at the time, that any organization is going to have its own dynamic and will take on its own life, and so, we saw, that there is a potential for the College of Teachers to become a competitive body, vis a vis the BCTF, and, in fact, that was the government's aim—the government's aim was to see the BCTF as the union, and the College of Teachers, as the profession. Whereas the BCTF, since its inception, in 1917, has always represented both, the economic, and the professional interests of teachers. And, so that was a challenge to the very nature of our organization that the College of Teachers represented. And, we hoped, by electing people, who understood this, and not wanting the College of Teachers, that would be a competitive body, that we would be able to live side-by-side and carry on. So, when the college was in existence, and they elected their chair, and their vice-chair, our table officers used to meet once a month with the chair and vice-chair of the college.

[00:11:26] KN: We continued to have a very close liaison, keeping in touch with each other, and eventually, over time, what appeared to happen, is that the college did begin to take on a life of its own, they began to publish a newsletter, a magazine. Of course, this meant something, it was going out to all teachers, we were concerned about that; they began to hold an annual conference, and again, we were concerned about that, expanding its professional role, expanding it through communicating with teachers, all of which laid the groundwork for potentially, a separate organization from the BCTF, and taking on the roles, that we thought were the roles of the BCTF, that we played historically, and wished to continue to play with teachers. So that was a very, very significant change, and the College of Teachers, of course, no longer exists, but over a number of years we went through a whole raft of different experiences with the college. And it was, actually, the first time for teachers, certainly in North America, so it was a new experiment that the government had put on our doorstep, and we dealt with it as best, as we thought, we could.

[00:11:58] DB: We were paying for it too!

[00:12:30] KN: That was the other factor—

[00:13:03] KN: that's a good point. When we had the teacher certification before, government paid for teachers' certification. And now, the teachers were paying for all of that—so, it was an additional charge, against the teachers, for services that had been provided before, by the state.

[00:13:23] AC: Ken, in the fall of 1991 we saw the election of the New Democratic government, of Mike Harcourt, and one of the key issues that was a concern to teachers, was Bill 82. Tell us a bit about the Bill 82, and what happened with Bill 82 after the election.

[00:13:40] KN: Well, the Bill 82 was introduced part way through the second round of bargaining. When I say part way, it was virtually half-way through. We've had already resolved 37 of the 75 collective agreements, and so, when the legislation was brought in, the 38 locals, who had not yet settled at that time, would have their salaries capped at less, than what the going rate have been, in terms of what the teachers in other 37 locals had been achieving in their settlements.

[00:14:16] KN: And, we carried on bargaining, and got settlements that we thought were reasonable, and they all got reduced by this legislation, so in that 1991 election, Bill 82 and getting rid of it was a major issue for us, and we pressed the NDP very heavily on that piece of legislation, and got a commitment from them to dump it. And then, in fact, after they got elected, it was one of the first things they did. And that had a significant impact on teachers, of course, because of what it meant for teachers in all the 38 locals—all of a sudden we're getting a fair salary increase, something that was denied by the Bill 82, and it was a salary increase, comparable to what the other locals had already achieved. And, so it meant, that the teachers around the province will continue on, pretty much on the same kind of salary level, that they had before, with equal increases. So, that was a major initiative that the new government introduced quickly, and was supported very much by teachers.

[00:15:24] DB: So, did you have any particular role, in the Teachers' Federation during the move to the provincial bargaining?

[00:15:31] KN: No, when that actually happened, and I know, Ray Worley, the President, who succeeded me, was very involved during that period of time, in terms of what had happened. But I was back in the classroom in Langley, from 1992 to 1994, and that's when this all happened. But I do remember two things that I would like to comment on. When I was President, we asked the party leaders for their positions on a number of issues, and one of them was, we asked, if elected, will you support the continuation of local bargaining for teachers? And the reply I got from Mike Harcourt, who was the leader of the opposition, and, subsequently, the premier, was "Yes!"—that, if elected, they would continue local bargaining for teachers. And, that was a very clear, unequivocal "yes". And, of course, that's not what happened. I know shortly after the election—they were elected in October of 1991, and later that fall, in November, at the BCFED convention there was a reception

[00:16:55] KN: that I went to, and most of the NDP caucus were there, and the new minister of labour, Moe Sihota, had seen me and said: "I want to talk to you, Ken", and, he said, at that time, that provincial bargaining made a lot more sense for teachers, and I said, well, your government committed to supporting local bargaining, we want local bargaining, we're going to keep local bargaining, thank you very much.

[00:17:21] KN: But that was good indication, that there were people, certainly in the cabinet of Mike Harcourt, if not he, himself, who were thinking, that this move had to take place, and of course, as you know, we went into the third round of bargaining, in 1993, and I think that the Federation, actually, in a huge sense, misread the situation in the third round. In the first two rounds we were catching-up to other working people in terms of our terms and conditions; we were trying to recover some of our salary that we had lost in terms of the restraint period that began in 1982. We took strikes in a number of districts in both those rounds that were highly supported by teachers—those strike votes were in the 80 and 90 percent range, they were overwhelming—people realized this is what we had to do to move forward. And we had moved forward substantially, things had changed in a lot of ways, when the third round came up, and the school boards had been better organized, than they were previously, but also, we tended to count on the magic, that worked in the first two rounds, thinking that it would continue forever, sort of thing,

[00:18:48] KN: and that's what we tried in the third round, you know. Don't get what we think we should have, so let's take a strike vote, let's take a strike, and move the whole thing forward. Well, locals were finding that teachers were not that anxious to get out on strike, and were a bit strike-wary after the first two rounds, to be put bluntly; and strike votes were coming in, and they're in the 50s, and one local, or maybe more than one, had a failed strike vote, it didn't pass, which was unheard of in the first two rounds—just not the same situation at all. So it was clear, that things were not going our way, as we had hoped in the third round. And then, there were a couple of big strikes in the Metro—Vancouver and then, Surrey, which basically gave the cause

to the government to order them back to work, which was very unpopular. A social-democratic government ordering working people back to work, when they're on a legal strike—not a very good thing to do, we were very opposed to that. And then, subsequently, introducing provincial legislation.

[00:19:57] KN: I might add, that during my tenure as President, the minister of education, Tony Brummet, had introduced a number of changes to the way education was funded, and it was increasingly centralized—the funding was increasingly centralized, with the control by the provincial government, and we saw a move away from the capacity for local school boards to have some impact on the local tax base, and raising funds for whatever the settlement might be, through local taxation. So, that was pretty much eliminated in favour of the centralized form of taxation for education, and that was hard for the government to say, that we're paying for what's negotiated, so we want a say in what's negotiated. We can't leave it up to these school boards to negotiate it; so they brought in provincial bargaining, which virtually had the potential to tear the whole organization apart, and it was very divisive, and a betrayal of the promise that they had made to the Federation, when they were elected.

[00:21:09] DB: Ken, moving to a different sphere, which is the BCTF's international programs, can you briefly comment about your involvement in those programs, while you were President?

[00:21:21] KN: Well, I didn't get overly involved directly in the programs, except for one particular case, where Larry Kuehn, who was our International Programs Director, had brought to me a proposal at this time—an organization in South Africa, called the South African Democratic Teachers' Union, was a fledgling union, it was just beginning to organize teachers in South Africa, was in need of support. And he brought a proposal that would give a multi-year funding over a number of years, in a way of support to SADTU to get going. Support not only financially, but support also, in terms of sending people to do leadership training, staff rep training with SADTU members, as they got themselves organized. It was a very, very significant project, and I remember meeting Randall and Shepherd, the President and the Vice-President of SADTU at the time, who came here, and it was a major initiative, that we were undertaking, which lasted for a long time. And I can remember, I think, in 2001, going to Johannesburg to participate along with the President of the day, David Chudnovsky, in the 10th anniversary celebration of SADTU. And we were special guests, because of the role we had played in helping them to get going.

[00:23:11] KN: So, that was one thing. The only other role I would say, that I played, was, we had been members of the Confederation of Teaching Professions—an organization that represented most of the teacher organizations in the world, but in 1993—and this is after I was President, I was Past President, so still on the Executive; so, this organization,

[00:23:48] KN: WCOTP, World Confederation of Organizations of Teaching Profession—thank you, Al—and that was the organisation we had belonged to... the CTF belonged to, we were part of CTF . They came together with a number of organizations to form an even larger, 26 million

teacher organization, called Education International. This happened in Stockholm, in January of 1993. And Ray, who was our President, Ray Worley, was unable to go to the founding convention. That would be normally something he did, but because we had a Representative Assembly at that time, at the same time; so he couldn't go, he asked me to go, and I gladly went. And I felt, it was a very historic event, to be in Stockholm at that time, to see the organization's founding, of this major teachers' organization, which continues to this day to represent teachers around the world.

[00:24:50] DB: So, during the 1990s, Ken, you were both—Communications Director and then, later on—Bargaining Director. Tell us about a couple of agreements: the 1996 agreement, and the 1998 agreement.

[00:25:03] KN: Yes. The first one, the first agreement, that we were up to negotiating, was the 1996 agreement. This is after we had the provincial bargaining brought in against our wishes, it took the Federation a lot of time, a lot of conflict internally, before we'd get ourselves into having some structures that would function and work for us at a provincial level. We did that, and the new organization that the legislation created, the BC Public School Employers' Association, BCPSEA, they actually, got themselves organized, and took a very adamant position, that there is no agreement. There's a blank slate—we're going to start from scratch, and build a provincial agreement, now that we have provincial bargaining, and we said, well, that's ridiculous, we had just gone through three rounds of local bargaining, we sacrificed a lot, we went on strike, we lost salary because of that, we made significant gains, we're not going to do all that again—we want what we already negotiated at the starting point. And, so we had this stand-off. That was a major, major stand-off in terms of trying to move forward, trying to move ahead, and

[00:26:42] KN: how do we move ahead? And, thankfully, eventually, the government did intervene, and the result was that we got the continuation of all our existing terms and conditions of employment in our locals, through the local agreements, and they would continue to exist and be part of the provincial agreement, and then we established new provisions that would be a part of this provincial agreement. And then, over time, our view was, that we would work on getting single provision on most of these things, but it would take a long time to do it, because, we, of course, wanted to have the best provision, that we've negotiated, to be the one that was covering everybody provincially, so that nobody lost a benefit as a result, and the employer's position, was, of course, exactly the opposite, that they would go for what was the lowest provision in any of the collective agreements, so there was a bit of a stand-off there, but we did resolve to get the agreement, in 1996, and we got that. And it was approved by teachers, and approved by school boards,

[00:28:00] KN: so it was negotiated; it was referred to as the Transitional Agreement, mostly at the behest of the employer, because they just saw it as something that they had agreed to,

[00:28:12] KN: as we move forward. But we did get that, and I might say, we got it, we did not even take a strike vote in that particular round, and, so we achieved essentially, what we set out to achieve, and we were quite satisfied with that.

[00:28:30] DB: So, can you comment also on the amalgamation of school boards, which is...

[00:28:33] KN: But, before I do that, you asked about the 1998 agreement, and I should say something about that. The agreement that we negotiated in 1996 was to expire in June of 1998. And, so we set bargaining objectives for that second round of bargaining, and bargained with BCPSEA, but we had a similar kind of stand-off. BCPSEA wanted concessions, they wanted to go with lesser provisions, than we were prepared to go with, in terms of standardizing anything, we were getting nowhere with BCPSEA. And a very strange thing did happen, and keeping in mind that this is only the second round of provincial bargaining, and, virtually, the government, is in control, they're in the driver's seat. What they did, is they set up a separate process, from the process that we were involved in with BCPSEA, and they had us negotiating with three of four representatives of the provincial government, directly, they included the deputy minister of education, as well, and two or three others, that they had brought in for that purpose. And, so that's who we ended up negotiating with. And, ultimately, it was clear to us, that the government was prepared to put improvements in class-size, and to have standardized provisions for class-size, at the primary level—Kindergarten primary level—in the collective agreement—significant improvements.

[00:30:41] KN: And also, that they were prepared to agree with us on a whole number of staffing ratios, for, what we called, specialized teachers: librarians, counsellors, ESL teachers, special education teachers, etc. Both of those initiatives were very significant, but what they wanted from us in exchange, was a very low salary settlement. So, the question for us, that we had to wrestle with, was while we were bargaining through this, was, do we take a deal that is going to markedly improve our teaching conditions, and learning conditions of students, and actually, pay for it with a lower increase in our salaries. That was the dilemma that the bargaining team had while going through this. Zero, zero and two was the ultimate salary proposal that went with the other improvements. That, and the other factor that was here, was now, that the BCTF was in provincial bargaining, their settlement would affect the potential settlement of other workers in the public sector. That didn't happen, when we had local bargaining, certainly, not to the same degree, but now, that there was a provincial table,

[00:32:13] KN: anything that we agreed to, would be whipsawed by the government with all the other public sector unions at the provincial tables. And, so we were aware of that. And ultimately, we did reach a deal—we thought it was, well, those of us, who were involved, we thought it was too good to pass up an opportunity like this, it was clear, that it was a trade-off—salaries for working conditions, and learning conditions that were significant, and we agreed to the deal. And I might say, that this deal is also came about without a strike vote. We did not have a strike vote on provincial level, until 2001! So, there was a deal, we agreed to it, and we had it passed by teachers, it was passed by teachers, but it was not approved by school boards.

Because BCPSEA was cut out of the process! And, they did not like the deal, they thought it gave too much away by the way of working conditions, and reduced class-sizes and so forth for teachers and for students, and they didn't like it,

[00:33:34] KN: they voted it down! So, we had a very unusual situation occur, in which the government, the legislature, passed the deal that we negotiated into law. In other words, the usual pattern is, that the governments will legislate against a union, they will legislate in favour of the employer. This has to be rare, rare, very rare occurrence, where government actually institutes an agreement against the employer, against the wishes of the employer, and in the favour of the union, and that's what they did. And that's how it came about. But there was a lot of controversy about the deal within the BCTF, there was criticism of us for participating in the process, that was not clean collective bargaining, i.e., we were bargaining with the government, not with BCPSEA, who was the bargaining agent, we weren't bargaining with our school boards, so to speak. And, for us it was, because, the government calls the shots, this is who government presents, who the government wants to negotiate with, we just did the best we could with whom they brought to the table. And, of course, there were some criticisms about the deal, particularly, about the salary settlement, because it was zero, zero and two.

[00:35:08] KN: Anyway, that's what happened in that deal.

[00:35:12] DB: So, the BCPSEA got just cut out of the deal altogether?

[00:35:15] KN: They were not at the table, when the deal was made, and I don't know whether the government ever kept them in the loop in terms of consulting with them, or informing them. I have no idea, what happened there. We just assumed that that was government's responsibility, not ours, and so whatever they did or didn't do, was their call.

[00:35:37] DB: So, then on the amalgamation of school boards?

[00:35:40] KN: Yes, during the 1990s, we had a significant amalgamation of school boards. I think we went from down from 75 districts, to 60, to 59; and then, 60, counting the new Francophone school board. And so there were amalgamations in a number of areas of the province, where some school districts were being combined. And our constitution and by-laws at that time made it clear, that there would be only one local per employer. The exception for that, of course, always was Vancouver, where they had Vancouver Secondary, and Elementary Teachers. In terms of bargaining they had formed a joint council to do the bargaining for them, but, still, that was what the by-laws said. And, so we tried to encourage locals to amalgamate into a single local, so they had one local representing teachers with the one employer. But there was resistance from that, for a number of reasons, by a number of locals, particularly smaller locals, who felt that, that would mean, that they would lose some of the provisions they negotiated, which they felt were superior to ones, that the larger local had, maybe, in that new amalgamated district.

[00:37:08] KN: And, also the Federation at that time, had a policy of providing the presidential release time grant to every local, so if you're a local of 30, or a local of 300, you got a grant from the Federation to have your President release full time. And it was a very costly endeavor for the Federation, but when we had local bargaining, it was essential, that you had someone to work full-time to negotiate the agreement, and to implement it. The argument for a full time Local Presidents in small locals was probably less of an argument once we had the provincial bargaining, but it was still something that people advocated, and it's remained to be the status-quo. So, locals did not want to amalgamate. They wanted to keep their Local President full-time, and they wanted to keep their collective agreement; and, so, that's the direction we went in, and half the new districts we had, had a new amalgamated local—a new single local—but in others we continued to have, two, and in some cases, three, locals operating in the school district. And, that's why it happened.

[00:38:25] DB: In some cases it meant real hardship for Local Presidents; I'm thinking of the current President Jim Iker, and his local in Burns Lake. They were forced to amalgamate with Vanderhoof, which is more than an hour's drive away. So, there was some substantial...

[00:38:41] KN: There were all kinds of arguments, and, of course, same argument could be made about the amalgamation of the school district, you know, because, the school districts amalgamated, they now had greater distances to administer and to drive, that was clearly the case. My own personal view of it was, that I always subscribed to the principle of "one employer, one union", because it is to the advantage of the employer, if you can divide working people into several bargaining units, it works to your advantage as an employer; it certainly does not work for your advantage as a union, so I've always held to the principle of "one employer, one union", and I did not like the move that happened, but I was not a politician then, I was a staff person, I could not do too much about it.

[00:39:33] DB: Thanks, Ken. Onto another topic... As a member of senior staff, and, again, we're talking about the period, during the NDP being government, were you involved with any meetings with the Liberal Opposition Caucus? And, if so, what were you talking about?

[00:39:52] KN: Yes, the BCTF, because they're a non-partisan organization, had always taken the position that we were going to influence the policies of any political party, any government through lobbying, through advocating for the positions that we hold, and so, when the NDP was government, we met with the opposition. We meet with government now, and we also meet with the opposition. We've always done that, and we did that when the Liberals were in the opposition. And we sought assurances from them, we wanted to get support for the positions we held, and we sought assurances from them—so, that if they were elected, in a future election, that they would continue to honour the agreement that we had reached with the NDP. And, Gordon Campbell, the leader of the Liberals was unequivocal, in saying, yes, we would honour those agreements. He made that promise not only to us, he made it the Hospital Employees Union, he made it to other public sector unions that they would not tear-up

agreements, that they would honour them and respect them. And, that was a very important commitment that he had made,

[00:41:20] KN: and, of course, we know, as time unfolded, that he did not live by it.

[00:41:28] DB: So, you're now the Executive Director of the BCTF. When you took the job in 2000, that spring, there were a number of strikes taking place; could you tell us a bit about your decision on those strikes?

[00:41:45] KN: Well,—yes, I took office on January 1st, 2000, and I was aware, that CUPE BC—this is one of the ironies of the bargaining situation—we ended up with provincial bargaining, even though we wanted local bargaining, CUPE seemed to want provincial bargaining, even though, they had retained local bargaining! So, what they did is they had set-up a council to try and negotiate common agreements, at least on some characteristics at a provincial table, and they had a huge number of locals that had become part—I would say, close to half the province. They don't represent every school district in the province in terms of support workers, but they represent most, but half of those, at least, were at this particular table, trying to negotiate provisions. And, of course, they ran into problems, the NDP was still in office, this is 2000; and they went on strike—they took strike votes in each of these locals, and so they were on strike at the same time, it was like a provincial strike in half the province. Now, you have to keep in mind, that we didn't even take strike votes in our two rounds of provincial bargaining.

[00:43:16] KN: We did not have any experience with a provincial strike at this point in time; we had one day of protests, you know, in 1971 and in 1987, and the like, but we never had a provincial strike. We had Solidarity for three days in 1983. This was a provincial strike by CUPE, and we were pledged to honour their picket lines which we did. But it meant for us a huge challenge, all of a sudden, to have the support materials for teachers, who were hoping to join the picket lines of CUPE and support them, and so forth, we had to have strike-pay, a third-party strike-pay for teachers, we had to have all that organized, which was huge for the organization to undertake that, it prepared us, of course, for the future subsequent actions like that, but it was the first time. And, so that was a real challenge, and a lot of people forget that development—it was a significant action for CUPE, it was successful for them, they did gain some improvements as a result of the action; it was a significant action for teachers, because it was the first time that we had—we had at a local level, sympathy, or support for strikes by CUPE, where we supported them by not crossing the picket line subsequent to 1984, but nothing of this magnitude—

[00:44:47] KN: it was huge.

[00:44:51] AC: Ken, I wonder if you could recount the experiences you shared with the leadership of the Federation, after the Liberals were elected as government in 2001?

[00:45:03] KN: Well, everybody knows that in 2001 there were 77 Liberals and 2 New Democrats, the opposition was virtually wiped-out; and the NDP were actually wiped-out, they

had two seats. And we knew that the Liberals, because they had campaigned on, and even when we lobbied them, they made no secret about the fact that they were going to bring some essential services legislation for teacher strikes. And they did that—they were elected in the spring of 2001, and that summer they had a session and they brought in the essential service legislation, 2001. And that was the start of it, and of course, the 1998 agreement that we negotiated for three years, expired that summer as well, and so we were in a situation in the fall of 2001, where we needed to get a collective agreement, so we were at the table, and we actually, took a strike vote—that as our first strike vote, a provincial strike vote, a real strike vote, and it passed overwhelmingly. We got a lot of support, and that was great.

[00:46:14] KN: So, we were moving forward, until that January, of course, January 28th, when the Campbell government introduced the legislation, that completely stripped our collective agreement of any provisions, that have to do with class-size, class-composition, staffing ratios, anything that dramatically affected our working conditions, and also, of course, the learning conditions of our students. It virtually wiped-out what we had agreed to in the 1998 agreement, and it wiped-out provisions that had existed in the local agreements, prior to that, achieved in the previous two or three collective bargaining rounds. It was a major set-back, it was a traumatic event, in fact, for those of us, who had been involved in the local bargaining and had seen the sacrifices the teachers made to gain the improvements that we had. It was just wiping all of that out with one piece of legislation, and it was just so very, very upsetting to so many teachers; particularly teacher-activists, who had been in the struggles for those improvements for many years. It was terrible day, and we did a day of protest, and at the time, it was very significant, that David Chudnovsky, who was the President at the time of the Federation, when we had the day of protest, said: “This is day one of our protest”, meaning we were going to continue this fight, until we get those provisions back.

[00:48:07] KN: The other thing the legislation did, is it made it illegal to negotiate those kinds of working conditions into our collective agreement in the subsequent negotiations, so it was a really an overwhelming piece of legislation, it set us back almost to where we had been, prior to 1987 in terms of our rights, and it was a very, very distasteful experience, hard to take.

[00:48:35] AC: So, tell us a little bit more about what other events and programs, or things occurred, I’m thinking, there was a response to that, there was a five-year plan, and then later, the affiliation with labour.

[00:48:51] KN: Yeah, the five-year plan, for the lack of a better name, we did come up with a name, but the five-year plan was, what we continued to call it. And we spent a lot of time working on this, What happened, is that it became clear to us with the legislation that happened in January of 2002 that collective bargaining was effectively, dead, for teachers; that it wasn’t going to happen. And it wasn’t just us, it was other public sector employees, the Hospital Employees’ Union took a really big hit in that legislation, others were affected as well. But it was clear, that the kind of emphasis that the organization had on collective bargaining to achieve the improvements we wanted at schools, was not going to happen. At least, not in the short-term.

And, so what we needed, in effect, and if I could characterize the five-year plan in one way, it was that we needed to move more into the political action: speaking to the public, communicating with the public, which we had always done, anyway, but with a greater emphasis on that. More involvement in the election, subsequent elections, and treating collective bargaining as an opportunity to highlight our concerns, of what was happening in schools.

[00:50:26] KN: So, the five-year plan was so significant, that we re-structured the BCTF staff in fact, we organized new divisions that were reflective of the new kind of delivery of services to locals that were putting more emphasis on this new role. So, in a nutshell, we would highlight the need for improvements in classroom conditions continually, time and time again, we would put that in front of the public, that this is what was needed, and never more so, than in an election campaign. So, when the 2005 election actually came around, we had, by the AGM decision, and through the leadership of the Executive , allocated \$5 million to invest in getting our message out in that particular campaign to the public. Not to be given to any political party, because we maintained our non-partisan stance, but we were very critical of the Liberal government of Gordon Campbell, for what they had done, and really spoke for the need of improvements in classroom conditions. So, the five-year plan, was really, a plan to make political action, public advocacy, a much more significant part of the Federation, rather than our emphasis on bargaining.

[00:52:02] AC: Tell us about the affiliation.

[00:52:05] KN: Well, affiliation was part of that five-year plan, I think the affiliation was something that we felt we needed, to be in a house of labour, that this fight we were in was not one we wanted to continually fight just by ourselves All of labour, particularly, the public sector was under attack, and we needed to be part of that, and the way to do it was to affiliate with the BC Federation of Labour. So, when we actually took the vote in 2003, a member vote, probably the only union ever to affiliate to the Federation with a member vote, we passed it, and became members of the BC Federation of Labour. And two years later, by another vote of the members, we joined the Canadian Labour Congress, and became members of the CLC, and have been ever since. So, the five-year plan had a lot of outreach, a lot of working coalitions, a lot of working with other unions, with other organizations, and affiliation was a logical part of that five-year plan.

[00:53:18] AC: So, the minister of education of the day, Christy Clark, set amendments and made changes to the College of Teachers. What were those changes, and what was the Federation's response to that change?

[00:53:35] KN: Well, basically, it was a power grab by the government to take control of the College. They didn't like teachers having control of the College of Teachers. And, that is ironic, because, every college is controlled by the profession that it administers, that it certifies, so she completely re-structured the College Board, appointing two teachers to the board, not elected

by teachers, appointed by the ministry. And they were going to govern the college, and bring about changes in the college, to make it more of a tool of government, rather, than a tool of teachers. And the Federation mobilized against that, we demanded a democratic college—if we were going to have a College of Teachers; remember, teachers never asked for a college, we didn't want it when it was brought in, and, at this point, we were just saying, if there is going to be a college, it has got to be a democratic college, which means, that the members of the college should select the governing body for the college, not government. And, basically, the strategy we employed, was to refuse to pay our college fees. Now technically, the legal argument that was presented to us, was if we don't pay our fees, we're not members of the College, we can't teach. We can be merely dismissed from our jobs,

[00:55:28] KN: and that was a threat in fact, that that would happen. And, of course, we knew from the previous experience, that if you stick together, if you're altogether, if we all do this, they're not going to fire 35 or 40 thousand teachers.

[00:55:44] KN: Nobody

[00:55:57] KN: is going to do that. So, our strength was in being united, in taking a united position, which is what we did, we stood up to government. And, in fact, that particular incident stood out there as a very defiant, strong position that the union was taking, that its members have been saying: "We're not going to accept this!

[00:56:11] KN: You have to deal with us." And, the government had to deal with us. We won that one, and this was a government that had 77 out of 79 seats in the legislature. We took them on, and said: "No! We need something different" and we got something different. It was not exactly what we had before, but it did have a majority of teachers on the new College Board, and so we moved forward from there. But it was, perhaps, the most significant example of a union, to that point in time, taking a government on, in terms of their heavy-handedness, their arbitrary actions with unions, with working people overall.

[00:57:13] DB: Ken, tell us a little bit about the 2005 election, the provincial election.

[00:57:20] KN: Well, that was the first election, the first opportunity that the people of the province had to make any statement at all, about the kind of unilateral, authoritarian government that Gordon Campbell had brought in. He did not seem to want to listen to anybody. He and his government just bulldozed ahead, and did what they wanted to do. The College of Teachers' incident made them sit-up, they had to, in terms of the action that we took. So, in the 2005 election, as I said previously, we committed \$5 million on a major publicity campaign, and providing locals with money to highlight all the issues in their communities about schools and what was happening in schools. And, we did, we highlighted that significantly, and I remember, one of the most effective ads that we ran, during the Academy Award period, we ran an ad on giving Gordon Campbell an academy award for the worst performance, and it was right in the middle of the Academy Awards—there was an ad, during the awards, and very, very effective, leading up to the 2005 election. And, our President of the day, Jinny Sims, who had

been elected in 2004, so that was her first year, 2004–2005; and in May of 2005 she travelled to, virtually, every local in province, to get teachers involved in the election, to speak about how important the election was, and so forth,

[00:59:19] KN: so there was a very significant involvement by the Federation, most of it was in the area of public advocacy, and publicity, and whatever we can do to raise awareness about what was happening in education. But it was significant, and as you know, we established some balance in the BC Legislature, as a result of that election. It was

[00:59:49] KN: a different House after the 2005 election.

[00:59:54] DB: So, that same year, 2005, we were into a big strike, again. Can you tell us about the 2005 teachers' strike?

[01:00:00] KN: Yes. That was, in my mind, one of the most significant actions of the Federation, if you go back in its history, all the way back in 1917, there are many significant developments, where you can say, that the action that teachers took on this particular occasion, really had some significant impact on what was happening in the province and in teaching. And this strike would be one of those, for a number of reasons.

[01:00:37] KN: Remember, in 2002, they had imposed an agreement—I can't even say that they imposed an agreement, but they imposed terms and conditions of employment, they was no agreement—we never ever agreed to anything that they imposed on us legislatively. And, that expired in 2005, in June of 2005, so we were into negotiating a new agreement once again. And, of course, it was with limited terms and conditions, that we could negotiate, under the law, but we were out to negotiate any improved classroom conditions as much as we could at the bargaining table. And, the five-year plan that I've spoken off earlier, was also operative in the sense, that we were going to use the bargaining cycle as an opportunity to, again, highlight the need for improvements in classroom conditions. And, we were not successful in moving forward very much at the bargaining table, and the legislature was sitting, this is the fall of 2005, we had taken a strike vote, a successful one, and the government chose, as we expected that they might, to yet again, impose another agreement—to extend the agreement, that we had, and therefore eliminate the round of collective bargaining that we were engaged in.

[01:02:18] KN: And, we had anticipated that might happen, so I think in some senses we were ready, we had, sort of, been looking to this round of bargaining, as a significant opportunity again, to highlight what we thought should happen in schools. And, when it did, we immediately, even though we had a successful strike vote, a high one, we took another vote, because now, with the imposed agreement, technically, we couldn't strike, we couldn't do anything. It was another imposed agreement, right?—so, we took a vote asking teachers, if they would continue to go out on strike, knowing, that potentially, it might be illegal. Quite frankly, that's the question we put to them. And, we got an overwhelming "Yes", they were fed-up, they were not going to take it anymore (laughs), so they gave the Executive of the day, a mandate, to go out on strike, even though the argument would be made, and could be made, that the strike

was illegal. So, that's what we did. We went out, and, of course, the government took us to court, the employer took us to court, and we continued to get support overwhelmingly from teachers, and

[01:03:58] KN: we got support from other unions, we got support from the BC Federation of Labour, there were rallies, there were demonstrations, there were all kinds of support activities and actions... And one of the things, that the BC Supreme Court judge Brenda Brown, who was sitting on this case for the Supreme Court of BC, early in the dispute, said, that we could not provide strike-pay to our members,

[01:04:39] KN: and

[01:04:42] KN: in some respects, we weren't in a position to pay strike-pay, we did not have a huge collective bargaining defence fund at that time, however, I had had discussions with a number of unions, particularly in Ontario, who had huge strike funds, and we had made arrangements, if we needed to, to get loans from these organizations, to help us through this struggle. We anticipated that we might have this kind of a battle to fight through. Anyway, now that we couldn't pay strike-pay, no doubt there were going to be some teachers in dire straits, because they had no funds, no resources, nothing to live on, if they didn't get strike-pay. So, we had a huge rally in Victoria, and this is early in the strike; and teachers from across the country, teacher-leaders, presidents and so forth, including the Canadian Teachers' Federation; and we were members of the CTF at the time; came to support us in that demonstration, it was huge. And I met with Julius Buski, who was General Secretary of the CTF, and asked if we could set-up a fund that teacher organizations across the country could donate to; and that teachers in BC could apply to this fund to get some relief, some support, some financial resources to help them,

[01:06:14] KN: if they were in dire straits, they could just apply, and... So, it wasn't our strike fund, we weren't violating the Supreme Court ruling, this was just a separate fund that was set-up, and, in many respects, it fit the bill for people, for teachers, who were in dire straits to be able to go somewhere to get this kind of relief, it was an extremely important development to allow the strike to continue. The other thing about the strike, that was extremely noteworthy, because, as you know, public sector strikes don't tend to be very popular with the public; this one was, because teachers had been pushing this whole notion, of a need for improvements in teaching conditions for the last five years. It had been omnipresent—it was there the whole time, the message was there, improve teaching conditions; and our President, Jinny Sims, during the strike, every time she spoke—this strike is about teaching conditions, it's about learning conditions, it's about classroom conditions, that's what this strike is about; and the public were onside. Public supported the strike, hoping that we would get some improvements in class-size and other learning and working conditions.

[01:07:35] KN: And, so the strike went on for 10 days, and eventually, government introduced the concept of involving Vince Ready, and we accepted that, and we did get a resolution, that

Vince Ready negotiated with government, with BCPSEA; and with us, that provided for some improvements, and for a process for dealing with class-size and class-composition, that we knew was not what we wanted,

[01:08:11] KN: but was probably the best we were going to get out of the circumstances. So, it was a dramatic strike, and it had a very lasting impact on teachers.

[01:08:23] AC: Thank

[01:08:24] AC: you. And, that, by the way, was 2006, that you negotiated a deal?

[01:08:32] KN: No, the 2006 negotiated deal came about a year later.

[01:08:35] AC: Please,

[01:08:39] AC: tell us a little bit about that!

[01:08:40] KN: Well, what happened, is we got in the settlement with Vince Ready, we got, basically, some improvements with the legislated (agreement)—remember, they legislated a one-year extension of our agreement, so it went to 2006; and it was in keeping with the deadline for other public sector agreements, that were in place, and that's what they wanted to do, so, in spite of the fact, that it was legislated, we did get these improvements, including salary, in terms of the Ready resolution. Which takes us to 2006, which was essentially, the next round, if you like, of public sector bargaining overall.

[01:09:29] KN: And,

[01:09:31] KN: if there was a message in our dispute in 2005 to government, we were saying, and because we had such an overwhelming support from the labour movement, it was clear that labour was saying: "We're just not going to take it anymore." You know, we've got to do something different, and thankfully, I suppose, at least, one of these Gordon Campbell's cabinet ministers understood this, Carol Taylor, who was the Minister of Finance, the new Minister of Finance, having just been elected. She had a proposal, and managed to get from Treasury Board, from government, the resources to actually, provide the public sector with some salary increases. And, that's what happened in 2006,

[01:10:30] KN: we went to

[01:10:43] KN: the table, like every other public sector; we were given pretty standard provisions for salary increases, and we had some other changes in that round, but we actually, reached a negotiated deal. I don't think we even... I don't recall even taking a strike vote that time, but we did get an agreement with government, and that was 2006, and that was a five-year agreement,

[01:10:57] KN: or it might have been a six-year agreement actually. Everybody else had a five-year agreement, I think we took six.

[01:11:05] DB: Well, this one is a “big-picture” question then, Ken—what do you think are the most significant differences between the BCTF in 2005, and the way the BCTF was, when you began teaching.

[01:11:13] KN: Well...

[01:11:22] KN: I think, the major change that I saw, would have been the strength of our locals. When I started teaching, there were very few full-time local presidents in the province. Most of them were still teachers, and they... But once we had collective agreements, once we had a grievance procedure to resolve grievances, once all of those things that happened, the local became a very, very critical part of life of a teacher’s life. And, so, if there was one significant change, I would say, that was one, the local emerged as a very significant unit, with the Local President having an authority to act on behalf of teachers with the school board,

[01:12:15] KN: with the employer in a way that wasn’t there before. The other change, that, sort of parallels that, is the fact that administrators, because of the changes in the leadership of the Federation, and ultimately by the ministry being removed from the bargaining unit, it became an organization, simply, of teachers, rather than including all these administrators, who had conservatizing influences on the organization. So, those two would be significant changes I saw since the time that I became a member, until now.

[01:12:58] AC: And, finally, Ken I wonder if you could answer this question: what do you consider to be the greatest challenge the BCTF will face in the future.

[01:13:10] KN: I still think the greatest challenge—the greatest challenge now and into the future will continue to be—to obtain the resources necessary to have good public schools. I think, that governments want to abdicate the responsibility of all kinds of services, and would love to see private schools—school system is an expensive proposition for any government, along with healthcare, one of the major costs to government. And I am concerned, for example, to say, what might happen in the future, the move to distance education, what is called, distance education, which was quickly becoming on-line teaching, will become a significant move, because of the resources that it manages to save, yet it completely ignores the socialization process of education, which is just as critical, as what students learn. Students learn how to work with each other, how to cooperate, how to work together, how to critically think, and so forth, but you don’t learn that on-line. You learn that in classrooms, you learn that through interaction with other people in your peer group, and you learn that through the education process. So, that to me is the biggest threat, is to remove that element of education from a child’s experience

[01:14:52] KN: through trying to cut back the resources that are spent on education. So, I think that will continue—resources for education will continue to be the greatest struggle for teachers, and for the BCTF.

[01:14:53] AC: Thank you.