

Decentralized Bargaining : Its Problems and Direction in Ontario and the Western Provinces

Problèmes et tendances de la négociation collective décentralisée dans les systèmes d'éducation publique de l'Ontario et des provinces de l'Ouest

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Résumé de l'article

Le problème de la négociation collective pour les enseignants au Canada est généralement résolu. Il reste cependant deux ombres au tableau : la question de droit et la question de structure. Le premier problème réfère à l'usage de la grève et/ou d'autres moyens alors que le second soulève la question du niveau approprié pour les négociations collectives (locales, régionales, etc). Ce problème de structure inclut évidemment la question du degré de centralisation qui devrait exister en négociation collective. Cet article examine la structure de la négociation chez les enseignants et s'attarde sur les problèmes et les tendances de la négociation décentralisée en Colombie Britannique, en Alberta et en Ontario.

LE DÉVELOPPEMENT DES STRUCTURES DÉCENTRALISÉES DE NÉGOCIATION

La raison expliquant l'existence de structures décentralisées est fondamentalement historique : dès les débuts, on retrouve le pouvoir au niveau local. Cependant, avec le temps, on remarque une divergence croissante de vue entre les côtés patronal et syndical quant à cette décentralisation. L'argument majeur de cette divergence provient de la préoccupation suivante : est-ce que la négociation décentralisée prend les conditions locales en considération? Le côté patronal prétend que non, alors que le côté syndical répond affirmativement à cette question. Sous un tel système de négociation, on peut faire l'hypothèse que les conditions locales varient entre juridictions scolaires et si ces conditions locales jouent un rôle important dans le processus de négociation, il y aura alors une grande disparité entre les structures de salaires établies par les différentes juridictions scolaires à travers une province.

L'étude que nous avons faite révèle qu'il n'y a qu'une très faible influence des conditions locales sur les niveaux de salaires en Colombie Britannique et en Alberta. Nous retrouvons cependant l'inverse en Ontario, mais l'intégration des commissions scolaires rendra vite le cas ontarien semblable à celui des deux provinces de l'Ouest.

La similarité intraprovinciale des salaires des enseignants même sous un système de négociation collective décentralisée trouve son explication dans cinq facteurs principaux : le facteur financier (participation des gouvernements provinciaux), le marché du travail (par son caractère concurrentiel), le rôle croissant des associations provinciales d'enseignants, le rôle des tierces parties en négociation collective et le rôle de la procédure de négociation.

LES TENDANCES DES STRUCTURES DÉCENTRALISÉES

Nous pouvons conclure de façon générale que la structure décentralisée de négociation ne considère plus autant l'impact des conditions locales. Il apparaît donc rentable de négocier chaque année au niveau local. On arrive cependant à se demander s'il existe une justification pour la tenue d'un grand nombre de négociations dont les résultats sont tellement similaires. On trouve justification en considérant la communication et les relations entre enseignants et leurs commissions scolaires et la participation locale à la prise de décisions. Cependant il n'existe pas de justification économique.

Decentralized Bargaining: Its Problems and Direction in the Public Education Systems of Ontario and the Western Provinces

J. Douglas Muir

This paper is directed to the bargaining structure issue and examines the problems and direction of decentralized bargaining in British Columbia, Alberta and Ontario.

Introduction

While concern may be expressed over the impact of some strikes, the Canadian public has generally accepted labour's right to bargain. Even the introduction of collective bargaining rights for federal public servants in 1967 was met with surprisingly little resistance. Yet the collective bargaining activities of public school teachers continue to be a controversial and highly emotional area. Teachers in a number of provinces have a difficult struggle to obtain what they feel is one of their democratic rights – the right to participate in the determination of their salaries. The development of any collective bargaining procedure has been strongly resisted by most school trustees on the basis that it is not only unprofessional but it also undermines the responsibilities delegated to school trustees by the electorate. Some members of the public have been concerned that any system based upon a conflict relationship is incompatible with the educational goals of the schools. Other ratepayers have been opposed to collective bargaining because of the impact *they claim* it has upon the level of school taxes.

Most students of collective bargaining support the collective bargaining procedure although some compare it to a tribal ritual which

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has little impact upon the actual level of salaries. Despite the various claims and counterclaims, collective bargaining *is* the system used to determine the level of teachers' salaries in all provinces except Prince Edward Island and Newfoundland.

Thus the question of whether or not teachers in Canada will bargain collectively with their employers has generally been resolved. There are, however, two major associated issues still outstanding – one is a « right's » issue and the other is a « structural » issue. The right's issue involves the teachers' right to use the strike and/or other coercive weapons. The structural issue involves the question of whether teacher bargaining is to be conducted at the local level ; at the zone or area level ; or at the provincial level. Thus this later issue involves the degree of centralization that should exist in the bargaining structure. This paper is directed to the bargaining structure issue and examines the problems and direction of decentralized bargaining in British Columbia, Alberta, and Ontario.

Development of Decentralized Bargaining Structures

The reason for the development of decentralized bargaining structures in Ontario and the Western provinces is primarily one of historical evolution. Teachers' occupational associations were formed in Ontario, British Columbia and Alberta immediately after World War I¹ : These occupational associations began as either loose affiliations of local teachers' association, as in British Columbia, or as a fairly centralized association, where teachers were affiliated directly to the provincial body rather than to the local association as in Alberta. Regardless of the organizational structure, however, the strength of the association initially lay in the locals of the association. As a result, some locals developed faster, became stronger and assumed more militancy than did others. Teachers in some locals strongly endorsed the associations' occupational objectives whereas those on others did not. Thus pressure for voluntary recognition of the local association as a bargaining representative for teachers varied from one local to another. In addition school trustee resistance to this voluntary bargaining concept also varied between school jurisdictions. Hence throughout the 1920's and 1930's some local teachers « bargained » collectively with their local school boards whereas others did not. Collective bargaining by teachers in Canada therefore originated

¹ It should be noted that educational associations existed before this time but their membership was broad based and they were not directly concerned with teachers' economic or occupational problems.

and found its initial strength at the local level and therefore was initially decentralized.

The weakness and inequity of the voluntary system of bargaining became quite evident to the teachers of British Columbia and Alberta during the 1930's. The teachers' associations in these two provinces therefore exerted considerable effort to obtain some form of bargaining *rights*. As a result of this pressure the British Columbia Education Act was revised in 1937 to provide compulsory arbitration of teachers' salary disputes and an implicit recognition of the teachers' right to bargain. Similarly these efforts in Alberta resulted in the teachers obtaining a statutory association membership requirement in 1936 and the statutory *right* to bargaining in 1941. (Teachers in Ontario have not sought and do not as yet actually have the *right* to bargain). The bargaining rights gained by teachers in Alberta and British Columbia were obtained on the basis of the then existing decentralized or local bargaining structure. Thus the evolution of voluntary bargaining into compulsory bargaining at the local level further developed decentralized bargaining structures which over the years have become quite strongly institutionalized.

Current Bargaining Situation

As indicated, the teachers currently have the statutory « right » to bargain in British Columbia and Alberta but not in Ontario. The teachers in Ontario do not appear to need this right since a series of « gentlemen's agreements » between the Ontario Teachers' Federation and the Ontario School Trustees' Council have voluntarily granted these rights to Ontario teachers. These gentlemen's agreements take the form of an exchange of letters between the Federation and the Council which establishes the « common law » governing the relations between the parties. One of the first of these gentlemen's agreements established that negotiations would be conducted at the local level between the school trustees and the local teachers' association. Negotiations have been conducted at the local level in Ontario ever since. In British Columbia there has been little concern over the size of the bargaining unit and the practice has been that these units conform to the size of the local school jurisdiction. Thus the practice of local level bargaining is firmly established in British Columbia. Finally, although the Alberta Teachers' Association is the official bargaining agent, the bargaining units desired by the teachers and certified by the Alberta Board of Industrial Relations have all been local in scope and conform to the size of the local school jurisdiction. Thus in all three provinces bargaining is decentralized, and negotiations are conducted at the local level between each school board and a committee of its local teachers.

Although the bargaining structure is decentralized, the provincial association in each of these three provinces have become heavily involved in the collective bargaining procedures. In British Columbia, initial salary negotiations are conducted between a committee of the local teachers and a committee of the local school board. However, in all instances where settlement is not reached at this local level, the central staff of the teachers' Federation and the trustees' Association prepares and presents the briefs to the salary arbitration board. (Experience has been that about 35 percent of the salary disputes are resolved at this level). In Alberta all negotiations commence at the local level between a committee of the teachers and a committee of the school board. However, the Alberta Board of Industrial Relations has ruled that, if settlement is not reached at this local level, the staff of the teachers' Association (the official « bargaining agent ») must become involved before the dispute can be referred to a conciliation commissioner. As a result, the professional staff of the teachers, Association and of the trustees' Association take over and handle all disputes that are referred to either a conciliation Commission or to a Conciliation Board. Thus the provincial associations become directly involved in about forty percent of the salary settlements in Alberta. The practice in Ontario is similar to that of the other two provinces. The majority of negotiations are conducted between committees of local teachers and local school boards. However, if difficulty is experienced, the local teachers and/or the local school board may refer the dispute to their respective provincial association. In this way the provincial associations become directly involved in about twenty percent of the salary settlements in Ontario². It should be noted that, even when negotiations are conducted at the local level, the provincial associations in these provinces actively assist the local negotiations by (a) supplying them with statistics and other material to be used during negotiations, (b) coordinating local negotiations, (c) training local negotiation committees, and (d) generally assisting and advising the local negotiators.

It may therefore be concluded that, although the bargaining structure is decentralized in these three provinces, there is considerable control, coordination and direction provided by the professional staff of the

² It should be noted that it is not the Ontario Teachers' Federation or the Ontario School Trustees' Council but it is the affiliates of these central bodies which become involved in these negotiations. For example, it might be the Ontario Secondary School Teachers' Federation and the Northern Ontario Public and Secondary School Trustees' Association which would take over the negotiations. The OTF and the OSTC become involved only in a conciliatory role.

provincial teachers' and trustees' association. Thus while bargaining may be decentralized in structure it is not devoid of central influences.

Reaction to the Decentralized Bargaining Structure

Over the past decade the trustees' association have been steadily increasing their opposition to the existing decentralized bargaining structures. This opposition is greatest in Alberta and British Columbia but is also developing in Ontario. An indication of this development can be gained from looking at the Alberta experience. Prior to the early 1960's there was little central coordination of school board bargaining activities. As the decade progressed so did the amount of central coordination of bargaining. This coordination has taken the form of (a) assisting local school boards at the conciliation stages, (b) supplying statistics and economic support arguments to local trustees, (c) conducting negotiation training sessions, (d) holding zone bargaining coordination meeting, (e) lobbying to have the Alberta Labour Act amended to allow zone bargaining, (f) using the same « bargaining agent » to represent all school boards in a zone (so that although negotiations were conducted locally a united front was put forward), and finally (g) attempting to force the teachers into zone bargaining. Although the pattern has been slightly different in British Columbia the experience has been similar.

The school boards' opposition to decentralized bargaining has been based upon the argument that (a) it fits into the teacher's whipsawing tactics, (b) it forces inexperienced trustees to face the teachers' experienced bargainers, (c) it is extremely time consuming for part-time trustees, (d) it is deleterious to trustee-teacher relations and therefore detrimental to the educational system, and (e) the differences in the local conditions do not warrant local bargaining – particularly when virtually all items bargained are monetary items. It should also be emphasized that the teachers in all three provinces strongly support the existing decentralized bargaining structure and are resisting any move on the part of the trustees to centralize it. The teachers' case is based upon the arguments that (a) negotiations must be conducted between the local employer and its employees, (b) local negotiations provide an important point of communications between trustees and teachers, (c) only through local negotiations can local conditions be taken into account, and (d) they feel the existing system has worked effectively and there is no reason to change it. Thus at the present time there is a struggle between these two groups over this issue, the resolution of which will be determined by the power relationship that exists.

Economic Significance of Decentralized Bargaining

One of the central points of difference between the trustees' position and the teachers' position concerning decentralized bargaining is whether or not such bargaining takes local conditions into account. The trustees claim that it does not whereas the teachers insist that it does. Under a decentralized negotiation system it may be hypothesized that, *if* local conditions vary between school jurisdictions and *if* these local conditions play an important role in the bargaining process, there will be a significant variation in the salary structures established in school jurisdictions throughout a province. In order to test this hypothesis and to test the significance of these local conditions upon the salary scales, a detailed examination has been made of the salary scales paid by all the school boards in British Columbia, Alberta and Ontario for the school years 1966-67 to 1969-70.

Teachers' salaries are reported on a salary schedule or grid which establishes minimum and maximum salaries for each year of education and teachers automatically move from the minimum to the maximum salary with each additional year of teaching experience. Tables I to IV report the average minimum and average maximum salaries paid for each qualification level for the years 1966-67 to 1969-70 in British Columbia, Alberta, and Ontario. These tables also report the range in the salaries – paid *within* each minimum and *within* each maximum salary for each qualification level – that is, the range between the lowest minimum salary paid and the highest minimum salary paid in a province to a teacher with, say, four years of education. In order to eliminate the influence of the old school board which may be paying an exceptionally high or low salary, the ranges between the 10th and the 90th percentiles for each minimum and maximum salary are also reported. Finally, in British Columbia and Alberta, where there are distinct districts or zones in the province, the salary ranges and percent increases for each minimum and maximum salary are also reported for each zone. In examining these tables little attention should be focused upon salaries for teachers at the first or lowest qualification level since in most instances these teachers are either being consciously eliminated or are being eliminated by attrition.

An examination of Table I shows that the decentralized bargaining structure in British Columbia has produced,

- (a) a range between the highest and the lowest salary paid within each minimum and maximum on the salary grid of approximately \$1,000 over the past three year period (an average of \$875 in 1966, \$1,005 in 1967, \$919 in 1968 and \$1,021 in 1969),

TABLE I
 MEANS & RANGES ABOUT THE MEANS IN BRITISH COLUMBIA FOR MINIMUM & MAXIMUM SALARIES
 PAID 1966 to 1969

	MINIMUM SALARIES										MAXIMUM SALARIES									
	EC	EB	EA	PE	PC	PB	PA	PA(Mas)	EC	EB	EA	PE	PC	PB	PA	PA(Mas)				
<i>Provincial Means</i>																				
1966	3538	4137	4636	5267	5152	5710	6189	6318	3981	6376	7095	8237	8143	9273	10113	10371				
1967	3929	4507	5039	5743	5576	6190	6705	6889	4263	6852	7638	8932	8737	9989	10886	11117				
1968	4207	4804	5357	6088	5936	6599	7131	7319	4541	7242	8068	9418	9272	10630	11729	11825				
1969	4425	5111	5701	—	6320	7019	7582	—	4796	7681	8563	—	9860	11305	12303	—				
<i>Provincial Range</i>																				
1966	1600	675	690	590	670	710	800	610	2650	1650	1275	525	1620	820	1075	705				
1967	1800	695	735	650	900	900	1000	810	2850	1580	1400	733	1675	1160	1200	735				
1968	1992	697	783	746	816	931	1026	920	2343	1275	904	800	1175	764	1329	794				
1969	2075	817	809	—	901	940	1048	—	2119	1190	1140	—	1105	1024	1240	—				
<i>Provincial Range Between 10th and 90th Percentiles</i>																				
1966	900	360	400	610	430	500	490	570	900	455	470	525	610	395	555	510				
1967	1000	430	455	525	475	590	580	550	1000	400	575	655	550	455	695	670				
1968	1125	370	425	550	490	569	550	610	1112	455	605	674	652	429	670	487				
1969	1385	350	440	—	480	605	630	—	1095	475	662	—	653	480	750	—				

TABLE I (continued)
 MEANS & RANGES ABOUT THE MEANS IN **BRITISH COLUMBIA** FOR MINIMUM & MAXIMUM SALARIES
 PAID 1966 to 1969

	MINIMUM SALARIES								MAXIMUM SALARIES							
	EC	EB	EA	PE	PC	PB	PA	PA(Mas)	EC	EB	EA	PE	PC	PB	PA	PA(Mas)
<i>Range of Salaries Within Each District (1969 only)</i>																
East Kootenay	1413	475	110	—	175	200	325	—	840	312	312	—	160	210	231	—
Fraser Valley	464	150	200	—	175	225	325	—	464	155	250	—	175	300	200	—
Mainline-Cariboo	825	225	200	—	225	225	200	—	825	200	200	—	225	225	200	—
Metropolitan	213	85	90	—	80	101	242	—	820	224	225	—	226	299	181	—
North Coast	315	435	404	—	440	443	543	—	1080	473	535	—	595	881	709	—
Northern Interior	800	345	410	—	500	340	350	—	835	290	445	—	229	442	540	—
Okanagan	434	252	237	—	345	369	337	—	1104	452	540	—	520	454	585	—
South Coast	1270	260	410	—	525	410	410	—	1450	251	515	—	610	325	610	—
Vancouver Island	950	745	765	—	855	821	900	—	1745	990	965	—	995	860	1125	—
West Kootenay	1635	234	267	—	402	557	637	—	915	280	270	—	240	325	420	—
<i>Percent Average Salary Increased 1968 to 1969 By District</i>																
East Kootenay	3.2	5.4	6.0	—	5.8	6.5	6.2	—	10.7	6.4	6.5	—	5.9	6.1	6.4	—
Fraser Valley	8.1	6.5	6.3	—	7.2	6.7	6.7	—	8.1	6.6	6.5	—	6.6	6.2	6.4	—
Mainline-Cariboo	10.6	6.7	7.1	—	6.7	7.0	5.7	—	9.0	6.3	6.6	—	6.5	6.8	6.3	—
Metropolitan	6.9	6.6	6.6	—	6.7	6.6	6.4	—	9.9	6.2	6.0	—	7.2	6.5	6.2	—
North Coast	5.5	5.6	5.9	—	5.7	5.8	5.5	—	3.0	5.6	5.9	—	5.7	5.6	5.3	—
Northern Interior	1.8	6.5	6.1	—	6.1	6.5	6.3	—	2.3	6.8	6.6	—	6.3	6.9	6.0	—
Okanagan	6.2	6.8	6.7	—	6.9	6.5	6.6	—	5.8	5.6	5.9	—	6.2	6.3	6.2	—
South Coast	9.7	4.3	4.5	—	4.6	5.3	7.6	—	3.8	4.9	5.2	—	4.9	5.7	6.0	—
Vancouver Island	5.6	6.6	7.0	—	6.9	6.4	6.6	—	6.0	5.7	6.2	—	6.2	6.0	5.8	—
West Kootenay	-2.3	7.3	6.5	—	6.7	6.2	6.2	—	-1.4	6.2	5.5	—	6.2	6.1	6.3	—
Total Province	5.2	6.4	6.4	—	6.5	6.4	6.3	—	5.6	6.1	6.1	—	6.3	6.3	4.9	—

SOURCE: various issues of *Summary & Analysis of Teachers' Salary Scales*, British Columbia School Trustees' Association.

- (b) a fairly stable range of about \$540 between the highest and the lowest salary paid within each minimum and maximum by school boards within the 10th and the 90th percentile grouping over the past three years (an average range of \$485 in 1966, \$544 in 1967, \$531 in 1968 and \$553 in 1969), and
- (c) with the exception of the Vancouver Island District (where the range was \$902), the range of salaries paid for each minimum and maximum *within* each of the ten Districts averaged less than \$550 in 1969. In fact the average range in East Kootenay, Fraser Valley,

Mainline-Cariboo, and Metropolitan Districts was less than \$250.

Thus the economic significance of the decentralized bargaining structure and the maximum impact of local conditions in British Columbia amounts, at the most, to an average of about \$43 a month on either side of the mean for each minimum and maximum qualification level. If the exceptionally high and low salaries are ignored, the range of salaries in these classifications for 80 percent of the school jurisdictions is only about \$45 per month or \$23 on either side of the classification average. Thus it appears as though local conditions either do not vary significantly throughout British Columbia or else they do not have much of an impact upon the level of salaries established. This position is further strengthened since the difference in minimum or maximum salaries *within* each of the ten districts in the Province is very low – a variation of less than \$20 per month (or \$10 on either side of the mean salary) within four of these districts.

An examination of Table II reveals that the decentralized bargaining structure in *Alberta* has produced the following,

- (a) a range between the highest and the lowest salaries paid within each minimum and maximum category that has fluctuated from year to year (an average range of \$1,350 in 1966-67, \$1,235 in 1967-68, \$1,727 in 1968-69, and \$840 in 1969-70).
- (b) a fairly small and diminishing range of salaries paid for each minimum and maximum grid classification by school boards in the 10th to 90th percentile (an average range of \$450 in 1966-67, \$355 in 1967-68, \$346 in 1968-69, and \$308 in 1969-70), and
- (c) a fairly small average range of salaries for each minimum and maximum grid classifications *within* any one of the six Zones of the province (an average range of \$570 in Zone 4 down to \$93 in Zone 1 in 1969-70).

TABLE II
 MEANS & RANGES ABOUT THE MEANS IN ALBERTA FOR MINIMUM & MAXIMUM SALARIES
 PAID 1966-67 to 1969-70

	MINIMUM SALARIES						MAXIMUM SALARIES					
	1	2	3	4	5	6	1	2	3	4	5	6
<i>Provincial Means</i>												
1966-67	3283	3968	4603	5583	5989	6392	5337	6305	7290	9170	9603	10028
1967-68	3855	4438	5130	6178	6598	7023	5984	7025	8065	10204	10621	11076
1968-69	4165	4732	5451	6614	7045	7504	6352	7399	8468	10731	11169	11623
1969-70	4359	5085	5852	7056	7504	7970	6742	7905	9025	11425	11870	12336
<i>Provincial Ranges</i>												
1966-67	700	900	1000	700	900	1100	1775	1200	1600	2200	2250	1250
1967-68	1450	700	900	900	1000	1200	1500	1100	1350	1600	1700	1900
1968-69	1300	2000	1800	1700	2500	3000	1350	800	1200	1350	1050	1850
1969-70	900	600	700	750	750	1000	1400	1100	1200	700	750	850
<i>Provincial Ranges Between 10th and 90th Percentiles</i>												
1966-67	400	500	600	300	250	300	550	350	500	500	550	650
1967-68	—	350	300	300	350	350	400	300	200	500	500	400
1968-69	600	200	300	200	220	325	300	250	170	640	500	650
1969-70	700	250	180	100	200	200	300	250	430	400	425	650
<i>Range of Salaries Within Each Zone (1969-70 only)</i>												
Zone 1	200	75	25	25	125	225	100	25	25	125	100	175
Zone 2	900	300	500	245	350	400	300	589	800	500	600	650
Zone 3	680	255	150	200	150	250	100	200	250	680	740	850
Zone 4	650	500	600	750	750	900	250	250	600	300	400	650
Zone 5	550	300	300	250	200	300	1300	950	1050	500	400	600
Zone 6	650	300	150	100	200	100	400	300	300	350	325	300
<i>Percentage Average Salary Increased by Zone 1968-69 to 1969-70</i>												
Zone 1	—	2.0	0.9	2.3	1.7	1.2	3.5	3.9	4.1	7.4	5.5	4.0
Zone 2	5.3	8.0	8.8	7.8	7.3	7.0	7.3	8.6	8.0	6.7	6.5	6.3
Zone 3	6.1	8.3	7.6	6.9	6.8	6.4	6.3	6.4	5.9	6.8	6.6	6.4
Zone 4	6.4	7.0	7.3	7.4	7.4	7.5	6.1	6.4	6.2	5.6	5.8	5.9
Zone 5	8.0	8.6	8.4	6.9	6.5	6.3	7.2	8.4	8.4	5.7	5.5	4.9
Zone 6	5.2	8.1	7.0	6.7	7.0	6.5	6.3	6.3	6.1	6.6	6.7	7.3
Total Province	4.7	7.5	7.4	6.7	6.5	6.2	6.2	6.8	6.6	6.5	6.3	6.1

SOURCE: various issues of *The Collective Bargaining Kit for Alberta School Boards*, Alberta School Trustees' Association.

As in British Columbia, the Alberta experience suggests that the economic significance of the decentralized bargaining structure has not been substantial. The maximum impact that local conditions could have made on the level of settlements varied from \$144 a month (or \$72 on either side of the mean for each minimum and maximum) in 1968-69 to only \$70 a month (or \$35 on either side of the mean) in 1969-70. The variation in salaries by those boards within the 10th to 90th percentile grouping declined to a low of \$25 per month (or \$18 on either side of the mean for each minimum and maximum classification) by 1969-70. It is therefore suggested that local conditions have not had a significant impact upon the level of salaries established throughout Alberta. This position is again strengthened by examining the range of salaries *within* any of the six Zones in the province where the range varied between \$48 and \$8 per month (or \$24 to \$4 per month on either side of the mean for each minimum and maximum classification) in 1969-70.

An examination of Table III reveals that the decentralized bargaining structure in *Ontario* has produced the following,

- (a) an average provincial range within each minimum and maximum position in the *public* elementary system that has fluctuated between \$2,775 and \$1,400 over the past three years. In this same school system the average range in salaries for each minimum and maximum category for school boards in the 10th to 90th percentile group fluctuated from \$1,000 to \$538 between 1967-68 to 1969-70.
- (b) an average provincial range within each minimum and maximum position in the elementary *separate* school system that has fluctuated between \$1,800 and \$1,475 over the past three years. The average range in the salary categories for those elementary separate school boards in the 10th to 90th percentile group has fluctuated from \$975 and \$788 between 1967-68 to 1969-70.
- (c) in combining both the public and the separate elementary school system the provincial range within each minimum and maximum category has fluctuated between \$2,450 and \$1,975 over the three year period and the average range for school boards in the 10th to 90th percentile group has fluctuated from \$1,000 and \$550 between 1967-68 and 1969-70.
- (d) the difference in the level of minimum and maximum salaries established in the elementary *public* school system and in the

elementary *separate* school system has only average \$22 in 1967-68, \$10 in 1968-69, and \$76 in 1969-70.

- (e) the provincial range between the lowest and the highest salaries paid in each of the minimum and maximum categories in the *secondary* school system fluctuated between \$3,225 and \$2,413 over the past four year period and the range in the 10th to 90th percentile group averaged from \$988 to \$675 between 1966-67 and 1969-70.

The examination of the fluctuation between the lowest salary and the highest salary paid for each minimum and maximum on salary scales in Ontario reveals that there is a fairly wide and significant variation in the levels of salaries paid throughout Ontario. The examination of school boards in the 10th to 90th percentile group reveals that the variation in salaries within each minimum and maximum position ranged between \$83 to \$45 per month in the *public* elementary system, \$81 to \$66 on the separate elementary system and \$82 to \$56 in the *secondary* school system. Thus one may generalize that local conditions do have some influence upon the level of salaries paid in Ontario. The other significant finding relates to the difference in the level of salaries paid in the elementary *public* as compared to the elementary *separate* school systems. Although these two groups are represented by different teachers' associations who negotiate separately with different school boards, the actual salary levels established are virtually identical (an average difference of only \$22 in 1967-68, \$10 in 1968-69, and \$76 in 1969-70).

The results of the foregoing analysis reveal that there is very little influence of local conditions upon the level of salaries established in either British Columbia or Alberta. One could legitimately question the economic value of the decentralized bargaining structure in these two provinces. The situation in Ontario is somewhat different. Consolidation of school boards only began during the last year of the period examined. Thus in the data examined there exists a multitude of very small school jurisdictions. Under such a situation local conditions *do* play a role in determining the level of salaries and the decentralized bargaining system has produced some fluctuation in the level of salaries established. However, the indications are that with the increased consolidation of school boards in Ontario and the increased activities of the teachers' and the school trustee associations the impact of this decentralized structure in Ontario will be less in the future.

TABLE III
MEANS & RANGES ABOUT THE MEANS IN ONTARIO ELEMENTARY SCHOOL SYSTEM FOR MINIMUM & MAXIMUM SALARIES PAID 1967-68 - 1969-70

	MINIMUM SALARIES				MAXIMUM SALARIES			
	Std 1	Std 2	Std 3	Std 4	Std 1	Std 2	Std 3	Std 4
<i>Public School System</i>								
<i>Provincial Means</i>								
1967-68	4446	4802	5416	5922	6328	7370	8183	9367
1968-69	4783	5175	5613	6405	6609	7944	8919	10383
1969-70	5160	5643	6127	7107	7051	8401	9758	11465
<i>Provincial Ranges</i>								
1967-68	1300	1400	1600	2200	1900	2600	3000	5500
1968-69	700	700	1200	1900	1000	2000	1700	2000
1969-70	600	800	1000	1300	1800	1400	1700	5600
<i>Provincial Ranges Between 10th & 90th Percentiles</i>								
1967-68	500	500	600	800	900	1200	1400	2100
1968-69	300	300	400	300	500	600	800	1100
1969-70	400	600	600	900	700	700	800	1100
<i>Separate School System</i>								
<i>Provincial Means</i>								
1967-68	4462	4891	5340	5989	6565	7573	8336	9296
1968-69	4767	5191	5652	6361	6903	7983	8837	10060
1969-70	5200	5662	6156	6953	7217	8412	9544	10961
<i>Provincial Ranges</i>								
1967-68	1200	1300	1500	1500	1500	2100	2500	3300
1968-69	800	800	1000	1200	1200	1500	1900	3400
1969-70	600	700	1000	1500	2300	1800	1900	2700

TABLE III (continued)
 MEANS & RANGES ABOUT THE MEANS IN ONTARIO ELEMENTARY SCHOOL SYSTEM FOR MINIMUM &
 MAXIMUM SALARIES PAID 1967-68 - 1969-70

	MINIMUM SALARIES				MAXIMUM SALARIES			
	Std 1	Std 2	Std 3	Std 4	Std 1	Std 2	Std 3	Std 4
<i>Provincial Ranges Between 10th & 90th Percentiles</i>								
1967-68	400	500	500	800	800	1200	1400	2200
1968-69	300	500	500	400	1300	700	900	1700
1969-70	300	500	600	800	900	600	1100	1600
<i>Total Elementary School System</i>								
<i>Provincial Means</i>								
1967-68	4448	4815	5214	5932	6363	7399	8205	9357
1968-69	4778	5180	5625	6392	6696	7955	8895	10286
1969-70	5225	5651	6138	7062	7110	8416	9667	11317
<i>Provincial Ranges</i>								
1967-68	1400	1400	1600	2200	1900	2600	3000	5500
1968-69	1000	1000	1500	2200	1300	2100	2100	3400
1969-70	600	700	1000	1500	2400	1800	2100	6200
<i>Provincial Ranges Between 10th & 90th Percentiles</i>								
1967-68	500	500	600	800	900	1100	1500	2100
1968-69	300	300	400	300	600	600	800	1100
1969-70	300	500	600	800	700	700	1100	1300

SOURCE : various issues of *Salary Schedules in Ontario Elementary Schools*,
 Ontario School Trustees' Council.

TABLE IV
MEANS & RANGES ABOUT THE MEANS IN ONTARIO SECONDARY SCHOOL SYSTEM FOR MINIMUM & MAXIMUM SALARIES PAID 1967-68 - 1969-70

	MINIMUM SALARIES				MAXIMUM SALARIES			
	Grp I	Grp II	Grp III	Grp IV	Grp I	Grp II	Grp III	Grp IV
<i>Provincial Means</i>								
1966-67	5448	5768	6419	6830	9083	9475	10561	11083
1967-68	6055	6583	7373	7532	10201	10718	11966	12759
1968-69	6605	6960	7748	8239	10762	11318	12687	13471
1969-70	7107	7416	8237	8761	11465	12042	13454	14377
<i>Provincial Ranges</i>								
1966-67	1000	1000	1200	1200	3600	3900	4500	5400
1967-68	1300	1300	1600	1900	2900	2600	3300	4440
1968-69	1400	1500	1500	2100	6200	2900	3400	7200
1969-70	1300	1500	1500	1800	5600	5400	4500	3400
<i>Provincial Ranges Between 10th & 90th Percentiles</i>								
1966-67	500	500	600	600	700	700	800	1000
1967-68	700	700	600	600	900	1100	1100	1600
1968-69	700	700	700	700	900	1000	900	1000
1969-70	900	1000	900	900	1100	1200	1000	900

SOURCE: various issues of *Salary Schedules in Ontario Secondary Schools*, Ontario School Trustees' Council.

Reasons for Lack of Impact of Decentralized Bargaining Structure

The foregoing examination of minimum and maximum teachers' salaries for each level of education clearly showed that, despite the decentralized bargaining structures, the inter-jurisdictional variations in the level of teachers' salaries within these provinces is generally quite small. Thus there is fairly strong evidence to suggest that local conditions play a relatively minor role in determining the level of teachers' salaries even under a decentralized bargaining system. It is also felt that the impact of these local conditions will become even less in the future. There are basically five factors leading to the intra-provincial similarity of teachers' salaries even under a decentralized bargaining system. One may be classified as financial, one as labour market and the others as institutional in nature. A discussion of these factors follows :

FINANCIAL FACTOR

Educational finance is a shared municipal-provincial responsibility in all three provinces. A foundation or cost sharing formula has been developed in each province to determine the share arrangements between the two levels of government. Under these arrangements the provincial governments have slowly been assuming a larger portion of the educational financial burden. These cost sharing programs have established a minimum or standard level of education services (including instructional services) for all school jurisdictions in the province. They have also guaranteed that, regardless of the tax base, all school jurisdictions are able to provide at least these minimum services. The involvement of the provincial governments in the financing of public education has leveled out many of the ability-to-pay inequities that had previously existed between school jurisdictions. The removal of these ability-to-pay inequities has in turn led to a narrowing of the intra-provincial differences in teachers' salary levels and a removal of much of the impact of local conditions.

LABOUR MARKET FACTOR

The major labour market factor influencing the level of teachers' salaries within a province has been the shortage of teachers. The teacher labour market is primarily provincial in scope and any shortage of teachers is felt fairly consistently throughout a single province. School trustees are aware of the relationship between the level of their teachers' salaries, relative to salaries in other school jurisdictions, and their supply and

turnover of teachers. School boards are therefore compelled by the labour market competitive pressures to pay salaries which are at, or at least close, to the average level of salaries paid in the province. Yet at the same time the financial burden and the pressures of the taxpayers impose an upper limit on the salaries they are able to offer. The result is that the standard deviation about the mean level of salaries between jurisdictions diminishes as the salary levels of all school boards tend toward the provincial average. Thus the reaction of the school trustees to the teacher shortage results in a narrowing of the intra-provincial differences in teacher salary levels and a further removal of the influence of local conditions.

INSTITUTIONAL FACTORS

The three most significant institutional factors leading to the de-emphasizing of local conditions in the salary structures are as follows :

The Role of the Provincial Associations – In each of these three provinces salaries were originally determined at the local level between representatives of the local teachers and the school board. Over a period of time the salary determination procedure has become more and more sophisticated and, as a result, the provincial teachers' and trustees' associations have been taking more and more of an active role in the determination of teachers' salaries. With each stage of association involvement came more emphasis upon comparability and a greater consistency in the salary levels established within a province. Speaking generally these provinces have gone through the following stages of development (a) pure and simple local negotiations, (b) local negotiations with statistics and comparisons supplied by the provincial associations, (c) local negotiations with the provincial associations holding regional or provincial negotiations « strategy » meeting, and (d) local negotiations with the provincial associations becoming involved in all disputes which go to the conciliation and/or arbitration stage. The associations in British Columbia and Alberta are now entering a fifth stage wherein the professional negotiators of the provincial associations are starting to personally assist and advise the local negotiators and in some instances actually participating in local negotiations. With each of these steps comes a natural tendency to overlook and reduce the impact of local conditions.

Role of Third Parties – Third parties play a much stronger role in collective bargaining in the public sector than they do in the private sector. There is no area in the public sector where the impact of these third parties has been as great as in the education field. The reasons for

this are threefold. First, with education being a very sensitive area, most government officials are extremely anxious to avoid a « situation » in education. Second, since some school trustees are elected every year, collective bargaining, the level of teachers' salaries and school taxes tend to become an election issue each and every year. Therefore many trustees welcome the chance to hand over this problem and possibly shift the responsibility to a third party. Finally, a crisis in education personally involves almost every family in the school jurisdiction. This to many becomes a moralistic issue of denying the children their educational rights while to others it simply creates the problem of providing supervision and babysitting for the children at home. In both instances the result is intensive pressure from the parents upon the trustees, the teachers and the government. This parental pressure is usually enough to trigger the intervention of a third party or third parties.

Both teachers and trustees sincerely wish to avoid the pressure created by the involvement of these third parties. Thus the pressures, or threat of pressures, from these groups becomes an added « cost of disagreement » taken into consideration by the negotiators. The outcome is that both teachers and trustees become more reluctant to retain fixed negotiation positions. This tends to reduce the range within which settlements are reached within the province, which in turn reduces the range of salary settlements.

Role of the Negotiation Procedure – The negotiation procedure followed by teachers and trustees also tends to place less emphasis upon the impact of local conditions upon the salary settlements. An indication of the impact of the negotiation procedure is shown in the following two examples.

COMPULSORY ARBITRATION

The compulsory arbitration requirement in British Columbia definitely weakens the influence of local conditions and narrows the range of differences in intra-provincial salary levels. A study of the impact of arbitration in British Columbia clearly revealed that the arbitration awards tend to centre around the average level of negotiated settlements. As the Director of Economic Welfare for the British Columbia Teachers' Federation stated, our general consensus is that arbitration awards permit us to obtain the going rate of increase which has to be previously established by negotiations³.

³ Letter from Mr. Des Grady, Director, Economic Welfare, British Columbia Teachers' Federation dated June 12th, 1969.

This consensus is further supported by the fact that in the 1969 negotiations, the average increase was 6.3% (55 settlements) as compared to only 6.1% average increase granted by arbitrators (30 awards)⁴. Since most arbitrators appear to use the level of negotiated settlements as their guide, the arbitration procedure tends to reduce the intra-provincial variations in teacher salary levels and ignores local conditions.

MULTI-LEVEL BARGAINING STAGE

In Alberta there is an effective five-stage negotiation procedure used by the teachers and trustees. This procedure has the effect of applying maximum pressure upon the parties and also providing them with maximum opportunity for flexibility. Each successive stage applies more pressure on the parties and tends to lubricate any sticky positions assumed by them. Again this tends to narrow what otherwise might be wide variations in teacher salary levels. An indication of this tendency is gained by examining the average salary grid increases between the years 1967-68 and 1968-69 for the 22 Albertan school districts which settled at the conciliation commissioner stage or beyond⁵. The average increase for the six groups which settled at the conciliation commissioner stage was 4.86 percent as compared to an average of 5.50 percent for the nine groups which settled at the conciliation board stage and the 5.02 percent for the seven groups which went beyond the conciliation board. The actual increase recommended by the conciliation board over the conciliation commissioner averaged only 0.58 percent. Similarly the settlements which went beyond the conciliation board stage settled at only an average of 0.16 percent higher than the conciliation board's award. Thus the influence of these successive steps tends to reduce the influence of local conditions and narrow the range in salary settlements in a province.

Direction of Decentralized Bargaining Structures

The foregoing analysis is inadequate to enable broad conclusions to be drawn. However, the evidence produced is strong enough to suggest that either local conditions do not vary significantly within the three provinces (particularly British Columbia and Alberta) or else local differences have a very weak influence upon the level of salaries established. Recognizing that local conditions do exist in each of the three

⁴ 1969 *Report of the Agreements Committee*, report given to the 1969 Annual General Meeting of the British Columbia Teachers' Federation, p. 44.

⁵ Unpublished material provided by L.G. Young, Head, Economic Services Alberta School Trustees' Association, May 23rd, 1969.

provinces it may be concluded that, generally speaking, the decentralized bargaining structure no longer takes strong account of the impact of local conditions. As suggested, the impact of various financial, labour market and institutional factors have overshadowed and dominated the influence of local conditions. Thus, from an economic standpoint, it appears hardly worth the time, effort or cost involved for teachers and trustees to go through the collective bargaining ritual each year at the local level. The question is therefore raised regarding the justification for about 75 different sets of negotiations to be conducted in British Columbia and in Alberta and for about 175 different sets of negotiations to be conducted in Ontario when the end results are so similar – this study suggests that justification cannot be found in the argument that the decentralized bargaining structure recognizes local conditions. Such justification may be found in the other arguments relating to communication, teachers-trustee relations, involvement of local personnel in the decision making process, but it is not to be found in an economy argument.

Thus in the education field there are two forces presently exerting pressure upon the industrial relations systems. One force results from the rapid increase in educational costs and the pressure being developed by ratepayers to shift much of this burden to provincial governments who now have little control over the level of these expenditures. The second pressure in the system results from the narrowing of the intra-provincial differences in the level of teachers' salaries. As indicated, this means that local conditions play a relatively minor role in the determination of teachers' salaries and therefore weakens the justification for locally determined salaries. The obvious results are twofold. First, a greater financial responsibility for education is shifting to the provincial governments. This in turn will lead to greater government involvement in teacher salary determination. Naturally « he who pays the piper will want to control the cost of the tune ». Second, there is and will be a greater move toward « area » or province-wide bargaining.

The recent government activities in Quebec, New Brunswick and Saskatchewan are obvious indications of such a trend. However, the re-organization of Ontario schools into larger school units resulting from Bill 44 and 45 may lead to an acceleration of this trend in Ontario. Similarly the « negotiations » between the Government, the teachers' Union and the Trustees' Associations over the Grant Scale in Nova Scotia and the emphasis that is being placed upon this scale may lead to greater determination of salaries at the provincial level in that province. In addition, the trustees and the teachers in Alberta appear to be

organizing for salary negotiations on a zone basis more than ever before. The similarity of salaries within these zones and the activities of these zone bargaining committees could lead to an extension of this trend in Alberta. Also, the Alberta Government's recent 6 percent budget increase limitation also suggests more government influence in salary determination in Alberta than ever before. Finally, in British Columbia the Government's recent financial Bill requiring all school board budgets to be approved by the Government could lead to greater government involvement in salary determination (such a requirement was also proposed by the Manitoba Government). Therefore, I feel that the handwriting is on the wall and there is a definite trend towards greater centralization of the determination of teachers' salary in all provinces and that the provincial governments will become more and more involved in the actual salary determination process in all provinces.

PROBLÈMES ET TENDANCES DE LA NÉGOCIATION COLLECTIVE DÉCENTRALISÉE DANS LES SYSTÈMES D'ÉDUCATION PUBLIQUE DE L'ONTARIO ET DES PROVINCES DE L'OUEST

Le problème de la négociation collective pour les enseignants au Canada est généralement résolu. Il reste cependant deux ombres au tableau : la question de droit et la question de structure. Le premier problème réfère à l'usage de la grève et/ou d'autres moyens alors que le second soulève la question du niveau approprié pour les négociations collectives (locales, régionales, etc). Ce problème de structure inclut évidemment la question du degré de centralisation qui devrait exister en négociation collective. Cet article examine la structure de la négociation chez les enseignants et s'attarde sur les problèmes et les tendances de la négociation décentralisée en Colombie Britannique, en Alberta et en Ontario.

LE DÉVELOPPEMENT DES STRUCTURES DÉCENTRALISÉES DE NÉGOCIATION

La raison expliquant l'existence de structures décentralisées est fondamentalement historique : dès les débuts, on retrouve le pouvoir au niveau local. Cependant, avec le temps, on remarque une divergence croissante de vue entre les côtés patronal et syndical quant à cette décentralisation. L'argument majeur de cette divergence provient de la préoccupation suivante : est-ce que la négociation décentralisée prend les conditions locales en considération ? Le côté patronal prétend que non, alors que le côté syndical répond affirmativement à cette question. Sous un tel système de négociation, on peut faire l'hypothèse que *si* les conditions locales varient entre juridictions scolaires et *si* ces conditions locales jouent un rôle important dans le processus de négociation, il y aura alors une grande disparité entre les structures de salaires établies par les différentes juridictions scolaires à travers une province.

L'étude que nous avons faite révèle qu'il n'y a qu'une très faible influence des conditions locales sur les niveaux de salaires en Colombie Britannique et en Alberta. Nous retrouvons cependant l'inverse en Ontario, mais l'intégration des commissions scolaires rendra vite le cas ontarien semblable à celui des deux provinces de l'Ouest.

La similarité intraprovinciale des salaires des enseignants même sous un système de négociation collective décentralisée trouve son explication dans cinq facteurs principaux : le facteur financier (participation des gouvernements provinciaux), le marché du travail (par son caractère concurrentiel), le rôle croissant des associations provinciales d'enseignants, le rôle des tierces parties en négociation collective et le rôle de la procédure de négociation.

LES TENDANCES DES STRUCTURES DÉCENTRALISÉES

Nous pouvons conclure de façon générale que la structure décentralisée de négociation ne considère plus autant l'impact des conditions locales. Il apparaît donc rentable de négocier chaque année au niveau local. On arrive cependant à se demander s'il existe une justification pour la tenue d'un grand nombre de négociations dont les résultats sont tellement similaires. On trouve justification en considérant la communication et les relations entre enseignants et leurs commissions scolaires et la participation locale à la prise de décisions. Cependant il n'existe pas de justification économique.

LE SYNDICALISME CANADIEN (1968) une réévaluation

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