

THE BRITISH COLUMBIA TEACHERS' FEDERATION
AND THE ARBITRATION PROCESS

by

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ABSTRACT

In British Columbia, teachers and school trustees have been permitted to negotiate and arbitrate teachers' salaries since 1919. Amendments to the school law in 1933 and 1937 introduced demandable adjudication of tenure disputes and demandable arbitration of salaries. Since 1958, conciliation and arbitration have been compulsory. The provincial government has consistently held that school boards are teachers' employers, and maintenance of local board autonomy has been the expressed desire of government, teachers, and trustees.

The investigation, which depended chiefly upon articles in periodicals, supplemented by interviews, inquired into the effects of arbitration upon some of the parties involved in public education in B.C. Emphasis was placed on examining changes in teachers' economic status and in the organization and methods of operation of the British Columbia Teachers' Federation. Consideration was also given to related changes in the British Columbia School Trustees' Association and to changes in government policy.

Arbitration of salary disputes with trustees was the choice of B.C. teachers in preference to striking when negotiated settlements could not be reached. However, teachers have been narrowly limited by the bargaining and arbitration provisions of the Public Schools Acts when compared with the scope permitted employees under B.C.'s labour laws. The evidence was not available by which to discriminate accurately between the effects

of arbitration and collective bargaining in raising teachers' salaries.

During the period 1931-61, teachers raised their income level in relation to the average incomes paid for professional employment both in the province and in the nation as a whole. Salary anomalies within the B.C. sector of the profession have been virtually eliminated, but a new anomaly was created by the rapid rise in teachers' salaries after the Second World War. In some school districts, the salaries of senior principals exceeded those paid to district superintendents of schools, who were employees of the provincial government. The rising level of teachers' salaries, combined with increasing school construction costs, have been used as arguments for expanded provincial school grants to municipalities.

The school law, as it existed in 1911, delegated considerable authority to school boards and gave them a preponderance of power in relation to their employees. The amendment of 1919, which permitted negotiation and arbitration of salaries, did nothing to disturb the relationship. To counter-balance trustees' power, teachers organized -- initially as a federation of local teacher associations.

Even when arbitration became demandable, school trustees refused to arbitrate more issues than required by law and generally would not negotiate school board policies that affected teachers' working conditions. Teachers therefore took steps to increase their unity and strength, which increased the efficiency of the B.C.T.F. as a bargaining unit. When attempts to negotiate issues with their employers failed, teachers adopted alternative methods to gain their ends. They appealed to the public for support, engaged

in alliances with various organizations to pursue specific objectives, used the professional boycott, and negotiated directly with the provincial government for redress of grievances with their employers. The government responded to these appeals by severely limiting trustees' administrative discretion, and by legislating upon teachers' pensions and other employment benefits. Teachers' professional aspirations to share, with trustees and provincial government, the power to determine educational policy have generally been unsuccessful, but they have gained influence in some policy areas.

Major negotiations between teachers and trustees have tended to shift from the local to provincial level and, since 1956, trustees have made changes in their provincial organization to increase its effectiveness.

Extensive use of conciliation, arbitration, and adjudication, has been coupled with expressed dissatisfaction at the results. This combination of events suggests that further research is required especially in development of more satisfactory criteria for negotiating occupational income levels and for measuring teaching efficiency.

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TABLE OF CONTENTS

CHAPTER 1

The Setting	page	1
The Participants		4
The Issues		12
The Bargaining Atmosphere		28
Footnotes		35

CHAPTER 2

Arbitration and the Law		40
The Law in British Columbia		51
Footnotes		75

CHAPTER 3

Some Effects of Arbitration		82
Economic Effects		85
Unresolved Issues		99
Footnotes		120

CHAPTER 4

Organizational and Procedural Changes		136
External Relationships		136
Relations with the Provincial Government		138
Relations with the Public		151
Relations with Trustees		154
Bargaining Tactics		157
Internal Relationships		173
Federation Benefits		173
Policy and Participation		176
Leadership and Control		181
Affiliation		187
Footnotes		195

CHAPTER 5

Summary and Conclusions

page 207

APPENDICES

A	B.C. Teaching Certificates, 1963	219
B	Summary of B.C. Teachers' Salary Scales (1963-64)	225
C	Selected Mean Income Comparisons	226

TABLES

1	Summary of B.C. Teachers' Salary Scales (1963-64)	225
2	Selected Mean Income Comparisons, Canada, 1931.	226
3	Selected Mean Income Comparisons, British Columbia, 1931.	227
4	Selected Mean Income Comparisons, Canada, 1941.	228
5	Selected Mean Income Comparisons, British Columbia, 1941.	229
6	Selected Mean Income Comparisons, Canada, 1961.	230
7	Selected Mean Income Comparisons, British Columbia, 1961.	231

SELECT BIBLIOGRAPHY

233

Chapter 1

THE SETTING

That teachers should have a voice in the discussions at which their salaries are decided is a reasonable expectation on the part of both teachers and their employers. And that teachers should be represented in such discussions by the professional organizations in which they hold membership is likewise a reasonable expectation. Beyond the acceptance of these broad concepts, however, patterns of similarity are hard to trace, as one studies the available information on the methods of negotiation on teachers' salaries.¹

Governments everywhere assume some responsibility for education and as their methods of control, supervision and financial support vary so does the employment status of teachers -- from the free agent, private tutor to the closely regulated civil servant. In British Columbia, the provincial government has delegated part of its responsibility for the public school system to local boards of school trustees. (While there is provision for private and sectarian schools, these do not come within the scope of this investigation.) The government has declared that teachers are the employees of the independent school boards, rather than of the province or the municipalities, and thus are public servants but not civil or civic servants. The distinction is useful, for it justifies government regulation of such matters as teacher training and certification while, at the same time, it permits local autonomy in the choice of teachers and in the negotiation of employment agreements.

Only British Columbia and Manitoba, among Canadian provinces, provide both conciliation and arbitration mechanisms to resolve disputes

after negotiations between teachers and boards have broken down or become unduly protracted.² B.C.'s arbitration system is much older than Manitoba's — it was established in 1919 -- and therefore offers a useful body of material for examination. When an arbitration procedure is introduced into the bargaining process, the end results, especially over time, are most unlikely to be the same had arbitration not existed, for the ultimate settlement is not obtained in the same manner. The "short-circuiting" of negotiations will cause changes in the bargaining process, in the policy-making process at school, school board and Department of Education levels, and in the structure of the organizations involved.

The aim of this preliminary inquiry is to determine, so far as possible, what changes have occurred in B.C. during the last forty-five years that can reasonably be attributed to the existence of the arbitration provisions or to the limitations of those provisions. It is hoped that the questions raised and the answers given will stimulate further inquiries to the end of providing data upon which more effective arbitration legislation and techniques might be based.

No attempt has been made to compare B.C. conditions and results with those of other jurisdictions, for the data have not been available. Rather, the method has been of a study in depth. The assumption was made that teachers would be the most concerned with furthering changes that might increase their economic, social and professional status, and with opposing adjustments which might prove harmful. All issues of the Teachers' Federation magazine were scanned from its inception in 1919 to the present.³ A further assumption was made that the magazine, especially during

the early years, would be the major means by which the Federation officers would seek to cultivate the interest of teachers in the organization and that all matters of concern to teachers would be reported, analyzed and criticized from the Federation viewpoint. Generally, this latter assumption proved correct, though the patience and restraint, in discussing issues and in presenting opposing viewpoints, was a little surprising.

The permanent officials of the Teachers' Federation were most co-operative and freely discussed the issues with which the study is concerned. The twenty-six volumes of copies of all duplicated Federation-business materials were made available, as were the Salary Negotiations file for each school district and the current negotiations file.

The permanent staff of the School Trustees' Association is much smaller than that of the Teachers' Federation and has existed for less than a decade. The B.C. School Trustee⁴ is published less frequently than The B.C. Teacher⁵ and the Association has not maintained negotiation files for each school district; therefore little comparable data was available. However, the staff's co-operation was readily proffered.

In both cases, the highly decentralized system of salary negotiation and the lack of large staffs at the local level contributed to the deficiency of case material (which is discussed in Chapter 3). Attempts have been made to fill in the gaps with information obtained by interviews.

On the provincial scene, four main groups are involved in the business of public school education -- the provincial government, local governments, teachers, and the public -- each with different but related

viewpoints and responsibilities. The term "business" has been used purposely to emphasize the pervasiveness of financial considerations in most problems of public education. While educational finance is not the focus of this inquiry, in one form or another it intrudes into almost every issue. For each of the parties involved in public education, financial implications place practical limits on its aspirations, demands, action alternatives and final commitments.

In order to orient the discussion of the arbitration process and its effects, a survey will first be made of the general setting. This encompasses a discussion of the educational responsibilities of the four main groups, a review of the political, economic and professional issues which have divided the participants, and a summary of the historical highlights in teacher-trustee bargaining.

The Participants

Since, under section 93 of the British North America Act,⁶ the provincial legislatures have the exclusive right to make laws concerning education "in and for each province," the British Columbia legislature has exercised this authority by approving a series of public schools acts and amendment acts commencing in 1871.⁷ The Public Schools Act, 1958, provides that there shall be a Department of Education presided over by a Minister of Education who shall be a member of the Executive Council of British Columbia. For the purposes of the act, the executive council constitutes the Council of Public Instruction with extensive authority to make rules

or orders for the act's administration.⁸ Provision is made for such departmental personnel as a deputy minister, a superintendent of education, and a district superintendent for each school district. There is one exception: the board of School District No. 39 (Vancouver) appoints its own superintendent of schools.⁹

Besides controlling the training and certification of teachers, the conduct of the schools, the election of trustees and the financial operations of the school boards, the act also provides for governmental grants towards the cost of teachers' salaries and capital costs. As discussed in the next chapter, the salary grant policy has had a marked influence on the advances made by teachers in negotiation; this is especially noted in rural areas.

The legal obligation of trustees to negotiate with teachers on salaries, rather than setting terms unilaterally, has been a modern development. Though the present requirements are quite detailed, there was no mention of negotiation or arbitration in B.C.'s education statutes before 1919.

The education department receives frequent delegations with briefs and resolutions representing the different viewpoints. Department officials and ministers have steadfastly resisted all efforts to share their authority. In a few policy areas, however, there is increasing evidence of a willingness, on the part of officials, to seek representations before legislative and regulatory changes are made. So far, these consultations have been only advisory and do not commit the department beforehand to accept any recommendations.

Professor K. Grant Crawford, in his Canadian Municipal Govern-
ment, says that education is one of the governmental functions "which for best results require local organization and administration but in which the provincial interest in the standards to be maintained is such as to involve a large measure of provincial regulation and control."¹⁰ He also says, the provincial attitude has been that education is primarily a municipal responsibility in which provincial aid simply indicates the provinces' interest in maintaining a general standard.

The local government group, upon whom the responsibility thus falls, comprises school boards and municipal councils. Under the present Public Schools Act, the board of a school district may:¹¹ (1) Make by-laws relative to board meetings and to any matter over which power or authority is expressly vested exclusively in the board by the Act; (2) Provide school crossing patrols; (3) Authorize the appointment of employees, in addition to teachers, necessary for the efficient operation of the schools; (4) Fix the remuneration of such employees; and may (5) By lawful means, dismiss any person so appointed. The board shall:¹² (1) Determine local policy in conformity with the act and the rules and orders of the Council of Public Instruction; (2) Delegate specific and general administrative duties which require delegation to board employees; (3) Furnish the superintendent of education with reports required by him; (4) Present a report on the operation of the schools and the affairs of the school district, together with current audited financial statements, to meetings of electors held in rural areas in which election at large is not practicable; and (5) Visit the district public schools. From these general provisions it would appear

that the trustees do little more than supervise the execution of detailed regulations. In some matters they have the choice of performing or not performing an act, but if they choose to perform then they must do so only in the specified manner.

The function of the municipal councils in education has been restricted to that of collecting the school taxes necessary to meet the school board budget. In 1911, the school law classified board expenses as either "ordinary" or "extraordinary". The former were not subject to debate by council but the latter, if disputed, could be put to the rate-payers for approval as a by-law or by-laws. The school mill rate was limited to five mills and the council was obliged to defray board costs, above the return from that rate, from municipal general revenue. Debate of the school budget was only likely to occur if the board's estimated requirements were in excess of the estimated collections from the five mills. As the act now stands, the entire budget comes under council scrutiny but only the total bill can be contested -- how the money is used is entirely within the board's discretion. In case of dispute, the taxpayer does not now decide the issue; instead the matter is arbitrated. Again, only the budget total can be adjusted as the adjudicators are not permitted to decide upon the internal distribution of funds.¹³ The act further specifies that annual charges for principal and interest on legal debts cannot be affected by the arbitral decision, nor can the results of separate arbitrations of teachers' salaries.¹⁴ Thus it would appear that the situation of fifty years ago has been reversed and that the ordinary expenses, rather than the extraordinary, are subject to council criticism. However, this distinction between types of expenses is no longer made in

the act, nor is there a statutory limitation of the school mill rate. Since the debated expenses are not decided by the rate-payers and the council cannot contest specific allocations, there would not seem to be any effective local control over the details of school expenditure.¹⁵

School trustees formed the British Columbia School Trustees Association (B.C.S.T.A.) in 1905, with the purpose of exchanging views on mutual problems and of co-ordinating their submissions to the Cabinet. The B.C.S.T.A. was not incorporated as an association of school boards until 1956.¹⁶ The councillors for their part formed the Union of B.C. Municipalities (U.B.C.M.) with similar purposes in mind. The executives of the two organizations send liaison representatives to each other's annual conventions. The British Columbia Teachers' Federation (B.C.T.F.) has also exchanged representatives with the B.C.S.T.A. since at least 1920 and, on occasion, has been represented at the U.B.C.M. conventions. At the national level, the comparable organizations are the Canadian Teachers' Federation (C.T.F.), the Canadian School Trustees' Association (C.S.T.A.) and the Canadian Federation of Mayors and Municipalities (C.F.M.M.). In addition, the trustees and teachers have formed western conferences of their respective provincial organizations.

The third group of participants in public education is composed of teachers and includes the school administrative and supervisory staffs below the rank of District Superintendent.¹⁷ In the nineteenth century and the early years of the twentieth, B.C. teachers were unorganized. At the instigation of John Jessup, the first Superintendent of Education, annual meetings of teachers were arranged for the improvement of education through lectures

and discussions on technique and course content.¹⁸ These meetings, called Teachers' Institutes, drew membership from the private, sectarian, and provincial "free" schools, as well as from the Department of Education and inspectorial staff. Though the Superintendent of Education was almost invariably elected president and the Provincial Secretary, a vice-president, the Provincial Teachers' Institute only held meetings during the periods 1874-1878, 1885-1890, and 1897-1914.

Subsidiary Coast and Interior Institutes alternated conventions with the Provincial. Apparently to meet the need for more frequent consultation, unofficial local institutes and associations began to appear in the larger centres. Early efforts were made in Victoria to form an association only of teachers holding first-class certificates, but a permanent and continuing organization apart from the Institute did not take hold till 1885. When the activities of the Provincial Institute ceased in 1914, the local associations carried on and provided teacher leadership into the post-war years.

In 1916 the Vancouver Teachers' Association invited delegates from neighbouring groups and from Victoria to a meeting to discuss the possibility of forming a province-wide organization that would include only persons actively engaged in teaching. The meeting enthusiastically supported the idea, elected a provisional executive and drafted a proposed constitution. Full delegations subsequently met in January, 1917, to approve the constitution, elect the first executive, and to adopt the name of the "British Columbia Teachers' Federation". A committee was struck immediately to discuss educational matters with the Council of

Public Instruction and the B.C.T.F. was incorporated under the Benevolent Societies Act.¹⁹

The "exclusion clause" in the B.C.T.F. constitution caused some controversy but Dr. J.D. MacLean, the Minister of Education, was sympathetic to the teachers' viewpoint. He is reported²⁰ to have agreed that the exclusion of departmental personnel would probably facilitate development of co-operation between teachers and the department based on mutual respect.

Teachers then began the difficult task of gaining recognition of the right to negotiate with the school trustees in salary matters, of the right to be represented in such negotiations by their teachers' association, and of the right to have the dispute arbitrated should negotiations fail. While these conditions are widely accepted today, they appeared radical, dangerous and presumptuous to many trustees of that time and place. The initial resistance to these demands was not unexpected and led to teachers' strikes in Victoria and New Westminster.²¹ A negotiated settlement was reached in Merritt; arbitration was accepted in Nanaimo; and a third strike, to force arbitration, was narrowly averted in Saanich.²²

In recognition of the teachers' claims, section 116A was added to the Public Schools Act in 1919:

Notwithstanding any other provision contained in this Act, the Board of School Trustees of any municipal school district or regularly organized rural school district may enter into an agreement with any one or more of the teachers in that district for the fixing of salaries of those teachers by arbitration in such manner as may be determined by the agreement.²³

Thus a beginning was made, even though the clause was only permissive.

The fourth group of participants in the educational process is the public: the pupils, the parents, the taxpayers. Half a century has scarcely changed the role or the responsibilities of the student, though he may have to learn more in the same length of time. However he does reap the benefit of more "free" education, better schools, better equipment, newer teaching methods, and more highly trained teachers.

Parents have both an easier and a harder time performing their functions in education. They must still ensure that the children arrive on time every school day, properly dressed and equipped. The amount of homework is now regulated according to grade level but the content may confuse parents -- especially mathematics and the sciences. The Parent-Teacher Associations,²⁴ however, have increased the opportunities for adults to keep abreast of changes in the classroom. Some schools and some P.-T.A.s even send out newsletters for parents who do not attend the meetings.

The tax-paying public must continually be convinced it is getting its money's worth in education and so part, at least, of the public relations activities of the Department of Education, B.C.S.T.A. and B.C.T.F., is designed to this end. When tax-payers complain about the increasing municipal cost of education, they are informed: (1) that the municipal proportion of the school bill has been constantly decreasing, (2) that the total cost of education per student is less than it used to be, and (3) that the real cause of rising educational costs is the increasing ratio of school-age children to tax-payers. In the rural areas, where

the provincial government collects the school taxes, any tendency to higher teachers' salaries is partly offset by statutory provision for an increasing government assumption of costs as the local tax rate for capital school costs exceeds three mills.²⁵

The Issues

While the main issue dividing the public from the other groups is the direct cost of education, the factors affecting total cost and the disputes over non-cost problems are generally beyond the public's understanding, if not beyond its field of awareness. The political, economic and professional problems which have divided the government, local authorities and teachers, are numerous. The attitudes of the parties on some issues have remained stubbornly fixed while on others the positions have become reversed. Through all arguments, the provincial government's stand has generally been the most consistent regardless of the party in power. Department policy has changed in response to requests from all quarters but, in total, the changes seem to have benefitted teachers more than trustees. This may be attributed to the teachers' greater stake in education: their economic and social status, their career interest, and their professional pride are inextricably bound up with public policy.

For the sake of convenience, the issues will be classified as political, economic and professional according to their main emphases even though all ultimately have some economic implications.

Normally, in the relations between provincial and local government, a major political problem arises in determining an acceptable balance between centralized control and local autonomy. For British Columbians, this would not seem to be a major policy problem in education as the province, school boards and teachers are united in espousing the same ideal in public. Their common view is that the best interests of education are served by maintaining a high degree of local autonomy. There is, however, some disparity between policy statements and practice, for none of the parties has been able to avoid inconsistencies resulting from conflicting demands. Only the municipal councils have been in opposition; they demand that education be regarded as solely a provincial responsibility.²⁶

Public pronouncements in favour of extensive local autonomy in education appear now to be chiefly ideological statements used to give an altruistic cover to unstated motives. By holding to the view that education is (and should be) primarily a municipal responsibility, the provincial government is able to resist efforts to make it financially responsible for the total cost of education. Successive provincial governments have had to raise an increasing share of the education taxes, but, in the process, they have gained public credit for their concern with "social justice", "educational equality", and "tax equalization". Too, the government has been able to maintain that the school boards are the teachers' employers. This ploy has the advantage of placing the responsibility on the boards for the determination of teachers' salaries. The only time the tactic did not work was when the government had to assume the cost of the employers' contributions to the Teachers' Pensions

Fund since the councils and boards were unanimous in pleading financial incapacity.

For their part, trustees must maintain the position that local differences in educational needs are too diverse to be satisfied by even the most sensitive central administrator, and that local responsibility for "the future of our children" is too serious to be subjected to the crass politics of municipal councils. Deviation from this policy would probably mean that the office of trustee would lose all significance and would either be abolished by the central government for lack of purpose or atrophy for lack of candidates.

Teachers also have good reason to subscribe to the ideal of local autonomy. Numerous negotiating units competing for the available supply of teachers would appear to be more receptive to arguments for better salary and working conditions than would one provincial government negotiator. Other results of a change in employment status, from public servant to civil servant, might be disastrous from the point of view of the teachers' professional aspirations.

Under the present system, municipal councillors have no real say in determining local education policy, nor is it intended that they should have, for the independent school board is specifically designed for that purpose. Council's tasks are: (1) to collect school taxes (for administrative convenience), and (2) to provide a limited check on the school bill. The second function is limited by statute and is partly redundant since the Department of Education stipulates approved expenditures for a basic educational programme. The first function, however, presents a

problem unless municipal taxpayers discriminate between school and municipal costs. Resistance to increasing taxbills is felt first by the collector, the municipality, and unless council can divert criticism to the school board or the provincial government, it may have to respond politically by cutting its own budget, for councillors are aware that taxpayers are also voters.

For a great many people, it is probably true that value judgments, which are often presented as facts in discussions of the central versus local authority problem, are conscientiously held to be of paramount importance in determining the political structure of the province. The tactical implications of the structure, however, should not be ignored merely because they are not as publicly discussed. Attributing more cynical motives to the apparently idealistic defenders of the present distribution of responsibilities may, of course, be doing them a disservice.

The specifically economic issues that have divided teachers and trustees are legion. The two main issues have been salaries and tenure. Despite its best efforts, the provincial government has not been able to remain aloof from the debates since, in many cases, it has had to provide the instruments of negotiation and implementation. Also, when the power of the contenders was drastically unbalanced, the provincial government has had to provide counterweights in statutory form.

Teachers' salary negotiations involve two sub-problems which are not always understood. One is the general level of teacher income and the other is the salary schedule. The schedule sets out, in dollar form, the

relationship between categories of teachers. While, at various times, trustees sought to categorize teachers on the basis of their evaluation of teacher efficiency, teachers almost unanimously rejected this approach as too subjective.²⁷ Instead, they maintained that more objective measures were required and were able to insist that the criteria should be certification and experience.

The classes of certificates,²⁸ and the training required for each, are determined by the Council of Public Instruction. Teachers have tried for years to persuade the Council to share the responsibility for certification for two reasons. First, teachers have claimed that this is a prerogative usually granted to recognized professions. Second, it is their admitted aim to equate certificate classes with the number of years of preparatory study, e.g. Class 4 would include those teachers with four years of academic and/or professional training beyond junior matriculation. Successive education ministers have denied, however, that it is possible or even advisable to equate all training and, in any case, have clearly indicated that the Council of Public Instruction has no intention of sharing the certification authority.²⁹

All parties have agreed that there is some correlation between years of teaching experience and teaching effectiveness; thus, salary increments³⁰ for experience have been accepted. Beyond this point opinions differ. The number of increments employed has shown considerable variance, and the reasons are many. At first only a few increments were used (usually five), which meant that the maxima for a category of qualification was reached very early in a teacher's career and no further progression was possible unless the qualifications were improved. Then the number of

increments jumped to twenty and twenty-five, which meant that the maxima would not be reached until a teacher's career was half-done and the automatic annual salary advance would be small. The reason for the drastic change in increment number is not clear but it might have been that trustees saw the possible financial repercussions of a few large increments in districts employing a large number of experienced teachers and attempted to defer the full impact. Trustee anticipation of demands to raise the number of increments still further, as older teachers reached their maxima, might also have contributed to the decision. At any rate, the B.C.T.F. in convention soon set a policy that the number of increments should not exceed ten.³¹

While the number and size of increments were regular at first, and were the same for all categories, regularity vanished from the schedule as further "principles" were introduced. At one time, it was claimed that increments should be large for the first years (to give a salary large enough to permit men to marry) and then taper off. At other times it was claimed that teaching effectiveness accelerated over time, so that progressive increments were negotiated. Then, to establish salary ranges that increased with higher qualifications, differentials were introduced between categories.³²

In a number of the larger urban centres, scales were maintained for years that discriminated between men and women holding the same qualifications. The difference was usually established through lower minima for women, though a few instances have been found of differences in increments as well. The reason advanced by the trustees was that women teachers

usually lived at home with their parents at no expense whereas the men had to maintain homes for their families. In a few cases, the difference was defended as a policy measure to induce more men to become teachers, especially in the elementary grades where a masculine influence was felt to be lacking.

A variety of bonuses have been negotiated at various times -- some were designed as incentives, others were introduced as equalizers.³³ Wartime federal legislation froze many categories of employees at their jobs and, at the same time, froze their wages. To compensate the people thus affected, cost-of-living bonuses were introduced but were subject to administrative regulation. Though teachers were little affected by the legislation, since their employment was controlled by provincial statutes, still the cost-of-living bonus proved to be an attractive negotiating weapon in the face of "patriotic" calls from the trustees for salary restraint in war-time. The bonus was exploited as well in the inflationary post-war years.

An isolation bonus is still employed in the more remote areas of the province or has been supplanted by an annual travel allowance.

Until the late nineteen-forties, most teachers were financially unable to obtain university degrees before beginning their teaching careers. The summer courses for credit, at Normal School and the University of British Columbia, became the prime means of professional advancement. The financial problem remained but was gradually overcome through negotiation of bonuses for each summer's work successfully completed towards higher qualification.

There were early periods in which some school boards were upset by the use of schedules, for they confused increases in salary due to seniority with advances in the general salary level. This mix-up occurred most frequently in the inflationary periods preceding the 1929 market crash and after World War II.³⁴ There was occasional bitterness over the teachers' "greediness" in demanding new negotiations while they still had automatic increases as yet unearned. The disparity between rural and urban salary levels was the cause of internal strife amongst teachers³⁵ for, despite all Federation efforts, the rural salary position remained backward until the provincial government altered the salary grant scale radically.

The economic insecurity which resulted from the trustees' power to dismiss or transfer teachers, almost without restraint, greatly concerned teachers. Local association efforts to negotiate with school boards on this issue were unavailing as the trustees maintained the power was a necessary prerogative to prevent them being saddled with inefficient teachers. Federation policy consistently had been that school boards should not tolerate inefficient teachers if such persons either would not or could not improve, even with help from the administrative and supervisory staff. The B.C.T.F. insisted, however, that adequate safeguards had to be established to prevent the many possible abuses by trustees of the authority to dismiss and transfer personnel.

The trustees' general failure to negotiate an independent appeal system that would assure teachers of fair play in this important matter, led to a gradual reduction in their authority by legislation and regulation. A permanent three-man Board of Reference was established in 1933 to

investigate tenure grievances but its jurisdiction was limited; it could only enter a case upon direction from the Council of Public Instruction, and its findings had only the status of recommendations unless adopted as final and binding decisions of the Council of Public Instruction.³⁶ The cost and formality of the Board of Reference proceedings, coupled with the not infrequently adverse effects of legal disputation in open court upon teacher-trustee relations, gradually led to more informal attempts at mediation by joint B.C.T.F.-B.C.S.T.A. committees as a means of avoiding Board resolution of disputes.³⁷

Over the years, the B.C.S.T.A. conventions have sent resolutions to the Minister asking for replacement of the Board of Reference by a system of appeal to the Superintendent of Education. This request was partly granted by amendment of the Public Schools Act, 1958. It allows the superintendent to decide all appeals against dismissal from administrative or supervisory appointments if the dismissals do not include reductions in income below that which would have prevailed had the initial appointment not been made.³⁸

Other economic issues of less serious import which have been negotiated between teachers and trustees include provisions for sick leave, sabbatical leave, life and medical insurance, compulsory membership of teachers in the B.C.T.F., and further professional incentives. The introduction of some of these measures required permissive legislation; others were first gained in agreement negotiations and subsequently were made compulsory on all boards. Trustees have been loathe to accept the cost of paid sabbatical leave without related changes in the salary grants, and

the provincial government has effectively stopped this movement by refusing to change the grants or to amend the act to permit paid leave.³⁹

Compulsory membership in the B.C.T.F. was achieved despite trustee opposition. The 1948 amendment to the Public Schools Act stated that future teachers must, as a condition of employment as a teacher in the public school system, obtain and maintain membership in the B.C.T.F. Teachers qualified at that time were permitted the option of refusing membership, without disbarment from certification. The Federation debated the issue for many years and conducted a number of membership ballots before it asked the government for compulsory legislation. The major arguments advanced for the proposal were: (1) that membership should be a professional obligation, (2) that the measure would obviate the heavy expense in time and money of continual membership drives, and (3) that the Federation would be able to devote the released energies toward professional improvement which, it was suggested, could only advance the cause of public education. Trustee opposition was based mainly on the grounds: (1) that the need for compulsion was a sign of lack of teacher support for the B.C.T.F., and (2) that the measure would prove to be an economic bludgeon -- a danger to dissatisfied teachers and recalcitrant school boards. Since the B.C.T.F. membership already included approximately 90 per cent of public school teachers⁴⁰ in 1948, the first point was not taken seriously by the government. The second argument was more cogent and will be discussed again later.

The final major economic issue concerned pensions. Though pensions constitute a major item in the overall determination of teachers'

economic welfare, they will receive little mention in this paper since, by general agreement, their negotiation and implementation did not seriously involve the school boards after the preliminary stage of development. In 1921, it was recognized that teachers' salaries had been so low for years that the individual teacher had not been able to prepare financially for retirement. As a consequence, those teachers who were able continued to teach to an advanced age even though their effectiveness may have been declining for some time. The unfortunate ones had little or no means of support despite many years of service to the community. The Legislature therefore amended the act, in 1922, to allow school boards:

... with the approval both of the Council of Public Instruction and the Council of the municipality comprise in the school district in which such teacher has been engaged, (to) make a retiring allowance to any teacher whom it retires from its service for reasons of ill health or old age.⁴¹

In a few communities, school boards were not averse to hiring aged teachers at reduced salaries. In others, trustees were concerned over the effect on the standard of teaching from retaining over-age pedagogues, yet were unwilling to impoverish them by dismissal. For these, a retirement allowance provided a reasonable escape from the dilemma. The allowance was not a pension but a lump sum settlement. Acceptance of the allowance principle did, however, introduce inequities since a great many districts, especially rural, could not afford to make such provisions even for teachers of distinguished long service.

Pension plans were introduced under the Superannuation Act for provincial government and municipal employees, and provision was made for a teachers' plan to be financed by teachers and school boards if the

municipal councils approved the expenditure.⁴² At the same time, the Public Schools Act was amended to give the Council of Public Instruction authority:

To make provision, by agreement with such teachers as may desire to become a party thereto, for the creation and maintaining of a fund out of which shall be paid pensions to those who, having rendered long service in the profession, are unable to continue on account of ill-health or old age.⁴³

The Putnam-Weir educational survey report of 1925⁴⁴ stated that teachers' pensions should be handled by a fund separated from the provisions of the Superannuation Act and claimed that it was impossible to devise a practical scheme which would include the school boards. The government did not concede these points until 1928 when the Teachers' Federation represented that all approaches to the boards had been fruitless -- not a single teacher had the benefits of the pensions legislation.

With the change in government after the 1928 elections, the Rev. Canon Joshua Hinchliffe became Minister of Education and a Teachers' Pensions Act was brought down the following year.⁴⁵ In the bill's final form, the government was committed to a contribution of \$250,000 spread over ten years and the teachers were obligated to contribute four per cent of their earnings. Although dubious of the plan's stability, the Federation executive recommended acceptance rather than see eight years of negotiation wasted, for the government had indicated it would make no further concessions.⁴⁶

The financial base of the pensions fund was indeed inadequate. Within ten years it was approaching bankruptcy. Political fortunes had changed again in 1933 and Dr. G.M. Weir, head of the U.B.C. department

of education, had become Minister of Education. The pension needs were completely resurveyed and the base revised in 1938. Under the new system, the government was to make an immediate fund contribution of \$1.9 million and then to repay the school boards' annual contribution, of seven per cent of payroll, by means of increased grants.⁴⁷ The teachers were to pay in four per cent of salaries. To assist in raising existing pensions, and to ensure fund stability, the teachers were to contribute another one per cent for a maximum of twenty years.

Though the 1938 revision proved to be actuarially sound, pensions did not keep pace with the post-war price spiral. After much discussion and research, the Federation recommended to the government that the method be changed again in favour of a pension based on percentage of final salary. The request was closely approximated in the Teachers' Pensions Act, 1961.⁴⁸

Professional issues have also divided teachers, trustees and government in a variety of ways. In attempting to increase their professional stature, teachers have clashed with the other parties, primarily in the matter of authority distribution, but also over rights and working conditions that tend to increase costs. In recent years, school boards and the provincial government appear to be more willing to acknowledge the teachers' professional competence to participate in selected areas of policy determination. Although a great volume of research work has been performed gratis by teachers in committee, the result may be establishment of policy areas dominated by the teachers' opinions.

Throughout the period under investigation, the problem of contractual obligation recurs. The salary schedule in effect in a school district determines the rates which shall be paid to teachers of equal qualifications, experience and employment, but it does not constitute a contract of employment. The offering and accepting of teaching posts is a separate procedure involving the school board and the individual teacher only; the local association may enter the proceedings to the extent that a joint teacher-trustee committee is used to determine the teacher's position on the scale. Disputes have arisen over honest differences of opinion and misinterpretation of agreement clauses, but the most aggravating incidents have involved bad faith on either or both sides. Honest error can be corrected by negotiation, or by recourse to the courts for interpretation, and recurrence can be prevented by amendment of the act or regulations. However, bad faith cannot be legislated out of existence.

When vindictive or intractable trustees cause ill-will, the main corrective power lies with the electors, but the Council of Public Instruction has retained the power to replace a school board with an official trustee whenever expedient. The authority is usually exercised only when a school board gets into financial difficulties but it has been used for disciplinary purposes. Where an irresponsible teacher causes trouble by breaking his contract, the Council has authority, on complaint from the board, to suspend or cancel the teacher's certificate for an indefinite period. The Federation deals with the latter type of case as one involving professional ethics and tries hard to prevent its occurrence. As a matter of professional courtesy, a procedure is evolving whereby the

offended school board lays its complaint with the B.C.T.F. and the Federation, after investigation, cancels the teacher's membership. The Council of Public Instruction is then informed and it rescinds the teacher's certificate under the "compulsory membership" provision. Appeal and re-instatement procedures are provided.

Federation attempts to participate in non-economic policy determination have met mixed reactions. Curricula revision and selection of textbooks are two areas in which considerable teacher influence prevails, though both government and B.C.T.F. as yet seem hesitant to admit the full degree of co-operation. A letter to the editor, printed in The B.C. Teacher,⁴⁹ drew a strong response with its criticism that Federation members were being exploited in performing, without pay, the bulk of the labour on government curriculum boards. The chairman of the Federation curriculum revision committee noted that the boards in question were not strictly departmental in that the function was only advisory and that other nongovernmental bodies were involved besides the teachers. The anticipated effect of such participation upon professional status was also brought to the letter-writer's attention. For its part, the government has emphasized its freedom to reject advice from outside the Department of Education any time it desires. When two principals were seconded to the Department for temporary employment on curriculum revision, both the Minister and the Federation executive mentioned that the Federation was not consulted in the appointments though the impression was left that practicing teachers could well bask in the glory of their compatriots.

Trustees and the provincial government applauded the Federation's

measures of professional self-discipline until 1958. Then, B.C.T.F. "professional solidarity" in opposing truculent school boards was looked upon as sinister.⁵⁰ The trustees called it "blacklisting" and the government refused to include the compulsory membership clause in the new Public Schools Act until the teachers promised to be more tractable.⁵¹

Various B.C.T.F. proposals to the Department, on restriction of class size, more rigorous selection standards for trainees, and increased performance criteria for qualification, have been received coolly. Though the propositions might have led to improved results in the public schools, they would also have accentuated the teacher shortage and contributed to future budget increases for teachers' salaries. Federation requests to participate equally with the provincial government and the College of Education in the control of teacher training and certification have been rejected outright. The Department will listen to briefs on these subjects but is adamant in its refusal to share this authority; its reply to the annual Federation resolution on the matter appears to be increasingly curt. The most recent Federation adventure in professionalism -- the presentation of detailed outlines to the government on the acceptable roles for supervisory personnel and consultants -- was noted without apparent enthusiasm.

The list of problems just reviewed is not intended to be exhaustive. Others will be introduced in the following chapters, but their development and resolution generally follow the examples given.

The Bargaining Atmosphere

One of the early members of the B.C.T.F. was Dr. G.G. Sedgwick, a professor of English at U.B.C., and Summer School Director. The Educator of Canada reported excerpts from a speech he made to Vancouver teachers in 1919:

Professor Sedgwick stated that although there might be many contributory causes, the basic cause to which the low status of the teaching profession must be ascribed was an economic one -- an insufficient salary. 'But there is one lesson Labour has taught us -- that there is a time when patience will not do, and must be replaced by force It has always, in the end, been some display of power that has brought the climax. And if you don't get justice, and when you feel that your last ounce of patience has been exhausted, then, and not till then, you must use force. But behind force there must be a momentum of profession.'⁵²

This plea was made shortly after a two-day strike of school teachers in 1918 had forced the Victoria School Board to settle its salary dispute under the general provisions of the Arbitration Act.⁵³ Amendment of the Public Schools Act followed in 1919, specifically to permit negotiation and arbitration of teachers' salaries.

The "momentum of profession" stressed by Professor Sedgwick took many years to develop in British Columbia because the rural schools, predominantly one-room, and the rural teachers were greatly isolated. In the cities and larger municipal districts, organization proceeded apace. A number of school boards rebelled at the prospective lessening of their authority and refused to negotiate with the local associations of teachers but, in the main, introduction of bargaining was orderly. The unequal

advance of urban and rural teachers caused a major rift within the B.C.T.F. in the nineteen-forties. The reasons for the inequality are easily discovered, though the solution was slow to develop. The urban teachers had the advantage of numbers when negotiating and the cities could more easily raise taxes to pay for salary increases. The isolated rural teacher, however, often faced his three-man school board alone and he knew the relative poverty of the local rate-payers. The predominance of women in the profession did not increase the rural teacher's prospects.

Though, from the earliest years, the B.C.T.F. annual general meetings set the Federation salary schedules, the responsibility for negotiating with school boards lay with the local associations. The Federation scale that seemed attainable and reasonable in the atmosphere of convention solidarity was much more difficult to obtain in local isolation. The emphasis was therefore laid upon raising minimum salaries to meet the scale. Establishment of salary increments and maxima were left to locals to decide after consideration of the possibilities in their respective areas.

With time, teachers established district councils to co-ordinate the activities of locals and to stimulate organization. Teachers in the larger centres gained negotiating experience and began helping the smaller associations in their efforts. The research and planning carried out by the Federation salary committee were duplicated, to an extent, by the district councils. Eventually the local association salary committees developed more effective procedures for preparing their cases for negotiation and arbitration. The administrative staff of the Federation was

constantly involved in this work but there was a limit to the amount of help one or two men could give. There were approximately nine hundred separate school boards before the government re-organized them into larger administrative units after its receipt of the 1946 Cameron Report.

Local associations have not only negotiated general teachers' salaries but have also bargained for additional pay for subject specialists and principals. Principals' and vice-principals' bonuses came to be based on the two functions, administration and supervision. This functional discrimination assisted in the determination of scales for head-teachers and supervising principals. The more recent introduction by school boards of teacher-consultants, department heads, subject supervisors, assistant district superintendents and municipal inspectors of elementary and high schools, has added to the complexity.

The negotiation and arbitration clause of the Public Schools Act has undergone a number of changes. At first it was merely permissive, then became compulsory; "salaries" became "salaries and salary schedules"; negotiation between boards and teachers was expanded to include teacher organizations, and later was modified to permit regional or zonal negotiation and arbitration. Throughout the entire period, however, the provisions have been narrowly interpreted so as not to apply to "fringe" benefits even though the latter benefits affect the teachers' incomes and are negotiated.

The narrow interpretation has contributed to the development of alternative, or at least complementary, methods of problem resolution. Successful appeals have been made to the Minister to consolidate partial

gains from negotiation of non-arbitrable issues by making them compulsory on all school boards through legislative enactment. In a few instances where trustees and teachers have been in agreement on the value of introducing a benefit, but where the cost has deterred trustees, the two groups have combined efforts to persuade the government to finance the measure and make it compulsory. The accumulated frustrations of failure to negotiate adjustments in administrative procedures have led to unilateral approaches to the government for regulatory changes that would work to the detriment of the opponent; many B.C.T.F. and B.C.S.T.A. convention resolutions reflect this situation. The success of many of these adventures has depended upon the support of interested community groups such as P.-T.A.s, labour unions, rate-payer associations and other private organizations. Thus public relations activities have increased considerably and all communication media have been used. For a short period, the B.C.T.F. affiliated with the Trades and Labour Congress in an attempt to gain organized support for its campaigns.

With the exception of the first years of the B.C.T.F.'s existence, the strike has not been employed as an economic weapon. However, there have been indications that the more sophisticated professional boycott can be equally effective and less costly for the teachers. Some of the ramifications will be discussed in Chapter 4.

In 1957, negotiations in a large number of school districts broke down completely. In twenty-four areas, both teachers and trustees avoided invoking the compulsory arbitration provisions to settle their disputes. As part of the solution imposed by the government, the B.C.T.F.

and B.C.S.T.A. were required to nominate special conciliators whose task was to intercede in each case where renewed negotiations failed to resolve the difficulties. Conciliation provisions were then included in the new act of that year.

Although these highlights have tended to emphasize the atmosphere of conflict, much accommodation and co-operation between teachers and trustees has been achieved through various liaison links. These have included: executive representation at each other's conventions, exchange of B.C.T.F. and B.C.S.T.A. magazines, occasional joint executive meetings to discuss mutual problems, reciprocated entertainment at the local association - school board level, special liaison committees, and more recently, the establishment of joint committees to investigate tenure disputes. To a considerable degree, the intelligent application of well-conceived arbitration procedures also reduces conflicts rather than postpones or extends them.

Footnotes

1 Wm. G. Carr, Secretary General, Report on Salary Negotiations Machinery for Teachers, Washington, D.C., World Confederation of Organizations of the Teaching Profession (W.C.O.T.P.), 1960, p. 3.

2 Ibid., p. 11.

3 Some issues of the original publications are not available in the B.C.T.F. library. Missing are the Educator of Canada, vol. 1, nos. 1-6 (June-Nov., 1919) and vol. 2, nos. 1-3 (Feb.-Apr., 1920).

4 A quarterly magazine. The original title was This and That, (Sept., 1944). It was re-named The School Trustee, (June, 1945) and The B.C. School Trustee, (Mar., 1952). In recent years two extra issues have been published: the convention programme and the convention report.

5 Originally published monthly except July and August. Now the September and October issues are combined, as are the May and June. First title was Educator of Canada, (June, 1919), then The B.C. Teachers' Federation Magazine, (Sept.-Oct., 1921); the present title was adopted in the succeeding issue (Nov., 1921).

6 Elmer A. Driedger, Department of Justice, A Consolidation of the British North America Acts, 1867-1952, Ottawa, Queen's Printer, 1961. Cf. Revised Statutes of British Columbia, 1960, vol. 5, which includes the 1960 amendment as well.

7 The Public Schools Act, 1872, was a continuation of the Common School Ordinance, 1869, which was in existence when the Colony of British Columbia joined Canada. The only prior statute was the Common Schools Act, 1865, of the Colony of Vancouver Island.

8 Revised Statutes of British Columbia (hereinafter referred to as R.S.B.C.), 1960, ch. 319, s. 16-18. The Public Schools Acts and Amendment Acts in force in B.C. since 1911 are listed in the bibliography. The year 1911 was selected as a starting point because it produced the nearest revision (consolidation) of statutes prior to the period with which this inquiry is most concerned.

9 The "Superintendent of Schools, Vancouver" is an employee of the school board and not of the Department of Education.

10 Toronto, University of Toronto Press, 1958 [c.1954], p. 363.

11 R.S.B.C., 1960, ch. 319, s. 98.

12 Ibid., s. 97.

13 Ibid., s. 197 (6).

14 Ibid., s. 196 and s. 140 (2).

15 This raises the interesting question of the factors involved in the elector's choice of trustees. While a rate-payer might be inclined to reject a specific item of expenditure, the value of which he is not convinced, it does not necessarily follow that the same voter would by-pass a good candidate who approves of the expenditure in favour of a much poorer candidate who does not.

16 Statutes of British Columbia (hereinafter referred to as S.B.C.), 1956, ch. 52, British Columbia School Trustees' Association Incorporation Act. Section 4 states:

The objects of the Association are to serve the British Columbia public-school system by considering its problems, by making recommendations for its improvement, by co-operating with the Department of Education in all matters of mutual

interest relative to public education in the Province of British Columbia, by recommending changes in the 'Public Schools Act' and any other Acts which may affect the said public-schools system, and by co-operating with any other bodies having similar aims.

17 B.C.T.F. Handbook, 1962-63, pp. 19-21.

18 The description of the pre-1919 period is drawn from Stanley Heywood, "The Early History of the B.C.T.F.", an unpublished paper prepared in 1954; a copy is available at the B.C.T.F. offices. In 1960, Dr. Heywood was Dean of the College of Education, Idaho State College.

19 1919.

20 B.C.T.F. Handbook, 1962-63, p. 9.

21 The B.C. Teachers' Federation Magazine, vol. 1, no. 1-2 (Sept.-Oct., 1921), pp. 16-17.

22 Ibid.

23 S.B.C., 1919, ch. 75, s. 6.

24 Primarily an organization of laymen, but including teachers, who are interested in the problems of public school education. In the nineteen-twenties, the B.C.P.-T.F. held its conventions in conjunction with the B.C.T.F. The president of the B.C.T.F. is ex officio honorary president of the B.C.P.-T.F.

25 The provision also applies to municipal school districts but the increasing percentage grant is more likely to be paid to rural school districts since their taxable assessments are lower.

26 Brief Presented to H. Carl Goldenberg, Commissioner, Re Provincial-Municipal Relations, Victoria, Union of B.C. Municipalities, 1946, and What Your Property Tax Dollar Should Properly be Doing for You: A Proposed Solution to the Problem of Provincial-Municipal Financial Relations, U.B.C.M., 1958.

27 Merit rating and merit pay are discussed in chapter 3.

28 Certificate classes are described in Appendix A.

29 See the replies to resolutions 1 and 2 in "From the Department: Minister of Education Replies to 1958 Annual General Meeting Policy Resolutions", The B.C. Teacher (hereinafter referred to as Teacher), vol. 38, no. 3 (Dec., 1958), p. 142. Cf. Teacher, vol. 7, no. 10 (June, 1928), pp. 6-7.

30 An increment is an annual salary increase for service. The basic salary for a certificate category, plus the increments for that class, determine the salary ceiling or maxima.

31 Teacher, vol. 5, no. 8 (Apr., 1926), pp. 173-174.

32 Whereas the number of increments and their size had been the same for all classifications, changes were introduced whereby more increments, usually of larger size, were paid for successively higher qualifications. Thus the salary range, as well as the salary minimum, increased with each increase in certificate class.

33 For example, assume that the cost of living was lower in Vancouver than in any other school district in B.C. and that it was the most popular area with teachers because of its amenities. Then, if a rural school district some two hundred miles away should introduce a cost-of-living bonus to compensate for higher prices in that area, it would be using an equalizer. In the same way, an annual travel allowance to compensate teachers for the cost of reaching "civilization" for holidays would also constitute an equalizer. However, if a large isolation bonus was also paid, that more than compensated for the lack of amenities, then it would

be an incentive for well qualified teachers to practice in the rural area. Similarly, a bonus paid for summer school credits would provide an incentive to professional advancement.

34 The less sophisticated trustees failed to understand that a seniority increment, unless it was greater than the annual advance in cost of living, was no increase at all. To such school board negotiators, an increase was an increase regardless of its purpose. Even in times of stable prices, a concerted push to advance the general level of teachers' salaries, as compared to other occupational incomes, would cause the same confusion in negotiations.

35 The low-point in rural-urban relations was reached in 1942. The bitterness of the dispute is revealed in charges and countercharges exchanged between J. M. Thomas, president of the Rural Teachers' Association (R.T.A.), and A. T. Alsbury, president of the B.C.T.F. in The B.C. Teacher. See especially, vol. 22, no. 1 (Sept., 1942), to no. 5 (Feb., 1943).

36 S.B.C., 1933, ch. 57, s. 32 and s. 35. For comments on the development see "General Secretary's Report", Teacher, vol. 9, no. 4 (Dec., 1929), p. 15. "Minister's Replies to Provincial Trustees' Association Resolutions", Teacher, vol. 7, no. 5 (Jan., 1933), pp. 33-36. "Dismissal of Teachers", Teacher, vol. 8, no. 1 (Sept., 1933), pp. 1-3.

37 The informal arrangement was made formal by legislative enactment in 1958. S.B.C., 1958, ch. 42, s. 134, ss. 3-10.

38 S.B.C., 1961, ch. 53. The Hon. L. R. Peterson explained to the teachers that the change was partial implementation of a Chant Report recommendation. See "The Minister Views Education", Teacher, vol. 40, no. 8 (May-June, 1961), pp. 402-406. Cf. "Tenure and Arbitration Laws Attacked at Trustees Convention", Teacher, vol. 28, no. 2 (Nov., 1948), p. 61.

39 "The Department Answers: Replies to Our 1960 Policy Resolutions", Teacher, vol. 40, no. 3 (Dec., 1960), p. 114.

40 F. P. Lightbody, "The President's Message", Teacher, vol. 27, no. 1 (Sept.-Oct., 1947), pp. 11-12.

41 S.B.C., 1922, ch. 64, s. 50.

42 The provision for municipal and school board pension plans was only permissive in the original Superannuation Act, 1921. Municipal council approval of teacher pension schemes was not required in the government's draft bill but was introduced by amendment in the legislature. "A Brief Review of the Federation Work on Superannuation", Teacher, vol. 7, no. 2 (Oct., 1927), pp. 44-46.

43 S.B.C., 1925, ch. 46, s. 5.

44 The appointment of Dr. J. H. Putnam, Ottawa senior inspector of schools, and Dr. G. M. Weir, U.B.C. professor of education, to conduct a survey of B.C.'s education needs was announced by Premier John Oliver at the 1924 B.C.T.F. convention. Teacher, vol. 3, no. 10 (June, 1924), p. 228.

45 S.B.C., 1929, ch. 62.

46 "Teachers' Pensions", Teacher, vol. 20, no. 4 (Dec., 1940), p. 157. While the editor had eleven years' hindsight in stating the Federation executive's doubts about the Pensions Act, the small items on negotiations in 1928-29 substantiate the claim.

47 S.B.C., 1938, ch. 52. Cf. "Urgent and Important Notice Re Teachers' Pensions", Teacher, vol. 20, no. 3 (Nov., 1940), p. 128.

48 S.B.C., 1961, ch. 62. The percentage of salary, for pension purposes, is based on the highest average salary during the 100 month period when salary is at its peak; this may or may not be the last ten years. The salary limit for calculation of pension is \$1,000 per month or \$10,000 per year, whichever is the lower.

49 Vol. 41, no. 6 (Mar., 1962), p. 265. The answer is given in no. 7 (Apr., 1962), p. 313.

50 In twenty-four school districts, the trustees broke off negotiations and unilaterally set the salary schedule for 1958. The trustees made no effort to seek arbitration, but neither did the teachers. The latter merely declared their districts to be "no-agreement areas" and asked teachers to refrain from accepting employment with those boards.

The B.C. Teacher, vol. 37, no. 7 (Apr., 1958) contained an editorial from The Albertan, 5 Feb., 1958, which said, in part:

They [the teachers] are seeking to avoid any arbitration procedures because, it is understood, they feel that it has been precisely this matter of arbitration with the teachers compelled to accept the decision that has led to generally low salaries.

The Federation magazine re-printed the editorial without comment which, one might assume, was a tacit admission of its correctness.

51 "The Minister's Convention Address", Teacher, vol. 37, no. 8 (May-June, 1958), pp. 382-388. L. R. Peterson explained the government's actions to the 1958 convention in the following terms:

[T]he Government of the Province ... had to do its duty in the best interests of the public and of the school children. For this reason, and because the teachers use of the 'no agreement' tactic had the effect of causing automatic membership to deprive the 'disputed' districts of essential service, it seemed necessary for the Government to withhold the proclamation of the 'automatic membership' sections in the new Public Schools Act. Had the Government done otherwise, it would have been publicly aligning itself with the teachers against the school boards and acting contrary to the public interest of the people of B.C. I am prepared to recommend the proclamation of those sections of the Act relating to compulsory membership as soon as settlements are reached in the various districts in question

52 "Teachers Demand Public Recognition", vol. 1, no. 8 (Jan., 1920), p. 1.

53 R.S.B.C., 1911, ch. 11.

Chapter 2

ARBITRATION AND THE LAW

Arbitration is a judicial process. The arbitrator is a judge, not a compromiser. Arbitration is not conciliation, mediation or an extension of collective bargaining. Arbitration begins where other methods of dispute leave off.¹

Collective bargaining is the term applied to negotiations conducted between employers and employees to determine working conditions and to regulate employer-employee relations. It is generally agreed that there are two types of bargaining involved -- contract negotiation and grievance procedure.² After the initial collective agreement has been signed, contract negotiations are usually conducted annually to renew or revise the agreement, which will then regulate relations for the ensuing year. Occasionally, agreements are negotiated for periods up to five years with provision made to allow either party to re-open negotiations at pre-determined intervals. In the intervening periods, disputes may occur over interpretation of the agreement or complaints may arise from contravention of its provisions by either party. Negotiations to resolve such conflicts are governed by the grievance procedure detailed in the contract.

The collective agreement is a contract between employers (or employer associations) and organized employees, rather than a contract of employment. Its purpose is regulation of the rights, benefits, and practices of all employers and employees party to the agreement.

The content of the agreement is determined by the parties themselves and usually includes wage or salary schedules, employee benefits (e.g. sick leave, holidays, and various insurance schemes), a general code of behavior, and a grievance procedure. In some jurisdictions, part of the content is determined by law, e.g. in British Columbia, all collective agreements must contain provision for a grievance procedure without work stoppage during the contract period. The procedure may include arbitration.

Negotiations leading to renewed or revised agreements have different characteristics than most grievance negotiations arising after the contract has been signed. Pre-contract bargaining consists of each party presenting its requests for changes in the collective agreement, then verbally probing to determine weaknesses in the opponent's position. Assuming that the forces are roughly equal, the first purpose of the talks will be assessment of the weight attached to each point -- that is, estimation of the demands on which the opponent will compromise (and to what extent) and those on which he will stand fast. The actual value placed upon each demand by its proponent is a closely guarded secret; the tactical situation will determine the amount of "padding" employed. An underlying assumption of such discussion, of course, is that each party will overstate its demands to allow for bargaining without sacrificing the core.

The process by which employees, for example, select their bargaining targets, evaluate them, and order the priorities, is, to a great degree subjective. The lack of accepted objective measures decreases the possibility of value prediction and increases the likelihood that the

employers and employees will be far apart in their estimation both of the relative importance of issues and of the dollar valuations.

If negotiations are successful, a final compromise will be reached that is acceptable, or at least tolerable, to both parties. In all probability, neither will have obtained all that it desired, nor surrendered all that it was prepared to lose. The settlement will be within the acceptable range of alternative solutions that the parties had considered independently before contract negotiations began. If, however, the parties should fail to estimate correctly the weights accorded the opponents' demands, then any settlement reached will be biased (in comparison with what could have been achieved), but the loser may not realize the extent of his miscalculation for some time.

Should it happen that bargaining talks are broken off for lack of common ground, the alternatives are: (1) A strike or lock-out in which the economic resources of the parties are pitted against each other until one party submits to the last demands of the other, or until new compromises are suggested that lead to further negotiations and settlement; or (2) Conciliation in which an outsider is brought into the negotiations in an attempt to find a mutually acceptable compromise.³ The conciliator, or mediator, may be successful if the demand-values were incorrectly assessed at first, if one of the parties can be persuaded to change his demand-values, or if the costs of a work stoppage can be shown to be greater than the cost of further compromise.

Theoretically, a strike or lock-out should only occur when one

party would lose less by halting production than it would lose by accepting the opponent's last offer. The loss calculations might reasonably be made if the only matters in dispute were readily valued in dollars and cents. When the issues, however, are basically non-economic (e.g. grievance procedure, call notice, seniority, employee facilities, or "closed" shop), then the valuation is highly subjective and the compromise points can be miscalculated more easily. Even when the issues are economic (e.g. wages, bonuses, or insurance benefits), ideological complications may be present which the opponent does not understand or of which he may not be aware. Trade or professional aspirations may lead employees to demand far more than the employer estimates the work to be worth. At the same time, the employer's growth aspirations may induce him to demand a higher profit rate than employees think justified in relation to their income. In public service, where a profit may not be involved, the cost to the taxpayer will usually determine the employer's viewpoint.

Throughout the pre-contractual phase, forces are at work which may cause changes from the original bargaining positions. The negotiators are representatives of groups of people, not just economic units, and people are susceptible to changing moods of doubt, frustration, and determination. The persons thus represented may change their minds concerning the demands to be made and prevail upon their negotiators to be, accordingly, more flexible or more rigid, or to alter priorities. The public, in its various organized forms, may well react strongly to the anticipated effects upon its interests and also attempt to pressure the competing groups into changing their tactics.

Should a stalemate occur in the pre-contractual phase of bargaining, conciliation can be valuable. Refusal of one or both parties, to modify demands further, is not necessarily an irrevocable decision. An adamant stand usually applies only to the lines of accommodation that have been discussed to that point in the negotiations. A conciliator may be able to suggest new directions the talks may take or may be able to prevail upon the representatives to make enough concessions so that an agreement can be reached. In the latter case, the conciliator can be a "face-saver", for the parties may feel free to accept compromises recommended by the conciliator which they could not accept from the opponent without appearing to have capitulated. Occasionally, both teams of negotiators may see the possibility of accord if a specific move should be proposed, but neither may be willing to voice the idea for fear of disaffecting part of the group which they represent. By this is meant that a specific compromise might be accepted safely but not safely proposed. If the conciliator is astute enough to sense such a situation and to take advantage of it, the problem is resolved.

Failure of the conciliator in his task still leaves the disputants with alternatives: (1) They may sign a limited contract which includes the modifications acceptable to both sides and then continue negotiating on the remainder. If this is not acceptable, (2) they may have recourse to a work stoppage during which economic staying powers are tested and the weaker side is eventually forced to capitulate, or at least sue for renewal of negotiations. If the economic resources are gauged nearly equal and the stand-off is thought likely to cost both sides more than any compromise, a third alternative may be considered -- (3) they may arbitrate.⁴

By law, alternative (3) may be a compulsory substitute for (2).

Whether arbitration is compulsory or voluntary, binding or non-binding, its usefulness is restricted in resolving pre-contract conflict. Non-binding, voluntary arbitration is little more than "one-shot" conciliation; it lacks the flexibility of conciliation and has the single possible advantage of being recognized as a last opportunity for peaceful settlement. Voluntary, binding arbitration is likely to be accepted only if both sides feel they have a good chance of obtaining an award that is better than the contemplated compromise. Compulsory arbitration gives an advantage to the public but no permanent advantage to either of the contestants, unless the financial loss from any work stoppage would be greater than from an unfavourable arbitral decision.

There are two major flaws in the use of arbitration to decide contract terms: (1) The highly subjective nature of demand evaluation precludes the possibility of the arbitrator independently reaching a just solution by applying logical principles -- for there are no set principles as yet. (2) The arbitrator, therefore, must try to determine the contenders' complete views on the issues, but the arbitration environment militates against success. In conciliation, the mediator may converse with each party separately, as well as jointly, and in such discussions may learn, from careful probing, the limits of compromise on both sides. While speaking to the conciliator alone, each party is more disposed to reveal previously unstated motives and pressures that preclude certain compromises than it would in the presence of its adversary. The same opportunity to "know" the real strength of commitments is lacking in arbitration

proceedings. Especially in compulsory arbitration, each party makes its most forceful presentation, knowing it to be a last effort to win. Employers and employees must convince the arbitrator that their case is overwhelmingly right and the opponent's obviously wrong in an attempt to reduce the loss from compromise.⁵ Neither party would allow the other to discuss matters privately with the arbitrator because it could never be sure that an unrebutted proposition did not prejudice its case. Under such conditions, no party to an arbitration would purposely weaken its statement by implying that any issue was less important than another. The arbitrator is thus at a loss to know how closely the sacrifices he thinks acceptable approximate those which the disputants will accept. According to Professor A.W.R. Carrothers, the arbitrator then has to depend upon "hunchery".⁶

Post-contractual disputes usually, but not invariably, involve a different type of problem than do pre-contractual conflicts. Contract terms are negotiated at the top executive level and applied mostly by the lower organizational echelons. Clauses which govern such matters as hiring, firing, suspensions, lay-offs, transfers, promotions, work assignments, etc., are intended to establish procedures which are fair to employees and yet which do not infringe unnecessarily upon employers' freedom of action. Assuming that equitable provisions have been negotiated, there is still opportunity, in the large number of daily actions, for stupidity, cupidity, and accident to upset personnel relations. Grievance procedures are therefore established to provide an agreed method for seeking redress without extending the area of conflict. The procedure usually calls for joint union-management investigation of the complaint and joint determination of

the corrective action to be taken. Even with goodwill on both sides, there is the possibility of disagreement over the weight of available evidence, the correctness of action taken, and the appropriateness of redress. If terms of the collective agreement are not specific enough to produce a common decision, or if unique circumstances arise for which criteria are not provided, the parties may resort to conciliation and arbitration to settle the matter (at least until the next round of contract negotiations). In some jurisdictions, disputes occurring during the agreement period must be settled by means other than work stoppage.

While arbitration of disputes originating from emergent conditions will present much the same problem as resolution of stalemate in contract negotiations, arbitration of most grievance cases will not. Once the contract is signed, policy is set for the ensuing year. Normally, then, the arbitrator's tasks are to interpret the contract language (if it should be in dispute), to establish where the onus of proof lies in each instance, and to weigh the evidence presented according to accepted rules. The role of the arbitrator, in such cases, is clearly judicial; it is the application of rational principles to the determination of fact and interpretation of law.⁷

Use of arbitration to settle grievances is widely accepted⁸ and seems to present no special difficulties. There have been complaints, however, mostly from employers, that the process is over-used and misused, though the complainants often misapply the terms. The charge of over-use, when predicated upon an assumption of increasing cases, does not appear to be substantiated if absolute figures are made relative by comparison with

increases in the number of employees covered by collective agreements which contain provision for arbitration in the grievance procedure.

Most charges of misuse should properly be classified as charges of over-use. They usually involve the accusation that disputants have recourse to arbitration as a means of avoiding the responsibility for agreeing to a legally just, but politically unacceptable, settlement "out of court". While the accusation is probably true, the value judgment implicit in terming such practice "misuse" need not be accepted. As one observer pointed out, the practice is almost unavoidable so long as leadership of an employee association remains a political function;⁹ the observation could safely be extended to embrace all organizations in which executive office is elective. The error lies in condemning application of a judicial process to the resolution of a legal problem when the alternative, potentially dangerous to one of the participants, is political resolution of the problem. In an honest dispute coloured by high tensions, a non-political negotiator has a wider latitude for accommodation than does a negotiator subject to political considerations.

The charge of "socially irresponsible leadership" is equally erroneous under the circumstances; it would not be correct unless, and until, the person so-named had refused to submit to an award.

Misuse of arbitration in grievance procedure could really occur only where neither the agreement nor common practice adequately established criteria for judgment. Voluntary arbitration, in such an instance, might be an acceptable means of disposing of that specific case but a negotiated

settlement would be better since it would then provide a ready-made basis for contract revision. Compulsory arbitration would not be appropriate. The greatest danger of misuse, however, lies in the attempt to use such awards as precedents. In the given circumstances, arbitration is only an expedient and an award so given cannot validly be held binding upon future cases. If, in subsequent contract negotiations, the arbitrator's decision should be freely incorporated into the agreement, his wisdom might be upheld but not the binding nature of the award. Any other conclusion would have the effect of endowing arbitrators with the power to subvert the private legislative function.¹⁰

A discussion of arbitration misuse might be more pertinent with regard to contract negotiation than grievance procedure. Some of the difficulties inherent in arbitration of pre-contractual conflict have been noted already; the reason is now apparent. Substitution of judicial arbitration for political bargaining, as a means of producing private legislation, is misuse. It is misapplication of the process, notwithstanding the practice in some jurisdictions, and the possible consequences should be considered.

Voluntary acceptance of the substitution does not seem likely, because both parties would have to agree. As long as one was stronger than the other, the stronger would not willingly relinquish the advantage. The weaker, however, could quite conceivably favour arbitration in the belief that a disinterested arbitrator would be more generous than its adversary. Two strong disputants would not likely accept arbitration as a permanent substitute for bargaining because they would no longer be able to

insist on a negotiated settlement¹¹ when a crucial issue arose. Even two weak opponents would not likely agree on the matter since the greater the weakness the more leverage there is to be obtained from any disparity in strength. The only circumstance that would be conducive to voluntary acceptance of permanent arbitration of contract negotiations would be the possibility of collusion at the expense of a third party.

Compulsory arbitration of pre-contractual disputes is an expedient sometimes ordered by governments to avoid disruption of essential services. Its effectiveness in producing politically acceptable solutions of social problems is open to question. In the absence of collusion between the parties -- and collusion is not a remote possibility -- the stronger of the two will be continually frustrated, for a comparison of the parties' bargaining resources is not a widely accepted criterion in arbitration.¹² It seems reasonable to assume that the inhibited party eventually seeks, and employs, other means of achieving its objectives. Whether the available alternatives prove to be any more politically acceptable than strikes or lock-outs is another matter for determination.

These general remarks on the nature of collective bargaining and arbitration have indicated some of the factors which determine, or should determine, the use of arbitration as a means of resolving employer-employee disputes. Arbitration in practice, however, may produce different results than those anticipated from theory. Some side-effects may also develop that theory could not fairly be expected to anticipate because of the variability and ingenuity of men.

An examination of the use of arbitration, since 1918, in settling disputes between school trustees and teachers of the British Columbia public school system shows some results of arbitration in practice. Since this inquiry deals with the effects of a specific law on selected groups of people, the limitations on their use of arbitration also have effects and are considered. Precise isolation and identification of cause and effect was not possible, but estimations of the relationship have been made. The people concerned have been articulate about many aspects of the study and their recorded observations of the effects of changing conditions help to substantiate the findings.

The Law in British Columbia

Relationships between teachers and trustees are not regulated by the same laws as govern the relationships between other employees and employers in British Columbia. Teachers have operated under the provisions of the Public Schools Acts and the Arbitration Act while other employee groups have operated under a series of statutes called, at various times, the Labour Conciliation and Arbitration Act, the Industrial Disputes Investigations Act, the Industrial Conciliation and Arbitration Act, and, now, the Labour Relations Act. A comparison will be made of the bargaining and arbitration provisions of the two classes of legislation to determine whether teachers have had an advantage over the others or whether they have been at a disadvantage.¹³ The comparison carries no implication of equivalence beyond the facts that the members of both groups are employees, rather

than self-employed, and that their relations with their employers are regulated by law.

When the B.C.T.F. was organized in 1917, the current Public Schools Act¹⁴ did not mention either collective bargaining or arbitration. The omission was understandable since the practice of the period was for school board trustees to set salaries unilaterally. Teachers were not consulted in the process, nor was it considered necessary that they should be. Local teachers' associations, where they existed, were primarily concerned with in-service training until the strength of federation increased the possibilities of economic action.

The Labour Conciliation and Arbitration Act,¹⁵ a collective bargaining statute applicable to non-teacher employees, was introduced in the legislature in 1911 and remained in force without amendment until repealed as obsolete in 1923. This act provided for voluntary conciliation or arbitration of any disagreement whatsoever between any employer and his employees, organized or unorganized, so long as the number of workers affected by the dispute was greater than fifteen. The Provincial Secretary was charged with administration of the act and for the purpose was given the title of Commissioner of Councils of Labour Conciliation and Arbitration. Upon receipt of a written request from both parties for a council of conciliation, the commissioner was required to obtain the names of two nominees from each party whom he would then appoint as conciliators. Should conciliation fail, two arbitrators might then be named, by each party, to a council of arbitration.¹⁶ The appointees would subsequently select a Supreme Court judge as president of the council.

A council of arbitration was required to "sit and conduct its proceedings as if in open Court, and in making its decisions shall be governed as far as practicable by the principles of equity and good conscience." Each party was to be represented by not more than three persons, none of whom could be an attorney, counsel, or paid agent, except that a lawyer could participate if he was one of the parties to the dispute. This prohibition could be advantageous if it reduced the disputants' costs and shortened the proceedings but, before an overly legalistic president, poorly educated workmen could also be at a disadvantage.

A council had the power, through the commissioner, to summon any witness to appear and testify and to produce any documents considered relevant by the council; each party paid the expenses of its own witnesses. The award, however, was not binding unless both parties agreed that it should be, though the purpose of arbitrating without making the award binding is not readily apparent.

A more general statute, the Arbitration Act,¹⁷ also existed. Its provisions were more flexible than those of the labour arbitration act, no doubt to make it more suitable to the variety of subjects that could be arbitrated. Where any other act provided for arbitration, the Arbitration Act also applied to the extent that it did not conflict with the provisions of the special legislation -- that is, it directed where special statutes might fail to direct. The general statute recognized only voluntary arbitration upon reference of a joint submission¹⁸ to a Supreme Court judge. It provided for one, two, or three-man arbitration, at the choice of the parties concerned. An award was not binding unless agreed to by the

disputants, although it could be accepted at any time. Once accepted, however, the award could be made an order of the Supreme Court upon application by either party. Normally, an award was the decision of a majority of the arbitrators, but the submission could specify that the decision be unanimous. To obviate subsequent litigation, the arbitrators had authority during their proceedings to state a case to the Court on a point of law or for opinion on the award or any part of it. The schedule to the act set a normal limit of three months from time of reference to time of award but the deadline could be extended by agreement.

The 1919 amendment to the Public Schools Act authorized school boards to enter into an agreement with any one or more of their teachers for the fixing of those teachers' salaries by arbitration.¹⁹ The act did not specifically state that boards must, or even could, negotiate with their teachers but permission was at least implicit in the authority to arbitrate. There was no mention in the statute, however, of authority for representation of teachers by their local association, or uniform application of an award to all teachers of the same category, or of arbitration of matters other than salaries.

In 1920, then, workers appeared to have more advantageous legislation than teachers since they could submit any dispute to arbitration whereas teachers were limited to salaries. On the other hand, there was no minimum number of teachers prescribed to commence an action. The latter advantage would be minimized, however, by the fact that each party had to pay its own costs of arbitration so that the fewer teachers involved, the higher the cost per teacher.

Even the small legislative gain made by teachers proved to be elusive until fixed by subsequent amendments. New Westminster teachers went on strike in 1921 to compel the school board to negotiate with their local association and, if necessary, to arbitrate.²⁰ After schools had been closed for a week, mounting pressure from newspapers, board of trade, municipal council, and public meetings, compelled the school board to accept the teachers' demands. Salary talks were not successful and the matter went to arbitration as agreed in the strike settlement.

When the arbitrators awarded substantial increases to the teachers, it was realized that the current school budget did not allow for an increase in salaries and there was no legal way to amend it. The Schools Act did provide, however, that trustees could draft a by-law to increase "extraordinary expenses" and send it to council for approval. The legislature therefore hurriedly amended the definition of "extraordinary expenses" to include salary increases granted by arbitration after the budget deadline of February 15.²¹

The New Westminster city council disapproved the by-law, apparently under the impression that there were legal faults in the award, and submitted it to the rate-payers for approval by referendum. The measure did not pass. To prevent a recurrence of the injustice, the act was amended again the next year by adding, that:

Where by arbitration ... the salary of a teacher in any year is fixed at an amount greater than the amount estimated for the salary in the estimates of ordinary expenses for that year, and where the moneys raised, together with the grant ... are insufficient to meet the increase in the salary of that teacher, the amount of the increase shall be paid from the ordinary revenue of the municipality.²²

Thereafter, neither councils nor rate-payers were allowed to contest a salary arbitration award.

Earlier, in 1907, the federal government had passed the Industrial Disputes Investigation Act²³ to apply to federally chartered companies engaged in mining, transportation, communication, or public service utilities; its application to other industries was on a voluntary basis. The government of British Columbia decided to make the federal statute applicable to industries within the provincial jurisdiction and the legislature passed the Industrial Disputes Investigation (B.C.) Act,²⁴ in 1925, to replace the labour statute repealed two years previously.²⁵ The provincial adoption of federal labour legislation also occurred in 1936 and 1944.

The adopted bill provided for the act's administration by a Minister of Labour and for the appointment of a registrar of boards of conciliation and investigation. Either employer or employees could apply to the registrar for appointment of a board and the other party was then automatically obliged to participate. Each party named a conciliator and they, in turn, chose a chairman. While making its investigation of the dispute, the board sought to reconcile the parties, then submitted its report to the Minister together with its recommendations for a fair resolution. The Minister was then authorized to publish the report and recommendations in the Labour Gazette, and to publicize the matter as he saw fit in order to bring pressure to bear on the disputants to reach a settlement. The parties could, at any time, agree to be bound by the recommendation of the board as if it were an award made pursuant to arbitration. Thus was avoided the redundancy of non-binding arbitration following conciliation. Heavy fines were

authorized if a strike or lock-out was called before the procedure had been completed.

The following definition, prescribed by subsection 2(e) of the 1907 I.D.I. Act, serves to emphasize the difference in arbitration scope permitted labour as compared to teachers:

'dispute' or 'industrial dispute', means any dispute or difference between an employer and one or more of his employees, as to matters or things affecting or relating to work done or to be done by him, or to the privileges, rights and duties of employers or employees (not involving any such violation thereof as constitutes an indictable offence); and, without limiting the general nature of the above definition, includes all matters relating to --

- (1) the wages allowance or other remuneration of employees, or the price paid or to be paid in respect of employment;
- (2) the hours of employment, sex, age, qualification or status of employees, and the mode, terms and conditions of employment;
- (3) the employment of children or any person or persons or class of persons, or the dismissal of or refusal to employ any particular person or persons or class of persons;
- (4) claims on the part of an employer or any employee as to whether and, if so, under what circumstances, preference of employment should or should not be given to one class over another of persons being or not being members of labour or other organizations, British subjects or aliens;
- (5) materials supplied and alleged to be bad, unfit or unsuitable, or damage alleged to have been done to work;
- (6) any established custom or usage, either generally or in the particular district affected;
- (7) the interpretation of an agreement or a clause thereof.

While teachers were restricted to arbitration of the one pre-contractual matter of salaries, labour had almost unrestricted range both in contract negotiation and grievance procedure. The difference in effective range, however, would remain more apparent than real so long as neither group had the right to compel binding arbitration.

From 1925 to 1936, there were no changes made in the provincial arbitration provisions for either teachers or labour. Federal legislation had been changed in 1927 and the revised act became the basis of the Industrial Disputes Investigation (B.C.) Act²⁶ in 1936. Besides recognizing the right of employers and employees to bargain on a regional or industry-wide basis, the main changes concerned board practices:²⁷

S. 27. The Board's recommendation shall deal with each item of the dispute and shall state in plain terms, and avoiding as far as possible all technicalities, what in the Board's opinion ought or ought not to be done by the respective parties concerned.

S. 40. Parties may be represented by three or less persons or by counsel or solicitor where allowed.

S. 42. No counsel or solicitor shall be entitled to appear or be heard before the Board without the consent of the parties to the dispute, and notwithstanding such consent the Board may decline to allow counsel or solicitors to appear.

S. 47. Majority of members present at a sitting shall make decisions for the Board. The majority report and recommendations are those of the Board.

S. 53. A Board member cannot accept any perquisite or gratuity from any source, other than his salary as member of the Board.

The prohibition against employment of lawyers in board proceedings was a throw-back, as far as British Columbia was concerned, to a condition of the

earliest provincial labour act. The reasoning involved here is not known, but the opinion has been expressed at various times that there is a tendency for lawyers to complicate arbitration unduly²⁸ and that more progress is made without the use of paid intermediaries.

Teachers made a small organizational gain, in 1936, when the Public Schools Act was amended specifically recognizing negotiations and arbitration between school boards and teacher associations.²⁹ While many boards had dealt with the associations for years, some had insisted that they need only deal with individual teachers. Trustees in the urban areas had found it more expedient to negotiate with their large teaching staffs through the teachers' representatives, but in the smaller centres and rural areas change was slow to come. As a bargaining tactic, direct trustee-teacher negotiations, in a period of surplus teachers, undoubtedly gave the boards an advantage since, after one teacher broke ranks and accepted a salary lower than planned, it was more difficult for other teachers comparably situated to justify their demands for higher salaries.

Part of the trustee resistance to negotiating with the associations was caused by the knowledge that Federation policy was for the establishment of salary schedules in the agreement; and a unified teaching body, represented by a "tough" negotiating committee, would surely be in a better position to accomplish that purpose than a gaggle of isolated pedagogues. To avoid the introduction of schedules by arbitration, boards simply refused to arbitrate. Since trustees were acting within their legal rights, the situation might have remained static for many years had not an error been committed.

Provincial government educational grants had been increased in 1935 with the intention that the increase should be passed on in higher teachers' salaries. A number of school boards, however, used the funds for other purposes. Upon receipt of complaints from the B.C.T.F.,³⁰ the government moved, in 1937, to rectify matters by amendment to the Public Schools Act. The Council of Public Instruction was empowered to authorize and amend "schedules of minimum salaries payable to all teachers, nurses and dental surgeons employed in public schools".³¹ The concept of salary schedules, though incomplete, was at least "on the books".

In addition, the negotiations clause was amended by adding:

If the Board of School Trustees and the aforementioned teacher, teachers, or association fail in any case to enter into an agreement, either of them may by notice in writing to the other demand arbitration in respect of the matter; and the notice shall be deemed to be a submission of the matter to three arbitrators pursuant to the "Arbitration Act", and to be binding on the Board and the teacher or teachers in respect of whom arbitration is demanded ... Such arbitration shall be concluded on or before the fourteenth day of February of the calendar-year in which the award is to come into effect, and in the case of a rural or community school district on or before the fifteenth day of September of the school-year in which the award is to come into effect. The award of the arbitrators shall be final and shall be binding on the Board and the teacher or teachers in respect of whom arbitration was invoked, and shall not be affected by any award of arbitration made under section 54 [arbitration of ordinary expenses].³²

The velvet glove was not entirely removed, for the party desiring arbitration must first ask the other party to arbitrate; only if the request was refused could binding arbitration be demanded. The introduction of a deadline for delivery of the award not only obviated the fuss of budget amendment and retroactive salary adjustments, but precluded indefinite extension of negotiations. There was a defect, however, in that the deadline imposed

a time-pressure that led to increased tension at the negotiating table unless negotiations were commenced early in the school year.

Labour, also, obtained the right to demand arbitration, but in a less direct way. The I.D.I. (B.C.) Act, 1936, was replaced the following year by the Industrial Conciliation and Arbitration Act,³³ which was entirely a provincial statute. The new act guaranteed the right to bargain collectively and specifically prohibited employer practices which tended to interfere with the employees' rights to organize, to belong to a union, and to participate in its affairs. Regional or industry-wide bargaining was recognized and "employer" was expanded to include any person employing one or more workers except in agriculture or domestic service.

In order to prevent strikes, employers were obliged by the I.C.&A. Act to negotiate with their employees on demand and the subject matter was still regulated by the same broad definition of "dispute" as existed in the previous act. If, in his opinion, the Minister thought negotiations were getting out of hand, or if either of the parties applied to the Minister for conciliation, he could appoint a conciliation commissioner to investigate the dispute. Should the commissioner fail to reconcile the parties, upon receipt of the report the Minister was required to appoint an ad hoc, representative, tripartite board of arbitration.

The board was empowered: to determine its own procedure; to summon, swear, and hear the testimony of any witnesses; to punish for contempt; and to "accept, admit, and call for such evidence as in equity and good conscience it thinks fit, whether strictly legal evidence or not." The board was required to submit its majority decision within fourteen days, although the deadline could be extended with the consent of all parties.

The award was to deal with each item in dispute and was to be retroactive to the date of application for appointment of a commissioner.

Though the award was not automatically binding, it could not be rejected by the negotiators alone. The government would conduct separate, supervised votes of employers and employees to determine if both parties were agreeable to accepting the award or rejecting it. Until the entire procedure had been completed, and the award rejected, it was unlawful to call a strike or lock-out.

The legislative advances thus made by both teachers and labour were realization, or nearly so, of the theoretical advances achieved more than ten years before. The teachers appeared to have made a substantial gain upon labour with the establishment of demandable, binding arbitration. However, this excerpt from an editorial in the January, 1938, issue of The B.C. Teacher would seem to indicate that the government did not intend to let teachers have free rein:

The recent Public Schools Act amendment concerning compulsory arbitration, invites careful consideration at the hands of teachers. If the Department of Education finds itself inundated with requests for arbitration, we may rest assured there will soon be an amendment to the amendment.³⁴

Some school boards fought to the last against recognizing salary schedules, even though the Public Schools Act, as amended in 1937, used the term in referring to a "schedule of minimum salaries". Probably the major reason given for opposition was that a schedule committed trustees to future salary increases, for service, that might be difficult to finance. A second reason, equally important to some trustees, was the claim that

service increases tended to be too automatic, once in-force, and bore no proven relationship to increases in teaching efficiency. Whatever the reasons, defences quickly crumbled in 1943 and 1944.

The first amendment to the act empowered official³⁵ trustees, and boards of school trustees of both rural and municipal school districts, to prepare and adopt salary schedules applicable to all classes of teachers in their districts.³⁶ When some boards refused to arbitrate schedules because they were not specifically mentioned in the arbitration clause, the government amended the act again in the following year to so state.³⁷

During the second world war, the federal government suspended the provisions of its Industrial Disputes Investigation Act. By order-in-council, P.C. 1003 dated February 14, 1944, it established a Wartime Labour Relations Board with power to regulate labour relations generally, to regulate manpower allocation, especially in vital industries, and to control wage increases. The W.L.R.B. regulations contained much the same provisions as the I.D.I. Act, which it superseded. There was no arbitration, only conciliation with the usual proviso that a board recommendation could be adopted as if it were an award in arbitration. The British Columbia legislature then passed the Wartime Labour Relations Act which suspended the I.C.&A. Act and placed B.C. labour under control of the federal Labour Relations Board for the duration of the war.³⁸

Much to the teachers' satisfaction, they found that the W.L.R.B. did not intend to regulate teacher bargaining since education was considered to be entirely a provincial affair and teaching was not classified as a war

industry subject to control. For a short time, then, teachers were to have more negotiating leeway than some segments of labour, even though the range of topics was still smaller.

After the war, the provincial government repealed both the I.C.&A. Act, 1936, and the W.L.R. Act. In their place was enacted the Industrial Conciliation and Arbitration Act, 1947, which was markedly more stringent in controlling strikes.³⁹ It provided for the establishment of a Labour Relations Board (B.C.) which later received delegated power to devise regulations for implementation of the act. Strikes and lock-outs were forbidden during the life of a labour contract, though they could be declared, with reservations, after an agreement had expired. The act discriminated further between pre-contract and post-contract bargaining by making it mandatory for every collective agreement to include provision for grievance procedure, with or without arbitration, and without work stoppage.

As in the pre-war legislation, either party could demand that the other commence bargaining and, after fifteen days, could call for conciliation. The parties could adopt a conciliation board recommendation as if in arbitration or could negotiate their own settlement. If neither course was followed, the Minister was at liberty to publicize the board's report and recommendation as he saw fit -- a copy from the federal legislation. A pre-contract strike could be called if the employees rejected the settlement offers in a supervised vote.

Disputants were free to appoint their own mediation commission, at their own expense, in lieu of government conciliation.

Perhaps the most important change from previous legislation was the permission to include a union or "closed" shop provision in collective agreements. From an organizational point of view, either provision would increase a union's bargaining strength and its financial resources. Though this advance would have given labour an important advantage over teachers in negotiation, the teachers did not lose out because the Public Schools Act was also amended in 1947 to provide for compulsory membership in the B.C.T.F.⁴⁰

This amendment to the school law allowed any teacher then teaching in the public schools to declare himself out of the Federation before maintenance of membership became compulsory, and allowed students then in teacher training, or teachers on leave of absence, the same right if exercised within six months of either beginning or resuming teaching. Otherwise, all public school teachers in the province were required to obtain and maintain membership in the B.C. Teachers' Federation as a condition of continued certification. The price paid by the Federation for this privilege was closer surveillance by the Council of Public Instruction; changes in the Federation's constitution or by-laws became subject to Council approval.

A major revision of the labour statute took place in 1954. Renamed the Labour Relations Act,⁴¹ it bore a strong resemblance to the I.C. & A. Act, 1947, but reflected an increase in discretionary power for both the Minister of Labour and the Labour Relations Board. While discretionary powers might never be used, or at least not used with partiality, it would seem reasonable to suggest that labour bargaining strength could be adversely affected by the implicit threat of administrative power. There is a

certain intimidation value in uncertainty.

Provisions were maintained in the Labour Relations Act for mediation commissions, conciliation officers and conciliation boards.

During the nineteen-fifties, teachers too were presented with a changed law. Though the school act had been amended and consolidated many times since 1872, the Public Schools Act, 1958, was the first complete revision.⁴² The changes in bargaining procedure were not drastic, but rather accentuated the developing trends in teacher-trustee bargaining practice and the emphasis on conciliation in the labour code.

Contract negotiations conducted by teachers and trustees in the autumn of 1957 had been marked by much hostility. By December, more than a score of school districts were still without agreements and the prospects for voluntary settlement were negligible. Both parties, in each instance, had avoided the recourse to arbitration. The Minister of Education directed that negotiations would be resumed in the disputed areas in new efforts to reach accord and that, where unresolved conflicts still remained, the cases would be arbitrated. In order to avoid a large number of arbitrations, he further directed that, before that step was taken, each case must be conciliated by two top-level appointees -- one each from the Trustees' Association and the Teachers' Federation. Considering the Minister's direct intervention and continuing interest in the matter, it is not surprising that the groups were reconciled in all cases. The conciliation step was thought by the Minister to be so successful that it was incorporated as a compulsory stage between demandable negotiations and compulsory arbitration.⁴³

In the context of school law, "compulsory" (in bargaining) now means automatically compulsory and not merely upon demand by either party. Whereas in older days negotiations could be opened at practically any time and settlement could be made effective at a date of choice, a "rationalization" of the bargaining procedure gradually evolved whereby specific times were set for completion of specific actions. Now, negotiations begin almost as soon as the school term opens. If negotiations are desired, notice must be given by September 30; if settlement is not reached and a contract signed by October 31, conciliation is automatic; if conciliation does not succeed by November 15, arbitration is automatic; and the arbitral decision must be rendered by December 31, to take effect January 1. If neither party follows the complete procedure for appointment of arbitrators within specified time limits, the arbitration order is automatically rescinded and the previous year's collective agreement continues in force.

From this comparison of the arbitration provisions of the public school and labour statutes, and their amendments, it can be seen that teachers have been narrowly restricted in their use of arbitration when judged by the standard of the scope permitted British Columbia labour. In 1919, teachers were limited to arbitration of salaries, while labour could arbitrate any issue at dispute between themselves and employers; in 1963, a similar gap exists.

At first glance, the bargaining provisions of the Public Schools Act seem incongruous and inadequate when compared with the rational basis of the bargaining provisions of the Labour Relations Act. They are seemingly incongruous in that teacher-arbitration is restricted by statute to

one element of contract negotiation and is not applicable to grievance procedure; this appears to be the reverse of recommended usage. They are seemingly inadequate in that, apart from salaries and salary schedules, there are no stated grounds for collective bargaining and no stated procedures. However there are other factors which must be kept in mind if a balanced perspective is to be maintained: (1) the difference in administrative characteristics of the two groups, (2) the difference in proportion of "public interest" vested in the group function, and (3) the difference in attitude of the two groups towards bargaining.

The difference in administrative characteristics of the two groups, teachers and labour, has an effect upon the legislative possibilities. "Labour" is a collective term which includes greatly diversified occupations with disparate requirements in education and skill, and with different degrees of organizational solidarity. It is thus impractical to set many of the agreement conditions by statute. Also, the diversity of work situations and the widely fluctuating economic capacity of employers require that labour legislation be less specific in some respects, than comparable sections of the school law might be, in order to accommodate that diversity. By contrast, there is a high degree of uniformity in teaching situations, in teaching skills and education required, and in financial capacity of school boards -- though the latter uniformity is contrived by grant schemes. In part, then, the great number of possible factor combinations in the general labour market and in labour employment situations militates against the possibility of a general labour statute that prescribes in specific detail the collective agreement content that will prevail throughout the province. A

great proportion of the agreement content must, of necessity, be left to employers and employees to work out by collective bargaining. In like manner, the diversity in labour working conditions and trade customs may require varied details in grievance procedures even though general principles may be enunciated by the legislature.

The higher level of uniformity in teaching situations, and of agreement in the teaching profession, have permitted of more uniform collective agreement content with the result that some provisions have been removed from the sphere of teacher-trustee bargaining and have been placed in the statute itself. For sake of illustration: the Public Schools Act expressly states what paid sick leave teachers are entitled to and the limitations upon its accumulation, whereas sick leave is not included in the Labour Relations Act but instead is left to negotiation between employers and employees. To a degree then, certain provisions of the school act must be considered as if they were part of the various collective agreements.

The differences in proportion of the element of "public interest", vested in the group functions of teachers and labour, also have an effect on the regulatory statutes. While, at one time, education was a privilege of the wealthy, the titled, and the clergy, it is now considered more of an individual right than a privilege, and consequently governments are obliged by public demand to ensure equality of opportunity in education. There has been a re-newed trend also towards identifying the ends of education with the needs of the state, rather than of the individual, although the trend is often disguised by the ambiguity of the statements employed. The concern here is only to recognize that these trends exist and that they influence

the actions of government.

As governments assume more responsibility for education, centralized control increases and greater uniformity usually results, in the name of administrative efficiency. One manifestation of the trend to uniformity is the increasing degree to which bargaining issues are transferred from school district negotiating tables to the legislative chamber. In British Columbia, provincial governments have not actively sought to increase this movement but have been subjected to demands from teachers and trustees which have had that effect. Reasons for the pressure are not difficult to deduce, but to adduce them is a different matter because of the manner in which the demands are stated by their proponents.

Where local teachers' associations have been able to negotiate a "fringe" benefit, they have usually been able to expand the benefit through successive agreements. For example, the maximum annual allowance of paid sick leave was extended from ten days to thirty days, then the right to accumulate unused leave was granted to an annual limit of sixty days. When a majority of school boards had agreed to paid sick leave, teachers sought to have the provision made compulsory by amendment to the schools act. The legislative change obviated continued struggle in the remaining school districts, primarily rural. Certainly this was a Federation win. But the teachers were supported in their request by the trustees from the school districts where the benefit had been negotiated. One might assume that trustee support was willingly given since the recruitment advantage of the benefit had been abated by its increasing universality, but the remaining boards had been able to avoid the cost. In addition, there was probably the hope in

many breasts that the costs of a compulsory provision might eventually be included in provincial grants.

This example illustrates the definite tendency to transfer issues from the jurisdiction of the local school board to the Department of Education, at the request of teachers and trustees alike, and sometimes together. Whether such co-operation constitutes collusive evasion of the responsibility to determine these matters locally is a political decision that the voting public has not been called on to make. Where financial benefits are involved, the largely ideological issue of centralization seems to be of little consequence in determining policy. The teachers at least are aware of the conflict between their value demands and tactical decisions; the Federation's "philosophy of education" committee has noted in its reports that a number of convention resolutions passed in previous years were in direct contradiction to the avowed Federation policy of supporting local autonomy against centralized authority. Despite the warning, teacher requests for increased government responsibility and intervention have continued.⁴⁴

The same degree of "public interest" is not, as yet, generally assumed to exist in the management of the economy as exists in public education. There is not, therefore, the same compulsion to legislate uniformity in contract content. If, however, socio-economic values change and the public becomes convinced that the economy must be closely managed and planned by the government for the general welfare, then the prognosis is for an increase in legislative control of labour's benefits.

The greater intrusion of the provincial government into teacher affairs than into labour affairs, as a result of the difference in "public interest" involvement, has had another legislative side-effect. While the legislature has approved laws which expressly state what matters may be negotiated by employees, as of right, and which state how the bargaining may be concluded for want of a negotiated settlement, the same legislature has been completely silent on the same matters where teachers are concerned, salaries excepted. One can only assume that governments, local and provincial, are prepared to bind others by law but not themselves -- that they prefer an uncertain ritual in which they hold all the power. While teachers may not be suffering unduly from the disadvantage, there are no statutory criteria by which to judge the propriety of any action they have taken, or may take, to redress the imbalance.

The third difference, between teachers and labour, which has led to differences in bargaining provisions between the school law and labour law, is the disparity in group attitudes towards bargaining. Since collective bargaining is a political process and the strike, an economic contest, there eventually comes a point where a conflict of values can only be won decisively by openly pitting the resources of one group against the other. Labour has been prepared to strike, and has struck, whenever it could not win a contract concession by negotiation which it thought was necessary to its enhanced or continued welfare. Teachers have not been so inclined. Although there has not been a statutory prohibition against teachers striking,⁴⁵ they have struck, in British Columbia, only twice in forty years. Neither time was money the primary issue. Once it was to force recognition

of their right to negotiate and the other time it was to force recognition of their right to arbitration. Arbitration of salaries in lieu of striking was the choice of teachers themselves.⁴⁶

While the choice may have been influenced in part by the opinion that to strike for money was perhaps undignified and mercenary, there were also tactical factors that must have been considered: (1) the preponderance of women in the profession, (2) the lack of organizational strength, and (3) the possible advantages of arbitration to an economically depressed group.

The vast majority of British Columbia teachers in 1919 were women,⁴⁷ and the social climate of the times was scarcely conducive to the enlistment of women, especially "young lady" teachers, in a campaign of annual strikes to force up salary levels. In the rural areas, prospects would be even chancier. The inexperience of the B.C. Teachers' Federation, the absence of organizational solidarity, the undeveloped channels of communication, and the dispersal of the profession in hundreds of small communities: all these factors conspired to make the strike an unlikely tool in teacher bargaining.⁴⁸ In the absence of well-developed, militant, local teachers' associations throughout the province, the lack of central control mechanisms must have been a critical factor in the decision to avoid the strike as a bargaining weapon.⁴⁹ The change, from a loose federation of locals to an association of individuals, did not occur until later.⁵⁰

From reports of the economically depressed conditions of teachers in British Columbia just after the turn of the century, arbitration must

have had a strong appeal. For if there was any open, or even latent, sense of social justice in the elite of the community, it would seem probable that an economic advance could be made by arbitration of salaries without the risk of loss that is inherent in the strike. In arbitration of such a subjective matter as salaries, the likelihood of compromise⁵¹ between two positions is much greater than the chance of outright adoption of either alternative -- and any compromise would be an advance over the trustees' last offer. If there was any validity in such estimations, then arbitration of salaries should have proved a useful alternative to the strike at least until the level of teachers' salaries reached a rough equality with the valuation placed upon teachers' services by the public. The public evaluation as well might be open to modification.

When these differences in group characteristics, between teachers and labour, have been considered, and their effects upon legislation assessed, the seeming incongruity of the school act's bargaining provisions disappears. The adequacy of the provisions has not yet been assessed. If, in the absence of statutory direction, teachers have developed successful mechanisms and techniques of goal-attainment, then the act's provisions cannot be classified as wholly inadequate despite the lack of direction. They may, however, be partly inadequate if there are no established criteria by which to evaluate the propriety of actions which teachers or trustees take to attain their goals or to frustrate the other group's attainment of its objectives.

Footnotes

1 J. Noble Braden, late executive director of the American Association of Arbitrators, as quoted in John J. Adams, "Management Viewpoint", Practical Arbitration, ed. Daniel H. Kruger, Michigan State University, Labour and Industrial Relations Center, 1959, p. 11. (Report of the Fifth Annual Joint Industrial Relations Conference for Lawyers, Arbitrators and Union and Management Representatives.)

2 Lloyd G. Reynolds, Labour Economics and Labour Relations, New York, Prentice-Hall, 1949, p. 171.

3 Conciliation proceedings are usually conducted without formality. The conciliator may discuss the problem with the disputants together or he may speak to the groups separately in order to more freely inquire into matters which the disputants would not care to discuss in the presence of their opponents. Since his task is not to judge the dispute but to seek an agreeable basis for a negotiated settlement, the skilful conciliator may be favoured with confidential information from both sides that would not be made available to an arbitrator.

4 Arbitration proceedings are more formal than conciliation. In British Columbia, it has been declared that arbitration will be conducted in accordance with the rules of the Supreme Court, and arbitrators are classified as officers of the court. Arbitration Act, R.S.B.C., 1936, ch. 13, s. 18.

5 Compromise is characteristic of pre-contract arbitration, but in grievance arbitration it should occur only as an incidental result. Cf. A. W. R. Carrothers, Labour Arbitration in Canada, Toronto, Butterworths, 1961, p. 13.

6 A. W. R. Carrothers, "Compulsory Arbitration in Creation of the Collective Agreement", U.B.C. Law Review, vol. 1, no. 4 (Sept., 1961), p. 465.

7 A. W. R. Carrothers, in an interview with the writer on 9 August, 1963. Professor Carrothers is a professor of law and former Director of the Institute of Industrial Relations at the University of British Columbia.

8 Estimates have been made that perhaps 95 per cent of all collective agreements today provide for arbitration as the terminal point in the grievance procedure. Charles C. Killingsworth, "Opening Remarks", Practical Arbitration, p. 3.

9 Ben Fischer, "Labour Viewpoint", Practical Arbitration, p. 24.

10 In this context, private legislative function refers to the political process of devising self-regulating agreements by negotiation.

11 Here, negotiation includes use of the strike or lock-out.

12 N. P. Feinsinger, "Current Arbitration Trends: The Arbitrator's Viewpoint", Practical Arbitration, pp. 51-52.

13 A comparison could also have been made with legislation regulating provincial civil servants or municipal employees, especially firemen and policemen who face similar strike proscriptions. The particular choice was made because teachers have made comparisons between the two groups at different times and were, for a while, affiliated with labour.

14 R.S.B.C., 1911, ch. 206, and amendments.

15 R.S.B.C., 1911, ch. 123.

16 Both parties had to agree to conciliation and/or arbitration. The conciliation step could be passed by, if desired, and arbitration begun immediately.

17 R.S.B.C., 1911, ch. 11.

18 A submission is a "written agreement to submit present or future differences to arbitration". Ibid., s. 2.

19 S.B.C., 1919, ch. 76, s. 6.

20 Details of the New Westminster strike are recorded in an account by one of the participants who later became president of the B.C.T.F. E. H. Lock, "The New Westminster Teachers' Strike of 1921", unpublished manuscript, New Westminster, 1954; available at the B.C.T.F. office, Vancouver.

21 S.B.C., 1921, ch. 56, s. 3.

22 S.B.C., 1923, ch. 60, s. 6.

23 Statutes of Canada (hereinafter referred to as S.C.), 1907, ch. 20.

24 S.B.C., 1925, ch. 19.

25 Repealed by the Obsolete Statutes Repeal Act, S.B.C., ch. 71. British Columbia was without its own labour statute again until an appeal to the Supreme Court of Canada established that the federal labour act did not apply to labour within provincial jurisdiction unless a provincial act made it apply. Cf. A. W. R. Carrothers, Labour Arbitration in Canada, ch. 1.

26 R.S.B.C., 1936, ch. 123.

27 The section numbers refer to the federal act, Revised Statutes of Canada (hereinafter referred to as R.S.C.), 1927, ch. 112.

28 This criticism of lawyers in arbitration is found throughout Practical Arbitration, but especially by G. Allan Dash in "Current Arbitration Trends: the Arbitrators' Viewpoint", p. 59; An opposite view is given by Saul Wallen, p. 55.

29 S.B.C., 1936, ch. 55, s. 20.

30 "Departmental Replies to Federation Resolutions", Teacher, vol. 27, no. 4 (Dec., 1937), p. 171.

31 S.B.C., 1937, ch. 68, s. 3.

32 Ibid., s. 9.

33 S.B.C., 1937, ch. 31.

34 Vol. 17, no. 5, p. 212. In succeeding years, H. Charlesworth, B.C.T.F. General Secretary, occasionally cautioned against indiscriminate use of arbitration. No further mention of a threat is found until this quotation:

... This legislation [demandable, binding arbitration] was subsequently enacted and proved a boon to teachers in their efforts to improve salaries. In fact, its widespread and effective use in all parts of the province resulted in the hint being dropped that unless teachers would consent to resort to it less frequently, there was a possibility it would be repealed. Reference is made to this incident merely for the purpose of drawing a parallel with any piece of legislation, including automatic membership, which is secured as a concession from the government.

A. T. Alsbury, "Supplement to the 1937 Brief Against Automatic Membership", Teacher, vol. 21, no. 5 (Jan, 1942), pp. 230-232. Mr. Alsbury was then

B.C.T.F. vice-president. When interviewed August 9, 1963, Mr. Alsbury said he does not remember that the suggested threat was ever substantiated.

35 An "official" trustee was a provincial government appointee, usually the district inspector of schools, assigned to manage local school affairs in lieu of an elected board of school trustees. This alternative was sometimes adopted when a school was heavily "assisted" by the government, when schools were established in "company" towns, or when a municipality defaulted on debt payments.

36 S.B.C., 1943, ch. 57, s. 5, 8, and 11.

37 S.B.C., 1944, ch. 45, s. 13.

38 S.B.C., 1944, ch. 18. P.C. 1003 and the W.L.R.B. Regulations are appended to the B.C. statute.

39 S.B.C., 1947, ch. 44.

40 S.B.C., 1947, ch. 79, s. 101.

41 S.B.C., 1954, ch. 17.

42 S.B.C., 1958, ch. 42.

43 For the teachers' viewpoint of the affair, see M. E. Cottingham, "The President's Busy Year: Report to the Annual General Meeting", Teacher, vol. 37, no. 8 (May-June, 1958), pp. 389-391 and 409-412. For the provincial government's view, see L. R. Peterson, "The Minister's Convention Address", Teacher, vol. 37, no. 8 (May-June, 1958), pp. 382-388. Cf. Mollie E. Cottingham, "Conciliation As I Saw It: April-May, 1958", an unpublished manuscript available from its author.

Miss Cottingham's statement, that all of the twenty-five districts in dispute were eventually reconciled, seems to conflict with that of the Minister. This may be due to the fact that the Minister's statement does not clearly discriminate between the "special" cases and other districts that failed to negotiate settlements that year.

44 The trend is not all one way, of course. While asking that certain policies be made compulsory, teachers have also asked that other policy matters be left to local choice (e.g., report cards), or that teachers and trustees be given a voice in determining department policy.

45 While the Public Schools Act, 1958, does not state that teachers cannot strike, the act does state that salaries, if not negotiated, will be arbitrated. How can teachers strike over salaries that are determined by binding arbitration? The act does not prohibit such strikes, it precludes them.

46 W. V. Allester, a past president of the B.C.T.F. and now one of its staff executives, is of the opinion that a quid pro quo was established whereby teachers agreed not to strike for salaries if the provincial government would recognize their right to arbitration. This opinion is also shared by A. T. Alsbury, another past president of the B.C.T.F., former mayor of Vancouver, and now director of the University of British Columbia Development Fund: interviews with the writer August 14, 1963.

47 As late as 1944, over 70 per cent of British Columbia teachers were women. Teacher, vol. 24, no. 4 (Jan., 1945), p. 123.

48 Even in 1944, when the Federation was engaged in an aggressive campaign to raise salaries, a resolution was submitted by the Michel Teachers' Association to the B.C.T.F. annual convention that would make abstention from striking a Federation policy. Teacher, vol. 23, no. 6 (Mar., 1944), p. 217.

49 In his paper, "The New Westminster Teachers' Strike of 1921", E. H. Lock, a past president of the B.C.T.F., states that the organizational weakness was apparent from the earliest days of the Federation but that teachers could not be prevailed upon by the Federation executive to change the constitutional arrangement.

50 The constitutional change was finally approved by the 1941 annual general meeting. Teacher, vol. 20, no. 9 (May, 1941), pp. 403-406.

51 While use of the term "compromise" may seem to conflict with previous statements, it actually does not. This will be explained more fully in the next chapter.

Chapter 3

SOME EFFECTS OF ARBITRATION

Ever since our professional infancy ... we have believed that teaching is undefiled by mercenary motives, and that our associates are solely actuated by the desire to bring light and beauty into a singularly dark and obtuse world. Prominent educationalists have told us this, high-class journals have affirmed it and ten times every year School Boards have acted on it.¹

It was suggested earlier that employing arbitration to settle pre-contractual disputes is misuse according to the generally accepted description of arbitration as a judicial process. By misuse was meant that a judicial process should not be used to solve a political problem. This did not mean to imply that arbitration would not produce an answer to the problem, but only that the answer, because of the manner in which it was obtained, would be an expedient and would have defects, whether or not they were immediately apparent. At the same time, it was held that most post-contractual disputes could be arbitrated without difficulty -- again, according to the present usage of the term "arbitration".

Assuming for the moment that justice is being sought in both types of cases cited, the question then arises: why can they not both be resolved by a judicial process? The answer, it is suggested, lies in the fact that two kinds of justice are involved in the two phases of collective bargaining and, consequently, in the two applications of arbitration.

In pre-contractual negotiations, the parties basically are arguing about what constitutes social justice in that particular situation: socio-economic justice if salaries or bonuses are the subject, and socio-political justice if rights or procedures are the subject. Successful pre-contractual negotiations will result in determination of the relevant criteria. In most cases of post-contractual negotiation, by contrast, the parties are arguing about what should be done in a particular instance according to the criteria established by the contract -- that is, legal justice, justice according to the law. The latter justice primarily requires technical knowledge; the former, wisdom. After a full explanation of the reasoning involved, a decision can be shown to be legally just according to the available facts and criteria, but no amount of explanation, if explanation is possible, can demonstrate the justice of a social decision -- social justice must be felt.²

Since the procedure is similar in both cases, but the process different, it would seem useful to discriminate more clearly between them. There would be less likelihood of dissatisfaction with the results obtained if the parties were fully aware of the purpose of each process and its limitations. It is suggested, therefore, that where criteria are provided by contract or law, the process be called adjudication, and only where there are no agreed criteria would it be called arbitration. This, it is felt, would tend to emphasize the principled basis of the first judgment and the discretionary basis of the second -- descriptions, however, which are in keeping with the facts. The present custom of calling the procedure "arbitration", irrespective of application, and describing it as rational judgment, irrespective of process, is unnecessarily confusing.

To this point in the inquiry, the term "arbitration" has been used for all applications in order to avoid complications when discussing different statutes, and in order to emphasize the need for almost constant modification of the term when used in its present, broad sense. Since the school law only provides for arbitration of salaries and salary schedules, its usage of "arbitration" corresponds with the suggested terminological revision, and no confusion should result from use of the restricted terms. From this point onward, therefore, it is proposed to employ "arbitration" and "adjudication" in the sense just described.

The pertinent statutory provisions and changes can be summarized as follows. The British Columbia school law has prescribed arbitration of disputes between teachers and trustees over teachers' salaries since 1919, and over salary schedules since 1943. Arbitration was only voluntary until 1937; from 1937 to 1958, it was also demandable; and since 1958 it has been compulsory if a negotiated settlement is not reached by a specified date. No provision has been made for arbitration of other contract matters, nor has provision been made for general adjudication of grievances. These characteristics of the school law have had direct and indirect effects which will be discussed below.

It is not possible, in an inquiry of this nature, to account for all the effects of arbitration upon teachers, trustees, and the department of education, nor to acknowledge all the possible interacting factors and events. Only those effects are mentioned, therefore, which appear to be predominantly the result of statutory provisions or deficiencies and, in order to limit the size of the report, co-existing influences are not discussed unless their effects are estimated to be substantial.

Economic Effects

In the Schools Acts, the provision for contract negotiation between teachers and trustees and the provision for arbitration of disputes arising from such bargaining have been almost identical in scope. Where one was permitted, the other was permitted; where one goes unmentioned, so does the other. The exceptions have been transitory. To determine the effects of arbitration provisions, one must first find the effects of the bargaining provisions. They will therefore be considered in conjunction and the differences in result noted.

In employer-employee bargaining, the lock-out and strike are the respective parties' ultimate weapons. Although some writers consider work stoppage to be outside the collective bargaining process, i.e., as alternatives to bargaining, many others include them as extensions of negotiation. The latter position recognizes that work stoppage is a latent threat throughout negotiations and that it becomes manifest only when the threat loses credence and bargaining power. The parallel has been drawn with von Clausewitz's description of war as "merely the continuation of diplomacy intermingled with other means".

Where, as in the case of British Columbia teachers, the strike has been supplanted by arbitration as the last means of deciding contract content, arbitration becomes almost indissolubly linked with bargaining and extensive information is required to measure their separate economic effects. Most of these data are not available.³ Some probable effects can, however, be deduced from the known facts.

The major determinants of teacher income during the life of the B.C.T.F. appear to have been the system of education finance in B.C. and the difference between teacher supply and demand. Teacher collective bargaining strength, compared with that of trustees, and the availability of arbitration seem to have had only secondary effects.

As noted in previous chapters, teachers' salaries were determined unilaterally by school boards before 1919. When the teachers' right to negotiate with trustees on salaries and, if necessary, to arbitrate, was recognized by the legislature, there was no immediate rise in salary levels. Salaries varied extensively throughout the province and the immediate concern of the Federation was to raise the minimum level everywhere to \$1,200 for experienced staff, an objective adopted by teachers in all four western provinces.⁴ The greatest gains were made in the urban areas where the local tax resources were highest. Adjustment in the rural districts and smaller municipalities generally lagged, although by 1929 the Peace River district had one of the higher schedules in the province. In many rural areas, however, it was not unusual for teachers of long service to be paid the Federation minimum set ten years before, and occasionally they received less. Arbitration was still on a voluntary basis and does not seem to have been used between 1921 and 1938.

Where the district scale was not sufficient to attract qualified teachers, local people were hired and issued with temporary teaching certificates. Teachers also emigrated from Britain and eastern Canada, drawn by salaries which, though inadequate by local standards, exceeded those paid elsewhere. Whereas in the poorer areas of the provinces all teachers might

be paid the same salary regardless of service or qualifications, wealthier centres were susceptible to arguments for the establishment of salary schedules which recognized these differences.

While no proof was adduced, the B.C.T.F. claimed, in 1926, that the discrepancy between rural and urban salaries had led to a concentration of the most qualified and experienced teachers in the high pay areas to the detriment of children's education in the outlying areas. The generalization, while seemingly logical and intended to secure competitive salaries for rural teachers, was soon dropped by Federation spokesmen because it had the opposite effect. Rural trustees began to question why their teacher employees should be demanding salaries equivalent to those in the cities when Federation publicity proved they were not the equal of city teachers.

Most of the benefits of organization and collective bargaining accrued to teachers living and working in areas where certain conditions existed: relatively greater sources of municipal income, understanding and sympathy for teachers' aspirations, and a concentration of teachers sufficient to impress trustees with its appearance of collective strength. The poorer communities responded to the higher city salaries, not by competition, but by relaxation of teacher qualifications.

With the depression of the nineteen-thirties, much of the teachers' gain was lost. Reduction of municipal tax revenues and provincial salary grants, combined with increased municipal expenses for relief, led to heavy cuts in salary for teachers and other local government employees. The Federation appealed to governments to share the depression costs among all classes of tax-payers and not to take the path of least resistance, i.e.,

to shift the entire burden of income reduction on to teachers and municipal employees. Little or no attention was paid to their complaints, however, and teachers had to console themselves with the fact that at least they had jobs, even at low pay.⁵ The general security of teacher tenure in poor times attracted more young men and women into teacher training even in a period when some small schools were being closed to save expenses. The excess supply of teachers did not help the economic position of those already in the profession.⁶

The most drastic changes occurred between 1931 and 1933. In the beginning, the Federation executive held an optimistic view of the future because of the generally reasonable approach adopted by school boards and because the provincial government raised the school grants slightly in the spring of 1931 to compensate for reduced municipal income. Teacher and trustee jubilation did not last, however, for the Schools Act was amended to classify that portion of teachers' salaries in excess of the provincial grant as an "extraordinary expense" subject to veto by municipal councils.⁸ By autumn, provincial generosity disappeared altogether in an eight per cent reduction of salary grants, which became ten per cent by the time it reached the teachers. At the same time a shift occurred in social service responsibility from the provincial to local government, which many districts immediately translated into further salary cuts in an effort to balance their budgets.⁹

When a committee of B.C. businessmen under the chairmanship of George Kidd recommended to the Premier in 1932 that teachers' salaries be slashed by an additional 25 per cent, the public outcry was sufficient to

induce the government to disclaim any intention of accepting the proposal. Despite the disclaimer, "per capita" school grants were revised in December, on the basis of the latest municipal assessments, and reduced by \$415,000 (or 18.5 per cent). In addition, the departmental estimates for 1931-32 showed \$755,000 in provincial grants to assisted rural schools for teachers' salaries; for 1932-33, these grants dropped to \$223,000; and, for 1933-34, they disappeared entirely.¹⁰

During the previous decade, the Federation had often asked the Minister of Education to change the salary grant from a "per teacher" to a "percentage of salary" basis in order to encourage greater generosity on the part of local governments. School boards that were paying above-average salaries had joined in the request.¹¹ The idea was finally accepted in 1931 but had the opposite effect to that anticipated by teachers. The events enumerated above precluded any likelihood of pay increases and the change only served to reduce provincial costs as treasury disbursements dropped in line with local salary cuts.

In order to preserve the established salary schedules, teachers put forth unusual efforts. Wherever the provision could be negotiated, arrangements were made whereby trustees would credit each employee with full pay and then each teacher would make a voluntary donation to the school board, equivalent to the negotiated reduction. By this means, the "schedule battle" was not lost and every effort could be made to negotiate reductions in the "donations" as economic conditions improved.¹² Teachers would not concede that deflation and salary cuts might be permanent.

Through the worst years of the depression, it can thus be seen, the factors which appear to have determined teachers' salaries were the provincial grant system, the levels of municipal tax income, and the over-supply of teachers. By dint of strong organization and negotiation, teachers had been able to delay salary cuts for a short time, but when they occurred they were drastic. Arbitration was still voluntary and unused.

Almost imperceptibly at first, prospects for the teaching profession began to improve. The "schedules of standard basic salaries" introduced by the government in 1932 had been designed merely as grant scales but appear to have given an air of propriety to the actions of those school boards who had reduced their salaries to the "standard basic" level. Upon complaints from the B.C.T.F. that some boards were paying teachers less than the basic schedule, the government changed the act in 1933 to penalize such boards by reducing their grants by the full amount of the discrepancy; thus, the "basic schedules" became, in effect, "minimum schedules".¹³ In order to ensure boards' compliance with the act, the Minister asked the B.C.T.F. to report promptly every case in which substandard salaries were paid. He also asked that teachers refuse to continue the practice of making "voluntary donations" to municipal funds,¹⁴ so that true salary levels would be readily apparent and school boards could no longer profit from manipulation of salary figures on their grant claims. Teachers proved quite willing to cooperate.

Very gradually, a few of the larger centres began to eliminate the severe salary reductions or at least promised a return to 90 per cent of the pre-depression scale. The provincial grant was increased but in 1937

many boards diverted the entire amount to the purchase of new equipment rather than to restoration of salaries. As a consequence, the government complied with the Federation's request for demandable, binding arbitration of salaries¹⁵ and, in 1943, extended the provision to include salary schedules. However, during the first eight years (1937-1945), arbitrations averaged only two to three a year.

The demands of war industries raised the price of manpower and people were attracted from schools into other occupations. Teacher salaries were still depressed and it took a number of bargaining sessions and arbitrations to restore the cuts made earlier. Rising land values and rising incomes in the cities made it easier for municipal councils to raise taxes to finance increased teacher pay demands, and so new staff remained in the cities rather than accept poor teaching conditions in other parts of the province. The increasing wealth did not seem to filter out to the rural areas where teachers attempted the almost impossible task of achieving pay parity with city teachers. The most bitter negotiations and arbitrations were conducted, not in the distant school districts, but in the rural and semi-rural parts of the lower Fraser Valley and the Delta. In these areas, boards' budgets were rural but teachers' tastes were urban.

The Cameron Report of 1946 recommended, as a basic reform, that school districts be amalgamated into larger administrative areas for greater administrative flexibility. It was anticipated, too, that much previously untaxed property could be assessed for a contribution to education under the new system. Grants were also substantially increased but the rural-urban imbalance in local tax capacity continued and would continue until some

measure of assessment equalization was introduced. The lag was still felt in rural areas where arbitration awards were predicated upon the assumption of increased provincial grants but were held in abeyance until the provincial government should act. Rural teachers had been quite bitter at their lack of progress during the war years and blamed their failure on poor B.C.T.F. leadership. Their resentment towards the "city-dominated" Federation executive continued into the early post-war period.

The number of arbitration cases rose rapidly following the war and hit increasingly higher peaks every time there was a surge of teacher pressure. A peak year for arbitrations was 1953 when only 27 out of 78 school districts did not either arbitrate or base their agreements on awards made in other areas. As mentioned above, there was the unusual occurrence, in 1957, of 24 school districts being in stalemate (neither side would invoke arbitration), until special conciliators persuaded them to settle by negotiation.¹⁶

Especially in the early days of schedule negotiation, an amazing variety of factors appear to have been considered in bargaining -- many of them extraneous to the basic issues.¹⁷ It is understandable that negotiations were sometimes allowed to drift into arbitration, for at least the arbitrator did not have to justify his decision in terms of the criteria proposed by both sides. The confusion of arguments must have been baffling. Perhaps this eventually occurred to the negotiators as well, for salary bargaining now is based primarily on comparisons with other areas and other professions, on calculations of capacity to pay and relative tax burdens, and on the need to attract more candidates of high quality into teacher training. The same arguments appear to be used in arbitration cases with

perhaps greater emphasis on capacity to pay and on salaries in comparable areas. The great variations in increment structure which have been included in collective agreements over the years would seem to indicate rather clearly that there are no universally accepted criteria.

Allowances and bonuses have also presented problems; there has been dispute as to whether these items are included within "salaries and salary schedules" as prescribed by statute. With the exception of principals' and vice-principals' allowances, which have been accepted as arbitrable by adjudicators, there has been no consistent pattern in board decisions as to the arbitrability of bonuses for isolation, for partial university credits, or for elementary certificate holders teaching in secondary schools. Annual travel allowances and moving allowances have faced the same challenge. Some boards have decided "yes" on the ground that the bonus or allowance affects the income level, and some boards have decided "no" on the ground that the item is not generally applicable to all teachers.¹⁸

In summing the discussion of the economic effects of teacher collective bargaining and arbitration, it would seem clear that they are secondary in importance to other determinants of teacher income levels. Throughout the entire period under study, the major determinant appears to have been the provincial education finance system. Limited "per teacher" grants from the provincial government did not reduce the inequalities of municipal tax revenues and the "percentage" grants seemed to exaggerate their impact on salary levels. The increasing disparity between rural and urban salaries led to the only major strife within the Teachers' Federation and it is suggested that, if the provincial government had not raised the salary

grants and revised the grant system¹⁹ after the Cameron Report, the Federation would have been very seriously weakened by the mounting discord. There is the possibility, of course, that the Federation might have conducted a province-wide strike to force government action, but that would have been contrary to its usual mode of behaviour.

The law of supply and demand has also had its effect on teacher salaries with the major influence being exerted during the over-supply situation of the depression years and during the present shortage of teachers.²⁰ The post-war surge in Canadian births has been at least equalled in British Columbia and the crest, now passing through the public school system, is expected to reach the universities by 1970. The consequent shortage of teachers has been more than one thousand in recent years²¹ (despite a 1963 B.C.T.F. membership of 13,640) but recruitment of teachers from the United Kingdom, increased numbers of students entering teacher training, and government encouragement of married women teachers and pensioners to resume teaching has reduced the dimensions of the problem.

Some indication of the change in economic status of B.C. teachers can be obtained from a comparison of selected average incomes as shown in Appendix C. In the period 1931-61, professional and non-professional incomes drew closer together as the average income for all occupations increased at a faster rate than professional incomes. This is shown by the decline of Canadian male professional income from 217 per cent of the average for males of all occupations in 1931 to 148 per cent in 1961. For Canadian female professionals, a similar comparison shows a decline from 155 per cent in 1931 to 150 per cent in 1961. In B.C., the male professional income decline

was from 210 per cent to 139 per cent while the female professional income rose from 154 per cent to 160 per cent.

During the same thirty years, incomes in British Columbia generally rose faster than the national averages. For B.C. males, the average income for all occupations rose from 98 per cent of the Canadian male average to 109 per cent while the B.C. professional average rose from 95 per cent to 102 per cent of its national equivalent. For B.C. females, the average income for all occupations dropped from 111 per cent to 105 per cent of the Canadian female average but the professional average increased from 111 per cent of the Canadian professional income to 112 per cent.

Through all these changes, B.C. male teachers increased their average income from 95 per cent to 112 per cent of the B.C. professional average and from 90 per cent to 115 per cent of the Canadian professional average. This increase was only exceeded by dentists and professional engineers; the other professions declined. Female B.C. teacher average income rose from 135 per cent to 141 per cent of the Canadian professional average but dropped from 128 per cent to 126 per cent of the B.C. professional income average. Female teachers in British Columbia also raised their income average slightly in relation to their male co-workers -- from 65 per cent in 1931 to 68 per cent in 1961. The average income of B.C. teachers has remained almost the same in relation to the Canadian teacher average -- males, 114 per cent (1931) and 113 per cent (1961), and females, 127 per cent (1931) and 124 per cent (1961).

It can thus be seen that the economic status of teachers has risen in relation to that of other professions. Only dentists and professional

engineers have had a greater income increase and in both these professions the difference might be attributed to a long period of under-supply without the qualification flexibility possessed by the teaching profession. When a teacher shortage becomes acute, the gaps are filled with non-degree teachers despite professional preferences to the contrary. As a result, even though the B.C.T.F. has supported measures to increase university training, only 37 per cent of B.C. teachers held degrees in 1962 compared with 36 per cent (either wholly or partly university trained) in 1922.²²

When all these factors have been considered, teacher collective bargaining seems to have affected salary levels most in the larger urban areas and has been most effective as a means of advancing teacher interests during the teacher shortage of the nineteen-fifties and nineteen-sixties. Extension of the full effects to the rural districts has only come about after provincial salary grants were raised and local government income levels equalized. Without the records from which to determine the differences between arbitration awards and the last trustee offers, it is impossible to know the extent of arbitration contribution to the general advance of teacher salary levels. However, it is known that the awards cannot be less than the last trustee offers so that arbitration must have had an upward effect on salaries in almost every case.

There have been, and there still are, inequalities in salaries and salary schedules throughout British Columbia. Disregarding those inequalities which arise between districts as a result of varying capacities to pay and differing valuations of teachers' services, there are few anomalies still existing within the salary structure.

The differences in pay that used to exist, between men and women doing the same work and holding the same qualifications, have disappeared.²³ Within districts, the idea of equal pay for equal work has superseded the previous discrimination based on a higher valuation of men's worth or the claim that men needed higher salaries than women because they had heavier expenses. It has already been noted that the discrimination disappeared first in the rural and smaller urban areas and remained later in the metropolitan areas.

The meaning of the term "specialist" in teacher parlance seems to have undergone a change. Whereas at one time the term would have been applied solely to teachers who taught music, commercial, home economics, industrial arts, or physical education, either exclusively or in addition to academic subjects, the meaning is now broader and includes academic specialists. An academic specialist is a teacher with an extensive knowledge of one academic subject and sufficient knowledge in other subjects to teach them as well. Many districts pay an increment to salary if the teacher is employed in his specialty.²⁴

The distinction between elementary certificates and secondary, which corresponded with the teaching level, is now being replaced with the distinction between elementary and professional certificates.²⁵ The original reason for discrimination was the claim that a higher level of preparatory study was required for teaching in the high schools than in the elementary. This difference has been institutionalized by requiring a professional or an academic degree, in conjunction with teacher training, for high school teachers. It has also been lately recognized that some teachers

with degrees prefer to teach at the elementary school level and so a "professional elementary certificate" has been instituted. Because salary schedules are based on the new categories of certificates, it has been necessary for the Department of Education to determine the equivalence of training and certification; the decision partly determines a teacher's placement on the salary schedule. This will continue to be a problem so long as a shortage of teachers exists and teachers with the older qualifications are required to fill the gaps. Of course, until the types of certificates and standards of training are the same everywhere, it will always be necessary for someone to make a decision as to the equivalence of certificates held by teachers trained in other jurisdictions.

One would normally assume that a disparity in income, sometimes considerable, would exist between teachers and principals. In some jurisdictions this has not always been the case because of distortions which have developed through separate negotiation of salaries by organizations representing the different teaching levels, specialties, and administrative and supervisory ranks. In the main, such distortions have been avoided in B.C. through co-ordinated negotiations and through general avoidance of splits in the teaching body. Divisions according to rank were once more common than they are now in B.C., for the division has only been maintained in Vancouver.²⁶ Since principals' salaries are negotiated by the same agreements committee as for assistant teachers, there has been a conscious effort to see that distortions do not occur whereby some teachers on a staff can receive more pay than the principal.

A distortion has occurred, however, between teaching salaries and

salaries paid to provincial school superintendents. This has been especially noted in districts where the salary level rose rapidly. When teachers and trustees complained that it was impossible to get the best candidates to apply for positions as district superintendents because the starting salary was below that of some of the principals supervised,²⁷ the provincial government replied that it would put superintendents' pay out of line with comparable civil service appointments if the government should raise them. Eventually an amendment was made to the Public Schools Act whereby a school board, if it wished, could appoint the district superintendent as its senior administrative official, pay him for the service, and thus raise his salary above that of the highest paid principal. While the strategem serves the purpose temporarily, the continuing civil service lag has gradually increased the amount that school boards are paying toward superintendents' salaries. This has not created a very happy state of affairs. At this year's convention of the B.C. School Trustees' Association, a motion was presented asking the government to extend the authority granted to the Vancouver School District and allow any school board to hire its own superintendent.²⁸ Presumably, some trustees feel that if they have to pay any part of a superintendent's salary they might as well pay the entire amount and select whom they wish instead of having to accept whom they are assigned.

Unresolved Issues

Besides the problem of establishing general criteria, by which to set the level of teachers' income in comparison with other occupations, there

are three other, inter-related, bargaining issues which seriously divide teachers and trustees: (1) provincial scales and provincial arbitration, (2) merit rating and merit pay, and (3) unity of the B.C.T.F. membership for bargaining purposes. Because, in a way, the lack of agreement indicates the differences in employer and employee modes of thought and also serves to point out the close connection between viewpoints and changing conditions of the participants, it should be worthwhile to consider each problem in some detail.

In general outline first, it can be said that the Teachers' Federation was initially in favour of a schedule of salaries uniformly applicable throughout the province and in favour of one provincial arbitration board -- in fact it was the first to suggest them. The debacle of the Provincial Salary Commission and the Kidd Committee in the 1930s was the apparent beginning of the teachers' change of mind. The simplicity of the concepts retained for them a considerable degree of support in the B.C.T.F. until the mid-forties when the Federation salary committee sought clarification of policy. The discussions which ensued seem to have led to a reversal of the starting positions, and the Federation is now opposed to both measures.

The question of pay based on merit was also raised initially by the B.C.T.F. although the Federation today is totally opposed to the concept for various reasons which shall be discussed. The basic point of contention is the possibility of determining mutually acceptable criteria for rating teachers. Subjectivity is rampant and seems impossible of elimination.

The third area of major disagreement is of fairly recent origin and was introduced by the trustees. They proposed, in 1954, that

administrative and supervisory personnel employed by the school boards should be treated differently than classroom teachers and should have their own organization separate from the B.C.T.F. This dispute is only beginning and has not assumed the proportions of the other two conflicts, as yet.

Although many claims are made in support of either side of these three arguments, there is considerable reason to believe that underlying each side's thesis is its evaluation of the economic results expected from a change in policy. To a large extent, the non-economic arguments are camouflage. Changes in policy can be shown to be concomitants of changes in economic status or, at least, of changes in appreciation of the economic situation. Whether extension of the argument, from mere co-existence to a cause-effect relationship, is accepted, will depend in part upon the reader's detachment from the issues.

As early as 1920, the B.C.T.F. suggested a provincial salary schedule and asked for a joint committee on standardization of salaries.²⁹ While not agreeing with the entire idea, the Trustees' Association passed a resolution (ten years later) that favoured adoption of the principle of "a uniform salary schedule as between comparable districts".³⁰ Although criteria were not proposed, it was assumed that "comparable" could be defined. The B.C.S.T.A. then appointed a committee to investigate and to recommend a suitable grouping of such districts and appropriate salary schedules. In reporting the matter to the B.C.T.F., General Secretary H. Charlesworth commented, "This resolution is a timely one ... the Federation has already appointed a research committee to investigate the whole field of teachers' salaries"³¹

Within a year, the provincial government had appointed a Provincial Salary Commission "to explore the possibilities of arranging scales of salaries which will be fair and reasonable to all concerned, and which will remove many of the salary anomalies at present existing in the provincial school system."³² The Commission comprised nine B.C.T.F., three B.C.S.T.A., three U.B.C.M., and three government appointees, who were formed into the "Teachers' Panel" and the "People's Panel".

The two panels immediately disagreed about an interpretation of the Commission's terms of reference. The teachers held that the problem was to discover principles for construction of a uniform schedule based on normal times,³³ and contended that 1929 was a proper indicator of normalcy. They conceded that the schedule would then have to be reduced for the abnormal depression years. The People's Panel generally held that 1929 was an abnormally high year and that the schedule would have to be related to reality -- reality being 1931.³⁴ It also proceeded to suggest ways in which the government could reduce educational costs, primarily through reduction of teachers' salaries. Understandably teachers protested.³⁵ In the end, each panel submitted separate reports to the government.

In its report,³⁶ the Teachers' Panel concluded that a single provincial scale was impracticable because of the diversity of factors in different areas, but primarily because of the vagaries of the system of education finance. It admitted that it saw the People's Panel as being interested only in reducing city salaries without giving compensatory increases to rural teachers. It therefore advocated four schedules (reduced from seven) with metropolitan areas on scale four (the highest). The panel indicated that

its scales were based on preceding years' actual negotiated results. It also advocated higher pay for remote districts and one-room schools, equal pay for men and women, and higher minima and maxima for secondary teachers because of the higher qualifications required and because of differences in the work. Concluding that it was impossible to find a satisfactory solution for permanent schedules, the Teachers' Panel recommended establishment of minimum scales for all teaching positions and provincial scales for rural areas and small municipalities. It strongly recommended investigation of the educational finance problem, stating that the government must equalize districts' "ability to pay".

Although the Peoples' Panel attempted to reduce salaries drastically, it did recommend extra pay for one-room schools, a cost of living bonus and isolation travel allowance, and it agreed to include all teaching service (plus war service) in calculation of a teacher's place on salary schedules.³⁷ Although the two panels could not agree on a "normal" base period, nor could they particularly agree on the principles to adopt for determining a general salary schedule, their recommendations are very similar as to the differences in salary due to place, preparatory training, and level taught. Despite this area of agreement, the government took no action;³⁸ it decided to leave the problem of establishing schedules to the individual school boards.³⁹

The urban teachers appear to have been in favour of a provincial salary schedule so long as it seemed possible to bring rural salaries up to city level by this means. Once it became apparent, however, that urban salaries might drop in the process, a single schedule became much less

attractive. At the same time, and for the opposite reasons, urban trustees' interest in the idea rose as the possibility took shape of reducing their salary bill through one provincial schedule. In succeeding years, the rural teacher associations continued to present resolutions to the B.C.T.F. annual general meetings, demanding a provincial schedule.⁴⁰ The metropolitan associations countered with requests for "similar salaries for similar geographical areas"⁴¹ -- the same compromise position initially proposed by the B.C.S.T.A.

By 1941, the Federation provincial salary committee had concluded that asking for everything at once was useless. It therefore proposed varying scales in the province (determined by local conditions) with a minimum demand of a basic minimum salary and at least five annual increments applicable everywhere. Thus it hoped to set a floor under rural salaries, establish the principle of annual increments, and, at the same time, preserve the possibility of urban associations negotiating even higher salary levels for themselves. The committee recognized that establishing one provincial schedule at that time would mean freezing or reducing urban pay levels, without an assurance that rural teachers would fully benefit from the urban pause.⁴²

The trustees had also modified their position by this time (1941) to protect the poorer and more vulnerable school districts. The Association called for "provincial government institution and payment of a province-wide scale of teachers' salaries",⁴³ even though this contravened its usual policy of avoiding centralization of authority. The Department of Education, for its part, was still seeking "an equitable and scientific basis" for teachers'

salaries.⁴⁴ Though the Department was not prepared to accept the entire burden, the Minister said the Department would consider paying part of the annual increments in order to ensure adoption of the principle by school boards. The major issue of the educational finance system, said the Minister, depended upon a re-allocation of tax sources between the three levels of government and promised an investigation.⁴⁵

The proposal of "uniform salaries under similar conditions in the same geographical area", as advocated by the secondary school teachers' association, was investigated by teachers and trustees in the Fraser Valley in 1938; nothing appears to have come of it.⁴⁶ Later it was tried in the Okanagan Valley and "zonal" negotiations became the rule there though uniformity was not complete at first.⁴⁷ Approval of the zonal concept, by the annual general meeting (A.G.M.), led to experimentation on Vancouver Island and, more recently, in the Prince George area although the latter case was not considered very successful from the teachers' viewpoint since the low salaries in the surrounding area tended to depress Prince George salaries rather than bring the others up.⁴⁸

The idea of a provincial arbitration board to settle salary disputes, first broached by the B.C.T.F. in 1922 in conjunction with demands for a Board of Reference,⁴⁹ was resurrected in 1941 but appears to have fared little better the second time around. The General Secretary, when suggesting the idea again, told the Federation that it would reduce the administrative cost of many boards and would ensure that the experience of one award would be carried forward to others. The A.G.M. adopted the suggestion after it was unanimously approved by the executive.⁵⁰

Trustees do not appear to have taken advantage of the momentary enthusiasm, probably because arbitration cases at that time were going in favour of the teachers. When conditions changed, teachers had second thoughts on the matter and opposed the idea when put forward by trustees; regional negotiation and arbitration was as far as the Federation was prepared to go. There is an indication, however, that teacher interest in provincial arbitration was rather brief for, in 1947, the Federation executive had forbidden the salary committee to pursue the matter of a provincial scale, the natural concomitant of provincial arbitration. The committee reported that it found an increasing uniformity of salaries throughout the province and thought a single scale was then possible, but the executive said it was contrary to Federation policy and refused to sanction further investigation. Committee protests were unavailing.⁵¹

The B.C.S.T.A. made very strong representations to the Minister in 1954 and 1960 in an effort to obtain provincial negotiation and arbitration of salaries. Both times it was successfully repulsed by the B.C.T.F. although the latter instance seemed to raise momentary panic in the Federation. When the Teachers' Federation president reported on 1954 events, he scarcely more than mentioned the representations that were made to the Minister, but added that the table officers⁵² had been given the authority to summon an emergency meeting of the entire executive if the trustee pressure had assumed great proportions.⁵³ The chairman of the salary committee stated quite bluntly that:

The B.C.T.F. year after year at Annual General Meetings has reaffirmed its opposition to a provincial scale, in view of the fact that present procedures give us the means of improving our position, and holding it⁵⁴

These frank statements seem to indicate that the Federation officers were prepared for battle and intended to defend their position, primarily on economic grounds, yet were not unduly perturbed.

The situation changed, however, by 1960. As a result of the recommendations of the Chant Royal Commission on education, the Trustees' Association was encouraged to renew its plea even though its proposal was somewhat more extreme than that of Dean Chant. The Federation executive seemed to feel that it was impossible to maintain its position any longer and that some modification had to be accepted. The teachers' representatives made a number of compromise proposals, each departing further from Federation policy, until they finally called a halt when the trustees would not even agree to the Chant suggestion of provincial negotiation subject to local ratification and, if necessary, local arbitration.⁵⁵

The B.C.S.T.A. insisted upon provincial negotiation and arbitration. The Federation executive rejected this plan on the ground that so long as the school boards remained the employers they must face up to their separate responsibilities and negotiate with their own teachers. Any plan, they said, which took the final decision out of the hands of employers and employees was not acceptable. Finally, the Minister decided that no action would be taken until the problem had been investigated further.⁵⁶

The B.C.T.F. president expressed the executive's great concern at the development and revealed that two meetings of the western conference of teacher associations had been held during the "crisis" to discuss the situation. He said that the other federations were prepared to support the B.C.T.F. in its efforts to forestall province-wide arbitration. The opinion

was also voiced that, in the interests of B.C. Teachers' future welfare, the B.C.T.F. may have to move towards province-wide negotiations since industry-wide labour negotiations seems to be the prevailing tendency.

The question of merit rating and merit pay seems to have followed the same general development as the idea of provincial scales of pay. At first there was some teacher approval of the idea and then the tide turned the other way.

In 1923, when there was no generally agreed basis for determining one teacher's salary level in relation to another's, it was proposed at the annual general meeting that the "executive committee consider a provincial scheme of salary increases based on real merit and special qualifications, not merely on length of service."⁵⁷ The narrow salary range within school districts no doubt caused discontent amongst teachers who saw little prospect for advancement in the embryonic school system of B.C. or adequate compensation for their labours. The idea of paying outstanding teachers more than the general body of pedagogues, irrespective of seniority, has a logical appeal to those concerned with attracting and holding superior students to the profession. There is, however, the disadvantage (from the teachers' viewpoint) of implying that the remainder of the staff is sub-standard or, at best, just average, and thus seeming to justify a repressive salary policy.

The merit, or efficiency, criterion was periodically proposed by teachers and arbitrators, but a solution to the fundamental problem of defining either term eluded investigators. Two measures were suggested as partial answers. The Federation executive committee, in 1944, recommended

that the category of certification be considered as a factor in discriminating between teachers for salary purposes.⁵⁸ If one accepted the premise that any person would be a better teacher with more education and training than without it, then the proposal could be defended on the grounds that it compensated for longer preparatory training and that it would encourage others to obtain the higher qualifications. It would seem obvious though that the standard is defective to the degree that persons get varying benefit from similar courses of study. The second standard proposed was similar to the first but put less emphasis on formal study. The Southern Okanagan Rural School District tried a system which made award of the annual increment dependent upon a satisfactory report from the inspector and principal, plus evidence of professional growth during the year.⁵⁹ Satisfactory evidence of professional growth was "objectively" defined as: (1) one and one-quarter units of study completed toward a higher degree, or (2) some contribution to educational research, or (3) foreign or domestic travel of educational value, or (4) participation in work of educational committees.⁶⁰ In order to limit the number of persons qualifying for the maximum increment, the system was modified by introduction of a percentage scale. Up to 60 per cent of the staff in each certificate category could qualify by seniority for level A increments, 30 per cent could qualify for level B, and the remaining 10 per cent stayed at level C. Although the system was used in the South Okanagan for a number of years, it proved to be unduly complicated and the percentage limitations caused discontent amongst teachers who qualified in all respects except seniority.

The following year, after the salary committee recommended that the executive study basic principles upon which schedules should be designed

a decision was made that annual increments should be based upon experience and professional growth.⁶¹ Experience was to be measured in years of service, regardless of quality, and professional growth in terms of university degrees or partial credits. And, so far as B.C. teachers are concerned, they have seen no reason to change this concept of a reasonable salary framework; not that they are ignorant of contemporary, merit rating experiments in other jurisdictions, but they remain singularly unimpressed with the results.

Trustees, on the other hand, have warmed to the idea as teachers cooled. In 1950, the B.C.S.T.A. struck a committee to study the feasibility of merit rating. Two years later, a few school boards hired a management consulting firm to rate their staffs, despite teachers' protests. This was followed by a recommendation from the executive of the Trustees' Association for a provincial scale with a system of teacher evaluation for salary purposes⁶² -- thus joining the two issues.

Besides being fearful of the upsetting side-effects of merit rating found in many of the American trials,⁶³ teachers in B.C. were doubtful of the tests' validity and deeply suspicious of trustees' motives. Although the B.C.S.T.A. stated that it wanted more and better qualified teachers, and was willing to pay good salaries for them, the B.C.T.F. thought it had found the trustees' true aim in a statement attributed to the Association's liaison officer: "The present system of blanket increases is rapidly forcing some communities to a saturation point of financial endurance."⁶⁴ This was held to substantiate the teacher belief that merit rating was designed, not to reward the outstanding teachers, but to reduce the over-all salary bill.

Whether or not their opinion was correct, it served to harden teacher opposition.

It became Federation policy that teachers were not to accept bonuses or salaries in excess of those scheduled in the agreements, and local teacher associations were strongly advised to protest against any agreement that included an "escape" clause permitting a board, in its sole discretion, to pay higher than scheduled salaries to a few select teachers.⁶⁵ Trustees had often asked for such clauses in order that they might successfully counter offers from other boards designed to lure away outstanding teachers. Should local associations fail to prevent "escape" clauses, they were advised to bargain for the right to participate in use of the authority.⁶⁶

The teachers' response to trustees' demands on this issue was not entirely negative. To the plea that school boards must have some way of recognizing exceptional performance, President J. Phillipson retorted that trustees might create further administrative and supervisory posts to which they could promote those persons whom they considered exceptional.⁶⁷ In this way, it was suggested, boards would have a system of rewards and greater opportunities would be opened up in an otherwise restricted profession. When this advice was accepted by the Vancouver Board and it introduced the post of department head for each subject taught in its major high schools, The B.C. Teacher was full of praise.⁶⁸ Later, teacher-consultants were appointed, and other boards increased the number of vice-principal positions.

However, the enthusiasm did not last long. Rural districts were not as affluent as the city districts nor did they have the large high schools to make full use of senior assistants and teacher-consultants. In an effort

to equalize matters, the Department of Education made a few similar appointments to its staff for employment in rural areas on a shared basis. At this point, it was suggested by L. J. Prior, a past president of the Federation, that such appointments were really unnecessary and reflected rather badly on the teaching body. After all, he said, true professionals did not need close supervision and, if a professional teacher thought his technique was weak, he should seek advice from within his professional organization. Shortly afterwards, his views were adopted as Federation policy.⁶⁹

The problem of developing criteria that would discriminate precisely between teachers according to merit for salary purposes, is of course related to that of developing criteria for proving inefficiency in tenure cases. Teachers have maintained that it is possible to determine the outstandingly good and the obviously inefficient teacher. They do hold, though, that it is impossible to rank the vast majority accurately or satisfactorily. Their prescriptions for appeal against dismissal have been based on this view, as was their prescription for a reward system of honorific but nearly powerless supervisory appointments, and as is their opposition to merit rating for determination of all salaries. They have been consistent in applying their formula. Insofar as trustees maintain that they can easily establish a fair merit-pay system but find it nearly impossible to prove inefficiency, they are inconsistent.

In its efforts to avoid merit rating, the Federation was often accused of protecting poor teachers by preventing their identification and dismissal. One teacher saw that this would be a continuing criticism for which there was little defence. In a letter to the editor in 1948, he said:

... let us admit frankly that our profession, like any profession, has within its ranks not only the capable, the conscientious, the efficient but also the shirker, the maladjusted, the anti-social (the latter categories of which, we are confident, there are but a few) and that we must be on guard against them. But the way of correction is not to be found in such a subjective instrument as is proposed [merit rating], an instrument capable of the most flagrant abuse in the hands of prejudice and political chicanery. No! The solution is not externally imposed discipline, which, incidentally, we decry in teacher-pupil relations. It is self-discipline, self-imposed and self-administered.⁷⁰

His proposal for extending the disciplinary powers of the B.C.T.F., "not only in the general field of ethical behaviour but in the matter of standards of work and service as well", was reflected in L. J. Prior's criticism of increased provincial supervision which was noted above.

In line with these ideas, two measures have been adopted by the teaching body. At the national level, there has been established, through the C.T.F., a Canadian College of Teachers which issues two classes of memberships -- the member and the fellow -- each of which is intended to indicate a specified degree of professional status.⁷¹ Although a different mechanism is employed, a related measure instituted by the B.C.T.F., in 1962, is the system of classification of members.⁷² There are three categories of evaluation that may be stamped on a membership card: "professionally certified teacher", "teacher", and "probationary teacher". A member judged incompetent would be issued a card stamped "category withheld". The job of categorizing some thirteen thousand persons, whatever the criteria adopted, is a formidable task. Therefore, in order to reduce the problem to manageable proportions and, incidentally, to turn aside internal opposition, the initial classification was made according to the same criteria as presently used in the salary scale structure -- preparatory training and length of service. A Board of Admissions and Review, with a Registrar, was established

by the B.C.T.F. to maintain a register of membership, to determine each teacher's initial classification, to approve upgrading as the category requirements are met, to impose downgrading when necessary after investigation of complaints, and to lift a category restriction when a disciplined teacher has again attained the requisite standard.

It is as yet too early to determine how effective these measures will be in encouraging and maintaining high standards, and whether trustees will be satisfied that the system reasonably meets their demands for teacher classification. The B.C.S.T.A. has given notice that it is sceptical of the value of the plan as constituted and that it will withhold recognition until further studies have been completed:⁷³

- (1) Doubt was expressed as to the willingness of the B.C.T.F. to deal sincerely with incompetence.
- (2) The intent of the plan was questioned on the basis that it could be an attempt to confuse the certification issue with a view to getting more money from school boards without performance rating.
- (3) Sharp criticism was made of the fact that lay groups were not consulted in preparation of the plan, and no provision was made for direct complaint by school boards to the B.C.T.F.
- (4) Concern was voiced that the plan might be a move by teachers to gain control of standards.

Trustees do not seem to be questioning the "workability" of the plan so much as the motives behind it.

The third issue between teachers and trustees concerns the principal's bargaining status; he is a pivotal figure in public education. While

a full member of the B.C.T.F., the principal is also regarded as part of the "management structure". He is responsible to the board of trustees for the efficient conduct of his school, within the limitations of school law and board directives. Supposedly an experienced teacher and able administrator, he is expected to know teachers' problems, to give advice and direction, and, through his constant proximity to the teaching situation, be in a position to evaluate performance in the classroom.

The ambivalence of the principals' double status led the B.C.S.T.A. executive to discuss the matter with the B.C.T.F. executive in 1955 with a view to persuading the latter that principals should be excluded from Federation membership.⁷⁴ It was suggested that the duality of roles was not good, that principals were probably suffering an economic disadvantage in being grouped with assistants for salary purposes, and that, as "management", principals should have their own organization. The Teachers' Federation has repeatedly rejected the suggestion on the grounds that principals should not be "authoritarian directors" but "educational leaders", and that successful teaching requires the team concept in which the principal regards his staff as "professional colleagues" rather than as subordinates.⁷⁵

Representations by the B.C.S.T.A. to the Department of Education on this matter have so far been rejected by the Minister.⁷⁶ It was suggested that the policy, if implemented, would likely introduce a structural rigidity that would prove a hindrance to boards in finding suitable candidates for the office of principal. At the present time, boards can make probationary appointments to test candidates' ability and, if they should be found unsuitable, can cancel the appointments and the applicants return

to normal teaching duties. The Minister felt that the transition back would be difficult under the suggested scheme and that teachers would be loathe to try out unless they were certain to keep the appointment.

Two other considerations, besides the Minister's criticism, seem likely to militate against voluntary B.C.T.F. acceptance of the plan. Neither appears to have been discussed in print by either organization but must have occurred to a number of persons on both sides. One is the possibility of trustees exploiting the split in ranks to set off one "team" against the other in salary negotiations.⁷⁷ The other consideration is the leadership function performed by principals in the B.C. Teachers' Federation in the past.

Principals, as principals, have no special position in the Federation nor is there any indication that their rank accords them any privileges. Nevertheless, it would be unusual if the qualities of leadership that led to their selection as principals did not also lead them to positions of influence and responsibility in their professional organization. A brief survey of past executives has shown this to be so. Since the B.C.T.F. began, over fifty per cent of the table officers have been principals or vice-principles and in a few instances they have comprised the entire elected slate. This proportion of officers, higher than their numbers alone would warrant, suggests the importance to the organization of the principals' leadership.

At present, principals' allowances are calculated according to a large variety of formulas⁷⁸ although fundamentally only two issues are involved -- recompense for the administrative and supervisory responsibilities

of the position. The factors included in most calculations are: (1) the level of schooling, i.e., elementary or secondary; (2) size of the school; and, sometimes, (3) the certificate category of the principal. A vice-principal's allowance is usually one-third to one-half of the principal's. The total difference in salary between a principal and a teacher with the same qualifications differs in each district but the difference can be as high as three thousand dollars a year. So far, the principals do not seem to be convinced that they could do consistently better by bargaining on their own, nor can they see the possibility of obtaining the same professional and welfare services in a small organization that they now obtain through the B.C.T.F. A division in teacher ranks does not, therefore, seem likely.

The positions adopted by trustees and teachers on these three issues (provincial scale, merit rating, and professional unity) seems to be more intimately connected with evaluation of the economic or financial consequences of policy change than with the non-economic. In fact, the ease with which both sides changed their positions with regard to provincial scales and provincial arbitration, as the relative economic status of teachers rose, would seem to belie the importance professedly attached to the political and social values implicit in their discussions. Thus, without denying that the political and social values expressed by both sides may be genuinely held and may be of some consequence in deciding policy, one would conclude from their criticisms that the underlying and determinant factors are economic.

While it would appear that all the trouble centres about differences

in values held by teachers and trustees, that is not the whole problem. The crux of the matter is that neither side believes the other's professed priority of values. That is, each party claims that the other suffers from a dollar mentality while refusing to acknowledge that it too may be dominated by financial considerations, even though they may be working from opposite ends of the same arguments. Both hold that the opponent's social and political demands are of little actual significance in determining that party's viewpoint. At the same time, each claims that its own position is a reasonable balance of all factors -- that the economic does not predominate. In this way, an impasse is reached, for neither side will compromise or attempt to integrate value demands as long as they can not, or will not, accept the weight accorded an argument by the other.

Data suggestive of this state of affairs are readily at hand. Arbitrations have steadily increased over the years and, without the interjection of compulsory conciliation into the bargaining procedure, would be at an all time high in 1963. On October 31, 1963, only eight school districts had set the 1964 salary agreements by negotiation and, of these eight, five were in the same "zone". The remaining 75 districts will settle only with the aid of conciliators or by decree of arbitrators. Further evidence of this communication problem is found in the continued lack of understanding and agreement on the three additional issues just described, where stubbornness, bitterness, and distrust prevail.

The question that needs to be asked and answered is, "Why do these conditions exist, and what contribution to this state of affairs has been made by arbitration?" Before an hypothesis is ventured, it will be useful

to consider some procedural and organizational changes which have occurred in the same period -- changes that appear to be at least partly the result of arbitration provisions or the lack of them. The emphasis will be on changes within the B.C.T.F. although some reference will be made to the B.C.S.T.A.

Footnotes

1 "In Lighter Vein", Teacher, vol. 6, no. 1 (Sept., 1926), p. 36.

2 A parallel distinction might be made in a court case; determination of guilt is a legal judgment but determination of the appropriate punishment, assuming Parliament has stated a discretionary range rather than a specific punishment, is a social judgment.

3 Although the Public Schools Act, 1958, requires that the Superintendent of Education be notified: (1) when agreement negotiations have been requested by either party, (2) when either party fails to appoint a conciliator, and (3) when disputes are submitted to arbitration by the conciliators; there has been no obligation upon conciliators, arbitrators, teachers, or trustees to submit reports to the department concerning their joint proceedings.

As contract negotiation and arbitration are the concern of local teachers' associations and school boards, neither the B.C.T.F. nor the B.C.S.T.A. has had reason to establish and maintain a systematic central record of what has transpired in these areas. At the local level, the lack of permanent staff has precluded extensive record keeping. Since neither side makes a consistent practice of presenting written briefs at arbitration hearings there are no records of the event, except the board's award in some cases.

Some partial reports of negotiations and arbitrations have been made in The B.C. Teacher from time to time but Federation officials have no idea of how much of the record is missing. The B.C.T.F. office has a salary negotiations file for each school district, in which the contents, mainly copies of past agreements, date back to approximately 1945. Since these files were set up only as a convenience, no attempt has been made to obtain a complete record. The B.C.S.T.A. does not have comparable files.

4 H. Charlesworth, "The Status of the Teacher", Educator, vol. 1, no. 7 (Dec., 1919), p. 2. Cf. "Annual Meeting of the B.C. Teachers' Federation", vol. 2, no. 6 (July, 1920), p. 3 and "Suggestions for Consideration in Connection with a Provincial Salary Schedule", pp. 9-10.

The full scale adopted was: (1) Elementary school minima of \$1,200, with a probationary year at \$1,080. (2) High school minima of \$1,800, with a probationary year at \$1,680. (3) Annual increase of \$120 per teacher until the maximum salary was reached. The Federation did not adopt maxima but left the matter to local decision. (4) Minima for principals of graded and ungraded schools -- from \$1,400 for a two-room school to \$3,000 for twenty or more rooms. (5) Minima for principals of high schools -- from \$2,400 for a two-room school to \$4,000 for sixteen or more rooms. "Scale of Minimum Salaries for 1920-1921", Educator, vol. 2, no. 6 (July, 1920), p. 8.

5 The appeal was made on many occasions for an equal sharing of the depression costs amongst all segments of the tax-paying public; two of the clearest are the editorials "Teachers' Salaries", Teacher, vol. 11, no. 3 (Nov., 1931), pp. 1-3 and "Reduction of Government Grants for Education", Teacher, vol. 11, no. 4 (Dec., 1931), pp. 39-40. The extent to which their plea was ignored is claimed to be proved by the fact that in Vancouver alone the total reduction in civic salaries between 1932 and 1938 was equal to 78 per cent of the municipal relief costs during the same period. "Civic Salaries -- Relief", Teacher, vol. 18, no. 8 (Apr., 1939), p. 436.

6 The Department of Education took action to restrict enrolment in the provincial normal schools as a means of preventing deterioration of teachers' salary levels through excessive competition for the available posts. The Federation General Secretary, H. Charlesworth, reported on a meeting held between the President, Ira Dilworth, the Minister and himself:

This question was brought up by the Minister of Education and discussed. The Federation's support of some form of limitation was pointed out, as indicated by requests in past years for such action. Indications were given by the Minister and Superintendent that the policy of restricted enrolment would be adopted and announced at an early date.

"Consultative Committee Report of 17 January, 1931", Teacher, vol. 10, no. 7 (Mar., 1931), p. 15.

7 For a short time teachers and trustees forgot their antipathies in the face of an impending, common disaster -- slashed salaries and budgets.

It is a matter of gratification that, during the present situation, no School Board has made any arbitrary demands of its teachers. In the few places where an adjustment has been considered, the Board has made it clear that it had no desire of itself to make any reductions, but that pressure was being brought to bear on them from the Councils and from public sources. In

each case, the Teachers' Associations have been invited into conference to discuss the situation. Under these circumstances there is every hope of mutually agreeable solutions being reached ... The present salary situation is generally satisfactory in British Columbia, but the issue is not yet over. The future largely depends upon the ability of the Teachers' Associations to hold their positions.

"Teachers' Salaries", Teacher, vol. 10, no. 6 (Feb., 1931), p. 45.

8 Negotiations between the B.C.T.F., B.C.S.T.A., and the provincial government were so delicate that teachers were asked to refrain from making any public comment until they were completed. In the end, however, the restraint was of little effect. "The New Educational Legislation", Teacher, vol. 10, no. 8 (Apr., 1933), p. 4. The B.C.T.F. and B.C.S.T.A. delegations appeared before the Minister together to protest the power of municipal councils with regard to teachers' salaries. The Minister would only guarantee that the Federation would be consulted before action was taken. "Report of the General Secretary", Teacher, vol. 10, no. 9 (May, 1931), p. 6.

9 In an editorial, the Federation executive explained the source of the extreme financial reversals of the previous year and warned darkly against "powerful and persistent enemies of progressive public education" who were stalking the country. The damned recommendations of an "out-of-date, bigoted and prejudiced outlook" were described in sufficient detail to show that they were the same as those propounded by the Kidd Committee even though its report had not yet been made public. "A Call to Service", Teacher, vol. 11, no. 8 (Apr., 1932), pp. 1-3.

10 Although Federation statements would lead one to believe that the public furore raised over the Kidd report was entirely due to the common people's jealousy of their schools, teachers and the opposition parties had been actively fanning any sparks of resentment at the committee's "impertinence". "The Kidd Report", Teacher, vol. 12, no. 2 (Oct., 1932), pp. 1-2. The provincial government claimed that it would not consider the Kidd recommendations on teachers' salaries until the Provincial Salary Commission had made its report. "Government Comment on Kidd Report Concerning Education", ibid., pp. 18-19. The B.C.T.F. executive grew apprehensive of the new grant scheme based on revised assessments and shortly thereafter found its fears confirmed. "The Minister's Statement -- Re Provincial Salaries", Teacher, vol. 12, no. 4 (Dec., 1932), pp. 1-2 and "Federation Delegation Interviews Provincial Cabinet", Teacher, vol. 12, no. 5 (Jan., 1933), pp. 3-9.

The education estimates were \$4,737,000 (1931-32), \$3,846,000 (1932-33), and \$3,104,000 (1933-34). This was a \$1,633,000 reduction (34.5 per cent) in two years, of which \$1,159,000 was in "per capita" grants to school districts and in teachers' salaries grants to assisted rural schools. B.C. Dept. of Finance, Estimates of Revenue and Expenditure (1931-32), Victoria, King's Printer, 1931, p. Z4; Estimates (1932-33), p. Y6; and Estimates (1933-34), p. X6.

11 "Teachers' Provincial Salary Scales", Teacher, vol. 11, no. 2 (Oct., 1931), pp. 5-13.

12 "General Secretary's Report", Teacher, vol. 10, no. 10 (June, 1931), p. 25 and "Provincial Schedules of Salaries", Teacher, vol. 11, no. 2 (Oct., 1931), pp. 2-4.

13 The basic schedules were: (1) elementary school teachers, \$780 per annum; (2) nurses, dental surgeons, principals of superior schools, and junior high school teachers, \$1,100 per annum; and (3) high school teachers, \$1,200 per annum. "The New Educational Grants", Teacher, vol. 12, no. 5 (Jan., 1933), pp. 30-32.

Included in the article mentioned above was a letter from the Rev. J. Hinchliffe, Conservative Minister of Education, date December 22, 1932, in which the Minister explained the government's intent:

... the purpose of the said standard schedule of salaries, as provided by the said section, is not for the fixing of the salary actually to be paid in any case, or for compelling any Board of School Trustees to pay or to limit payment to the salaries set out in the schedules, but only as a basis on which the grants of aid from the Provincial Treasury provided by the said Act shall be paid to the respective school districts throughout the Province.

The Liberal government elected in 1933 did not agree with this policy entirely and made the changes referred to in the text whereby "standard" became "minimum standard". "School Law Amendments", Teacher, vol. 12, No. 10 (June, 1933), pp. 2-3.

14 See resolution 12, "Resolution Passed at the Annual General Meeting of the B.C.T.F. and Replies Thereto by the Department of Education", Teacher, vol. 13, no. 1 (Sept., 1933), p. 4.

15 See chapter 2, p. 59.

16 See chapter 1, p. 24 and n. 50.

17 See chapter 1, pp. 16-17.

18 W. V. Allester, B.C.T.F. executive assistant. Interview with the writer August 14, 1963.

19 The later introduction of assessment equalization throughout the province served to balance municipal income further by providing a more equitable basis of grant distribution.

20 With increasing prosperity, the B.C.T.F. has ceased to publish minimum salary demands although the Federation agreements committee no doubt makes recommendations annually to the local teacher associations. As salary schedules became more common in the province, The B.C. Teacher began to print annual compilations of the main salary agreement figures and provisions in the March edition for members' ready reference; principals' and vice-principals' allowances are included. The Trustees' Association produces a similar compilation but goes farther in that it analyzes the data. The latest edition is Summary and Analysis of 1963 Teachers' Salary Scales, Vancouver, B.C.S.T.A., 1963.

To give an indication of teachers' present economic level, the following salary agreement modes have been drawn from the Summary and Analysis, 1963:

Elementary Conditional Certificate	(min.)	\$3,000 - \$3,600	(max.)
Elementary Basic	"	3,500 - 5,700	
Elementary Advanced	"	3,900 - 6,100)
		6,300	
Professional C	"	4,400 - 6,800	
Professional B	"	4,900 - 7,780	
Professional A	"	5,400 - 8,435	
Professional A (Masters)	"	5,400)	
		5,800)- 8,800	

See also the summary given in Appendix B.

21 For example, in 1958, 2,115 teachers were required in B.C. to fill new classrooms and to replace those teachers who had retired, moved to other jurisdictions, or who had changed employment. The number of students completing teacher-training in 1957-1958 was only 625. L. R. Peterson, Minister of Education, "Education 1959: Address to the A.G.M.", Teacher, vol. 38, no. 8 (May-June, 1959), pp. 386-393.

22 J. D. MacLean, Minister of Education, "Minister's Address", Teacher, vol. 1, no. 8 (Apr., 1922), p. 4. B.C. Department of Education, Ninety-First Annual Report of the Public Schools, 1961-62, Victoria, Queen's Printer, 1963, p. Z13.

23 The Federation supported introduction of the government's "Equal Pay Bill", in 1953. "The October Executive Meeting", Teacher, vol. 33, no. 2 (Nov., 1953), pp. 84-88.

Only Trail and Vancouver school districts still differentiated between men and women in their 1953-1954 agreements, but the previous year New Westminster and North Vancouver also discriminated. "Summary of B.C. Salary Schedules, 1952", Teacher, vol. 31, no. 8 (May-June, 1952), pp. 377-380 and "Summary ... 1953", Teacher, vol. 32, no. 8 (May-June, 1953), pp. 385-388.

24 Miss M. E. Cottingham reports that academic teachers are unhappy with the extent to which:

... trade experience is equaled with academic education to put instructors in special subjects on the certification and salary scale ... in composite schools. From present practice it would sometimes appear that academic education and basic subject teachers are less important than trade experience and special subject teachers.

"Conciliation As I Saw It: April-May, 1958", unpublished report available from the author, p. 7.

25 The discrimination, based on level taught, seemed to disappear from schedules about 1953. However, the disappearance was illusory since the secondary certificate was preferred for those teaching in the high schools and, occasionally, special clauses in the agreements showed that teachers with elementary certificates were paid on a higher scale if they were required to teach at the secondary level. The later introduction of professional certificates (1957) seemed to again cover up this type of salary differentiation, but the problem recurred when degree-holders who wished to concentrate on elementary instruction felt that they should receive the same pay as secondary teachers with the same years of training and experience.

- 26 Vancouver Elementary School Teachers' Association (V.E.S.T.A.), Vancouver Secondary School Teachers' Association (V.S.S.T.A.), Vancouver Principals' Association (V.P.A.).
- 27 The B.C.T.F. complained about low salaries for school inspectors and departmental directors. It said government salaries had a definite depressing effect on all salaries in the profession. D. G. Chamberlain, "The President Reports to the 1951 A.G.M.", Teacher, vol. 30, no. 7 (Apr., 1951), pp. 293-298. The same chord was struck again at a B.C.T.F. Summer Workshop. R. E. G. Langton, "Supervisory Personnel", Teacher, vol. 39, no. 3 (Dec., 1959), pp. 137-139.
- 28 "Schools Ask Own Superintendent", The Vancouver Sun, June 14, 1963, p. 56.
- 29 "Suggestions for Consideration in Connection with a Provincial Salary Schedule", Educator, vol. 2, no. 6 (July, 1920), pp. 9-10 and The B.C. Teachers' Federation Magazine, vol. 1, no. 1-2 (Sept.-Oct., 1921), p. 5.
- 30 "B.C. School Trustees' Annual Report", Teacher, vol. 10, no. 2 (Oct., 1930), pp. 4-7.
- 31 Ibid.
- 32 "The Provincial Salary Commission", Teacher, vol. 11, no. 1 (Sept., 1931), pp. 3-4.
- 33 The B.C.T.F. General Secretary, in reporting on the Federation salary committee outlined the long list of considerations made by the committee in trying to find a system of principles upon which to base salary scales:
- ... [I]t has long been evident that there was an utter lack of any definite comparative basis for salaries of teachers in British Columbia, and that in consequence there were many anomalies and injustices in the remuneration received
- A study of these questions will at once reveal the contentious issues arising therefrom Their solution will demand

that all sectional differences and individual prejudices, etc., must be submerged for the common good. All teachers will need to take a broad view of the situation, and accept the principle of the greatest good for the profession generally. The successful completion of this work constitutes a ringing challenge to the teaching profession of British Columbia. We cannot afford to fall down

H. Charlesworth, "Teachers' Provincial Salary Scales", Teacher, vol. 11, no. 2 (Oct., 1931), pp. 5-13.

34 "Provincial Salary Committee Reports -- An Important Statement", Teacher, vol. 12, no. 3 (Nov., 1932), pp. 1-2 and 35-36.

35 "Teachers' Salaries", Teacher, vol. 11, no. 3 (Nov., 1931), pp. 1-3.

36 "Report of Teachers' Panel -- Provincial Salary Commission", Teacher, vol. 12, no. 3 (Nov., 1932), pp. 3-26.

37 "People's Panel -- Provincial Salary Commission", Teacher, vol. 12, no. 4, (Dec., 1932), pp. 3-45.

38 "Reprint of the Kidd Report Concerning Education", Teacher, vol. 12, no. 2 (Oct., 1932), pp. 13-18. For various criticisms, cf. "The Kidd Report", ibid., pp. 1-2; "The Federation and the Kidd Report", ibid., pp. 3-12; "Government Comment on Kidd Report Concerning Education", ibid., pp. 18-19; and H. F. Angus, "The Economics of the Kidd Report", ibid., pp. 22-26.

39 "The Minister's Statement -- Re Provincial Salaries", Teacher, vol. 12, no. 4 (Dec., 1932), pp. 1-2.

40 See resolutions from East Kootenay District Council and Saanich Teachers' Association to the A.G.M. "1935 Convention Resolutions", Teacher, vol. 14, no. 7 (Mar., 1935), pp. 20-24. Central and Northern Vancouver Island District Council resolution to the A.G.M. "Convention Resolutions", Teacher, vol. 18, no. 7 (Mar., 1939), pp. 335. Prince Rupert Teachers' Association resolution. "Resolutions for Easter Convention and Annual General Meeting, 1940", Teacher, vol. 19, no. 7 (Mar., 1940), pp. 382-388.

41 "Secondary School Teachers' Association", Teacher, vol. 17, no. 9 (May, 1938), p. 446. The following year the A.G.M. passed a resolution:

... that a representative Provincial Salary Committee be set up to work out definite basic salary schedules with annual increments, with the understanding that these schedules may be the same, or may differ according to the geographical position of the various areas concerned

"Convention News", Teacher, vol. 18, no. 9 (May, 1939), p. 458.

42 "Annual Reports -- Report of the Provincial Salary Committee", Teacher, vol. 20, no. 8 (Apr., 1941), pp. 363-365.

43 H. Charlesworth, "Federation News -- Trustees' Convention and Salaries", Teacher, vol. 21, no. 2 (Oct., 1941), pp. 63-66.

44 G. M. Weir, Minister of Education, "Retrospect and Prospect in Education", Teacher, vol. 20, no. 10 (June, 1941), pp. 457-460.

45 H. Charlesworth, "Federation News -- A Brief Resume of Progress to Date", Teacher, vol. 21, no. 2 (Oct., 1941), pp. 63-66. Dr. Weir was defeated in the election of October 21. Premier Pattullo took over the education portfolio temporarily until forced to resign by his party's lack of confidence in his leadership after the breakdown of the Dominion-Provincial Conference of December, 1941. H. G. T. Perry became Minister of Education in the Coalition government of John Hart. Despite a number of consultations by the Federation executive with the succession of ministers, only expressions of sympathy were received and promises of inquiries into the system of education finance; the grants were not raised. "Stop Press News", Teacher, vol. 21, no. 6 (Feb., 1942), p. 266. Cf. M. A. Ormsby, British Columbia: A History, Vancouver, Macmillan, 1958, pp. 469-475.

46 "Co-operation in Fraser Valley", Teacher, vol. 17, no. 8 (May, 1938), p. 450.

47 Although the minimum salaries were the same for all boards, and the increment size was the same, the numbers of increments varied according to the financial ability of each school board and were negotiated locally. H. Charlesworth, "B.C.T.F. and Kindred Associations", Teacher, vol. 21, no. 3 (Nov., 1941), pp. 107-112.

48 C. D. Ovans, B.C.T.F. General Secretary. Interview with the writer March, 1963.

49 "Suggested Amendments to School Act", Teacher, vol. 1, no. 5 (Jan., 1922), pp. 14-15.

50 H. Charlesworth, "Federation News", Teacher, vol. 20, no. 4 (Dec., 1941), pp. 161-162.

51 "Salaries", Teacher, vol. 26, no. 5 (Feb., 1947), pp. 195-199.

52 The "table officers" are: president, first and second vice-presidents, and the secretary-treasurer.

53 "The October Executive Meeting", Teacher, vol. 34, no. 2 (Nov., 1954), p. 81.

54 M. E. Cottingham, "About the Burnham Scales", Teacher, vol. 34, no. 2 (Nov., 1954), pp. 56-59 and 79.

55 "The Executive Reports to the 1961 A.G.M.", Teacher, vol. 40, no. 8 (May-June, 1961), pp. 413-416.

56 Ibid. The following principles in collective bargaining were also adopted by the A.G.M.:

- (1) That a collective agreement must be between the local teachers' association and the employing school board.
- (2) That any recommendation arising out of a broader negotiation must be subject to ratification by the local teachers' association and the board of school trustees in a local school district.
- (3) That any extension of compulsory arbitration beyond the local level is unacceptable.

- "The Federation Moves Forward", Teacher, vol. 40, no. 8 (May-June, 1961), pp. 422-426.
- 57 "B.C. Teachers' Federation -- Annual General Meeting", Teacher, vol. 2, no. 7 (Apr., 1923), p. 187.
- 58 "Highlights of the 28th A.G.M.", Teacher, vol. 23, no. 7 (Apr., 1944), pp. 263-264.
- 59 "Southern Okanagan Rural School District", Teacher, vol. 24, no. 1 (Sept.-Oct., 1944), p. 43.
- 60 The evaluating committee comprised two members of the school board, the principal, one teacher with a first-class certificate, and one with an academic certificate. Ibid.
- 61 "Report of the Salary Committee", Teacher, vol. 24, no. 7 (Mar., 1945), pp. 217-218 and "Report of the Salary Committee", Teacher, vol. 25, no. 6 (Mar., 1946), pp. 225-227.
- 62 "Your Rating Will Determine Your Pay", Teacher, vol. 30, no. 2 (Nov., 1950), pp. 55-57. Cf. Resolution 24, "Departmental Replies", Teacher, vol. 31, no. 6 (Mar., 1952), pp. 260-264 and 275; W. V. Allester, "Co-Workers or Combatants?", Teacher, vol. 32, no. 3 (Dec., 1953), pp. 127 and 133.
- 63 R. E. Cooper, "Merit Rating", Teacher, vol. 33, no. 5 (Feb., 1954), p. 216:
- ... from a condensation of research reports from nine school systems in Pennsylvania, California, Michigan, Kentucky, Ohio, New York, Delaware, Indiana and Washington, D.C., the following twelve points are indicative of the findings on merit ratings:
- (1) They further discourage the entrance of competent persons into teacher training institutions at times of critical teacher shortages.

- (2) They undermine teacher morale.
- (3) They attack teacher integrity.
- (4) They stifle teacher initiative.
- (5) They encourage partisanship and politics within the school and outside it.
- (6) They increase the insecurity of teachers by making assurance of increments and advancement uncertain.
- (7) They divide teachers -- even more than they are divided.
- (8) They increase the demand for transfers for the sake of ratings.
- (9) They relegate teachers to becoming items of debits and credits on principals' registers.
- (10) They bring to bear upon teachers many types of pressure and among these are threats to academic freedom.
- (11) They are designed to balance school budgets by granting fewer and smaller increments.
- (12) They prove that they are invalid since an individual's professional ability on one scale would not be identical to this score on another scale.

64 Frank Reder, (now B.C.S.T.A. General Secretary), The Vancouver Sun, Jan. 21, 1956 as quoted in "Money Talks on Merit Rating", Teacher, vol. 35, no. 5 (Feb., 1956), p. 225. The following month, The B.C. Teacher attacked paid advertisements on merit rating inserted in the daily papers by the B.C.S.T.A. The editorial reported that, "They [Table Officers of the Federation and the Public Relations Committee] decided that differences of opinion should not be aired in the public press." This seems a remarkable turn-about for an organization that believes so strongly in its own right to advertise. "We Wonder", Teacher, vol. 35, no. 6 (Mar., 1956), pp. 273-274.

65 "The Winter Executive Meeting", Teacher, vol. 35, no. 4 (Jan., 1956), pp. 192b-192d and "Annual General Meeting -- 1957", Teacher, vol. 36, no. 8 (May-June, 1957), pp. 402 and 415-416.

66 "The Forty-fourth A.G.M.", Teacher, vol. 39, no. 8 (May-June, 1960), pp. 367-368 and 425-426.

67 "The President Looks at Merit Rating", Teacher, vol. 35, no. 6 (Mar., 1956), pp. 279-280.

68 "More Posts of Responsibility", Teacher, vol. 36, no. 3 (Dec., 1957), pp. 121-122 and 152.

69 Prior's comment originated in his report on discussions which took place at the previous Summer Workshop. "Teaching and Professionalism", Teacher, vol. 39, no. 2 (Nov., 1959), pp. 85-87. Cf. "The Forty-fourth A.G.M.", Teacher, vol. 39, no. 8 (May-June, 1960), pp. 367-368 and 425-426.

70 L. H. Garstin's letter of Jan. 7, 1948 in "Correspondence -- Teachers' Rating Scales", Teacher, vol. 27, no. 4 (Jan., 1948), pp. 155-156.

71 Although the Canadian College of Teachers was only in the planning stage in 1955, it began to accept applications for membership in 1958-1959. J. Phillipson, "From the President's Notebook", Teacher, vol. 35, no. 2 (Nov., 1955), pp. 75-76 and 102. Cf. "The Fall Executive", Teacher, vol. 38, no. 2 (Nov., 1958), pp. 66 and 127.

72 The membership committee recommended "classification of members" to the executive committee in late 1959 and suggested that the following ground principles be adopted:

- (1) The Federation should be prepared to categorize its membership in terms of their basic qualifications.
- (2) The Federation should be prepared to determine and state the basic competence of its membership.
- (3) The Federation should be prepared to deal with incompetency or inefficiency in any of its members.
- (4) As a matter of policy, these principles should be reflected in salary policy.

"The Winter Executive Meeting", Teacher, vol. 39, no. 5 (Feb., 1960), pp. 219-220. The A.G.M. adopted the recommended principles and directed that the committee prepare a draft plan for consideration the following year. "The Forty-fourth A.G.M.", Teacher, vol. 39, no. 8 (May-June, 1960), pp. 367-368 and 425-426. Cf. "The Federation Moves Forward", Teacher, vol. 40, no. 8 (May-June, 1961), pp. 422-426.

The B.C.T.F. constitution was amended at the 1962 convention to include the new membership regulations. Article VI -- Requirements for Membership Categories:

1. Professionally Certified Teacher

- (a) A minimum of three years teaching experience acceptable to the Board of Admissions and Review.
- (b) Possession of an SB, SA, PC (Elementary Degree), PB, or PA Certificate.
- (c) Evidence of competence satisfactory to the Board of Admissions and Review, OR,

Possession of an EA or SC Certificate at the date of the inception of the plan, together with twenty-five (25) years of teaching experience acquired either

- i. before the inception of the plan, or
- ii. within the five (5) years following that date, if the teacher is forty-five (45) years of age or older at the inception of the plan, and

Evidence of competence satisfactory to the Board of Admissions and Review.

2. Teacher

- (a) A minimum of three years teaching experience as in 1(a) above.
- (b) Possession of a Permanent B.C. Teaching Certificate.
- (c) Evidence of competence satisfactory to the Board of Admissions and Review.

3. Probationary Teacher

- (a) Less than four years teaching experience except as provided in 4 below (omitted here).
- (b) Possession of a B.C. Teaching Certificate.

"1962 Annual General Meeting", Teacher, vol. 41, no. 8 (May-June, 1962), pp. 350-354.

The following excerpts from section 4 (Powers and Duties) of Article VII (Board of Admissions and Review) give an indication of the methods the B.C.T.F. intends to employ in exercising its authority:

- (b) The Board may accept as evidence of teacher competence:
 - (i) Reports of District Superintendents, Directors of Instruction, and Principals.
 - (ii) Any other information it deems necessary or relevant including that obtained from personal interview.

- (c) The Board shall be empowered to conduct, or cause to be conducted, such investigations as are necessary for the proper discharge of its duties.
- (d) The Board may accept written complaints from:
 - (i) District Superintendents acting on their own initiative or as the result of complaints made to them.
 - (ii) Principals, Directors of Instruction, Local Teacher Associations, or groups of not fewer than three teachers.
- (g) The Board shall have power to request School Boards to report the names of members who, for cause, have not received a permanent appointment following a probationary period.

"B.C.T.F. Membership Regulations", Teacher, vol. 41, no. 3 (Dec., 1962), pp. 107-109.

73 "Reports of Clinics -- B.C.T.F. Membership Plan", The B.C. School Trustee, (Report of Proceedings, 58th Annual Convention), Jan., 1963, pp. 37-38.

74 J. Phillipson, "From the President's Notebook", Teacher, vol. 35, no. 2 (Nov., 1955), pp. 75-76 and 102. An earlier B.C.S.T.A. resolution (1951) to the effect that principals should be excluded from B.C.T.F. membership was countered by a Federation resolution:

... That is the opinion of this Executive that the interests of Education in general and of the whole teaching profession will be best served if we adhere to the policy that principals are first of all teachers and should not be set apart from the general membership of the profession.

"Christmas Executive Meeting", Teacher, vol. 31, no. 5 (Feb., 1952), pp. 215-216.

75 "Principals as Educational Leaders", Teacher, vol. 42, no. 6 (Mar., 1963), p. 240.

76 Resolution 8, "Resolutions", The B.C. School Trustee, (Report of Proceedings, 58th Annual Convention), Jan., 1963, p. 43.

77 The Executive Director of the Manitoba School Trustees' Association has suggested that teachers' desire for university-trained teachers in every classroom is utopian, impractical and unnecessary. He recommends that

classroom teachers be considered as semi-professional technicians and only the principal, the degree teacher, be considered as a professional and called "professor". J. R. Prefontaine, "The Striving for Professionalism", The B.C. School Trustee, vol. 18, no. 4 (Winter, 1962-63), pp. 18-21. It does not seem likely that any trustee plan-of-action based on such views would succeed without separation of principals from the general body of teachers.

78 Practically every formula that was ever used in B.C. can be found in some one of the school districts; see "Summary of Salary Scales, 1963", Teacher, vol. 42, no. 6 (Mar., 1963).

Chapter 4

ORGANIZATIONAL AND PROCEDURAL CHANGES

The unequal distribution of power [between societal sub-units] serves as a spur to social activity in many different, and often contradictory, ways. It stimulates those with less power to increase their numbers, organization, or resources to a point where they can destroy the domination of an opponent and become dominant in turn, or to add resource to resource until they have power equal to the opponent, or to infiltrate the ranks of the adversary so as to share power with him.¹

As a consequence of conflict with trustees, the Teachers' Federation has made changes in organization and procedures to increase its effectiveness. These changes, which have affected all participants in public education, involve changes in collective bargaining techniques, development of alternatives to teacher-trustee negotiations, and cultivation of organized public support. Administrative rationalization, while not primarily aimed at countering school board power and resistance to pay increases, has worked to that end.

External Relationships

Salaries are not the only source of contention between trustees and teachers. Other issues divide them as well but the school law does not specifically say these issues are negotiable and arbitrable -- not in those

terms. For lack of generally applicable bargaining directives in the law, and in the face of past trustee refusal to negotiate without directives, teachers developed substitute means of attaining their ends. Some of the substitutes are modifications of procedures now common in industry, some are unique to public service, and some resemble practices common to the professions.

Like other groups engaged in public service, the teaching profession has developed strong formal and informal lines of communication with the provincial government. While some exchange of views with the government would have occurred concerning professional aspects of education policy, it seems unlikely that the subjects of negotiation would have been as extensive as they are except for the failure of local educational bodies to negotiate policy with their teacher-employees.

Like other professional groups, teachers have developed their public relations to generate sympathy and support for their cause. The tax-paying public must pay the bill, so the teaching profession has had to try and convince voters that they want what the teachers want.

In their relations with trustees, teachers have experienced extremes of co-operations and opposition. At the local and Federation levels, teachers have participated in co-operative joint committees with trustees, but they have also employed strikes and boycotts. Relations with the Cabinet and Department of Education, however, have not been subject to the same extremes -- a more cautious superior-subordinate relationship has been characteristic.

The Federation's external affairs may, then, be divided into three separate areas for examination: relations with the provincial government, the general public, and trustees. In its relations with the government, emphasis will be on channels of communication and professional influence in the Department of Education; consideration will also be given to selected policy developments. The divergent emphases in teacher relations with trustees will be discussed -- one approach based on increasing the occasions of co-operative effort and the other oriented towards developing more powerful bargaining weapons. Although analyzed separately, the areas of emphasis overlap and there is some interaction between external and internal affairs.

Relations with the Provincial Government

Teachers, being an exceptionally articulate group, have not limited the range of topics considered at the annual general meeting (A.G.M.); the great variety of subjects may be grouped into those which concern teacher status, working conditions, education philosophy, and administrative policy. After discussing each subject themselves, teachers brought their ideas to the attention of policy-makers in the hope of effecting change. Despite claims that the school boards were teachers' employers, it was apparent that trustees had only a limited influence in determination of over-all policy and that the locus of power in education was in the Provincial Secretary's office, later the Department of Education. Most A.G.M. resolutions therefore were addressed to the provincial government rather than the Trustees' Association.

While the channel of communication from the school, through the

boards and district inspectors, to the Department might have developed into the normal means of transmitting teachers' suggestions, this did not happen. From the earliest days of the B.C.T.F., suggestions went from the local teachers' association through the A.G.M. and the Federation executive. Replies from the Minister returned by the same route, except that official directives were transmitted through the Department to inspectors and school boards. Occasionally, the Superintendent of Education or the Minister would direct that a specific Federation proposal be discussed first with the school board concerned or the Trustees' Association. This was usually done on the grounds that the matter was primarily within the trustees' competence to effect change, or at least that the prerogative for change lay with that group, and should, as a point of courtesy and experience, be considered by it before the Department was approached.

There seems little indication that the Minister or his officials did much to discourage direct communication between the Federation and the Department. In technical and professional matters this is understandable. It might also have been considered expedient to deal with one group when soliciting teachers' viewpoints; that is, to communicate with the Federation executive and staff rather than have the Department subjected to a rash of unco-ordinated briefs from the multiplicity of local associations.

This method, of dealing only with Federation officials, had the advantage of keeping the painful process of developing professional consensus outside the range of official purview and left officials free to accept or reject recommendations as they saw fit. If the Department had been involved in the process of determining consensus, rejection or

postponement of proposals arising from the central view would have been more awkward. As it is, disagreement in professional matters and any resulting ill-feeling is contained within the teachers' organization and, to that degree, removes a source of friction and discontent from between the Department and teachers.

Since 1951 the Department of Education has been experimenting with the technique of appointing teacher representatives to its central curriculum committees and of seconding subject specialists from school staffs for curriculum revision.² The Department has maintained that it is under no obligation to accept specific proposals from the curriculum advisory boards and, by integrating specialists into its working committees, may or may not be able to side-track or control radical propositions from the teaching body. In any case, should a large area of disagreement arise between Department officials and teaching specialists, it is not at all clear that the Department, having invited teachers to participate directly in determination of curriculum policy, will be able to disengage from the entanglement without a violent rupture in its relations with teachers. The possibility of discord is heightened by the fact that it is a professional aspiration of the teaching body to perform the entire task of curriculum development with the advice of consultant-specialists.

A related matter of professional concern is the determination of teacher training and certification policy. The Federation has consistently advocated raising the standards for selection and training to improve the teaching body's competence and professional status. This has entailed asking for elimination of temporary certificates and permits and the gradual

elimination of third and second class certificates. The Federation's policy is that, eventually, all teachers should possess academic or professional degrees.³ Joined with these requests were the demands in 1926 that the Normal School entrance and qualifying standards be raised and stringently applied. Later, the Federation asked that the entire responsibility for teacher training be consolidated in the U.B.C. faculty of education.⁴ The Department of Education has repeatedly stated its agreement with the aim of increasing teachers' proficiency but has pointed out that a constant shortage of qualified personnel has restricted its ability to enforce higher standards without closing a great many schools for lack of instructors.

A restrictive professional entrance policy has salary implications that have been mentioned infrequently. To set a limit on the number of entrants to teacher training, as was done by the Minister of Education in 1931,⁵ need not affect teacher quality unless standards are changed as well, but the reduction of teacher supply can raise salaries. To increase standards, on the other hand, may naturally limit the entrants but will improve teacher quality at the same time. The B.C.S.T.A. has come to accept the demand for higher standards as a measure likely to increase teacher effectiveness more than it would affect salaries.⁶ L. R. Peterson, Minister of Education, said in 1959 that higher standards, higher pay, and concentration of teacher training at U.B.C. had raised the status of teaching to the point where the best high school graduates were being attracted to the profession in increasing numbers. His contention was that the increased challenge was attracting better students in enough numbers to compensate for the loss of applicants no longer eligible to enter teacher training as a result of increased standards.⁷

The perennial Federation request for a certification board composed of representatives from the B.C.T.F., B.C.S.T.A., U.B.C. faculty of education, and the Department of Education has been rejected as consistently as the cause has been pursued; there seems to have been no change in the Department's attitude since the matter was first broached in 1928. The usual reply has been that the Council of Public Instruction has the sole responsibility by law for setting categories and issuing certificates, that the system has worked splendidly, and that there has been no apparent good reason for change.

A great variety of other matters have been the subject of Federation debate and, subsequently, have been discussed between Federation delegations and the Department of Education. One of the most important issues to the teachers, and the most hotly contested, concerned tenure of appointment. The power to hire, transfer, and dismiss employees has long been held by trustees as an employer prerogative that cannot be restricted except at the risk of perpetuating the employment of incompetent persons. Some school boards, however, had so abused their dismissal powers in the past that the legislature began to limit their discretion.

As early as 1921, the B.C.T.F. requested institution of a permanent board of arbitration which would deal with contested dismissals. While trustees and the Department agreed in principle to arbitration of tenure disputes, they felt the idea was premature.⁸ Instead, the Public Schools Act was amended to permit teachers to appeal from their boards' decisions to the Council of Public Instruction. At the same time, boards were required to state their reasons on dismissal, and certain procedures for dismissal and appeal were laid down. While the B.C.T.F. admitted that some

teachers were creating ill-will by breaking their contracts, unethically, it held that a much greater menace lay in the trustees' freedom to transfer or dismiss teachers at will and without regard for equity or legal obligations.⁹ The Federation conceded that most boards were scrupulously fair in the treatment accorded their employees but insisted that regulations were required to control the minority. Many of the cases of unfair dismissal which the Federation cited seem to have been caused by personality clashes and a few instances of teacher inefficiency. There were, however, instances where teachers were dismissed because they were too expensive (i.e., had reached the upper bracket of the salary schedule), or where the entire staff was fired so the board could re-hire only those teachers it wished to keep and at the price it wished to pay.¹⁰

The Council of Public Instruction began the practice of having appeals investigated by the district inspector and then basing its decision on his report. But by 1929, the Department, Federation, and inspectors were convinced that a new procedure was required that did not involve the inspectors, for it was found that such activity compromised their relationships with teachers and trustees.^{10A} The 1933 amendment to the Schools Act therefore provided for the Board of Reference long advocated by teachers and in terms roughly the same as those in force in Alberta and Manitoba.¹¹ The aggrieved teacher was required to file notice of appeal from his board's decision and to establish a prima facie case before the Council of Public Instruction would act. It would then appoint an investigator and, following the inquiry, refer the case to the permanent, three-man Board of Reference for adjudication. The Board (nominated by teachers, trustees and the Supreme Court) heard all the evidence in open court and reported to the Council, which

either sustained the dismissal or ordered the teacher's re-instatement. A school board could not make a permanent appointment to fill the vacancy until the Council's decision was rendered. This provision was later changed so that the teacher retained his position until the Council decided the appeal. The B.C.T.F. reinforced this proscription by making it unethical for a teacher to accept appointment to a position in dispute.

Trustees apparently chafed under these restrictions, especially one requiring proof from the inspector's report to substantiate a charge of inefficiency. Some trustees objected to the necessity of ruining a teacher's career, in order to be rid of him, and thought some less drastic measure might be devised.¹² Others claimed repeatedly that the regulations made it impossible to get rid of an inefficient teacher.

The B.C.T.F. argued that it was as interested as the trustees were in seeing that inefficient teachers either improved or left the profession, and said it would not assist an appellant where inefficiency was proved. At the same time, the Federation made clear it would not stand by and watch appointive powers being abused. The Teachers' Federation laid the blame for the retention of inefficient personnel entirely on the shoulders of board members who, it said, either would not assume the responsibility of their positions or could not find substantiating evidence for their claims.¹³ New appointees were on probation for a year and observant principals, inspectors, and trustees might be expected to be able to detect, in that period, those probationers who lacked the marks of a good teacher.

While introduction of the Board of Reference established a grievance procedure, there were weaknesses in the plan. It was limited to

tenure cases; no procedure was prescribed for negotiating a dispute; and an award was not binding until approved by the Council of Public Instruction. Since the Council decided whether an appeal should be allowed to go forward, and decided what the final award would be, the Board of Reference was not an independent, adjudicative body. It was merely a board of inquiry -- a formalized repetition of the informal, preliminary investigation.

The lack of procedures for negotiating tenure disputes probably contributed to the reportedly bitter clashes that often occurred in the Board of Reference public hearings, for both parties were then presented with their first real opportunity to argue the matter. An early, compulsory confrontation in private might well have had a cathartic value even if a negotiated settlement did not result. As the number of appeals began to mount each year, attempts were made in the nineteen-forties to obtain "out-of court" settlements and in 1951 the B.C.T.F. and B.C.S.T.A. agreed to investigate complaints by means of a joint committee prior to the filing of an appeal against dismissal or transfer.¹⁴ The committee's function was to attempt conciliation during the investigation and, if it could arrive at a unanimous decision, to make recommendations to the parties concerned. It was agreed that the committee findings were not binding and would not be made available to any party not directly involved in the dispute; it was further agreed that no aspect of the investigation would ever be referred to should the appeal be continued. The joint investigating committee, with a third member added -- an appointee of the Superintendent of Education, was made a compulsory feature of the grievance procedure in 1958. This change has made the Department privy to the findings, whereas before it was not. Under these circumstances the appearance of redundancy is

heightened, for the Board of Reference merely repeats, in a formal manner and in public, what the committee has done informally and in private.

The main weakness of the grievance procedure still exists; there is no formally designated system of dispute resolution for the myriad additional causes of teacher discontent. As a consequence, the B.C. Teachers' Federation has appealed rather frequently to the Department for legislative and regulatory changes that would compel school boards across the province to acknowledge common standards, provide common benefits and, generally, to act in a uniform manner. Trustees objected strenuously to this attitude and to the government's acquiescence in demands for uniform treatment of teachers. To school boards, it appeared as if teachers and government were united in an unholy alliance to destroy board autonomy by excessive centralization. In time, and in part as a result of a few boards' bad faith in negotiations and in application of regulations, legislative changes did encroach upon trustees' freedom of manoeuvre. Many of the changes, perhaps most, were not bold strictures that could be attacked successfully in the press by defiant boards but were successive, minor modifications designed to counteract and prevent petty, irritating, administrative practices as they developed in the districts.

The weight of the adjustments became noticeable primarily in their accumulation: a specific form of contract was prescribed; principals were allowed to report on teacher proficiency only in certain circumstances and in a specified manner; the method of paying teachers was prescribed; deductions of Federation fees by boards became obligatory; boards were obliged to allow teachers to attend district conventions; temporary and probationary appointments were closely regulated; minimum salaries were instituted for

the province; sick leave became mandatory and cumulative during continuance of service with a board; boards were requested to submit copies of district agreements to the Department for distribution to the Federation and Association offices; and dismissal and transfer notices could be given only at set times, under specified conditions, and in a specified manner.

Trustees became incensed most at the provisions for security of tenure and for demandable, binding arbitration. One school board attacked what it called the imposition of "class legislation" and the grant of "monopoly powers" to teachers. It rebelled at the conditions of an arbitration award and refused to comply. Faced with a subsequent court order to obey the award, it fired fourteen teachers. When the Council of Public Instruction sustained the decision of the Board of Reference to compel reinstatement of the teachers, the school board re-assigned the teachers in a way which was a practical demotion. The Council immediately dismissed the board and replaced it with an official trustee. At the height of the conflict, the B.C.S.T.A. dissociated itself from the actions of the school board and, at the next convention, went on record as opposing the board's method of protest. It declared that the law must be obeyed while in force and that the proper method of redress was to work through the Association for legislative change.¹⁵

While trustees have objected to teacher demands for administrative uniformity, they have not objected to another type of uniformity demanded by teachers -- province-wide equalization of the school tax burden. Since much of the Teachers' Federation activity has been concerned with advancing the economic welfare of its members, the conclusion was early drawn that

the B.C.T.F. must become involved in public discussion of educational finance. The Federation noted that the basis of trustee opposition to many of its policies has been solely that of financial incapacity to perform -- the policy principle has not been disputed. Even in salary negotiations this divided response has been seen, as it has in bargaining over bonuses, allowances, sick leave, sabbatical leave, and group medical insurance. The agreement in principle but disagreement as to capacity has been most noticeable in discussions on restriction of class size, the encouragement of professional advancement, the supply of non-professional school staff, the conduct of experiments in teaching technique, the institution of junior colleges, and in the provision of special facilities and training for handicapped and for exceptional students.

The Department of Education, in replies to Federation resolutions, has generally categorized the above-mentioned matters as falling within the realm of local initiative, though the Department may express sympathy with the objectives and give "moral" support. But moral support does not supply the means. As a consequence, the Teachers' Federation has been a consistent advocate of assessment equalization, federal aid to education, and provincial assumption of education costs beyond that supplied by a low, uniform local levy.¹⁶ The breadth of teacher interests, the increasing conjunction of teacher and trustee aims in education, and the Federation's consistent support of local government claims to greater provincial financial assistance have not failed to impress trustees. As a result, although school boards and local teacher associations disagree violently at times, the provincial executives of the B.C.S.T.A. and B.C.T.F. often co-operate quite well.

While the Trustees' Association favoured co-operation with the Federation, it occasionally criticized the Federation's relations with the provincial government. Apparently trustees felt that the government and teachers co-operated too well, to the detriment of school boards. It was the relationship between B.C.T.F. and Cabinet which drew the complaints, not between Federation and Department.

The Deputy Ministers of Education have been drawn from the public school system and were familiar with teachers' problems.¹⁷ Dr. J. S. Willis, who became Superintendent of Education in 1919, was both a university professor and a school principal before appointment to the Department shortly after the B.C.T.F. was organized. His successors -- Col. F. T. Fairey, Dr. H. L. Campbell, and Dr. J. F. K. English -- were all members of the B.C.T.F. executive committee before appointment as were many other Department officials. Drs. Campbell and English were both principals and inspectors during their careers, and Col. Fairey went from principal to director of technical services. Despite the previous relationship of these men with the teachers' professional organization and their familiarity with Federation executives and officials, there does not appear to have been any criticism by trustees. The complaints noted earlier were directed at agreement between politicians and the Federation.

There does appear to have been a rapport between H. Charlesworth, the Federation General Secretary, and the various Liberal Ministers of Education which does not seem to have existed where the Conservative Minister, the Rev. Joshua Hinchliffe, was concerned. However, the only partisan articles in The B.C. Teacher were expositions, published in the early nineteen-forties, of the economic and social ideas of the C.C.F. and Social

Credit parties. Since that time, the editors of the periodical have been more circumspect in their allocation of praise though a considerable satisfaction was displayed at the appointment of three teachers (W. D. Black, R. G. Williston, and R. E. Sommers) to the Social Credit Cabinet after 1952. Generally, when political affairs have been mentioned, the Federation has been careful to stress teacher representation in all parties, with perhaps a slight bias in favour of the party in power.

In assessing trustees' complaints on the matter, it is difficult to see that any special advantage has been obtained by the Teachers' Federation at the public's expense, from exploitation of these personal, political, and professional sympathies. Changes in the school and pension acts which have affected the professional and economic welfare of teachers, and which could be considered "advances" from the teachers' viewpoint, are not restricted to any particular regime. There have been teacher victories and disappointments under all administrations. The only particular difference that may be noted seems to have existed in the style of the various Ministers in handling teacher and trustee complaints. This difference may be accounted for by the personalities of the Ministers as much as by any other factor.

The Trustees' Association does not appear to have been more backward than the Federation in making proposals to the government for amendments to the Public Schools Act. The B.C.S.T.A. merely seems to have been less successful than its counterpart in achieving its aims -- that is, until recent years. It has consistently failed to obtain wider grounds for dismissal of teachers; it could not prevent compulsory membership in the B.C. T.F.; it could not effect elimination of the Board of Reference; and it

could not avoid changes in the negotiation and arbitration provisions of the school law. However, it has won concessions in education finance, to the point where three of the four major political parties in the 1963 provincial election campaign were committed, in varying degrees, to further provincial assumption of school operating and capital costs. Since 1952, the Association has obtained changes in the Schools Act which preclude appeals to the Board of Reference against dismissal from supervisory or administrative positions, and against teacher transfers made at the start of a school year, although in some instances appeals are allowed to the Superintendent of Education. In 1954 and 1960, the B.C.S.T.A. very nearly succeeded in concerted and uncompromising campaigns to obtain establishment of province-wide negotiation and arbitration of salary matters, to which the B.C.T.F. is opposed.

Relations with the Public

In their various crusades to advance public education and teacher welfare, teachers discovered the "wonders" to be achieved through public relations¹⁸ --- a realization of the diverse measures which might effectively supplement the Federation's direct approach to trustees and government. Not only had their proposals to be accepted by the Department of Education and the Cabinet, but in many cases teachers saw a need to develop a demand for change by the electorate.

Since part, at least, of the public's attitude towards teachers is determined by what it knows of teachers' work and by the conduct of those teachers it knows, the Federation has taken a number of steps to ensure that the best impression is made. The code of professional ethics¹⁹ states

the expected norms of teacher behaviour in general terms and sets the tone for presentation of teachers' views, especially as they relate to the relationships which should exist between teachers and students, employers, supervisors, the public, and other teachers. Gradually the organization is coming to have some professional control over its members' behaviour, but effective measures have been slow to develop.

At one time it was the policy of the publicity committee to attempt to answer all criticism of teachers in the press, but this has changed to a selective programme of reply; the more irrational attacks are usually ignored completely. Where the criticism has some element of truth, and where the charges made have been due to misunderstanding, three procedures have been adopted to counteract the possibility of mischief: (1) occasionally, direct replies are made to moderate criticism by responsible individuals; (2) more frequently, statements and articles are released to the press explaining Federation policy or activities in a way which answers the critics without directly acknowledging them; and (3) where possible, the critics have been approached personally in an attempt to convert opponents into supporters.

The Federation employed a publicity agency, later a public relations consultant, to help plan its work. With the growth of the organization and development of local public relations committees, emphasis was placed on internal publicity to ensure that the individual teacher knew and understood what was happening in the many locals and committees. The publicity function continued to expand until finally it was necessary to assign a permanent official to co-ordinate and direct activities; the assistant

general secretary was appointed. Now public relations are analyzed at the annual summer workshops (seminars), and training workshops are conducted for local public relations officers at various centres in the province during the school year.

Federation public relations activities have included:²⁰ advertisement of teacher affairs; publicity concerning Federation scholarships, bursaries, and awards; news releases of Federation policy statements on such matters as educational finance, the teacher shortage, and teaching experiments; television interviews of Federation officers and officials; radio addresses and educational broadcasts; newspaper education columns; and, indirectly, the public impression created by teachers in politics. In so far as they can all be co-ordinated, they are designed to "educate" the public, neutralize open and latent antipathies, build public support for teachers, and foster demands for specific public policy changes. On occasion, pressure has been organized in direct-approach campaigns to municipal councillors, members of the legislative assembly, and members of parliament.²¹ The assistance of organized support groups, such as the P.-T.A., affiliated labour unions, and labour councils, have been used as well.

Because the Federation magazine has such wide public distribution, it is worth noting that the content and style have changed over the last ten years. Details of debates and committee reports appear to be more tailored for public than teacher consumption. The frankness and detail which characterized the reporting of former years is muted. It may be that the former detail, which allowed the outsider to get a feeling for the human element in teacher affairs, has simply grown too much for reporting -- or else other

methods have been developed to circulate information internally without revealing too much to non-members.²²

Relations with Trustees

While changes have occurred in the conduct of teacher-public relations and Federation-government relations, the relationship between teachers and trustees have also been marked by change. Disparate tendencies -- towards co-operation and division -- have both been emphasized. In general, the co-operation seems most evident at the provincial executive level and in non-salary matters, the heightened disagreement, at the local level and over salary issues. The developments in each direction will be considered separately.

At practically every general meeting of the B.C.T.F., either the president or the general secretary has commented on the good relations that have existed between the trustee and teacher provincial executives and the courtesy with which Federation representatives have been received at trustee conventions. Until 1935, the Federation was represented by the General Secretary, H. Charlesworth, who was frequently called upon to address the trustees. Thereafter, the president of the B.C.T.F. was the official representative and the general secretary attended him.

There are numerous references, in the annual reports, to the fact that the teacher representatives were permitted to speak against resolutions at the trustees' conventions, or were given the opportunity to state the Federation position. On occasion the Federation's opinion was solicited. Apparently, however, this privilege was withdrawn in the late nineteen-fifties and has not been re-introduced.²³ Few references are made to the presence

of trustee representatives at teacher conventions.

Practically every problem of consequence in public education has been discussed, at one time or another, in joint meetings of the two provincial executives or in joint executive committees, e.g.: breach of contract by teachers, retiring allowances, sick pay allowances and accumulation, dismissal procedure and appeal systems, resignation procedures and penalties, uniform regulations re district fall conventions, penalties for teacher absence in excess of allowance, education finance, school board autonomy, uniformity of teacher contracts, status of probationers, conditions of tenure, transfer of teachers, arbitration board composition and procedures, sabbatical leave, resolution of ambiguity in the Schools Act, minimum salary scales and provincial salary schedules, cost-of-living bonuses, collection and remittance of B.C.T.F. fees, policy on teachers called into the armed services, principals in the Federation, areas of responsibility for teacher recruitment and in-service training, teacher and principal status, and the relationships between the Department of Education, inspectors, school boards, and teachers. Where the matters have remained in contention, the meetings have at least served to acquaint each group with the other's viewpoint at first hand, and occasionally compromises have resulted.

Where the Federation and the Association held similar views, joint action was often possible; the two appeared together, for instance, before the municipal committee of the B.C. legislature in 1932 to fight implementation of the Kidd recommendations, especially as they related to encroachment upon school board prerogatives by municipal councils. In order to enlighten the public on the problems of education, and to obtain

reform in education finance, joint committees and councils were formed, which enjoyed but limited life.²⁴ Other ventures, such as radio educational broadcasts and Education Week have been jointly sponsored.

Some types of conflict occur so often that joint committees were established to deal with them. In tenure cases they are usually called "joint investigating committees" and in salary disputes, "joint conciliation committees". Both have been given official status by inclusion in the dispute resolution processes prescribed by law, but the committees' conclusions are not binding upon the disputants. As part of the Minister's settlement of the widespread salary conflict of 1957, a further, permanent joint committee was established by the two provincial executives "to consider matters of common interest and which local boards and local teacher associations might consult before taking precipitate action."²⁵

At the local level, too, liaison and co-operative efforts have been made between teachers and trustees, though the purpose has generally been more limited and immediate than in the case of the provincial executives. Conscious attempts to establish good relations were made in many communities. Annual meetings, parties, picnics, and dances provided the most commonly employed occasions. The more serious and business-like matters were reserved for consideration at joint committee meetings. In some areas they were called "joint personnel committees", in others "joint salary" and sometimes "joint agreements committees", but in each case the matters discussed seem to have exceeded the title limitations and more general problems were aired in an informal atmosphere that tended to expand the area of mutual understanding. The intensity with which common ground is purposefully sought at the local level varies between districts.

There would appear to be increasing local discourse on what may prove to be the more important problems in education, such as (1) the place and use of teaching machines, (2) the use of non-professional staff assistants, (3) team instruction (which permits seminar as well as lecture treatment of subjects and permits a greater degree of instructor specialization), and (4) curriculum flexibility to allow more personalized rates of progression in the different subjects according to the proclivities of individual students. Changes along these lines require more sophisticated administrative and teaching techniques than have been used in the past and may, in some cases, increase the cost of education.

Bargaining Tactics

These indications of increasing co-operation, compromise, and mutual respect, in certain aspects of teacher-trustee relations, are set off by contrary attitudes displayed in salary negotiations. There, initial positions are adamantly held, hostility is displayed, and the bargaining between local teacher associations and school boards ceases early.²⁶ Since local negotiations have tended increasingly to break down quickly, attempts have been made recently to conduct an introductory briefing between provincial executives so that the general approach for that year is indicated to each side before the local confrontations.²⁷ This might have the benefit of easing the shock to local negotiators, but it would appear also to have the disadvantage of giving away one's position too soon. If, in the long run, hostility is reduced by having the initial projection of demands reach the school boards through their Association executive, then perhaps the loss in impact would be a fair exchange of value, from the teachers' viewpoint.

A final breakdown in contact between negotiating teams is generally marked by an increasing hostility and the adoption of an uncompromising stance. In an industrial situation, the approaching break is usually indicated by talk of strikes and strike votes. A similar situation exists in teacher bargaining, though the usual procedure is for one side to indicate that an application would be made for arbitration of the dispute. One can appreciate that this step is easier for a party to take than the economically more serious stage of strike or lock-out votes. For this reason, it may be more frequently adopted as a means of terminating unsatisfactory negotiations.

Despite an apparent dislike by teachers for a strike, and despite the fact that the strike has not actually been used since 1921, there have been occasions since then when strikes seemed imminent. These would not have been just local strikes in support of pay demands but a general stoppage by all teachers in the province in order to bring to the attention of government, trustees, and public, the teachers' failing patience with their economic status. At the 1939 convention of the Canadian Teachers' Federation (C.T.F.), it was reported that over 8,000 Canadian teachers were receiving less than \$400 per year and that the strike was being considered as an economic weapon if things did not improve.²⁸ While the B.C. minimum was twice that amount, the anomalies in the province were considerable and the grumblings of discontent grew louder.

The provincial salary committee reported to the B.C.T.F. convention, of 1941: that the rural-urban salary imbalance was very marked, that the government was aware of the situation but felt it could do nothing to raise the minimum basic salaries or the number of increments, and that the

committee felt the system of education finance was the crux of the problem. It advised the meeting that, in its opinion, the demand for a provincial scale should be dropped for the moment as impracticable. The committee suggested that accurate surveys should be conducted of teacher needs in each area and a comparison made with other occupations, that thorough briefs should then be assembled, and a hard drive should be made for what was immediately achievable. Future demands could be built on those gains.

The results could not have been very satisfactory, for there were numerous resolutions at the next annual meeting demanding an end to surveys and briefs and ineffective talk. Demands were for more aggressive action immediately. Two resolutions insisted that, since the government and the Federation executive were accomplishing nothing, the B.C.T.F. should join the Trades and Labor Congress.²⁹ Though the Federation was not prepared to take that step, it was proposed that the executive would seek establishment of a provincial arbitration board and that the local teacher associations, especially the rural, should make greater use of arbitration. It was also resolved, as a matter of professional ethics, that no teacher would accept a position at less than \$900 per annum.

That autumn (1942) the stage was set for new tactics. The commissioner of North Vancouver (who was also the official trustee) refused to arbitrate the schedule initiated only the year before. When, however, a strike vote was conducted amongst the teachers, he changed his mind and "voluntarily" accepted schedule arbitration.³⁰ The success of pressure tactics encouraged teachers to try them on a broader scale.

In the spring of 1943, tensions and tempers were mounting when

the Easter convention of the Federation met to hear the results of the executive's actions. It had been planned the year before that: (1) arbitration would be invoked to set awards; (2) the Federation would act jointly with the Trustees' Association to pressure the government into raising grants; and (3) widespread publicity would be given to the need for revisions of the education finance system. The executive reported that discussions were still being conducted with the government and that there seemed a possibility of at least partial compliance with teacher and trustee demands.³¹ In an effort to impress the government further with the necessity for immediate action, a resolution was passed requiring the executive to take a strike vote of the entire teaching body if the talks did not produce concrete results by June 10. October was set as the strike date.

The vote was not taken, however, for two things occurred. The provincial government made special grants to the municipalities for school purposes, and the federal government passed order-in-council P. C. 4862, on June 15, 1943, which froze all Canadian teachers in their jobs for the duration of the war. The Federation admonished Ottawa for instituting the freeze without prior consultation with teachers, and deplored the maintenance of low salaries. The outcries from B.C. were not nearly so loud as expected; in fact, Federation statements have almost an air of relief about them that the matter of striking could not be pursued further. Satisfaction was drawn from the salary committee report that the great majority of B.C. beginning teachers were to receive \$1,000 or better that year as a result of the increased school grants.³²

Whether teachers would have struck, in B.C., for higher salaries, had not the provincial and federal governments acted, is now only a matter

for speculation. The seeds were being sown, however, for the introduction of new techniques of conflict -- new in that they had not been tried before in B.C., but scarcely new in the over-all picture of economic strife.

The concept of the professional boycott had been raised as early as 1929, in conjunction with demands for a regularized procedure for dealing with tenure cases. At that time, there was no provision for a Board of Reference. A number of tenure disputes had arisen over the acceptability, to teachers, of the various reasons being given for dismissal, and, in the face of some instances of harsh trustee action, the Federation had begun to discuss a more systematic approach to the problem. The methods which had proved successful in different areas of the world were enumerated, and the final step suggested was an "appeal to the professional attitude and esprit-de-corps of teachers", in which teachers in an affected district would submit their resignations en masse. To back them up, it was proposed that all other teachers would adopt the "proper" professional attitude and refuse to apply for, or to accept, service with that employing authority. The Brief on Teacher Tenure, prepared by a B.C.T.F. committee for the C.T.F., justified the proposal in these terms:

This co-operative professional spirit is well established in several countries. It should be noted particularly that this method is not a 'strike', and also that the teachers do not break any of their legal obligations. Other professions use this method without hesitation, and there can be no reason why teachers should not do so when extreme circumstances warrant such action.³³

For such a corporate technique to be successful, it would seem necessary to establish a system of membership control. The control could be effected entirely through voluntary measures if the esprit de corps was well developed, or some element of compulsion might be necessary if it was

not. Voluntary control, or rather co-ordination, requires a concerted opinion as well as the financial capacity to withstand the economic sacrifices and rigours entailed in executing the plan. The group must be convinced that group welfare can be maintained or advanced only through that particular course of action, and enough members must be able to obtain employment elsewhere or be financially able to weather the boycott period. Neither condition seems to have existed at that time. The alternative -- organizational compulsion -- was impossible, for the elements of control were lacking: a clearly defined code of professional ethics, and the power to expel from membership for lack of compliance with the group's established norms. The power to expel would not in itself constitute a strong control unless expulsion carried with it an economic sanction, such as prohibition from teaching.

Despite the committee's warm praise for the plan of a professional boycott in tenure cases, there seems to be no indication that the plan was tried in any B.C. school district, nor was extension of the concept to salary disputes mentioned in The B.C. Teacher during the succeeding ten years. Undoubtedly, an excess of teachers during the depression was a major deterrent to adoption and successful exploitation of such a policy. In addition, over-supply was also a partial limitation on adoption of measures to overcome the organizational weaknesses.

The boycott was next discussed as a result of Saskatchewan teachers' investigation of the feasibility, in 1939, of a "self-imposed minimum salary" -- that is, the Saskatchewan Teachers' Federation (S.T.F.) proposed that no member would accept a position for less than the Federation minimum. Co-operation of the other Canadian federations and alliances would be needed

to make the boycott effective, so information concerning the plan was circulated by means of the S.T.F. Bulletin. The B.C.T.F. gave its blessing to the efforts of the Saskatchewan teachers.

Three years elapsed before the B.C. Federation decided to attempt the same solution to its salary problems. At the convention in the spring of 1942, the General Secretary recommended that no teacher accept less than \$900 per annum; the meeting concurred. The negotiations which followed, during the summer, resulted in the objective being achieved in most cases despite school boards' immediate incapacity to pay, since their budgets were prepared and passed in February. One rural school board, upon hearing of the Federation decision, merely expressed surprise that a uniform salary policy should be adopted and set about to collect the additional sum by means of voluntary donations from all parents of school-age children in the district.²⁴

It will be appreciated that the same problem was not faced by all boards since a great many were already paying that salary or better; the task had been to raise the salary level everywhere to the minimum prescribed by the general meeting. The tactic was successful primarily because only a few boards were affected. Had the problem been faced by all boards, the result conceivably would not have been the same, for there would not have been the example of higher salaries elsewhere to justify the action in the minds of trustees and rate-payers. Also, such a concerted action, embracing as it would all teachers in the province, might have been considered a general strike, and the same public sympathy might not have been generated.

The success of the limited boycott, led to Fédération consideration

of larger targets. While local teacher associations had been negotiating with their school boards for institution of the minimum scale, Federation officers had been negotiating with the Department for institution of higher salary grants and cost-of-living bonuses. The Minister restated the Department's policy that it was not the employer of teachers and said that any such bonus would have to be negotiated between teachers and trustees. He added that, if the geographical representatives were successful in persuading school boards to this effect, then the government would be prepared to make grants by order-in-council where the municipalities could prove inability to pay.³⁵ The Federation was caught between two fires because the trustees would not act on the basis of such meagre assurance. The General Secretary reported to the membership in the following terms:

It has become abundantly clear that the Federation must rely on its own legal powers and rights and upon its undoubted organized strength to accomplish its legitimate and overdue objectives. Government failure to act on Provincial Salary Scales does not end the matter. It merely serves to increase our determination to act for ourselves The Federation has adopted an 'all out' policy for action, and it knows full well what plans are necessary to bring action. By the adoption of professional ethics and standards, by negotiation, by arbitration, by complete unity of purpose and by the loyal practical co-operation of every member³⁶

It would almost seem as if the cabinet felt it could go no further in recognizing teachers' claims, without some clear indication that teachers were prepared to take action themselves. Even a sympathetic government can only go so far in advance of the public's approval of expenditures; to go further, it needs to be able to point to a near crisis in education and to insistent demands from the municipalities and school boards as its justification.

At any rate, the B.C.T.F. prepared for battle. The 1941 annual

convention had adopted constitutional changes whereby each teacher became a member of the Federation directly; the local associations became merely organizational units rather than the basis of membership. In addition, the executive had been given disciplinary powers over members, with appeal to the annual general meeting.³⁷ To prepare a code of professional ethics, the executive appointed a committee, whose work was adopted in 1943; the disciplinary ethics committee was composed entirely of executive officers chaired by the junior past president. To share the administrative load, especially in view of the General Secretary's failing health, the first major addition to the staff was made with the appointment of an assistant general secretary in 1942. An office reorganization committee was also appointed that year to study means of streamlining administration and of increasing efficiency and control over Federation affairs. The publicity function expanded with appointment of local publicity committees and the hiring of a professional publicity agency.

The boycott of 1942 coincided with the strike vote in North Vancouver. The following year, after Charlesworth's warning of the need for teachers to take action on their own, the Federation considered the necessity of extending the area of conflict and of changing the method, for 1943, from a limited boycott to a strike of the entire teaching body. The cumulative effect of the preparations was enough to draw forth from the provincial government the increases in grants that had been demanded for the previous three years.³⁸ With that victory, the Federation then temporarily abandoned the boycott technique and concentrated instead on developing use of negotiation, with tight disciplinary control over membership, and expanded use of arbitration. Only some fifteen years later, when arbitration awards became

smaller, did the Federation again resort to the boycott.

The B.C.T.F. still lacked one strong element for complete organizational control through the ethics committee. The Federation gained that element when the Public Schools Act was amended in 1947 to institute compulsory membership with sanctions. For the succeeding ten years, the organized strength of teachers was sufficient to gain them most of their economic demands through negotiation and arbitration.

The year 1957 was crucial in a number of ways. The B.C.S.T.A. was incorporated and began expanding its permanent administrative staff. As if to try its new sinews, the Association members -- the school boards -- adopted, by mutual consent, a more belligerent attitude; they attempted to set teacher salaries unilaterally, in a manner reminiscent of turn-of-the-century boards. At the same time, the B.C.T.F. adopted the attitude that, in a number of districts where contracts had failed of renegotiation, the previous standards, set by arbitration the year before, were the minimum acceptable; for any teacher to accept less than the schedule previously set by arbitration, would be considered unethical. To maintain a unified front, it was also declared unethical for any teacher to accept a higher salary than that set by negotiation³⁹ -- that is, boards were not permitted to "seduce" the better teachers by offers of discretionary bonuses.

Enderby, a village near Vernon, was the locale for the first clash. It was there that the impact of a professional boycott was tested again. When the school board made a last offer that was considered unsatisfactory to the teachers, twenty-two of the staff of twenty-six resigned and the area was declared "in dispute" by the Federation.⁴⁰ Lacking 85 per cent of

its staff and unable to obtain applicants to fill the vacancies, the board very soon reached a settlement.

The executive had warned the local teacher association to use the "in dispute" tactic with discretion, but the caution was ignored first by the executive. It accepted a recommendation from the salary committee that, if an arbitration award should be less than the Federation-set minimum for that year, teachers should be advised and requested not to accept positions in the district concerned.⁴¹ Such an announcement in the official publication must be regarded as inflammatory since, directly or indirectly, the law was being flouted. While it is agreed that a teacher should be free to accept or reject any offer, the mere suggestion that the Federation would ask teachers not to accept an arbitration award is tantamount to rejection of the award's binding nature.

At the same time, the Vancouver Secondary School Teachers' Association (V.S.S.T.A.) was considering a different tactic to reinforce its bargaining position. It was proposed, in order to impress upon school board negotiators the value of teachers and the amount of extra-curricular duties performed without recompense, that teachers would cease after-hours activities during the period of negotiation. Such duties, including supervision of student club activities and intra-mural sports, were not mentioned in the terms of individual teacher contracts nor in the school law. They were assumed, by long practice, to constitute part of a teacher's responsibilities without being enumerated, and were assigned by the principals without extra remuneration. The V.S.S.T.A. voted to pursue the policy of "partial strike" despite misgivings from many teachers.⁴² Some members warned that the government was likely to make the extra duties compulsory by law if the

association persisted in its intent. Perhaps the latter suggestion had a sobering influence, but in any case the tactic was not tried. It was left in the air as a threat.

It was mentioned earlier that, when annual negotiations broke down in twenty-five districts, in the fall of 1957, school boards tried to set salary schedules on their own. In some districts, negotiations began, as well as ended, on that note. In others, the belligerence did not appear until after the breakdown. Two differences are noted from previous years: (1) the uniformity of board action, and (2) the degree of aggressiveness. Both would seem to indicate the influence of the B.C.S.T.A. change in status upon member boards, (i.e., a greater aura of confidence resulting from the increased cohesiveness), and, in part, a reaction against the heightened aggressiveness of teachers reflected in the boycott and strike threats of the previous two years.

Teacher response to the trustee attitude was one of indignation. A decision was made to use the professional boycott on a much broader scale than ever tried before in B.C., in support of demands for bilateral agreements.⁴³ The Federation executive expressed some anxiety at the deteriorating situation when Christmas arrived without any settlements, or hopes of settlement, in many areas. Executive concern appears belated, however, in view of the fact that it did nothing to quash the inflammatory recommendation of the salary committee's September report, and thus would seem to have given silent approval to aggressive action and extra-legal means. Also, in view of the policy that local salary committees communicate with the executive or administrative officers before beginning negotiations and before adopting strong measures,⁴⁴ the executive must accept some responsibility

for letting matters go so far before indicating strongly that it had reservations about the likely efficacy of the boycott technique.

The provincial government took action early in the new year. When, at a conference of B.C.T.F. and B.C.S.T.A. representatives with the Minister at Victoria, neither side would retreat from its position, the Minister decreed the manner of resolution. The B.C.T.F. executive would have to agree to forego any action to prevent teacher recruitment by school boards whose agreement schedule, even though less than Federation minimum, was set by negotiation or arbitration.⁴⁵ Trustees were similarly treated with respect to the policy of setting salaries unilaterally. In addition, by making conciliation and arbitration of salary schedules compulsory, the Minister divested teachers of the opportunity to use the boycott to force the issue. The boycott is not prohibited, however, where other matters are in dispute between teachers and trustees.

Had the boycott not been precluded as a means of forcing salary demands upon school boards, it is most unlikely that the tactic would have served its purpose when used widely, for the same method could be adopted by trustees.⁴⁶ If, for example, one school district should fail to reach a negotiated settlement and the teachers' association should notify related groups that the area was "in dispute" -- thus preventing that board from recruiting replacements -- there is nothing to prevent the school board from circulating a list of its teachers to all other boards requesting that they not hire from that list while the dispute continued. Assuming that the B.C.S.T.A. has managed to instill some degree of co-operative spirit in member boards, teachers in the disputed district would be unable to obtain teaching employment. The only alternative to capitulation would be for the

B.C.T.F. to pay those teachers' salaries during the stalemate, and, at the present level of teacher income, it would not take a very large school district to deplete the B.C.T.F. reserves seriously. The Vancouver teachers could never be supported in this fashion, with their numbers and at full pay, the reserves of over one-half million dollars⁴⁷ would be gone in one month. "Boycott" pay of less than full salary and financial aid from other organizations could, of course, stretch out Federation resources.

It would thus seem that though articles and editorials in The B.C. Teacher are in favour of the boycott, and some of the administrative staff have expressed approval of the technique as an alternative to strikes and arbitration, it has limitations. These limits are: (1) it can only be used in an area with a small number of teachers; (2) it can only be used successfully when the opponent does not have the means of employing the same technique in retaliation; and (3) at the present time in B.C., the tactic is precluded by law in disputes involving salaries or salary schedules.

The professional boycott, as practiced by teachers, can be distinguished from the strike only by one major characteristic. In a strike, everyone in the disputed area is required to stop working at once. This need not occur in the boycott and, to be most successful (from the user's point of view), it should not occur. If, for example, all teachers in the Powell River School District should resign at once and the board be prevented from hiring substitutes by Federation advertisement of the dispute, then the schools must close for lack of teachers and supervisors unless the provincial government should be prepared to order the teachers back into the classroom. If, on the other hand, only part of the staff should resign, without the possibility of substitution, then the school board would probably be required

to try to operate with the reduced staff. The consequent problems could be staggering. Classes would have to be enlarged with a loss of individual attention to student requirements. Staff illnesses and "exhaustion" from overwork would further reduce efficiency and compound the problems until the supervisors, board, students, and parents would be near rebellion. During the entire period, the financial cost to the Federation would be much reduced since only a few teachers, those who resigned, would have to be placed elsewhere or sustained by Federation funds -- the school board would still be paying the remaining teachers' full salaries. A partial boycott, surreptitiously arranged, might be difficult to detect and to prove. The school board might be suspicious at the sudden departure of a large number of teachers and the dearth of applicants for the vacancies but, in the absence of proof of professional "conspiracy", would likely react in the end by acceding to teacher demands in order to raise its competitive position in relation to other boards.

To summarize this section; it can be said that the bargaining deficiencies of the Schools Act -- long absence of the right to compel arbitration, and then lack of provision for arbitration of non-salary issues -- has had the effect of directing teachers' energies to other means of achieving their ends. In some matters, teachers have attempted to negotiate policy with their trustee employers but where this has failed to lead to acceptable conclusions, teachers have not been loathe to approach the government for legislative and regulatory changes which would have the same effect. The tendency to deal with the Department of Education rather than with school boards has been facilitated by the natural course of discussion on professional issues which are controlled entirely by the Department.

Since the system of educational finance has had an extensive influence upon both the school boards' reluctance to accept teacher proposals and upon the government's readiness to make changes which have financial consequences, teachers have long been involved in discussions of the taxation and grant systems. To increase the impact of its arguments upon school boards and provincial government, the B.C. Teachers' Federation has placed an increasing emphasis upon publicity and professional public relations activity. The intent has been to persuade the general public of the rightness and value of teacher aims and proposals; the Federation has then attempted to convince public officials that the tax-paying voters are behind their efforts to advance teacher welfare and the cause of education generally.

Some measure of success has been achieved through joint committee action by the B.C.T.F. in co-operation with trustees, councillors, labour, and parent groups, to advance a variety of causes related to public education and the status of teachers. In its relations with trustees and trustee organizations, the Federation has enjoyed more success and greater understanding at the provincial executive level than at the local-district level.

Within the restricted area of salary matters, the tactics employed in attempts to enforce teacher demands upon reluctant school boards have involved threats to strike and to boycott. The exact line of demarcation between the two tactics is hazy, especially in so far as their employment by teachers is concerned. The strike, as an acknowledged weapon, has not been employed in B.C. since 1921. The boycott has been successfully employed on a few occasions and in limited areas. When it was tried on a grander scale, the Minister of Education stepped in and prevented the action being

carried to completion. Its effectiveness as a general instrument of policy is therefore unknown but there are grounds for assuming that it cannot be employed successfully in B.C. on a wide scale.

Internal Relationships

With the external changes came internal changes designed to achieve a strong, unified professional organization better able to attain external objectives. The requirements were for: (1) discipline, control, and leadership within the professional body with democratic safeguards; (2) a means of determining, co-ordinating, and expressing teacher opinion on professional and economic matters; (3) adjustment to increasing numbers, complexity of affairs, and specialization of organizational services; and (4) welfare and fraternal benefits not supplied by employer or other groups. Some of these needs are inter-related and the measures adopted mutually supporting.

Federation Benefits

Welfare benefits arranged on a group basis have served two purposes in the Teachers' Federation. Teachers' low salary levels, especially in the early days, made the savings from group benefits an added inducement to membership. The lack of such emoluments as part of employment conditions led to teachers providing them for themselves, and since they were available only through sustained membership, encouraged enrolment in the Federation. Thus such benefits met individual needs and, at the same time, increased the dependence of teachers upon the organization. Because a large part of

the potential Federation membership was dispersed in small scattered communities throughout the province, the earliest attempts to organize group benefits did not originate as Federation functions but rather as the responsibility of the better organized Vancouver teacher associations. Whereas in the majority of associations all teachers, irrespective of the teaching level, were united in one organization, Vancouver divided its large number of teachers into elementary, intermediate, secondary, and principals' associations. The secondary group (V.S.S.T.A.), probably because it contained the better educated, and more highly paid teachers, was instrumental in introducing such benefits as a benevolent fund, group life and health insurance, sick benefit, salary indemnity, and a credit union, which were at much later dates adopted by the Federation and extended to all teachers in the province. Group purchasing benefits and a mutual investment fund were added later.

From the specialist associations,⁴⁸ the Federation adopted the idea of a lesson-aid service which made available to all the experience of the most successful and inventive teachers. To assist in putting across ideas in the classroom, suggested training aids and methods of attacking curriculum content were organized, duplicated, and circulated at small cost to those teachers desiring them. While the development of the lesson-aid service cannot be directly connected to the need for arbitration provisions in the school law, it is mentioned as a service which increased the dependence of the individual teacher upon the organization since this material was not available from other sources.

A more direct result of the arbitration and adjudication provisions of the law was introduction of a legal aid service by the Federation. From

the earliest days, the Federation retained its own solicitor to advise the executive, to assist teachers in legal difficulties and to prepare draft amendments to the schools act for presentation to the Department of Education. Especially in tenure disputes was this service of great importance since most teachers were financially unable to launch their own prosecutions for breach of contract, or to obtain proper defence against prosecution for liability arising from the teaching situation. Occasionally it was necessary for the teacher association to take cases to court for interpretation of arbitration awards or for their enforcement. More often, however, the school board was the one to initiate legal action -- to set aside awards, or to contest the authority of an arbitration board to even consider settlement of issues upon which the trustees had not agreed to arbitrate, and for which the law made no provision.

Partly in an effort to increase the efficacy of legal action, and partly to reduce the introduction of conflicting criteria by different teacher associations, the Federation executive repeatedly cautioned locals to contact Federation headquarters for advice and assistance before entering negotiations with school boards, and as soon as trouble should develop in the relations between individual teachers and trustees or parents. Teachers were advised to make no commitment without benefit of prior consultation with Federation executive or administrative officers so that possible subsequent legal action would not be compromised or prejudiced.⁴⁹ Again, such procedures tend to increase the dependence of the individual upon the organization and serve also to develop the habit of consultation with the central authorities before action is taken. The latter procedure, in so far as it relates to the individual teacher and not to the local association as a whole,

may have the effect of detracting from the importance of the local association and its officers but has the beneficial effect, from the teacher's viewpoint, of making readily available, the latest information and probably the best advice concerning emergent conditions. Well developed use of direct communication between individuals and central offices also has the effect of increasing the sense of unity and interdependence between members and the professional body.

Policy and Participation

The determination and expression of Federation policy involves the adjustment of divergent leadership techniques. The democratic principle requires facilities for the expressing and weighing of all views from within the body, yet effective joint action requires a unified voice once the general view is determined. The impetus for policy initiation can come from the executive and administrative officers, from policy committees, or from local associations and district councils. At one time, resolutions for consideration at annual general meetings could be submitted by individuals, either in advance of the meeting or from the floor. This method had the advantage of ensuring that every member had the opportunity to advance his ideas, but as Federation membership increased, and especially as the numbers attending conventions rose, it became apparent that a more orderly and restrictive system was required. Resolutions on the same matter could, and did, originate from many sources and, besides being unduly repetitive and time consuming, the consideration of each resolution, as initially submitted, often resulted in contradictory solutions being proposed for the same problem. On occasion, also, the basic assumptions implicit in the statement of the problem were in error.

The solution adopted was to require submission of all resolutions to a resolutions committee in advance of the convention. This permitted publication of submissions with distribution at the time of the meeting, though initially no attempt was made to correlate them. Over time, changes were instituted whereby the committee was given authority to combine similar resolutions, exchange submissions between originators in an attempt to resolve conflicts, amend factual content and construction, and to circulate booklets of the final resolution-statements, well before the convention, so that the various locals could study the proposals and determine local opinion for presentation at the convention by delegates.⁵⁰

Still later, the policy was adopted of passing resolutions to the appropriate specialist association or Federation committee for an opinion as to the suitability of the proposal and for preparation of supporting or dissenting briefs, in an effort to expedite proceedings.⁵¹ Factual errors were reduced, conflicts between sub-groups were eliminated in so far as possible by preliminary negotiation, the effects of proposals from a public relations viewpoint were perhaps more carefully weighed before presentation to the general body for approval, and an attempt was made to avoid conflicts between Federation policy statements and concrete proposals (e.g., between a resolute stand in favour of local school board autonomy and propositions to the department of education which would have the contrary effect).

While the general meeting permits airing of diverse views on a great many subjects, there is a general tendency in such proceedings for extensive repetition of the same points by successive speakers as any member in good standing may take the floor. The voting powers, which are determinant in the end, are apportioned according to numbers in the

respective local associations. The number of geographical representatives for each district to the executive committee is also based on numbers,⁵² though less exactly, so that the supporters of a particular policy proposition have roughly the same chance of success in the executive committee as they would have in the convention.

The changes which gave to the executive committee the power and authority to amend the wording of resolutions after they were approved by the convention, to refer resolutions to committees for further consideration, and, generally, the power to decide when, how, and if the proposals would be advanced further, would seem to be a rather sweeping extension of executive authority with the opportunity for executive domination of the Federation. From an administrative and tactical point of view, however, this was a rational change since it allows for more flexibility, and an experienced executive must have power of discretion or it would be unduly hampered in its efforts to give effective and continuing leadership. It is up to the local associations and district councils from which the resolutions originate to ensure that the executive gives a suitable explanation for procrastination or deviation from the convention approved plan.

The opportunities to demand an accounting for decisions made by the executive and, if necessary, to force changes, seem sufficient to prevent excessive and arbitrary executive power. To reduce the executive's discretion further would likely result in rigidity which could, at an inopportune time, negate the possibility of effective action to advance or protect the organization's best interests. At the same time, the demand for accountability can serve as an escape mechanism by which the executive can avoid Federation commitments until such time as defences have been mustered

and the consequences of policy can be more thoroughly investigated.

Additional means of participation in Federation affairs exist in the specialist organizations and policy committees. The specialist associations provide an outlet for exchange of views on curriculum content, teaching techniques, educational philosophy, equipment, texts, etc., which have the primary advantage of advancing the more successful ideas and circulating the benefits of particular experience. Secondly, they alleviate professional frustrations through a "talking out" process. Specialist participation in departmental curriculum committees serves to direct teacher energies into channels at least temporarily acceptable to the government and broadens the area of contact between Department and Federation.

Participation of teachers in the activities of Federation policy committees⁵³ serves a number of purposes, among which are: (1) individual satisfaction at a personal role in the organization's affairs, (2) closer identification of the participants with the organization, (3) spreading the research tasks over a greater number of workers, and (4) providing acceptable outlets for private interests -- that is, channeling the energies of private motivation into organizational output that can be controlled with a minimum of tension. All these purposes contribute to the aim of increasing professional identification and organizational unity.

There are, of course, problems involved in setting the committee tasks, authority limits, and in maximizing effective participation. So long as membership was spread lightly over wide areas of the province without adequate means of communication, much of the committee work had of necessity to be restricted to the Victoria and Vancouver metropolitan areas. The

important factors were: the ease with which committee members could meet for discussion and help in carrying out individual tasks, availability of the executive for consultation, and the limited financial resources of members and the organization.

Rural objections to urban "domination", and a demand for increased rural participation in Federation affairs, led to a reappraisal of the committee distribution.⁵⁴ Some policy problems were of a recurring nature and required quick decisions and action. It was soon recognized, however, that in others time was not a critical factor; the problems were of longer range and could be investigated as well by letter as by personal contact. In these cases, it was possible to decentralize the work to outlying districts in a way which still left the committee concentrated. It was also found possible to extend participation in the critical committees by means of "corresponding" members.

The equitable distribution of committees throughout the province presents a problem in that there must be sufficient interest within a district to bring forward competent volunteers to pursue the research. There is no sense in allocating, say, "techniques for retarded children" to the Peace River district if the number of teachers interested in that problem and possessing practical and theoretical knowledge of the requirements is not sufficient to produce a viable committee from within the resources of the few centres of population.

Control over committee activities has been effected through careful statement of their scope and emphasis upon accountability to the executive;⁵⁵ some committees have been made accountable directly to the A.G.M.

Appointments are made by the executive with the chairmen generally being appointed from their own number. In some instances, non-executive members with special qualifications in the field under investigation have been given chairmanships. In the early days, individuals with a special interest in some segment of policy were recognized through co-optation to the executive; co-optation is no longer the practice, except to the committees.

Thus it can be seen that the need for solidarity in pursuing Federation aims, united with the desire for fraternal measures of self-help, led to the institution of many Federation services. The need for research upon which to base policy led to extensive use of investigating committees which served also to extend the possibilities for individual participation in Federation affairs. The sense of belonging was increased by the ease with which opinion could be expressed, although the latter facility has had to be partly restricted in the interests of time economy. Regularization of procedures has eased the administrative problems involved in policy determination, through limitation and uniformity of avenues, but may have reduced spontaneity.

Leadership and Control

In private organizations, the need for leadership and the means of membership control vary with the groups' purposes. The B.C. Teachers' Federation has specific needs as a professional organization as well as an economic pressure group. The Federation has tried to regulate the professional conduct of its members for the public's protection and to safeguard its own interests which can be endangered by irresponsible teachers' actions. As economic bargaining units, the Federation and its sub-groups have desired

means by which to control individual members so that the group's economic welfare was not prejudiced. These demands for control have led to changes in organization and introduction of regulations which detail responsibilities, limit authority, and establish uniform procedures to increase administrative predictability. Problems resulting from Federation growth have also led to changes in the administrative organization.

Membership drives consumed a considerable amount of organizational energies until provision was made in the law for compulsory membership. Voluntary participation in the Federation by B.C. public school teachers had reached over 90 per cent of the total possible membership before the compulsory provision was introduced,⁵⁶ so that the legal enactment, when it occurred, did not add much to the source of Federation income but it did reduce the constant financial drain for membership drives. The image of professional solidarity, however, was considerably enhanced by 100 per cent membership.

The transition in 1941 from a federation of locals to an association of individual teachers, while slow in coming, was a development that eventually had to occur if the Federation was to have more thorough internal control. The prior condition precluded the punishment of individuals except through the complementary action of local associations. If the individual concerned should happen to have much influence on his co-members, the only manner of discipline was through suspension of the local so that the guilty and the innocent would have to suffer alike. Now it is possible to isolate rebels and, by direct suspension, restrict the cause of rebellion to issues of conflict between the individual and the entire organized body. With the present size of the executive, the wide distribution of representation, and

the constitutional guarantee of appeal to the A.G.M., it does not seem likely that any clique could establish itself and maintain itself in control of the organization through abuse of the regulatory powers, even if it wanted to. While the executive has delegated power, there are internal balances which appear adequate to prevent abuse.

The development of a recognized code of professional ethics, supported by the grant of disciplinary powers to a professional relations committee, contributed in large measure to a sense of professional identity. The disciplinary authority, when exercised in conjunction with the sanctions implicit in the automatic membership provision, endowed the organization, through its executive, with a potential for extensive power to regulate professional conduct and to enforce support for its policies. There is no evidence, however, that sanctions have been applied for reasons other than professional misconduct, nor is there any indication that the Council of Public Instruction would confirm punishment imposed for organizational non-conformity. In fact, suspension of the automatic membership provision by the Minister of Education during the 1957 debacle shows that at least the present government would not tolerate full exercise of the powers of organizational control.

Guidelines have been developed by which individuals and sub-federation groups are informed of the limit of their permitted area of negotiation.⁵⁷ Individuals are not allowed to discuss with school boards matters that are properly the concern of the local association. Local committees are not allowed to make commitments that are properly the prerogative of the association as a whole. The associations are not permitted to discuss or negotiate with any outside groups matters that affect the profession as a whole; the latter area is confined to the Federation executive. Specifications

such as these are necessary to establish areas of responsibility, chains of command, and accountability. In addition, they reduce the possibility of conflicting policies being adopted by different segments of the same organization, and thus avoid compromising Federation bargaining positions. In part, this all contributes to a rationalization of organization policy in a way which increases its effectiveness as an instrument for attaining goals preferred by the B.C. professional body as a whole.

The Federation administrative staff expanded as membership increased, demands for services grew, Federation influence extended, and techniques of bargaining became more sophisticated. The size of the workload, that is the demand upon the experienced services of the General Secretary, was the main ground upon which the first requests for expansion of the administrative staff were based; only in the last decade has the requirement for specialization been emphasized. The initial proposal stressed the inability of one man to provide experienced organizing and bargaining assistance throughout the province.⁵⁸ Since Federation funds were limited, the solution adopted was to demand greater participation by the executive officers in the organizing role. Subsequent requests failed to impress conventions until finally the General Secretary was stricken with a heart attack in 1941 and was unable to carry out his duties for the greater part of a year. Only then was the need acknowledged for an experienced assistant.

Upon the death in 1945 of H. Charlesworth, the original General Secretary, C. D. Ovans was promoted from assistant general secretary; a new assistant, Stan Evans, was appointed. The next senior addition to the administrative staff was not made for eight years; in the following ten years, six assistants were added.⁵⁹

The first three senior assistants (C. D. Ovans, S. Evans, and J. A. Spragge) were appointed as general administrators -- that is, each was expected to be able to substitute for the others in practically all phases of Federation operations. Differences in interests, combined with changing exigencies, led to partial specialization even from the first. Ovans and, in turn, Evans, had the responsibility for editorship of The B.C. Teacher as part of the assistant general secretary's duties.

The postwar emphasis on public relations led to engagement of the Christie-Ryan Publicity Agency, and later a public relations consultant was employed. With the hiring of Miss Barbara MacFarlane as assistant editor, in 1954, Stan Evans was enabled to give more time to public relations supervision. The following year, the consultant was dismissed and Evans became director of public relations as well as assistant general secretary.

When J. A. Spragge was appointed administrative assistant, in 1953, he was made Federation representative on the Teachers' Pensions Board and soon specialized in collation of economic data and preparation of economic reports. By this time, the areas of specialization were beginning to establish themselves clearly. The remaining primary area emerged with heightened interest and activity in professional and curricular affairs. K. V. Allester was selected, in 1958, for his interest and experience in this field. Although interchangeability of administrative officers was still an operative criterion for determination of the organizational structure, greater emphasis was being placed on selection of further officials according to their capacity to contribute specialized knowledge. Publicity and publications continued to expand so that the next assistant, K. M. Aitchison, in 1962, was chosen to concentrate on the numerous major and minor Federation

publications as well as on the lesson-aid service.

The informal division of responsibilities was formalized in 1962 after the administrative structure had been studied by a committee of presidents at two successive summer workshops.⁶⁰ The General Secretary remains staff adviser to the Federation executive and is held responsible for the overall operations of the Federation office, staff training, long term planning, and liaison with all outside organizations. By means of periodic conferences, staff executives are kept abreast of developments in the other administrative divisions, which are: public relations, economic welfare, professional development, and communications. The division of economic welfare has expanded to the point where, besides the director, it includes an assistant director, a research officer, and an office manager.

The overload on the General Secretary, mentioned earlier, brought home the necessity for more organizational labours being performed by the executive. The increased circulation of elected officers among the membership, more especially in the remote regions of the province, met with widespread approval; visits of the provincial officers both heightened the feeling of unity among teachers and increased the executive's personal knowledge of the diverse teaching conditions. Prestige of the geographical representatives was also increased by giving them more direct responsibility in their areas. By the early nineteen-fifties, demands upon the president's time had become onerous and frequent mention was made of the indulgence shown by school boards in granting presidents time off from teaching duties in order to carry out Federation responsibilities. The suggestion was made that the Federation should consider the advisability of providing a year's leave of absence for the president in justice to the individual concerned, his school

board, and to the demands of executive leadership. The convention of 1955 approved leave of absence; thereafter the B.C.T.F. paid its president the salary he would have received had he continued in his teaching position and made the school board's normal contribution to the pension fund on his behalf.⁶¹

The district councils, which form the intermediate level between the local associations and the provincial executive, used to be entirely responsible for the conducting of fall district conventions. Now part of this responsibility, for in-service training and stimulation of professional development, has been given to the provincial specialist associations. Besides seeking to stimulate interest in local teacher associations, the district councils co-ordinate local activities in public relations, agreement negotiations, and special federation committee work.⁶² In an effort to reduce the costs of operating the councils, multiple office holding is permitted and partly encouraged. In this sense, it means, primarily, holding office on more than one organizational level rather than holding more than one office on the same level, although the geographical representatives on the provincial executive may also be president or secretary of their district councils.

Affiliations

In an effort to strengthen their bargaining position, through affiliation with other organizations, teachers have taken two directions: affiliation with other teacher groups, and affiliation with outside groups that have some interest in common with teachers. The first is demonstrated in its connection with the Canadian Teachers' Federation and, through it, to

the World Federation of Educational Associations (W.F.E.A.), later the World Confederation of Organizations of the Teaching Profession (W.C.O.T.P.). Within Canada, the B.C.T.F. joined with the teachers of Alberta, Saskatchewan, and Manitoba, in an informal western conference of teachers.

The western conference attempted to co-ordinate the four federations' programmes on a voluntary basis.⁶³ One of its aims was to obtain common standards in the area but, as yet, certificates of teacher qualification and educational standards still differ amongst the provinces. The B.C.T.F. has given financial assistance to other western teachers on strike but has not had occasion to require any in return. By assisting nearby provincial bodies of teachers to improve their economic status, the Federation has benefited, for in the end higher salaries elsewhere help B.C. teachers to gain their own economic ends. Also, such help has probably raised the professional status of the B.C.T.F. in the eyes of other Canadian teachers and served to gain their co-operation in maintaining the effectiveness of the "in dispute" tactic.

Through the Canadian Teachers' Federation, the B.C.T.F. has assisted financially in teacher-trustee disputes as far away as the Maritimes. Much of the impetus for organization of the C.T.F. came from British Columbia teachers, several of whom have served on the national executive beginning with the presidency of Harry Charlesworth in 1920. Charlesworth also represented Canadian teachers while serving as vice-president of the international organization (W.F.E.A.). During his term of office, a B.C.T.F. committee conducted a world wide survey of teacher tenure conditions which was subsequently approved by the C.T.F. and submitted to the W.F.E.A.⁶⁴

The affiliations with non-teacher groups have not been maintained quite so persistently. The close liaison with the B.C. Parent-Teacher Federation has been discussed in various places in this paper but it appears that the B.C.P.-T.F. may be slowly dying of disuse. It is often reported in recent years that teachers outnumber parents at meetings. The interest generated in the past, through the apparent need for parents to assist in raising the level of public education, has gone with the attainment of reasonably high standards. Too, increasing population mobility has probably contributed to the P.-T.A. decline by cutting off stabilizing community roots before they can develop fully. For the increasingly affluent urbanites, television and commercial entertainment probably make the details of public school education seem prosaic by contrast. Only in the more rural areas does any semblance of enthusiasm for school affairs still exist among parents. But even there, interest is waning as education becomes more a provincial than a local matter.

A constitutional amendment in 1925 permitted B.C.T.F. affiliation with any other organization sharing common interests with teachers. This was soon interpreted by some teachers as a reasonable ground for establishing bonds with the trade union movement since labour had developed techniques of economic warfare which some thought should be copied by the Federation. Early proposals along these lines met with little support at conventions even though most teachers wanted more pay. Rather than create discord when later resolutions only obtained bare majorities of approval, the Federation executive repeatedly sent the resolutions to committee for further investigation. Referenda were also conducted of the entire membership, but opposition to affiliation with labour was loudly proclaimed and seemed likely to

split teacher ranks if instituted.⁶⁵

In 1944, the executive decided to arrange affiliation with the Trades and Labour Congress (T.L.C.).⁶⁶ There seems to have been little outcry at the action and perhaps this can be attributed to the minority's relief that at least the majority had not joined with the more aggressive and politically inclined Canadian Congress of Labour (C.C.L.). It was left to the local associations to give expression to the affiliation as they saw fit, both by developing ties with the local unions and local labour councils, and by supporting labour campaigns.

The actual degree of teacher-labour co-operation and joint effort at the local level seems to have been limited. Federation representatives to the B.C. Federation of Labour conventions, and the national T.L.C. conventions, were given the opportunity to state their views and join in committee activities. The T.L.C. even formed an education committee, chaired by the B.C.T.F. delegate, which sought to devise labour policy on educational matters.⁶⁷ The labour organizations included accounts of their educational views in their annual policy presentations to the federal and provincial cabinets, but it is not apparent that they had much influence on government policy. The teachers, however, seem to have been pleased with the publicity and the open support of such a large organization.

For a few years at least, Federation delegates were enthusiastic about the role and status assigned to them in labour affairs. The labour relations committee used to exhort teachers to accept the responsibilities of their high office by joining in the educational work of union locals and giving leadership to the labour movement that could be expected from people

with their educational attainments and perception of the needs of society. There does not seem to have been an overwhelming response to this challenge.

Once the initial enthusiasms of the liaison had dissipated, and the main agitators for labour affiliation had passed on to greater executive roles, interest waned and the space accorded to activities of the labour relations committee diminished. The basis of mutual interest was also eroded by appeals to teacher associations for contributions to local strike funds -- and there were many in the immediate post-war period. The Federation executive made it clear that response to fund appeals was entirely at the discretion of local associations and, that only if some fundamental principle of labour rights was at stake, would the executive support a broader than local request for assistance.⁶⁸

The limits of teacher support for labour objectives were never clearly and unequivocally stated since it seemed more expedient to allow local teachers to decide the issue as they thought best. Voices of caution were occasionally raised. It was suggested that teachers would be best advised to avoid entanglements in local elections for municipal council and school board, even though labour might be extensively committed to certain candidates and expect open support from their teacher-allies; any campaigning had to be done in such a way as to indicate clearly that opinions expressed were those of the candidate or supporter as a private person and not as a teacher. It was considered unlikely that teachers would express a political opinion as a body except in unusual circumstances of labour persecution.

Only one case occurred in which teachers were almost forced to take an open stand.⁶⁹ In 1953 in Richmond, the non-teaching school staff

planned to strike to obtain their wage demands. Picket lines were threatened and labour expected teachers to respect them. This created a problem in that many teachers thought their role as public servants precluded such action -- that is, they thought their responsibility to the children should be paramount. Others felt that, rightly or wrongly, a commitment had been made to labour and should be honoured. The strain of deciding between these opposing demands was strongly felt and only last minute settlement of the wage dispute saved the Richmond teachers from having to prove where their loyalties lay. But the spectre had been raised of involvement in disputes which did not entail grave economic injustice.

When the T.L.C. and C.C.L. merged in 1953 to form the Canadian Labour Congress, it was considered an opportune time to reconsider the question of affiliation. While some teachers were straightforward in declaring that they did not think much advantage had accrued from labour affiliation, and some went so far as to declare the measure only of advantage to teachers with political aspirations, the decision was finally made to disaffiliate on the grounds that the merged union federations intended to adopt a specific political orientation that was unacceptable to many teachers and inappropriate to the role of teachers in the community.⁷⁰

The following year (1954), a resolution was presented to the convention suggesting re-affiliation; it did not pass. The height of enthusiasm apparently had been reached in the late nineteen-forties when teacher salaries were still comparatively low and labour was improving its economic position. Thereafter, as teachers' economic status rose, interest abated, and gradually the counter opinion prevailed that a close connection with labour was detrimental to advancement of teachers' social status in that the

public accords less prestige to labour than to the professions. It seems likely that this teacher attitude will continue.

From this account, it appears clear that the deficiencies of the school act's arbitration provisions have had affects on the B.C.T.F.'s external and internal relationships. To compensate for the imbalance of power in dealing with local and provincial governments, the Federation has developed the strengths of co-ordinated numbers and a supply monopoly. It has obtained unity through recognized dependence of the individual upon the group, willingness of the individual to comply with group norms, and, when considered necessary, group ability to enforce demands upon individual members. It is impossible to say, of course, that the Federation changes which led to increased unity and strength would not have occurred except for frustration resulting from perceived gaps in the school law. The law's "defects", however, have emphasized the need for change.

The increasing tendency for trustees and teachers to clash, primarily at the local level and especially on economic issues, points up the inadequacies of the mechanisms for conflict resolution. There are probably role conflicts as well as differences of economic interest that contribute to the disagreeable bargaining climate. Part of the problem -- diffused hostility on both sides -- is the result of resentment at procedures adopted or attempted by the opponent. However, this can be expected in a political situation where criteria have not been established to pre-determine the general acceptability of behaviour modes. In the absence of guide-lines, teachers have been free to adopt those courses of action which seem best

suited to obtain their objectives. As the occasion demanded, therefore, they have pragmatically employed co-operation with trustees, exchange of support, exertion of pressure through private organizations, and withdrawal of services.

Footnotes

- 1 Richard A. Schermerhorn, Society and Power, New York, Random House, 1961, p. 55.
- 2 The first appointment was made at B.C.T.F. request. The chairman of the Federation's curriculum revision committee was appointed by the Department of Education to its central revision committee. H. D. Dee, "Our President's Message", Teacher, vol. 29, no. 1 (Sept.-Oct., 1949), pp. 7 and 22.
- 3 "The Federation's Position Re University Summer Courses and Extra-Mural Work", Teacher, vol. 7, no. 3 (Nov., 1927), pp. 17-19.
- 4 "Resolutions Adopted at A.G.M.", Teacher, vol. 5, no. 8 (Apr., 1926), pp. 173-178. "Resolutions", Teacher, vol. 10, no. 9 (May, 1931), p. 8.
- 5 The Minister limited the Normal School intake, with B.C.T.F. concurrence to reduce competition for the available teaching posts. "Consultative Committee Report", Teacher, vol. 10, no. 7 (Mar., 1931), p. 15.
- 6 "President Reports on Trustees' Convention", Teacher, vol. 27, no. 2 (Nov., 1947), p. 48.
- 7 L. R. Peterson, "Education, 1959", Teacher, vol. 38, no. 8 (May-June, 1959), pp. 386-393.
- 8 The Federation requested a Permanent Board of Reference as used then in New Zealand, Australia, and Manitoba. When the principle was approved but no legislation resulted, the B.C.T.F. included the demand for arbitration of all disputes in its submission to the Putnam-Weir Survey Committee.

9 Twenty-two years later, the council on professional ethics reported that trustees usually failed to take legal action against teachers who broke their contracts because trustees did not want to employ disgruntled teachers, nor were they prepared to report them to the Council of Public Instruction who would suspend their certification and thus deprive the teachers of their livelihood. The B.C.T.F. council then recommended the Federation act against such teachers before "outsiders" felt compelled to take severe action. "The Teacher and His Contract", Teacher, vol. 27, no. 7 (Apr., 1948), pp. 252-254.

10 In the original case where a board fired all its teachers and rehired most of them immediately at lower salaries, the B.C.T.F. took the dispute to court. It was surprised to find that, since the teachers were not fired "for misconduct", they had no protection or appeal under the law. "Saanich Test Case and Its Significance to Teachers", Teacher, vol. 17, no. 10 (June, 1928), pp. 44-45.

The senior teachers did not have as much difficulty retaining their positions in the early days as they did later. This was simply because few school boards negotiated salary schedules until legislation made them arbitrable in 1943. The general complaint before that was that the senior teachers were not getting recognition for their service. After 1943, however, experienced teachers increasingly found it difficult to obtain new appointments (because of their salary bracket) except in the wealthier communities. Even then, outstanding inspector's reports were a necessity. "Experience Sometimes a Handicap", Teacher, vol. 27, no. 2 (Nov., 1947), p. 49.

10A "General Secretary's Report", Teacher, vol. 9, no. 4 (Dec., 1929), p. 15.

11 The Board of Reference was introduced in Alberta as a result of a teachers' strike at Blairmore. The Manitoba Board is compared with Alberta's and B.C.'s in Teacher, vol. 5, no. 8 (Apr., 1926) and "Important School Act Amendments", Teacher, vol. 12, no. 10 (June, 1933), pp. 7-12.

12 The Trustees' Association suggested a joint committee with the B.C.T.F. to effect transfers of teachers "whose work is satisfactory but who are not adapted to the community in which they are employed." "General Secretary's Report", Teacher, vol. 9, no. 4 (Dec., 1929), p. 15. "Presidential Report", Teacher, vol. 15, no. 9 (May, 1936), p. 7. Teacher, vol. 18, no. 2 (Oct., 1938), p. 60.

13 "Dismissal of Teachers", Teacher, vol. 13, no. 1 (Sept., 1933), pp. 1-3.

- 14 "Conciliation Now Possible in Tenure Disputes", Teacher, vol. 30, no. 5 (Feb., 1951), p. 216.
- 15 "The Langley Affair", Teacher, vol. 20, no. 2 (Oct., 1940), pp. 49-52.
- 16 H. Charlesworth and L. W. Taylor, "Educational Finance: Putnam-Weir Survey", Teacher, vol. 4, no. 4 (Dec., 1924), pp. 89-91. C. D. Ovens, "The Present Provincial Salary Situation", Teacher, vol. 22, no. 1 (Sept., 1942), pp. 13-14. "Report of the Federal Aid Committee", Teacher, vol. 22, no. 7 (Apr., 1943), pp. 255-256. A School Finance Plan for British Columbia, Vancouver, B.C.T.F., revised 1961, p. 5.
- 17 "New Appointments", Teacher, vol. 25, no. 1 (Sept.-Oct., 1945), p. 38. "Dr. S. J. Willis", Teacher, vol. 25, no. 2 (Nov., 1945), p. 45. "A Message from the Superintendent of Education", Teacher, vol. 25, no. 3 (Dec., 1945), p. 86. "Our New Deputy Minister", Teacher, vol. 38, no. 1 (Sept.-Oct., 1958), p. 14.
- 18 A press committee was first established in 1928 in order to increase newspaper publication of teacher opinions and news of their activities. The title was changed to publicity committee, by 1933, to reflect its broadened scope. When plans were being made for the big salary push of 1943, the committee was expanded and given substantially more funds. The name change, to public relations committee, was a concomitant of its increased stature in Federation affairs. H. Charlesworth, "Convention High-lights", Teacher, vol. 22, no. 8 (May-June, 1943), pp. 295-297.
- 19 The code of ethics committee was first appointed (1942) by a directive of the executive committee "to study the matter of professional conduct and a code of ethics." Once the draft code was approved, the committee took on the judicial function of investigating complaints and determining guilt. The role was later expanded to include giving advice and preventing breaches. The new role was reflected in the name change to "council on professional ethics".
- There have been two revisions of the code of ethics. "Report of the Code of Ethics Committee", Teacher, vol. 22, no. 7 (Apr., 1943), pp. 254-255. "Revised Code of Ethics", Teacher, vol. 36, no. 1 (Sept.-Oct., 1956), p. 6. "The New Code of Ethics", Teacher, vol. 41, no. 8 (May-June, 1962), p. 341.

20 Early committee reports indicate full extent of its activities. "Publicity Committee Report", Teacher, vol. 22, no. 7 (Apr., 1943), pp. 262-263. "Report of the Public Relations Committee", Teacher, vol. 23, no. 6 (Mar., 1944), p. 235.

21 "General Secretary's Report", Teacher, vol. 5, no. 9 (May, 1926), pp. 208-209. A. T. Alsbury, "The President's Page", Teacher, vol. 22, no. 4 (Jan., 1943), pp. 136-137. "B.C.T.F. and Kindred Associations", Teacher, vol. 25, no. 2 (Nov., 1945), p. 48. "Automatic Membership", Teacher, vol. 26, no. 4 (Jan., 1947), p. 149.

22 During the last year, two newsletters were initiated for membership distribution only; one deals with curriculum revision and one is concerned with other Federation matters.

23 When asked why the practice ceased, a B.C.S.T.A. official suggested that the freedom allowed B.C.T.F. representatives to enter debates at Trustees' Conventions was indicative of an early stage in organizational development -- that as the organizations matured it should be expected that the "familiarity" would cease and each group would stick to its own business.

24 The B.C.T.F. advocated closer co-operation with trustees and other groups interested in changes in educational finance; it actively solicited support from a wide cross-section of the community in 1942. In Vancouver in the Spring of 1943, an enthusiastic meeting of farmers, rate-payers, teacher representatives, and school trustees formed the Provincial Council for Education Taxation Reform. However, interest does not appear to have survived the summer. In December of the same year, the B.C.T.F. and B.C.S.T.A. executives met and reached agreement on the necessity for financial reform but little was done immediately.

Later, a joint committee of teachers, trustees, P.-T.A., and U.B.C.M. was formed to promote changes in education finance. Some progress was reported in the development of a joint policy (1949-51).

In 1950, the Federation asked the government to join with teachers and trustees in a committee to educate the public in the problems of public education. Probably realizing that such a committee would find education finance to be the basic problem, the Department of Education demurred, saying it preferred to act only in an advisory capacity to the committee. A joint presentation by the B.C.T.F. and B.C.S.T.A. to the Cabinet on education finance was planned for 1952, but these plans broke down at the last minute and separate submissions were made. The Trustees' Association had decided to support the U.B.C.M. proposal for an extension of the 80-20

(prov.-munic.) welfare cost formula to education. Premier Johnson opposed the plan on the basis that it would increase centralization of education; he preferred the teachers' suggestion that the municipal portion of the provincial sales tax be entirely devoted to schools.

A few years later, the Federation attempted to revive the joint committee but it had disintegrated completely by 1957.

25 M. E. Cottingham, "The President's Busy Year", Teacher, vol. 37, no. 8 (May-June, 1958), pp. 389-391 and 409-412.

26 Miss Mollie Cottingham, in her report "Conciliation As I Saw It, April-May, 1958", attributes teachers' rigid adherence to initial bargaining positions to inexperienced negotiators in areas of rapid teacher turnover.

27 The unusually high number of arbitrations in 1953 started teachers' thinking of ways to reduce conflict:

Negotiations between Teacher Associations and School Boards with respect to salary schedules for 1953 were generally characterized by a degree of misunderstanding and bitterness which was, if not unprecedented, at least regrettable. The number of cases in which final settlement was reached by arbitration was also far greater than should be considered normal. To seek to assign blame for this situation would be fruitless; a genuine effort should rather be made to create a happier atmosphere for future negotiations. This aim was expressed in the report to the salary committee, adopted by the 1953 Easter Convention of the B.C.T.F., which included a recommendation that 'the executive consider entering into discussions with the B.C.S.T.A. Executive on general salary problems before bargaining at the local level begins.'

"What's in Store for '54?", Teacher, vol. 33, no. 1 (Sept.-Oct., 1953), pp. 23-26.

28 "Canadian Teachers' Federation", Teacher, vol. 19, no. 1 (Sept., 1939), pp. 11-12. It was also pointed out that 43 per cent of Canadian teachers in 1938 received less than the B.C. minimum of \$780. "C.T.F. Bulletin No. 1", Teacher, vol. 19, no. 2 (Oct., 1939), p. 61.

29 "Resolutions -- A.G.M., 1942", Teacher, vol. 21, no. 7 (Mar., 1942), pp. 326-330.

- 30 "Provincial Salary Committee Report", Teacher, vol. 22, no. 3 (Nov.-Dec., 1942), p. 87.
- 31 C. D. Ovans, "The Present Provincial Salary Situation -- Summary", Teacher, vol. 22, no. 1 (Sept., 1942), pp. 13-14.
- 32 It was reported at the C.T.F. convention that "some educators", had requested the federal government to institute the teacher "freeze", but no indication was given as to who the "educators" were. The increase in school grants by the provincial government was, in the main, passed on to teachers especially in the high schools where a shortage was developing. "Canadian Teachers' Federation Convention", Teacher, vol. 23, no. 1 (Sept.-Oct., 1943), p. 8 and "The Salary Situation", ibid., pp. 9-10.
- 33 "Teacher Tenure, Pt. 5 -- Methods of Dealing with Tenure Cases of Special Difficulty", Teacher, vol. 9, no. 1 (Sept., 1929), pp. 18-36.
- 34 H. Charlesworth, "Attention, All Teachers", Teacher, vol. 22, no. 1 (Sept., 1942), pp. 7-9.
- 35 "Federation Executive Meeting: Salaries", Teacher, vol. 23, no. 4 (Jan., 1944), pp. 126-128.
- 36 Charlesworth, op. cit.
- 37 "1941 Convention in Retrospect: Constitution and By-Laws", Teacher, vol. 20, no. 9 (May, 1941), pp. 403-406.
- 38 When the Teachers' Pensions Fund was re-funded in 1939, the provincial government had to put in \$1.9 million to give it a better foundation. For the next few years the government felt it could only increase school grants by small amounts because of other urgent welfare demands.

39 "Annual General Meeting, 1957", Teacher, vol. 36, no. 8 (May-June, 1957), pp. 402, ~~415-416~~.

40 I. D. Boyd, "A Year of Progress", Teacher, vol. 36, no. 8 (May-June, 1957), pp. 390-393 and 418-419.

41 "A Report to Members on the Fall Executive Meeting", Teacher, vol. 37, no. 1 (Sept.-Oct., 1957), pp. 66 and 115. The A.G.M. of 1957 had approved a resolution earlier that seemed to turn back the clock -- it said that arbitrations should not be binding unless agreed to by both parties in advance.

42 "Action in Vancouver", Teacher, vol. 37, no. 2 (Nov., 1957), pp. 112-113.

43 M. E. Cottingham, "Conciliation ... 1958", p. 1. In view of the Federation executive's decision to support a boycott of areas in which salaries determined by negotiation or arbitration were less than the Federation minimum, it would appear that teachers had decided first on unilateral action.

44 "Reminders", Teacher, vol. 18, no. 2 (Oct., 1938), p. 59, also issue no. 1 (Sept., 1938), p. 9.

45 M. E. Cottingham, "The President's Busy Year", Teacher, vol. 37, no. 8 (May-June, 1958), p. 412.

46 In fact, Miss M. E. Cottingham said that trustees' did practice "pink-listing" in retaliation for teachers' "blacklisting" in 1957-58; "Conciliation ... 1958", p. 4.

47 In 1961-62, the Federation had a surplus of \$111,000 over expenses, and total reserves of \$518,365. "Statement of Revenue and Expenses", Teacher, vol. 42, no. 2 (Nov., 1962), pp. 72-73. By comparison, the 1963-64 cost for teachers' salaries in the Vancouver elementary and high schools was \$16,969,000.

48 These are Federation subsidiary organizations oriented towards the different fields of instruction and supervision. There are 18 associations in 1963, but, with the divisions shown, will become 21 in the summer of 1964:

- (1) Administrators' Provincial Specialist Assoc. (to become B.C. Principals' and Vice-principals' Assoc., B.C. Assoc., of Directors of Instruction, and B.C. Assoc. of Supervisors of Instruction.)
- (2) B.C. Arts Teachers' Assoc.
- (3) B.C. Assoc. of Mathematics Teachers.
- (4) B.C. Assoc. of Teachers of Modern and Classical Languages (to become two separate organizations).
- (5) B.C. Assoc. of Teachers of Special Education (teach slow-learners, handicapped children, etc.).
- (6) B.C. Counsellors' Assoc.
- (7) B.C. Music Educators' Assoc.
- (8) B.C. Physical Education Teachers' Assoc.
- (9) B.C. Primary Teachers' Assoc.
- (10) B.C. Shop Teachers' Assoc.
- (11) B.C. Social Studies Teachers' Assoc.
- (12) B.C. Special Counsellors' Assoc. (mental health co-ordinators).
- (13) B.C. Science Teachers' Assoc.
- (14) B.C. Teacher-Librarians' Assoc.
- (15) Provincial Intermediate Teachers' Assoc.
- (16) Secondary Assoc. of Teachers of English.
- (17) Teachers of Home Economics Specialist Assoc.
- (18) B.C. Commerce Teachers' Assoc.

50 In 1953 the constitution was amended so that resolutions to the A.G.M. had to be endorsed by a local association, district council, or subject section (now called specialist association); resolutions could no longer be presented by an individual or a school staff.

51 A deadline of November 30 was set for acceptance of resolutions for consideration at the Easter A.G.M. Full details of the continuing resolutions committee's authority is given in "The Easter Executive Meeting", Teacher, vol. 36, no. 8 (May-June, 1957), pp. 401-402.

52 A local association is entitled to one voting representative at the A.G.M. for each 15 members, with a minimum of one representative.

The entitlement to geographical representatives is determined on the following basis: (1) A district council is allocated two places on the Federation executive when the district includes eight per cent or more of the total teaching body; (2) A district is allocated $1\frac{1}{2}$ places when it includes at least six per cent but less than eight per cent of the total teaching body; and (3) Districts including less than six per cent are allowed one representative each. A total of 24 geographical representatives to the Federation executive are elected by 18 district councils. Districts with $1\frac{1}{2}$ places elect one and two representatives in alternate years.

53 The Federation policy committees in 1962-63 were: (1) agreements, (2) benevolent fund, (3) Canadian Teachers' Federation affairs, (4) code of ethics revision, (5) community colleges, (6) constitution and by-laws, (7) convention, (8) curriculum, (9) editorial board, (10) education finance, (11) ethics, (12) finance, (13) in-service education, (14) membership, (15) pensions, (16) philosophy of education, (17) professional relations committee, (18) property management, (19) public relations, (20) research, (21) resolutions, (22) reserve fund, (23) scholarships and awards, (24) sick leave, (25) supervision practices, (26) teacher education and certification, (27) workload, and (28) workshop. B.C.T.F. Handbook, 1962-63, flyleaf.

54 In 1946 it was suggested that most local associations were too lazy to become involved in committee work, but special efforts were made to distribute the responsibility more equitably across the province in an attempt to encourage rural participation in Federation affairs. "Should Our Local Associations be Re-organized?", Teacher, vol. 25, no. 4 (Jan., 1946), p. 124. L. H. Garstin, "Centralization and Decentralization in the B.C.T.F.", ibid., pp. 134-136. A complete review of the problems involved in committee distribution is given in "What's the Answer -- Appointments to Committees", Teacher, vol. 40, no. 8 (May-June, 1961), p. 431.

55 The scope of the various committees' activities are detailed in the March and April, 1961 issues of The B.C. Teacher.

56 F. P. Lightbody, "The President's Message -- Going 'Constructive'", Teacher, vol. 27, no. 1 (Sept.-Oct., 1947), pp. 11-12. Only 12 of the 4,500 teachers in the province elected to remain outside the Federation.

57 Individuals and associations have been warned many times that they must operate through the proper channels. Local associations have independence in matters which concern only themselves but have been cautioned to obtain advice and permission from the Federation executive or officials if they contemplate action which might affect other teachers in any way. The restrictions on all parties were outlined in a Federation policy resolution in 1963.

Federation committees were warned that they could not take any action involving policy without the prior approval of the A.G.M., the executive committee, or the consultative committee. Regulations and policy statements have been recently collated in two pamphlets Administrative Rules and Regulations, 1963, and British Columbia Teachers' Federation Policy Handbook, 1st ed., 1963.

58 The membership committee, in 1933, advocated hiring an "organizing secretary" to recruit teachers in the rural parts of the province; it later changed its recommendation because of the expense and the danger of divided administrative control. The executive began to assume a greater organizing role but the local associations said they would prefer to do the job on weekends, etc., if the Federation paid the costs. In 1939, membership recruitment was made a responsibility of the district councils.

59 The five senior officials of the B.C.T.F. are C. D. Ovans, S. Evans, J. A. Spragge, W. V. Allester, and K. M. Aitchison. All are teachers, all possess one or more university degrees, and all were active in Federation affairs before appointment to the staff. In addition, Ovans, Evans, and Allester were principals or vice-principals and Spragge, Allester, and Aitchison were presidents of the B.C.T.F.

60 A good outline of the officials' duties is given in "Your Administrative Staff", Teacher, vol. 42, no. 4 (Jan., 1963), pp. 147-151.

61 An A.G.M. resolution in 1937 directed the executive to study a proposal that more time be secured for the president, free from teaching duties, so that he could establish closer relations with the rural areas. Beginning in 1951, successive presidents emphasized in their annual reports that the organization was too large and the duties too great to be performed by a "part-time" president.

62 A district council consists of the district geographical representative(s) and delegates from each local association in the area, from whom are elected the council chairman and vice-chairman. To develop continuity, some districts have attempted to appoint their secretary-treasurers on a paid, semi-permanent basis. In the late depression years, travel costs were too much for some rural areas so the Federation began the practice of paying the costs of district council meetings.

To stimulate local activity in the nineteen-forties, the geographical representatives were required to visit all locals frequently and to submit written reports on their activities to each Federation executive meeting. The responsibilities of the councils are outlined in "The 1953 Qualicum Workshop: The District Council in the Federation Set-up", Teacher, vol. 33, no. 2 (Nov., 1953), pp. 64-65.

63 Whereas the western conference was mentioned a number of times in the nineteen-twenties and nineteen-thirties, especially in connection with teacher strikes in the prairie provinces, it is seldom mentioned now. During the negotiations with trustees in 1961 over provincial arbitration, the federations in the other three western provinces were very interested in the B.C.T.F.'s problem and the four organizations met twice during the crisis. However the term "western conference" was not used; the report merely referred to joint conferences. This suggests that the connecting bond is quite tenuous.

64 Charlesworth was vice-president of the W.F.E.A. in 1925-26 but the tenure survey took time to complete. The report is given in "Teacher Tenure", Teacher, vol. 9, no. 1 (Sept., 1929), pp. 18-36.

65 The first proposal, that the B.C.T.F. affiliate with the Trades and Labour Party, was defeated quickly in 1925. From 1931 to 1943, affiliation with the Trades and Labour Congress was proposed each year at the A.G.M. A special committee on Labour affiliation was appointed in 1937 and its investigations and recommendations were published periodically. Finally a referendum was ordered for 1942 and again in 1943.

66 The executive finally ordered the Labour affiliation committee to prepare the terms of affiliation with whatever group it thought best; the committee chose the T.L.C. The Federation's application was accepted quickly. "Federation Executive Meeting -- Labour Affiliation", Teacher, vol. 23, no. 4 (Jan., 1944), p. 128.

67 See the annual reports of the Labour relations committee and the numerous resolutions at each A.G.M. on Labour relations during the period 1944-48.

68 "Labour Relations", Teacher, vol. 26, no. 3 (Dec., 1946), pp. 105-106.

69 "Teachers and School Employees' Strikes", Teacher, vol. 33, no. 1 (Sept.-Oct., 1953), p. 12. To illustrate the extent of teachers' divided sympathies, the Federation executive advised Richmond teachers to remain neutral as long as possible, to sympathize with employees if forced to give an opinion, but to cross the picket lines if established.

70 "Labour Affiliation -- The Pros and Cons", Teacher, vol. 35, no. 3 (Dec., 1955), pp. 144b-d. The previous February, teachers were chastised for using the term "local" when referring to "local teacher associations". They were told such usage confused the public and led it to believe that the B.C.T.F. was a trade-union.

Chapter 5

SUMMARY AND CONCLUSIONS

Forty-five years ago, teachers in British Columbia were unorganized, practically voiceless, generally with little status in the community, and very often poorly paid. Their condition was wryly described as "genteel poverty". Salary levels of teachers in the country were lower than those in the city, but in the rural areas the teacher often had greater social status because his education was superior to almost everyone in the community except the lawyer, the doctor, and perhaps the minister.

Because most communities in B.C. were isolated, school trustees had considerable discretionary powers in 1918. They hired and fired teachers almost as they wished; they set salaries unilaterally; they set the local school tax level; they built the schools; and they supervised the teaching process. The provincial government retained for itself the regulation of teacher certification and training. It also determined how trustees would be elected and issued directives on the responsibilities of teachers, school boards, municipal councils, parents, taxpayers, and students. It assisted in the payment of teachers' salaries and contributed to some school building costs. Provincial inspectors reported on the calibre of instruction in the schools and sometimes acted as official trustees.

The school law reflected the total dependence of teachers upon the good nature of trustees. There was no mention of teachers' rights -- only the responsibilities. Since 1918, the major amendments to the Public

Schools Act which have affected teachers' rights have been: provision for negotiation and arbitration between a school board and any of its teachers (1919), introduction of the Board of Reference for adjudication of tenure disputes (1933), provision for demandable arbitration of salary disputes (1937), institution of compulsory membership in the B.C.T.F. (1948). In addition, there have been myriad minor amendments which affected both teachers and trustees.

In 1963, the change in conditions is apparent. Teachers, have a much higher economic status, are completely organized and strongly so, have considerable influence in some areas of educational policy, have achieved some degree of professionalism, and speak with a united voice which commands a wide audience. At the same time, trustee authority has been severely limited by changes in the school law and regulations of the Council of Public Instruction. The provincial government has assumed an increasing share of the costs of public school education, has encouraged the professional aspirations of teachers, has centralized authority while deconcentrating administration, and has increased the scope of trustees' political responsibility.

Throughout these forty-five years (1918-1963), the bargaining provisions of the Public Schools Act have had effects upon the procedures and organization adopted by the British Columbia Teachers' Federation and have indirectly affected the Department of Education and the British Columbia School Trustees' Association. There are four notable characteristics of the bargaining provisions:

- (1) Teachers' only explicit bargaining rights have been the

negotiation of salaries and salary schedules with trustees.

- (2) Arbitration has been limited to salaries and salary schedules; its availability to teachers has varied through the years.
- (3) Adjudication of grievances has been limited to tenure disputes.
- (4) Until 1958, there was no provision for conciliation.

Without broad, prescribed bargaining rights for teachers, trustees in general refused or failed to negotiate and arbitrate demands for a variety of employment benefits which have been available to employees in industry and government service. Where it was possible, teachers provided the benefits for themselves on a co-operative basis; group life and medical insurance are examples. The refusal of trustees to accept responsibility for teachers' pensions led to their provision by the provincial government. Once a large number of boards had agreed to paid, cumulative sick leave, refusal of the remaining boards to concede the issue or to arbitrate led to its compulsory provision through legislative amendment. Each of these examples of benefit provision, by other means than negotiation with trustees, served to lessen teachers' dependence upon school boards. Teachers then became dependent for the benefit upon the Federation or the provincial government, and with dependence went some measure of loyalty, respect, and affinity of interest that could well have distinguished teacher-trustee relations.

Without broadly defined bargaining rights for teachers, trustees refused to arbitrate and generally would not negotiate school board practices which affected teachers' working conditions. Examples of such issues were the type of employment contract, leave for teachers to attend district

fall conventions, methods of salary payment, and the right of a teacher to receive a copy of all written assessments made of his work. Basic to these demands was the teachers' insistence on impartial application of regulations to all members of a staff. Later, demands were made for uniformity of certain practices among districts. When trustees refused to make concessions, teachers appealed to the provincial government for redress, and the government, instead of broadening bargaining rights, decided the issues as if it were an arbitration board and amended the statute accordingly.

The availability of arbitration to teachers varied from time to time. The introductory amendment of 1919 was only permissive and gained the teachers nothing since school boards refused to arbitrate. When the 1937 amendment made arbitration of salaries demandable, the law had to be amended further since trustees would not arbitrate salary schedules, which had not been mentioned specifically. (The schedule establishes the income relationship between teachers with different qualifications, different lengths of service, and different employment. It also ensures equal treatment for teachers with the same qualifications, the same service, and the same employment.) Since 1958, the law has required arbitration of unresolved salary disputes, thus precluding strikes and boycotts.

While teachers have avoided use of the strike since 1921, considerations other than lack of dissatisfaction have been the cause. To remove the given reason for trustee denial of higher salaries -- inability to pay, teachers have felt obliged to campaign for revision of the educational finance formulas and to support the B.C.S.T.A. and U.B.C.M. in their demands upon the provincial government. This in turn has led the Federation

to develop its public relations and to enter alliances with other private organizations.

For lack of a generalized adjudication procedure, teachers have had to appeal directly to the provincial government for relief from trustee practices that they considered arbitrary, discriminatory, illegal, or otherwise unfair. The government has responded to these appeals and, as a consequence, has steadily decreased trustees' discretionary powers. Local administrative practices are now either specifically prescribed, limited to one of a specified number of alternatives, or are subject to the approval of the Minister or Superintendent of Education if greater choice of policy is allowed. Emphasis has been placed on the advisory function of district superintendents, who frequently are employed also in an administrative capacity with school boards.

Government failure, 30 or 40 years ago, to introduce conciliation as a stage in bargaining allowed teacher-trustee hostility to mount unnecessarily and led to great dependence upon arbitration. Since its introduction in 1958, conciliation seems to have been most useful where over-eager and inexperienced negotiators were involved for they often proved unwilling to compromise without the assistance of conciliators. The number of long-standing disputes which still aggravate teacher-trustee relations (e.g., the disagreement over criteria for measuring teaching efficiency and how such criteria should be used) would seem to indicate that conciliation could be used even more extensively. The two groups then might be induced to sponsor research jointly into the basic problems rather than proceed apart, for research conducted unilaterally is suspected of bias.

The first three characteristics (limited bargaining rights, limited use of arbitration, and limited use of adjudication) perpetuated an imbalance of power between the negotiating parties. Trustees, on the whole, exploited their advantage by refusing to negotiate or arbitrate more issues than required by law and tried to maintain their advantage by resisting legislative change. To redress the imbalance, teachers worked for statutory restrictions on trustees' discretionary powers and adopted measures to make the Federation a more powerful bargaining unit. Teachers' success in these aims led trustees to adopt similar measures to strengthen their organization. With the added stress in each organization on development of uniform policies, major negotiations between teachers and trustees are shifting steadily from the local to the provincial level.

The successive provincial governments seem to have consistently avoided providing criteria to govern trustee-teacher relations. This would appear to be a policy error for two reasons. First, although the responsibility for educational policy is divided between provincial and local government, the major decisions are made by the province. School boards have but a limited legislative function; most of their responsibilities are administrative. Since local government has only delegated powers, the provincial government from which they originate has a responsibility to ensure the proper use of those powers. Failure by the legislature to prescribe the same broad range of bargaining rights for teachers as for labour has left the task of determining rights to negotiation by the participants. A solution by this method was most unlikely since bargaining powers were unequal to begin with and the stronger would not willingly relinquish the advantage. The result has been frustration of teacher demands for bargaining

rights and maintenance of tensions at an unnecessarily high level. In the second place, by not providing guide-lines for conflict resolution, the government left teachers and trustees free to adopt whatever means they wished to achieve their aims. When the two parties' aims and methods conflicted sharply, it was already too late to prescribe limits in that instance, for the damage was done. The party at fault disliked to be proven wrong in its policy and forced to recant in public. It therefore either rebelled at the government's decision or harboured a strong resentment against the party adjudged to be in the right.

The method adopted by provincial governments to resolve these disputes is also subject to criticism. Although governments declared themselves in favour of local autonomy, they acted in the manner least likely to preserve it. To preserve school boards' independence, the legislature should have declared what were teachers' bargaining rights and the acceptable methods of conflict resolution. This would have left teachers and trustees in each district free to determine policy for their area. Eventually the method might have led to uniform practices in all districts, but not necessarily. The legislature chose instead to make policy decisions for the school boards by prescribing specific, uniformly applicable, administrative procedures. This legislative practice, of deciding school board policy, may cease as a result of the 1957 ministerial directive for the B.C.T.F. and B.C.S.T.A. to establish a permanent joint executive committee which would seek to resolve local disputes before the participants resorted to rash action. From the committee may develop an agency for general arbitration and adjudication.

Arbitration of salary disputes was the choice of B.C. teachers

in preference to the strike. They apparently assumed that, where they could not negotiate an agreement with trustees, arbitration would result in a higher settlement than they would obtain from accepting the trustees' last offer. Although the award might not give them all they asked for, at least some improvement would be gained without the bother, risk, and perhaps indignity of a strike. There seems to have been an assumption that arbitration would solve a great many of their problems.

Once arbitration became demandable and was used, teachers' salaries began to rise relative to the average professional income in B.C. In many cases, the generosity of awards was dependent upon increases in provincial grants to school boards, and rural salaries lagged behind the urban until municipal assessments and basic school costs were equalized. During the nineteen-forties and nineteen-fifties, teachers occasionally talked of using the strike and professional boycott in place of arbitration. From this one might conclude that awards then tended more towards the trustees' position than the teachers' but the evidence is not available to test the assumption. Theyboycott was used successfully in one school district and talk of a strike brought the results teachers desired in another district. The attempt to use a widespread boycott in 1957 led to the institution of compulsory arbitration of salary disputes, which thereafter precluded the alternatives. Evidence suggests that the boycott can only be used successfully on a very limited scale in any case.

From 1943 to 1963, the number of school districts that have reached agreement by negotiation has steadily diminished; conciliation and arbitration have become the rule. This would seem to substantiate the

claim made in chapter 2 that arbitration of contract content has a flaw. The defect is that arbitration is an escape from the problem of finding criteria that are recognized by both parties as being valid and accurate measures. When teachers and trustees cannot agree on what salaries should be and present the case to an arbitrator, he chooses figures within the limits set by the preceding negotiations but does not, and usually can not, explain how he made his decision. Thus the same criteria are presented the following year and are again rejected by the opponents; no progress is made towards a solution which would help the parties to achieve a negotiated settlement.

Salary negotiations and arbitrations between teachers and trustees have been marked by bitterness and hostility in the past and the tendency does not seem to be abating. This condition may be due in part to inexperienced negotiators and to frustrations arising from the continual lack of agreement on salary criteria. It may also be caused by role conflict, which means here that teachers and trustees may have differing conceptions of the negotiating committee's task and of the capacity of committee members to perform that function. This possibility is suggested by three apparent trends. First, the decreasing scope for trustees to freely exercise their judgment may have the effect of concentrating their attention on the remaining areas of discretion (of which salary determination is one) and may be sharpening their desire to have their way in these matters. Second, teachers have been placing increasing emphasis since 1950 on attaining professional status, pay, and prerogatives. They consider their present salary level to be considerably out of line with the incomes of other professions. Third, the percentage of B.C. teachers with one or more university

degrees is more than twice the average for all Canadians. This disparity will probably increase. Yet teachers' salaries are negotiated with trustees whose educational level may be less than that of their teacher employees and who may have no professional status. These circumstances would appear to provide fertile ground for role conflict development.

From this preliminary investigation, further research seems indicated into:

- (1) The extent of role conflict in teacher-trustee tension and measures to reduce it.
- (2) Identification of more appropriate criteria on which to base salaries and determination of their limits as valid and accurate measures.
- (3) Identification of the constituent elements which should be included in a sound comparison of occupational incomes.
- (4) Identification of appropriate criteria by which to measure teaching efficiency and determination of their limits as valid and accurate measures.
- (5) The possibility of restricting the use of arbitration in teacher-trustee disputes to determination of criteria. Adjudication might then be used to settle disputes within the established criteria framework.

This investigation has shown that the Public Schools Act has placed narrow limits upon the use of arbitration and adjudication of teacher-trustee disputes. Arbitration has aided teachers in their attempts to improve their economic status, and adjudication of tenure disputes has

served to increase teachers' security of employment. Use of arbitration to determine teachers' salaries has not reduced tensions between teachers and trustees because it has allowed them to avoid the necessity of finding appropriate salary criteria.

It has also been shown that, because of the narrow limitations placed upon use of arbitration and adjudication, teachers have had to seek redress from the provincial government when they could not obtain satisfaction of their demands through negotiation with trustees. As a result of these appeals, the government has gradually reduced the scope of trustees' discretionary powers through legislative amendment; it has centralized authority while deconcentrating administration.

In an attempt to counterbalance trustees' bargaining power, teachers adopted measures to increase the strength and unity of the B.C.T.F. through changes in organization and methods of operation. Teachers' success led trustees' to adopt similar measures. Arbitration has had effects upon teachers, trustees, and government.

APPENDICES

Appendix A

B.C. TEACHING CERTIFICATES, 1963¹

In 1957, the Department of Education simplified the matter of certification by reducing the number of certificate types issued and by making the qualifying unit requirements uniform for all specialities. (A unit indicates one hour of lecture instruction received per week for a university year, or equivalent training.) Because of the variations in training given by different institutions and the variations in qualifications required for teaching certificates in other jurisdictions, the Department determines, on an individual basis, the equivalence of qualifications held by applicants from outside the province.

On application, teachers with certificates from outside the province are issued interim B.C. certificates corresponding to the same or comparable academic standing and professional training in B.C. After two years' satisfactory service,² completion of prescribed orientation courses at the U.B.C. College of Education, and recommendation by the district superintendent of schools, such teachers' interim certificates may be made permanent. If the applicants have had professional training equivalent to that required for the Interim Elementary Basic certificate but lack the equivalent of B.C. Grade XIII standing, conditional certificates may be issued until the academic deficiencies are removed. Teachers who lack the professional training required in B.C. may be issued letters of permission

to teach (previously, temporary certificates were issued) until they complete the training prescribed for conditional or interim certificates.

Classes of Certificates

The following descriptions paraphrase the Department's regulations, omit much detail, and are meant only to indicate the major differences between certificate classes. For each academic and professional - training requirement, equivalents are accepted.

Elementary Conditional (E-C)

- (1) Valid for four years; limited renewal.
- (2) Requirements:
 - (a) B.C. Junior Matriculation, and,
 - (b) Satisfactory completion of the one-year elementary teacher-training programme at the U.B.C. College of Education.
- (3) Equivalent B.C. certificates issued before 1957:
 - (a) Elementary Conditional (E-C).
 - (b) Second Class certificates (Third Class and Fourth Class certificates were also issued years ago but they were lower qualifications than the Elementary Conditional.)

Elementary Conditional Industrial Arts (E-C)

- (1) Equal to the certificate above for salary schedule placement but substitutes technical training for some academic courses. There

are industrial arts certificates at the E-B and E-A levels as well. Above the E-A level, the degree requirements are the same for technical and academic certificates (except that technical majors are accepted in lieu of some academic majors) so that different certificates are not issued.

Elementary Basic Interim (E-B)

- (1) Valid for two years; limited renewal.
- (2) Requirements:
 - (a) The first two years' standing in the U.B.C. College of Education, or,
 - (b) The Elementary Conditional certificates, and B.C. Senior Matriculation or first-year university.
- (3) Equivalent B.C. certificate issued before 1957:
First Class, Interim (E-B)

Elementary Basic Permanent (E-B)

- (1) Requirements:
 - (a) Elementary Basic Interim certificate, and,
 - (b) Two years' satisfactory teaching experience in B.C., and,
 - (c) Demonstrated competence in oral and written English, and,
 - (d) Prescribed professional courses, and,
 - (e) Recommendation by the district superintendent.
- (2) Equivalent B.C. certificate issued before 1957:
First Class, Permanent (E-B)

Elementary Advanced (E-A)

(1) Requirements:

- (a) Full third-year standing (elementary programme) in the U.B.C. College of Education, or,
- (b) Elementary Basic Interim certificate and full second-year standing in an acceptable university programme of studies, or,
- (c) A course of comparable length, standards, and content at a recognized institution.

(2) Equivalent B.C. certificates issued before 1957:

- (a) Elementary Advanced -- General (E-A)
- (b) Elementary Advanced -- Art (E-A)
- (c) Elementary Advanced -- Handicapped Children (E-A)
- (d) Elementary Advanced -- Home Economics (E-A)
- (e) Elementary Advanced -- Intermediate Grades (E-A)
- (f) Elementary Advanced -- Kindergarten Primary (E-A)
- (g) Elementary Advanced -- Music (E-A)
- (h) Elementary Advanced -- Physical Education (E-A)
- (i) Elementary Advanced -- Teacher-Librarian (E-A)

Professional Conditional (P-C)

(1) Requirements:

- (a) Bachelor of Education (Elementary Programme) of the U.B.C. College of Education, or,
- (b) Elementary Basic Interim certificate and full third-year standing in an acceptable university programme of studies, or,
- (c) A course of comparable length, standards, and content at a

recognized institution.

- (2) Equivalent B.C. certificates issued before 1957:
- (a) Secondary Conditional -- General (S-C)
 - (b) Secondary Conditional -- Art (S-C)
 - (c) Secondary Conditional -- Commercial (S-C)
 - (d) Secondary Conditional -- Home Economics (S-C)
 - (e) Secondary Conditional -- Industrial Arts (S-C)
 - (f) Secondary Conditional -- Music (S-C)
 - (g) Secondary Conditional -- Physical Education (S-C)

Professional Basic (P-B)

(1) Requirements:

- (a) Bachelor of Education (Secondary Programme) of the U.B.C. College of Education, or,
- (b) B. Ed. (Elementary Programme) and a fifth year of study approved by the College of Education, or,
- (c) An approved Bachelor's or higher degree awarded for an acceptable teaching major or honours programme, and a recognized teaching diploma, or,
- (d) An approved course of comparable length, standards, and content at a recognized institution.

(2) Equivalent B.C. certificates issued before 1957:

- (a) Secondary Basic -- Art (S-B)
- (b) Secondary Basic -- Commercial (S-B)
- (c) Secondary Basic -- Home Economics (S-B)
- (d) Secondary Basic -- Industrial Arts (S-B)

- (e) Secondary Basic -- Music (S-B)
- (f) Secondary Basic -- Physical Education (S-B)
- (g) Academic B certificate (elementary grades)
- (h) Academic A certificate (secondary grades)

Professional Advanced (P-A)

(1) Requirements:

- (a) Professional Basic or Secondary Basic certificate, and,
- (b) A Master's degree in an acceptable programme, or an approved course of comparable length, standards, and content at a recognized institution.

(2) Equivalent B.C. certificates issued before 1957:

- (a) Secondary Advanced -- Counsellor (S-A)
- (b) Secondary Advanced -- Librarian (S-A)
- (c) Secondary Advanced -- Instructor (S-A)

Footnotes

1 British Columbia, Department of Education, 1956 Bulletin of the Summer School of Education, Victoria, Queen's Printer, 1956, pp. 52-83.

2 B.C. trained teachers also are issued only interim initial certificates and must obtain a recommendation from the district superintendent, after two years' satisfactory service, before the certificate is made permanent. This requirement does not apply to higher certificates earned later.

Table 1: Summary Of B.C. Teachers' Salary Scales (1963-64)¹

Certificate Category	Experience	Salaries			Mean Annual Increment	Mean Yrs. to Max.
		Lowest	Highest	Mean		
Elementary Conditional (E-C)	Min.	\$2,850	\$3,500	\$3,085	\$160.20	3.72
	Max.	3,000	4,200	3,681		
Elementary Basic (E-B)	Min.	3,450	4,000	3,601	205.37	9.33
	Max.	4,400	6,000	5,517		
Elementary Advanced (E-A)	Min.	3,800	4,300	3,996	216.16	9.85
	Max.	5,400	6,500	6,126		
Professional Conditional (P-C)	Min.	4,300	4,850	4,465	234.29	10.60
	Max.	6,800	7,400	6,948		
Professional Basic (P-B)	Min.	4,800	5,350	4,954	258.48	11.28
	Max.	7,560	8,300	7,870		
Professional Advanced (P-A)	Min.	5,200	5,900	5,384	273.28	11.54
	Max.	8,235	9,000	8,536		
Professional Advanced (Master's)	Min.	5,400	5,800	5,595	275.65	12.30
	Max.	8,750	9,400	8,986		

1 Prepared from Summary and Analysis of 1963 Teachers' Salary Scales, Vancouver, B.C.S.T.A., 1963. Includes school districts 1 - 81 plus University Hill. Salaries shown are exclusive of bonuses and allowances. For principals' allowances, see "Summary of Salary Scales -- March, 1963", Teacher, vol. 42, no. 6 (Mar., 1963).

Table 2: Selected Mean Income Comparisons, Canada, 1931²

Income Group	Male				Female			
	Mean Income	As Pct. of Cdn. Av. (line 1)	As Pct. of Cdn. Prof. Av. (line 2)		Mean Income	As Pct. of Cdn. Av. (line 1)	As Pct. of Cdn. Prof. Av. (line 2)	
All Occupations	\$ 911	100%			\$ 559	100%		
Professional Services	1,978	217	100%		866	155	100%	
Teachers, school	1,576	173	80		917	164	106	

SELECTED MEAN INCOME COMPARISONS

Table 3: Selected Mean Income Comparisons, British Columbia, 1931³

Income Group	Male				Female			
	Mean Income	As Pct. of B.C. Av. (line 1)	As Pct. of B.C. Prof. Av. (line 2)	As Pct. of Cdn. Av. for group	Mean Income	As Pct. of B.C. Av. (line 1)	As Pct. of B.C. Prof. Av. (line 2)	As Pct. of Cdn. Av. for group
All Occupations	\$ 897	100%		98%	\$ 623	100%		111%
Professional Services	1,884	210	100%	95	960	154	100%	111
Authors, Editors, and Journalists	1,864	208	98		1,107	178	115	
Clergymen and Priests	1,572	175	83					
Dentists	1,745	195	93					
Engineers, Professional	2,060	230	109					
Lawyers and Notaries	2,844	317	151					
Physicians and Surgeons	2,945	328	156					
Policemen and Detectives	1,618	180	86		1,477	237	154	
Professors and College Principals	3,468	387	184		1,846	296	192	
Teachers, School	1,790	200	95	114%	1,167	187	128	127%

Table 4: Selected Mean Income Comparisons, Canada, 1941⁴

Income Group	Male				Female			
	Mean Income	As Pct. of Cdn. Av. (line 1)	As Pct. of Cdn. Prof. Av. (line 2)		Mean Income	As Pct. of Cdn. Av. (line 1)	As Pct. of Cdn. Prof. Av. (line 2)	
All Occupations	\$ 993	100%			\$ 490	100%		
Professional Services	1,755	177	100%		741	151	100%	
Teachers, School	1,416	143	81		793	162	107	

Table 5: Selected Mean Income Comparisons, British Columbia, 1941⁵

Income Group	Male				Female			
	Mean Income	As Pct. of B.C. Av. (line 1)	As Pct. of B.C. Prof. Av. (line 2)	As Pct. of Cdn. Av. for group	Mean Income	As Pct. of B.C. Av. (line 1)	As Pct. of B.C. Prof. Av. (line 2)	As Pct. of Cdn. Av. for group
All Occupations	\$1,047	100%		105%	\$ 558	100%		114%
Professional Services	1,734	166	100%	99	872	156	100%	118
Authors, Editors, and Journalists	1,639	157	94		767	137	88	
Clergymen and Priests	1,283	123	74		1,000	179	115	
Dentists	2,105	201	121					
Engineers, Professional	2,116	202	122					
Lawyers and Notaries	2,822	269	163		750	134	86	
Physicians and Surgeons	2,817	269	162		1,267	227	145	
Policemen and Detectives	1,481	141	85		891	160	102	
Professors and College Principals	3,240	309	187		1,668	299	191	
Teachers, School	1,634	156	94	115%	1,110	199	127	140%

Table 6: Selected Mean Income Comparisons, Canada, 1961⁶

Income Group	Male			Female		
	Mean Income	As Pct. of Cdn. Av. (line 1)	As Pct. of Cdn. Prof. Av. (line 2)	Mean Income	As Pct. of Cdn. Av. (line 1)	As Pct. of Cdn. Prof. Av. (line 2)
All Occupations	\$3,679	100%		\$1,995	100%	
Professional and Technical Occupations	5,448	148	100%	2,996	150	100%
Authors, Editors, and Journalists	5,817	158	107	3,201	160	107
Clergymen and Priests	2,827	77	52	1,698	80	57
Dentists	7,303	199	134	2,820	141	94
Engineers Professional	7,228	196	133	4,779	240	160
Lawyers and Notaries	7,359	200	135	4,362	219	146
Physicians and Surgeons	6,883	187	126	4,316	216	144
Policemen and Detectives	4,328	118	79	2,931	147	98
Professors and College Principals	7,113	193	130	5,039	253	168
Teachers, School	5,530	150	102	3,400	170	113

Table 7: Selected Mean Income Comparisons, British Columbia, 1961⁷

Income Group	Male				Female			
	Mean Income	As Pct. of B.C. Av. (line 1)	As Pct. of B.C. Prof. Av. (line 2)	As Pct. of Cdn. Av. for group	Mean Income	As Pct. of B.C. Av. (line 1)	As Pct. of B.C. Prof. Av. (line 2)	As Pct. of Cdn. Av. for group
All Occupations	\$4,005	100%		109%	\$2,096	100%		105%
Professional and Technical Occupations	5,581	139	100%	102	3,357	160	100%	112
Authors, Editors, and Journalists	5,580	139	100	96	2,560	122	76	80
Clergymen and Priests	3,123	78	56	110	1,715	82	52	101
Dentists	8,842	221	158	121	5,765	275	172	204
Engineers, Professional	7,187	179	129	99				
Lawyers and Notaries	7,019	175	126	95	4,189	200	125	96
Physicians and Surgeons	7,872	197	141	114	4,817	230	143	111
Policemen and Detectives	4,829	121	87	111	3,156	151	94	108
Professors and College Principals	8,632	216	155	121	5,659	270	169	112
Teachers, School	6,262	156	112	113	4,231	202	126	124

Footnotes

1 Canada, Dominion Bureau of Statistics, Seventh Census of Canada, 1931, Ottawa, King's Printer, 1935, vol. V. Figures are calculated from "Table 28: Wage-earners, 10 to 19 years of age, and 20 years of age and over, by occupation and sex, showing earnings and weeks employed during the period June 1, 1930 to June 1, 1931 for Canada" and "Table 31: Wage-earners, 10 years of age and over, reporting earnings, by occupation, age, and sex, showing earnings and weeks employed during the period June 1, 1930 to June 1, 1931, for the provinces."

2 Ibid.

3 Canada, Dominion Bureau of Statistics, Eighth Census of Canada, 1941, Ottawa, King's Printer, 1946, vol. VI. Figures calculated from "Table 6: Wage-earners, 14 years of age and over, by occupation and sex, showing average earnings, average weeks employed, and the number of wage-earners by amount of earnings and weeks of employment during the 12 months prior to the census date, June 2, 1941, for Canada and the provinces."

4 Ibid.

5 Canada, Dominion Bureau of Statistics, 1961 Census of Canada, Ottawa, Queen's Printer, 1963, vol. III. Figures calculated from "Table 21: Wage-earners, 15 years of age and over, by occupation and sex, showing average earnings and the number of wage-earners by amount of earnings during the 12 months prior to the census date, June 1, 1961, for Canada and the provinces." (Series Bulletin 3.3-7)

6 Ibid.

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