

EDMONTON PUBLIC SCHOOLS

September 14, 2010

TO: Board of Trustees

FROM: Board Chair D. Fleming

SUBJECT: Tripartite Discussions on Sustaining Workforce Stability

RESOURCE

STAFF: David Fraser, Anne Sherwood

RECOMMENDATION

That authorization of the Alberta School Boards Association (ASBA) to represent school boards in tripartite discussions on sustaining workforce stability and enabling continued collaboration on transformation in the K-12 education system be approved.

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Attached is information provided by the ASBA giving background on the Minister's invitation to the ASBA to participate in developing a tripartite agreement between the Alberta Teachers' Association (ATA), ASBA and the Minister to ensure continued workforce stability.

The ASBA is seeking support for ASBA participation in these talks as the representative of Boards and have issued a mail-in ballot to be submitted no later than September 13, 2010. The Board must reach a decision with respect to the mail-in authorization ballot. The above recommendation/motion is provided to assist the Board in making its decision.

The ASBA held a conference call on August 31, 2010 to provide an opportunity for Boards to ask clarifying questions.

At the September 7, 2010 Conference Committee meeting, the Conference Committee discussed the ballot authorization but chose to defer the matter to the September 14, 2010 Board meeting requesting that the administration provide further information on the possible implications of supporting or not supporting the ASBA as the Board's representative.

Background

In August 2010, the president of the ASBA contacted boards elaborating the Minister of Education's intention to bring together Alberta Education (AE), the ATA, and the ASBA for the purpose of planning or enabling continued collaboration on the transformation of the K – 12 education system and to establish the means for continued workforce stability in the education sector. The ASBA is looking for direction from its membership to participate in this tripartite dialogue.

As a result of this request, an opportunity now exists for school board representatives to “be at the table.” The ASBA has committed to collecting input from school boards to ensure their interests and concerns are considered and addressed. Metro school boards have an opportunity to highlight their unique issues through the ASBA.

Several concerns arise with this request. The discussions parallel a process similar to the original Memorandum of Understanding (MOU) signed between AE and the ATA in November 2007. These discussions could lead to an agreement; however, school boards have to fulfill obligations upon which funding from AE, as the sole funder, rests. Several difficult situations have arisen since the 2007 MOU was signed off, leading to an arbitration hearing between AE and the ATA and, more recently, provincial funding (2.92 per cent) coming late in the planning cycle. School boards, responding in a responsible way, were forced to make difficult decisions regarding staffing and operations.

The District has a long history of successful bargaining with all staff groups. The Board is committed to achieving improvements for all students and staff in the District. To that end, through respectful negotiations, the Board has achieved agreements satisfactory to the Board and to its employees. Employment stability impacts the city of Edmonton profoundly. With 7500 employees and an annual budget of over \$800 million, the District is a significant force in the local economy. Given these facts, it is important to the Board that its voice, interests, and issues are heard throughout the process the Minister of Education has initiated.

AS:mmf

- APPENDIX I - Process/Terms of Reference for Tripartite Discussions
- APPENDIX II - Authorization Ballot

Process/Terms of Reference for Tripartite Discussions on Sustaining Workforce Stability and Enabling Continued Collaboration on Transformation in the K-12 Education System
August 26, 2010

	Comments
<u>Title</u> Tripartite Discussions on Sustaining Workforce Stability and Enabling Continued Collaboration on Transformation in the K-12 Education System	<i>Title reflects the dual aspects of the tripartite discussions.</i>
<u>Purpose</u> Through productive dialogue, to plan/enable continued collaboration on the transformation of the K-12 education system and to establish the means for continued workforce stability in the education sector.	<i>Describes the purpose of tripartite discussions. The goal is to work together on key elements of transformation and to establish an extended period of labour peace to do so.</i>
<u>Product</u> A <i>Framework Agreement</i> that addresses the interests of the parties, including: <ul style="list-style-type: none"> • transformation consistent with the themes of <i>Inspiring Action</i> and other initiatives • commitment to leadership and engagement by all parties to advance transformation in the best interests of students • grounds for collective bargaining leading to continuing workforce stability. 	<i>An emphasis on a 'Framework Agreement' that accomplishes the dual purpose of the tripartite discussions.</i>
<u>Scope</u> Dialogue will focus on the efforts of the parties to find common ground on the elements of a <i>Framework Agreement</i> .	<i>It is expected the parties will make decisions and identify the priorities and general directions necessary for inclusion in the transformation. Transformation of the education system will be an ongoing, multi-year process.</i>
<u>Parties</u> The three parties involved will include representatives of Alberta Education, the Alberta School Boards Association and the Alberta Teachers' Association. The parties will identify core representatives, with the understanding that additional representation at discussion sessions may be required from time to time.	<i>Parties should determine and name core members.</i> <i>It is also important that each party be able to bring to discussion sessions the representatives needed to engage in informed discussions.</i>

Authority to Participate in Framework Discussions Each party will confirm its authority to participate in the tripartite discussions.	<i>It is important that all parties and their memberships recognize that the Framework Agreement is both about finding common interests on the transformation theme and setting a framework for collective bargaining.</i>
Process for Tripartite Discussions The parties will determine together the means by which the tripartite discussions should be moderated or facilitated. Each party will initially present topics to be discussed in the formulation of a <i>Framework Agreement</i> . Additional topics may be advanced at the discretion of the parties.	<i>The parties may wish to consider the merits of having dialogue facilitated by an independent person.</i> <i>The focus of discussions should be more on 'interests' and less on 'positions'. Under an interest based format, the parties will be able to engage in thorough exploratory discussions before considering specific options for resolution.</i>
Dispute Resolution The parties will discuss the potential benefit of a dispute resolution process and determine the need for same.	<i>If the parties agree to seek a facilitator to assist with the tripartite discussions, it may be that this person's skill will eliminate the need for a mediator.</i> <i>Alternatively, the parties should discuss the potential value of identifying a mediator that could be called upon in the event the parties need third party assistance to resolve different perspectives or opinions.</i>
Timeframe The parties are committed to meeting on a scheduled basis, beginning in early fall.	<i>The parties should consider establishing a specific number of fixed date meetings for the period late September – November 30.</i>
Communication Protocol A communications protocol will need to be developed and agreed to by the parties. The protocol will ensure that the parties have the ability to share information with their respective constituencies without compromising the nature or the spirit of the voluntary tripartite discussions.	<i>It is recognized that the parties have a responsibility to provide necessary information to their respective memberships. For this reason, it may not be possible to completely limit communications or prevent possible seepage into the public domain.</i> <i>The parties should be able to outline in a communications protocol what is/is not appropriate information for the media.</i>
Framework Agreement Ratification Process All parties will determine and share their respective processes to ratify any <i>Framework Agreement</i> .	

<p>Next Steps</p> <ol style="list-style-type: none"> 1. By August 31, the parties agree to the proposed <i>terms of reference</i> for this work. 2. The parties will each secure a negotiation mandate by Sept. 15, 2010. 3. Each party will establish their list of topics for discussion by late September, 2010. 4. Tripartite discussions will begin on a Framework Agreement in late September and the parties will make every effort to achieve a Framework Agreement by November 30, 2010. 5. Following ratification of a <i>Framework Agreement</i>, collective agreements between school boards and ATA will be negotiated in an agreed timeframe. 	



Tripartite Discussions on Sustaining Workforce Stability and Enabling Continued Collaboration on Transformation in the K-12 Education System

AUTHORIZATION BALLOT

School Boards are invited to participate in dialogue with Alberta Education and the Alberta Teachers' Association on transformation of the K-12 education system and to establish the means for continued workforce stability in the education sector.

A briefing note has been circulated to school boards detailing the process thus far and requesting authorization for ASBA to represent the interests of school boards in these discussions. This ballot is your school board's opportunity to either accept or reject authorization of ASBA as school boards' representative in these discussions.

Please indicate your school board's decision below and return by email, no later than September 13, 2010 to: hrogers@asba.ab.ca

Note: As set out in the proposed process, any draft agreement that results from these tripartite discussions will be subject to school board approval – again on the double majority basis.

Name of School Board: _____

Representative of School Board completing this ballot: _____

In considering the request for authorization of ASBA to represent the interests of school boards, our school board's decision is to:

AUTHORIZE

☐

NOT AUTHORIZE

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