

On February 4, 2014 BCTF President Jim Iker issued the following statement about the BC Government's decision to appeal Justice Griffin's Bills 28 and 22 ruling. Please check against delivery at <http://new.livestream.com/BCTF/Feb042014>

Good morning,

Today marks the one year anniversary since BC teachers started negotiations on the latest round of bargaining.

The first session was February 4, 2013. And today, we learned Premier Clark and Education Minister Peter Fassbender are not serious about stability in BC's education system.

By announcing their intent to appeal BC teachers' important and historic court victory, Christy Clark's government has shown they think they are above the law.

The government has broken the law, the constitution, twice. But, they continue to put their own political agenda before students.

This government has been told five times they were wrong.

First, by teachers in 2002 when Bill 28 came in. We knew the damage it would do, but government ignored our concerns and an entire generation of students have been short-changed as a result.

In 2004, the International Labour Organization of the United Nations told the BC Liberal government they were breaking international law.

In 2007, the Supreme Court of Canada ruled this government had acted unconstitutionally in Health Services.

In 2011, the BC Supreme Court ruled that Bill 28 was unconstitutional.

And now in 2014, the same court has said they violated the *Charter* twice.

Christy Clark has been told time and time again that they cannot trample people's rights, that they must respect the *Charter of Rights and Freedoms*.

In the last round, Justice Griffin said Christy Clark's government negotiated in bad faith.

Given their bad faith approach and the last 12 years of cuts, how can teachers trust this government?

Today, with this appeal, Clark and Fassbender have shown we cannot trust them... as much I want to.

By trying to hold on to Bill 28, which illegally stripped teachers' working conditions, Christy Clark is saying no to smaller classes, no to increased support for students with special needs, and no to extra help for all kids.

It's sad, disappointing, but entirely predictable from a government that cannot be trusted to put education before politics.

This is the same government that deliberately tried to shut BC schools down with a strike.

They didn't want stability in 2012, they wanted to provoke a strike.

And today, we hear Minister Fassbender accusing Justice Griffin of putting union interests ahead of students.

To that I say, look at the evidence, Minister. It speaks for itself. Your government conspired to shut BC schools down. It was outrageous, cynical, and British Columbians should be angry.

Christy Clark owes all of us—teachers, students, and parents—an apology.

And, by appealing Justice Griffin's ruling, it's clear that they haven't changed.

Clark's government doesn't want stability.

I can tell you, teachers want stability.

We want to teach in workable classrooms. We want extra help from specialists to ensure all kids get the support they need. We want our students to get more one-on-one time with us.

We want teacher-librarians actually in libraries helping students.

We want learning resource teachers who can spend extra time with students in or outside of classrooms working on specific learning challenges.

We want special education teachers helping the growing number of children with special needs so that all kids get more support.

We want a fair deal negotiated at the bargaining table that respects teachers and provides better support for our students. That's stability.

That's how BC's education system can move on from government mismanagement.

Teachers have won our right to negotiate our working conditions twice. We will assert our rights, the rights of all Canadians.

Bill 28 was ruled unconstitutional in 2011. The government did not appeal that decision.

Therefore, teachers have and will continue to negotiate class size, class composition, and ratios for specialist teachers like teacher-librarians, special education teachers, counsellors, English language teachers, resource and learning assistance teachers.

The best way for government to move forward now is to negotiate in good faith and bring the necessary funding to the table.

If government can do that, BC students will be the biggest beneficiaries.

Let's look at specialist teachers to show how students will benefit.

Since 2002 when Bill 28 came in, we have lost close to 1,400 specialist positions. Those English language teachers, teacher-librarians, special education teachers, learning resource teachers, and counsellors are all people who could have been helping students.

Instead, the ratios that used to guarantee service levels for kids were illegally stripped.

With this court win, and as soon as government acts to implement it, kids will see an immediate difference.

I'll give you just one example.

In Surrey, a district that has increased in enrollment over the years, our early estimates suggest Surrey students should get access to:

18 more Teacher-Librarians

19 more Counsellors

51 more Special Education teachers, and

80 English Language learner teachers.

Those extra specialist teachers will make a real difference in Surrey.

More children with special needs will get support, more children learning English will get extra help, and all students will get more one-on-one time.

When you look at these numbers, you realize just how much has been taken away from students over the last 12 years.

It's time to end the cuts and give back.

The provisions from 2002 are in force.

Thank you

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