

Mr. Matt Grinder, Teacher
Ms. Alana Charlton, Principal
Dr. John Gaipman, Superintendent SD 61
Ms. Tara Ehrcke, GVTA President
Mr. Hugh Finlayson, BCPSEA
Reynolds Teaching Staff

April 5, 2012

I am writing to each of you in regard to the email of April 4, 2012 sent by Mr. Matt Grinder to me and other teaching staff at Reynolds Secondary.

I find the contents to be unwelcome, offensive and of a threatening nature. I will stop short of finding the email to be harassment.

I am hoping that my letter will have a pre-emptive nature with respect to unwelcome and offensive language in any further emails, unwelcome and aggressive behaviours described in the email should there be an illegal strike, and pre-emptive in a more general nature if those in leadership positions in union and management accept their responsibilities and exercise foresight into human behaviour in connection with the BCTF Plan of Action should it be approved.

Regarding the contents of the email, the author is advocating for an illegal strike by teachers. The author refers to those who would cross an illegal picket line in an offensive manner, stating "...you'd have to be a real sociopath to cross the line in this situation. No kidding." and later characterizes the lawful teacher with the offensive terms "*moral midget*" and "*evil*." The author then states "*I would keep my children away from you, cause you're evil*" and then threatens aggressive behaviour with "*And I'll shout at you.*" Much later the author describes the behaviour of the lawful teacher as "*immoral and unethical and despicable.*"

I find the contents of the email some of which is quoted above to be unwelcome, offensive and of a threatening nature.

While on the council of the BC College of Teachers I disciplined educators not just for violating professional ethics but also for violating the law. As a responsible member of society and as a person with professional obligations I choose to respect the law and obey the law. Let me be clear: As I did during the illegal strike of 2005, I will not respect any direction from my union to behave in an unlawful manner and if there is an illegal strike by teachers then I will respect the collective agreement and report to work, regardless of the presence of picket lines.

Mr. Grinder, I would suggest that you review in full Article E.2 Harassment in the current Collective Agreement which can be found on both the district's and GVTA's websites and that you also review the Standards for the Education, Competence & Professional Conduct of Educators in British Columbia (4th Edition, 2012) which can be found on the new Teacher Regulation Branch website. It may be instructive for others to review these documents as well.

Dr. Gaipman and Ms. Charlton, I am certain that you are aware of Article E.2.1 *a* and *b* but I must quote two short extracts for the benefit of those who also wish to behave in a lawful manner:

“The employer recognizes the right of all employees to work, to conduct business and otherwise associate free from harassment or sexual harassment.”

“The employer considers harassment in any form to be totally unacceptable and will not tolerate its occurrence.”

I have been the subject of harassment previously. If I am the subject of harassment or if I do not have a harassment free workplace then I will not hesitate to file appropriate complaints in appropriate jurisdictions.

Attached below in full is the email of April 4, 2012.

Respectfully,

Carl Ratsoy
Teacher,
Reynolds Secondary School
Victoria BC

From: Grinder, Matt

Sent: April 4, 2012 12:27 PM

To: Campbell, Scott; Atkinson, Claire; Anderson, Danielle; Atterbury, John; Hudson, Aaron; Jones, Alecia; Cunningham, Bradley; Basi, Rob; Beaupre, Jennifer; Belanger, Sophie; Brach Richey, Laurel; Buckingham, Elisha; Campbell, Barbara; Carrie Schlappner; McDonald, Chris; chowe14@yahoo.com; Coey, Heather; Cameron, Julianne; Prihar, Denise; Daniells, Patricia; dean norris-jones; Drolet, Katie; Falls, Doug; Fliello, Dave; Mallory, Douglas [External]; Mckean, Dan; Elliot, Maylyn; Fisher, Julie; Gilbert, Ross; Gray, John; Pitre, Gregory; Recinos ferguson, Gabriela; Sivertson, Greg; Hallett, Todd; Horlor, Lindsay; Preston, Joyce; Loukes, Jeff; Jensen, Selena; Loughton, Jacqui; Karim, Kas; Kelly, Laura; Knappett, Katherine; Kowalsky, Linda; Packford, Ken; Sholinder, Kimberly; Wohlberg, Liane; l_baylis@hotmail.com; MacIsaac, Melanie; Maestrello, Jennifer; Miller, Claire; Mme. Tyrrell; Puckett, Melissa; Steeves, Nicole; pauljung1@gmail.com; Pollitt, Sean; Ratsoy, Carl; Ravenhill, Dave; Reid, John; Reside, Sara; Robinson, June; Sundher, Sanjai; Staples, Matthew; Benson, Heather; Sullivan, Jacqui

Cc: Schreck, Patrick; tara.ehrcke@gmail.com

Cc: Schreck, Patrick; tara.ehrcke@gmail.com

Subject: yes or no to the BCTF action plan? - One teacher's assesment and opinion

Thought I would write down my thoughts on the upcoming vote, it helps me to think about it. Then I thought others might appreciate looking at each point in turn, as I do. Sorry if that's arrogant, but I feel it's important to have a full debate on this, and I don't know if we're doing that. Please don't read this if you don't want to and this is an intrusion into your email space. It's not like I know better than anyone else, anyways...

The Action Plan?

The upcoming vote on April 17th and 18th is a vote to accept the BCTF action plan. The action plan has two main points. Withdrawing voluntary services (including helping students at lunch or after school, clubs, coaching, field trips, sitting in a voluntary meeting about computers, etc. anything not in the contract) and **giving the BCTF executive the power to call a strike vote for us to go out illegally at a time they see fit**. If we do not vote for the action plan, there is no strike vote. The executive cannot call one, because that would defy the AGM, which is sacrosanct. It is very unfortunate that these two items are tied together. However they are, and there is no changing that. The executive must respect the wishes of the AGM.

I think there is no way in the universe that withdrawing voluntary services will repeal Bill 22. It will not work, pure and simple. The issue is a red herring. It should not be on the agenda because it will not work. It is idiotic to have it on the agenda. The delegates really messed up at the AGM. Either we walk out or we accept Bill 22. The only realistic tool we have to repeal Bill 22 is to walk out illegally, and stay out until we get a deal and all fines are dropped. Another option is mass resignation, which was brought up at the AGM, but was not carried forward. Another option is a recall/referendum campaign, however, that would be very hard and the NDP has already said they would not repeal Bill 22, even though they are against it.

So that is our choice, either we walk out or we accept Bill 22, we have no other choice. Thus if you oppose Bill 22 and are prepared to fight, you must vote for the action plan, even if you think it's stupid. Otherwise we can't walk out.

How bad is Bill 22?

It is bad. Not only does it give us the possibility of 90 students in the cafeteria learning planning 10 with one teacher, but it is a serious threat to our job security. We could be fired with no due process due to "suitability", and they want to get rid of seniority hiring. For those of us without continuing contracts, the more experienced of us and those with masters degrees may not be hired, since we are more expensive. Also, first to be fired will be those with continuing and the most experience and with master's degrees, because they are more expensive. Pregnant women have to watch out too. So will women in general. It is strange that the teachers with the most seniority are the most at risk, but that seems to be the case.

You might think you're safe from bill 22, but I don't see how anyone is safe. There's no telling what will happen.

There is no guarantee that principals and school boards will discriminate like this, but there is a substantial risk they will. They are cash strapped. The issue of job security alone is enough to make me vote for a walk out. I weigh the risk of strike failure versus the probability of getting fired or not hired, and I come up on the side of walking out.

Other deciding factors are my moral outrage that kids will have their right to a good education eroded even further, that this is part of a campaign to destroy public education, and that this legislation puts the union movement back 100 years, hurting working people. All of this combined makes me ready to walk out.

What will a walk out look like? What are our chances?

We will go on strike and picket. I do not know if we will care if support staff go to work, it is not like they will be scabbing and teach. We stay out until all fines are dropped and we get a deal.

Our chances actually look pretty good, or as good as you can expect for this horrible situation. It is likely other unions will be striking too. BCGEU has already filed for a legal strike position. If we go out together, we are that much stronger. We stay out until all unions get a deal.

Plus, you'd have to be a real sociopath to cross the line in this situation. No kidding. That is wishing horrific fines on your fellow teachers. You either have to be a moral midget or evil to want that. I don't care if you're a teacher that has voted conservative all your life and voted against striking. Once we're out, you're really, really hurting people if you cross. I don't believe you'd do it. I would keep my children away from you, cause you're evil. And I'll shout at you. I don't know too many sociopathic teachers, but maybe there are a few. So I have faith we will hold the line.

Even if we go out alone, we are still strong, as long as we stick together. The government might not care about kids, but if the kids lose the year, there are lots of people going to be mad at them (and us). No re-election. It's hard to imagine that liberals who don't get re-elected care much about being elected again, they all get cushy jobs no matter what. However, their corporate masters will be upset that they bungled up and a less controllable party, like the NDP

(who, let's be fair, are centrist and more like the liberals of the 1980's than the NDP of the 1980's) is now in power.

What about my mortgage?

I personally think the union should do what it can to help cash strapped teachers in a long strike. Buy groceries free for strikers, that kind of thing. If they don't I say we get real real mad at them.

What about fines?

First the strategy must be that we do not go back to work until all fines are dropped. Simple. We hold the line for a deal and no fines.

The first to be fined will probably be the union. Fining a kindergarten teacher who is a single mom will look bad on TV. But we do not know what this government will do, they seem a little nuts. Fining our union executive will rankle us, I would think. Make us more determined.

One thing the BCTF lawyers think they know is that if we are fined individually, we do have our day in court where it must be proved beyond a shadow of a doubt that we committed the evil sin of striking. With the backlog of courts in BC it should take a while to have our day in court, but there is no guarantee. This means they won't be able to seize your bank account. This also makes it likely that we will have to be ticketed by the police for striking, which gives us the option of scattering when the cops come, but there is no guarantee. The Liberals have not yet written how this fining section of Bill 22 will work, and they might have a legal trick up their sleeve. We might also call in sick, but we really need direction from the executive and lawyers on these issues.

Remember though, we are only looking at fines if we fail to stand together. So let's stand together.

What if they fire us all?

I wouldn't put it past the Liberals, but if they do, that guarantees that kids lose the school year, and that's big consequences for them politically. If they do, we picket the school board office and don't apply for jobs until we are all reinstated. We stick together.

What if we don't adopt the action plan?

Then our union is broken, and we will live with Bill 22 for a good time to come. Come 2013 a new contract will be imposed on us, because they know we're too weak to oppose it, and we'll lose even more. Remember, the NDP has already said they will not repeal Bill 22, they'd be happy to save some money by screwing us over. They're still more left than the Liberals, though. There is also no guarantee that the NDP will win a majority, or even win for that matter. History in the USA shows that waiting for the democrats to save unions does not work, they just screw you over after election. Given the trend to the right in politics these days, you can bet on the NDP doing the same. They legislated us in the past, remember?

Our executive will not be able to call another vote, they must respect the AGM. So if we vote down the action plan, we are dead. There is a small chance the executive could get another plan through a special meeting of delegates, but that will be tough, and there is certainly no guarantees, and we will be pretty demoralized anyways. Remember these would be the same

delegates that made it so difficult to have a strike vote in the first place. **Our best chance of fighting bill 22 is to adopt the action plan**, even if the part about extra curricular makes you mad.

What about parents?

An awful lot of us get pretty worked up about how much public support we have, and there is reason to be concerned. But consider that doctors probably don't care if the public likes them or not. They go on strike either way, because they know they're important, and they know they have to be bargained with, or else. They have a lot of bargaining power.

Teachers have less, but we too have bargaining power beyond just public opinion. We are all university educated, we all took at least a year of teacher training, we're not easily replaceable, and we do an important service. Without us, the kids will lose the school year. Yes it is important and desirable to have parents and the public on side, that puts pressure on the government. However, it is not the end all be all.

Note that if we vote against the action plan, public opinion will not matter, because we have lost. If we adopt the action plan, public opinion will suffer, but at least we will have a fighting chance. Also, a lot of parents understand that good education for their kids means good working conditions for teachers. They're not going to stop understanding that if we withdraw extra curricular.

Issues around withdrawing voluntary services:

First off, this issue is a red herring because it won't work. We can't repeal Bill 22 by withdrawing extra curricular. The Liberals don't care. They said so, I bet they're not lying. If you care about EC and want to defeat Bill 22, you have to hold your nose and vote for the action plan, otherwise we lose. If you like Bill 22 and think you'll be safe, you're dreaming, but whatever. Second is the issue of whether we have the right or not to dictate to each other how we volunteer. A majority of teachers certainly have no right to tell other teachers to not volunteer at a food bank or candy stripe.

However, when you coach or take kids camping, this is something you do as a teacher. It is voluntary work, yes, but it is still "teacher work" that you volunteered for. You have the keys to the gym because you are a teacher. You can have meetings at lunch for Rugby because you are a teacher. You represent your school, you do it for your school that you teach at for a school team in a school league. If you are injured coaching, I bet my right kidney you will file for workers compensation and say you are "on the job". You know what? Worker's compensation will agree with you, because it is true. You were on the job.

Parents can coach, yes, but when a teacher coaches for her or his school, you are doing teacher work beyond your contract, because of your special relation to the kids in the school and the school. Coaches are not alone in this. You are working beyond your contract if you run a club or take kids camping or even if you stay after school to help kids or give up your lunch to help. Hell, you are working beyond the contract if you make up a homework sheet because you don't like the textbook. That's work you don't have to do, but you do it anyways because it's good teaching. It's beyond the contract, it's voluntary.

So do the majority of teachers have the right to ask all teachers in BC to stop doing voluntary teacher work beyond the contract? Yes, they have just as much right as they do to ask all teachers in BC to go on full strike. If it helps our bargaining position to stop voluntary work

beyond the contract, then we should abide by the will of the majority. We are all affected by what all teachers do as voluntary, and we have a right to ask things of each other in this regard. That's the ethics of it.

Thing is, it won't help our bargaining position in the slightest. It will hurt it. It will piss off parents, it will lower morale, the government won't care. We won't win because the vote to withdraw voluntary services is respected by teachers.

So I say who cares if some teachers don't respect it? It's a stepping stone to getting the really important thing: giving our executive the ability to call a walkout. If some teachers just can't give up EC, then I don't care. Why? Because their actions don't affect our bargaining position. **It's not like crossing the picket line. That I do care about. That is immoral and unethical and despicable,** especially with your fellow teachers facing severe fines. Defying the vote and coaching kids? That is not in the same ball park, because it doesn't affect our bargaining position because we can't win with it. So I personally don't care. I think, though, that we should all do what we can to respect the will of the majority, respect those teachers naive enough to think that withdrawing extra curricular will make a difference, and we should withdraw voluntary as much as possible. But in the interest of solidarity in your school and morale in your school and keeping our eyes on the real prize, I will not care. Because I don't. I think everyone should not get worked up about it, otherwise you get a nasty school atmosphere. But I really care if you cross the picket line.

What about the kids?

This sucks for the kids, yes.

However, every strike that has ever happened anywhere has hurt ordinary folk. The goal is to hurt the owners, but innocents always get caught in the middle. When pilots strike, people can't work or get the parts they need or go on vacation. When a shoe factory strikes, the company that supply it rubber might face layoffs. When nurses strike they hurt the sick and unhealthy. When we strike we hurt kids.

It's horrible, it's ugly, and it's not something you want to do. But it has given us the weekend, the eight hour work day, maternity leave and medical benefits. It's the way the system, capitalism, works. Ordinary folk hurt ordinary folk (temporarily) so we can hurt the rich, and in the long run, all our lives get better. If you think that's the hallmark of a bad system, and we should change it, I'm with you. But it's the system we're in. The best road for us, the best road for the kids, is short term pain for long term gain.