

THE NOVA SCOTIA TEACHERS UNION: 1961-1973.

A Thesis written in partial fulfillment of
the requirements for the degree of Master
of Arts.

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Abstract

This thesis is a study of the Nova Scotia Teachers Union (NSTU) in its dual role as a professional interest group and as a bargaining agent. The thesis deals with the degree of success with which the NSTU has performed these interdependent roles since 1961.

Throughout the thesis, material is brought to bear on the internal structure of the Union, internal and external communication and the need for recognized legitimacy, all of which determine the effectiveness of a professional interest group. The functions of the NSTU as a bargaining agent, although related to its functions as an interest group, are analyzed separately by examining the effectiveness of the Union in negotiating salaries and fringe benefits.

The ability of the NSTU to accomplish its primary goal, the advancement and elevation of the status of the teaching profession, is revealed. Impediments to Union progress such as structural inadequacies and poor bargaining procedures are also examined as well as the proposals for change designed to alleviate the impediments.

Possible future alternatives with respect to Union structure and the bargaining process are examined and the recommendations of the author presented.

INTRODUCTION

The Nova Scotia Teachers Union (NSTU) has evolved from a small group of dedicated professional teachers in 1895, into a large organization now representing 10,500 members. In the process of evolution the Union has encountered and overcome numerous obstacles which could have altered the direction of its course. The creators of the NSTU and those who succeeded them in positions of leadership have always been guided by the primary goal of the Union - the advancement of the status of the teaching profession in Nova Scotia. This thesis is concerned with the degree to which the NSTU has realized its goal since 1961.

In striving to achieve its goal, the NSTU has had to adopt a dual role. The Union is, on the one hand, a professional organization and as such performs the professional functions associated with occupational interest groups. On the other hand, the NSTU is a bargaining agent and in this capacity performs functions normally associated with labour unions. Many people, including some members of the NSTU, believe that the functions associated with both roles are incompatible or even inherently contradictory. Although the adoption of both roles has proved problematic, the Union has assumed these roles on the basis of the status of its members.

The teachers, because of their employee status, have found it necessary to organize into a body capable of

carrying out collective bargaining with their employers. As professionals, the teachers also exert influence so as to have some input into the development of the education system generally, as well as their profession specifically. The NSTU must therefore receive recognition both as a professional interest group and as a bargaining agent. The degree to which the Union's two roles are recognized and accepted will determine its effectiveness in terms of its primary goal.

In short, the NSTU is a professional interest group and a bargaining agent for that group. The two roles are not mutually exclusive but rather they are interdependent. In light of its goals since 1961, this thesis deals with the degree of success with which the NSTU performs its two roles.

Interest groups have for years fascinated political scientists and a considerable body of literature exists on them. Analysis of the literature has led specifically to the works of two authors, David Kwavnick and Helen Jones Dawson. Both authors have developed interest group theories, based on case studies, which are of particular relevance to this thesis.

David Kwavnick states that the most important goal of any organization is "... the preservation and continued growth of the organization itself and the continuation of the leaders in their position of leadership."¹ This is not necessarily a selfish attitude. The preservation of the

group is necessary if its functions are to be fulfilled, and continued leadership can provide the advantage of sound, long-term policy.

Of major concern to any group is its recognition as a legitimate interest group. An interest group is legitimate when it has recognition from the various publics with which it is concerned: the government, the civil service, other interest groups and the public at large. Once recognized as a legitimate interest, the group may become directly involved in governmental decision-making, and usually has the right to be consulted in relation to matters concerning it. A legitimately established interest group jealously guards its legitimacy for it is by achieving and maintaining this status that an interest group qualifies for entry into the political process.²

There is a direct correlation between the degree of legitimacy an interest group has and its extent of influence. The possibility of an interest group, not accepted by the various publics with which it is concerned, achieving its goals through normal channels is very remote.

According to Kwaynick, interest group leaders are also concerned with their mandate. The leaders have a mandate when "... they are recognized as the spokesmen of the interest."³ This recognition comes, not from the 'publics of concern' to the interest group but from the membership of the group. To maintain the mandate two problems must

be overcome: the possibility of other leaders assuming control and the possibility of other groups emerging as representatives of the same interest. The solution to these two problems is normally achieved through the development of closed-shop unions and constitutional powers of discipline over radical individuals or locals. Often the need to prevent a loss of mandate causes leaders to demand unity.

Helen Jones Dawson, in her study of the Canadian Federation of Agriculture, illustrates numerous characteristics of a legitimate "... mandated interest group."⁴ She notes that the structure of the group is extremely important, especially with respect to internal communication. Individual interests and ideas must be able to be communicated to the leadership and, in turn, the leadership must be able to quickly communicate policy to the membership. Normally, interest groups establish an internal communication system consisting of informal discussions, formal discussions, meetings, lectures, bulletins and news papers concerned primarily with the organization.

The interest group structure must also be characterized by the ability to communicate with other interests. Because public opinion is so important, Dawson notes, interest groups usually use the press, radio and television to put forth their views on any issue relating to the interests of the group.

Apart from press releases, radio and television, interest

groups usually attempt to develop some form of communication focused more toward government officials. The degree of government acceptance of the group is indicated by the amount of contact between representatives of the interest group and government representatives.

Normally, to foster membership participation and support, the structure should also reflect democratic ideals, especially in relation to the establishment of policy. This usually takes the form of the presentation of resolutions at some form of annual meeting at which all components of the group are represented. Operating on the basis of democratic ideals has the effect of producing a unified stand on the policies advocated by the interest group.⁵

Dawson and Kwavnick raise important questions on which a study of any interest group should direct attention. Throughout this thesis, material is brought to bear on the questions of internal structure, internal and external communication and the need for recognized legitimacy in order for interest groups to achieve objectives. Also, though the term 'interest group' can be so defined as to include unions as bargaining agents, the term is not so defined here because the functions of interest groups on the one hand and unions on the other can be analytically distinguished as suggested earlier. Further, the performance of these two functions can be gauged separately.

Organization of the Thesis

Chapter I of this thesis presents a brief history of the development of the Union from its inception in 1895 to 1960. The post-1960 development of the Union's constitutional structure and the proposed structural changes are the subject of Chapter II. Chapter III investigates the internal and external communication techniques developed and utilized by the NSTU since 1960. Chapter IV surveys NSTU bargaining procedures and the inconsistencies therein. As well, the example of Quebec teachers is examined. Chapter V notes three major current priorities of the Union and their probable effects on the teaching profession generally in Nova Scotia as well as on the NSTU as a bargaining agent. The degree of success of the Union in relation to salary increases is the subject of Chapter VI, while Chapter VII attempts to reveal the degree of success of the NSTU in negotiating fringe benefits for its members. Chapter VII is followed by a Summary and Conclusion in which this writer's views, with respect to the degree to which the NSTU has achieved its primary goal and the performance of the Union's dual role, will be presented.

Introduction Footnotes

1. David Kwavnick, Organized Labour and Pressure Politics. Montreal, McGill - Queens University Press, 1972, p. 2.
2. Kwavnick, p. 4.
3. Kwavnick, p. 3.
4. Helen Jones Dawson, "An Interest Group: The Canadian Federation of Agriculture", Canadian Public Administration. University of Toronto Press, Vol III no. 2, June 1960.
5. Dawson, pp. 134-149.

CHAPTER I

A SHORT HISTORY OF THE NOVA SCOTIA TEACHERS UNION

The Evolutionary Process

The formation of the NSTU in 1895 represented the first attempt by the teachers of Nova Scotia to form a united protective association. The teachers, dissatisfied with low salaries and poor working conditions, sought in organization the solidarity and power necessary to overcome their dissatisfactions.

Although, in Nova Scotia, the idea of a teachers' protective organization was new, teacher associations had been operating here for approximately 50 years before the formation of the NSTU. The first association, in Nova Scotia, was proposed as early as 1842, when teaching conditions were very poor, the pay extremely low and uncertain, and the qualifications of the teacher dubious. "Little wonder that it often seemed that teaching was something one took up after he failed at everything else."¹

By 1851, at least 12, locally based, common school, teacher associations were in operation across the Province. The primary objectives of these associations were basic

to teachers' immediate problems. Most stated their mission as, "... the mutual improvement of ... the ... members and the advancement of the teaching profession."² The associations were not protectionist. They emphasized professional improvement rather than economic problems. Status was also of major concern as it was realized that until the status of the profession was raised, the qualifications of the teachers would remain low.

The Educational Association of Nova Scotia and The Cape Breton Teachers Association were established in 1862. Both associations attempted to develop locals in every county of the province but they were not very successful. They also presented petitions to the Nova Scotia Legislature decrying the inadequacy of the educational system in the Province; the high incidence of illiteracy; the poor salaries; the method of taxation; the curriculum; the student teacher ratio; and the lack of recognition, status and tenure.³

In 1880 a new Provincial Education Association was organized under the Council of Public Instruction.*⁴ In this association teachers, supervisors, inspectors and government officials were brought together to discuss

* The Council of Public Instruction was the forerunner of the Department of Education. It consisted of the Provincial Cabinet meeting to discuss educational matters.

educational matters and make recommendations to the government. Meetings of the association were held annually until 1890. Because of the large percentage of supervisors and government officials attending these meetings, little if any time was devoted to the discussion of teachers' problems.

By 1895 teachers realized that their problems would not be solved through the Provincial Education Association. At the close of the 1895 meeting of this association, a proposal for a teachers' protective union was discussed. It was thought, at the time, that while such a union might not do much in Nova Scotia to improve salaries, it could do much for educational reforms such as a code of ethics to prevent underbidding for positions.* A union could also request legal enactments protecting individual teachers from, "... the petty tyranny of some trustees and the unrighteous magistrate who prefers to purchase the favour of his neighbour by unjustly condemning the unprotected teacher."⁵

1895-1921: Organization and Goal Setting

The NSTU was established in 1895. An executive

* Underbidding was the practice of an individual approaching a local school board and offering his services at a rate of pay less than that paid to the employed teacher. This had the effect of undermining the position of the teacher and lowering salaries.

was formed and instructed to draw up a constitution and frame by-laws for the Union. The constitution was adopted in 1896. The objectives of the constitution (noted below) obviously related to problems of the day. Their similarity to present day problems is striking.

1. To elevate and unify the teaching profession in Nova Scotia,

2. to bring the claims of the profession before the public and legislature of Nova Scotia as occasion may require,

3. to watch the educational outlook and trends of thought in other parts of the world with a view to keeping the profession in Nova Scotia abreast of the times,

4. to endeavour to advance salaries by increasing the capabilities of teachers and improving the quality of the work,

5. to protect teachers who through errors in agreement or otherwise are in danger of being defrauded by unscrupulous employers.⁶

Unfortunately this new teachers Union continued to meet more or less as an adjunct of the Provincial Education Association. This association no longer met annually. In fact seven years passed before the next meeting in 1903.

The new Union remained almost dormant. With an annual fee of 25¢ and life membership for \$2.00; there was not much in the form of funds to establish a central office much less acquire the necessary staff to run a viable working union.

By 1920 the membership of the NSTU was of the opinion that, "... teachers should formulate their policies and conduct their affairs without official interference"⁷. The Union subsequently broke away from the Provincial Education Association to form an independent organization.

During 1921 the NSTU was reorganized under the leadership of H. H. Blois and the Reverend M. M. Coady both of whom were elected, to the positions of President and Secretary-Treasurer respectively.* The first annual meeting of the new Union was held November 4, 1921.

The leadership of the new Union insisted upon the establishment of locals as a method of overcoming the problem of geographical separation of the teachers. The duties of the locals were enumerated in the Constitution.** According to Mr. Blois

"It was the belief of those who developed the

* For further information about the 1921 reorganization refer to: NSTU Bulletin - June 1953, Vol XXIX, No. 4. pp. 99-100
NSTU Bulletin - April 1954, Vol XXX, No. 4. pp. 11-12

** see appendix A of this thesis.

new union that if there were local unions formed in every part of the province, the status of the teachers and the cause of education could by this means be more effectively advanced."⁸

A study of the NSTU constitution of 1921 will indicate the objects of the Union; the structure and functions of the various branches of the organization; the membership fees and the method of altering the constitution.*

With reorganization complete and the paternalistic stage of development over, the 25 year old Union could now independently achieve its objectives of unifying and elevating the teaching profession in the province.

1922-1960: Legitimacy and Mandate

The new Union now had to overcome the problems of legitimation and mandate. Now representing an interest its task became one of solving the problems of the interest it claimed to represent and increasing the membership of the Union. One of the first areas of concern approached by the NSTU was salaries. To obtain a voice in salary determination became a prime target of the organization, the accomplishment of which would serve a dual function. First, increased salaries would induce more qualified people to join the profession and, second, it would also encourage more teachers to join the NSTU. Increased membership was considered a necessity as the NSTU could

* The 1921 constitution is examined in chapter II of this thesis.

not legitimately claim to represent the interests of the teachers until a majority of teachers belonged to the Union. The NSTU could then claim the mandate of the teachers to speak on their behalf.

Teacher salaries, by tradition, were determined solely by the school boards. The NSTU had to challenge this traditional authority successfully if it was to survive. The method sought by the NSTU to raise salary levels was collective bargaining. According to one expert, collective bargaining implies the following points:

1. freedom of employees to form themselves into an association,
2. freedom of the association to engage the employers in bargaining on behalf of the employees,
3. freedom to invoke meaningful economic sanctions in support of the bargaining.⁹

These assumptions raise two problems with which the NSTU had to deal during the period of 1922-1960. They were: the achievement of recognition as a bargaining agent, and professionalism versus unionism (where unions advise the use of economic sanctions to achieve a desired goal). Both problems will be noted further in chapter IV.

Because the NSTU was not a recognized bargaining agent, attempts during the hungry thirties to increase

salaries normally met with failure. In fact, "... union policy during this time was to salvage what was gained in the twenties."¹⁰ It was not until the early forties, when teachers experienced a drop in real income because of inflation, that Union members began to demand a greater voice in salary determination and contemplated the union model being appropriate to the NSTU. By 1945 the members had expressed their determination not to accept the union model. They rejected affiliation with labour by a vote of 893 to 741.¹¹

During the early nineteen forties the development of locals was proving to be a very slow process. The locals were concentrated mainly in urban areas and they were not particularly effective in securing adequate raises in salaries from independent school boards. Because of the ineffectiveness of the locals in securing salary increases, the provincial executive of the NSTU decided to approach the provincial government. The executive hoped to achieve at the level of the provincial government what it could not accomplish at the local level. Recommendations submitted by the Union to the government had little effect, so by 1944 the Union adopted the policy of sending delegations to the premier thereby shattering the previous policy of avoiding open conflict.¹²

The provincial level approach proved effective as the government finally instituted a teacher salary scale for the entire province. The provincial government participated in financing this scale. Instead of the customary uniform across-the-board raises, the government instituted a sliding scale of salaries in which the largest increases went to the better licenced and more experienced teachers.¹³

The first provincial minimum teachers salary scale came into operation in 1946-47 and served to reinforce the Union's policy of approaching the provincial government rather than the individual school boards.¹⁴ The salary scale was intended to insure that no teacher would fall below a stated minimum salary level but was not intended to serve as a maximum that any school board could pay. Because some urban school boards were interpreting the scale as the maximum payable to teachers, there were some complaints by the urban locals. On the whole the salary scale proved more beneficial to rural teachers who immediately realized a salary increase. Some disputes did arise as to the benefits of a provincial salary scale but the tendency, on the part of most locals, was to leave the bargaining function in the hands of the provincial representatives.

This tendency proved to be disruptive in the early nineteen fifties. Because of the Korean War, Canada was once again experiencing inflation and the teachers suffered a drastic drop in purchasing power. Not only had the purchasing power of the average teacher's salary declined since 1945, but it was in fact only \$164 higher than it had been in 1939.¹⁵ When the Union, following established procedure, presented its case to the provincial government, along with recommended salary increases, it was flatly rejected. The government argued that its expenditure for education would rise even without assuming additional obligations, and in view of an anticipated budgetary deficit, it offered no hope whatsoever of any increase in the province's contribution to teachers' salaries.¹⁶

The provincial level approach had failed and unfortunately few locals were prepared to bargain with the individual school boards. The teachers salaries during this period had become "... a political ball to be tossed back and forth between the provincial and municipal educational authorities each of which blamed the other for the situation."¹⁷ Meanwhile the standard of living of teachers was declining sharply with the result that they were becoming more militant. The question of affiliation with labour (specifically The Trades and

and Labour Congress) came up again in 1951. In a referendum the members voted 1,124 to 918 in favour of affiliation.¹⁸ At the annual council meeting held later, the vote was 43 to 39 in favour of affiliation.¹⁹ The Union subsequently did not affiliate with labour but decided to acquire its own certification legislation, the reason being that affiliation would split the organization.

During the crisis of the early fifties the rural and village teachers of Cape Breton Island and the rural teachers of the Antigonish area went on strike. The Cape Breton strike lasted from January 3/51 to February 27/51. The Antigonish teachers struck from February 19/51 to March 25/51.²⁰ Eventually the provincial government met with the municipalities concerned to resolve the disputes. In the interest of avoiding the possibility of more strikes in the future, the provincial government appointed a one man royal commission to look into the whole problem of educational financing in Nova Scotia. Judge Vincent J. Pottier was the commissioner.*

The result of that commission, to which the NSTU submitted a comprehensive brief, was the establishment in

* Judge Pottier submitted his report to the government in 1954. For further reference see:
The Report of The Commission on Public School Finance in Nova Scotia. Queens Printer, 1954.

1956 of the Foundation Program of Educational Finance.*

Under this program the province shared with the school boards the costs of education in Nova Scotia. The program established a minimum salary scale for teachers in which the provincial government would participate.

Legislation passed in 1953, and amended in 1957-58, recognized the right of the NSTU to bargain on behalf of its members with the school boards. The act and its amendments also provided machinery for the resolution of disputes and compelled school boards to commence bargaining when requested by the Union.** After 36 years the NSTU finally received the recognition it sought. The NSTU now qualified as a legitimate interest group with a mandate to act on behalf of its members, and was recognized as a bargaining agent.

Apart from the problems of obtaining bargaining rights and the question of affiliation with labour, the NSTU also had to increase its membership and the number of locals in the organization. Due to a lack of funds it was difficult to develop locals in areas that were not urban. Also, the low salaries, high mobility and high turnover characteristics of the rural staff severely limited the number of rural teachers brought into the Union.²¹ Obviously locals could not be developed without increased membership

* For details see - The Education Act, 1955, being Chapter 23 of the statutes of 1955: also NSTU Council Minutes, 1955, pp. 61-63.

** For further information see: The Nova Scotia Teachers Union Act and Amendments to 1957. Queens Printer, Halifax, 1957.

so, in the early years, the Union attempted to develop services which would discriminate between members and non-members. But, again, because of low membership the Union could not afford many special services. Before 1940 only a legal aid scheme was made available to the members.²²

The Union had to depend primarily upon the locals for recruiting so it was not until 1942, when the first general secretary was appointed, that the possibility of Union penetration into rural areas became practicable. Mainly because of the activity of the general secretary membership increased rapidly, from 45% of all teachers in 1941-42, to 72% in 1949-50. In 1950 the Union decided to secure legislation that would guarantee membership. Members would no longer have to be recruited yearly but would be permitted to write out of the Union. By 1957 membership in the NSTU was automatic upon commencing teaching but teachers could write out yearly. Thus by 1957, any teacher who did not wish to belong to the NSTU had to write a letter to this effect (every year) to the executive of the Union. The same situation applies today. The new legislation had the effect of increasing membership in 1958, to 5300 or 98% of all teachers in the province. In 1960 that number reached 5800.²³

As membership increased to include the rural areas,

the number of locals also increased rapidly, so that by 1960 there were 53 compared to 29 in 1941.²⁴ With bargaining now carried on at the local level and the increased number of locals, a greater degree of communication and aid would have to be supplied to the locals by the executive and its staff located in Halifax. The role of the executive of the NSTU had changed from one of bargaining leadership to one of coordinating and supporting the locals.

By 1960, the NSTU had set its patterns of development as an interest group and established its position as a bargaining agent of the teachers of Nova Scotia. As a bargaining agent the Union could claim responsibility for the passage of the NSTU Act as well as seven major amendments to that Act.²⁵ As a professional organization the NSTU was also, during this time, responsible for numerous changes in the Education Act. These accomplishments enhanced the status of the Union and furthered the cause of professional development.

By 1960, the formative period of the NSTU was over. It had achieved recognition from both the government and the school boards, avoided affiliation with labour and raised the status of the teaching profession. It remained to be seen whether the NSTU could fulfill its objectives

for the future. A serious problem, however, was its outdated constitution.

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Footnotes Chapter I

1. C. B. Ferguson, "The Evolution of the Nova Scotia Teachers Union", Nova Scotia Journal of Education. 5th Series, Vol. IV, March 1955, p. 68.
2. C. B. Ferguson, p. 70.
3. C. B. Ferguson, pp. 71-72.
4. N. Ferguson, "The First Twenty-Five years of the Nova Scotia Teachers Union", Nova Scotia Journal of Education. 5th series, Vol. 19, May 1970, p. 32.
5. N. Ferguson, pp. 32-33.
6. N. Ferguson, pp. 33-34.
7. H. H. Blois, "Nova Scotia Teachers Union organized", NSTU Bulletin. Vol XXX No. 4, April 1954, p. 12.
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9. A. W. R. Carrothers, Collective Bargaining Law in Canada. Butterworths, Toronto, 1965, p. 3.
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12. Donald B. Hope, The Accomplishments of the Nova Scotia Teachers Union in the Fields of Salaries, Pensions and Professional Growth. Unpublished Masters Thesis, St. Mary's University, Halifax, 1961, p. 8.
13. Bulletin of the Nova Scotia Teachers Union, Halifax, Vol. XX, no. 5, June 1944, p. 146.
14. Nova Scotia Teachers Union Council Minutes, 1946, p. 32.

Footnotes Chapter I (Cont.)

15. Bulletin of the Nova Scotia Teachers Union, Halifax, Vol. XXXI, no. 2, December 1954, p. 18.
16. Nova Scotia Teachers Union Council Minutes, 1951, pp. 28-29.
17. J. B. Roald, Pursuit of Status: Professionalism, Unionism and Militancy in the Evolution of Canadian Teacher Organizations, 1915-1955. Unpublished Doctoral Thesis, University of British Columbia, 1970, p. 336.
18. Nova Scotia Teachers Union Council Minutes, 1952, p. 1.
19. Nova Scotia Teachers Union Council Minutes, 1952, p. 31.
20. J. B. Roald, p. 336.
21. Donald B. Hope, pp. 304.
22. Nova Scotia Teachers Union Council Minutes, 1932, pp. 175-6, 179, 186-7.
23. Tom Parker, Struggles and Achievements: A History of Nova Scotia Teachers Union, 1950-1963. NSTU Halifax, 1963, p. 16.
24. Tom Parker, p. 16.
25. Tom Parker, p. 31.

CHAPTER II

THE STRUCTURE OF THE NOVA SCOTIA TEACHERS UNION

In order to present the rationale for change as visualized by the innovators, much of the material presented in this and subsequent chapters has been gleaned from interviews with Union personnel. The NSTU, because of the apparent outdatedness of its constitution is now contemplating structural changes, the proposals for which will be presented at its annual council meeting late in March, 1974. If accepted, these changes will be incorporated into the constitution.

The constitution of the NSTU, like that of any organization, governs its organizational structure, the method of representation of its members and also delegates and defines decision-making power. The NSTU constitution has become outdated. For example, because of the stipulations of the 1921 constitution, representation at the annual council meeting of the Union has almost tripled to over 300 members, making the determination of policy extremely difficult. Also the method of electing the President and the powers granted to him/her are out of focus with the situation today. But the primary problem with the constitution today is that it inhibits the

activities of the average member by restricting his or her participation in the formulation of policy at both the local and provincial levels of the Union.

Constitutional Implications for Structure

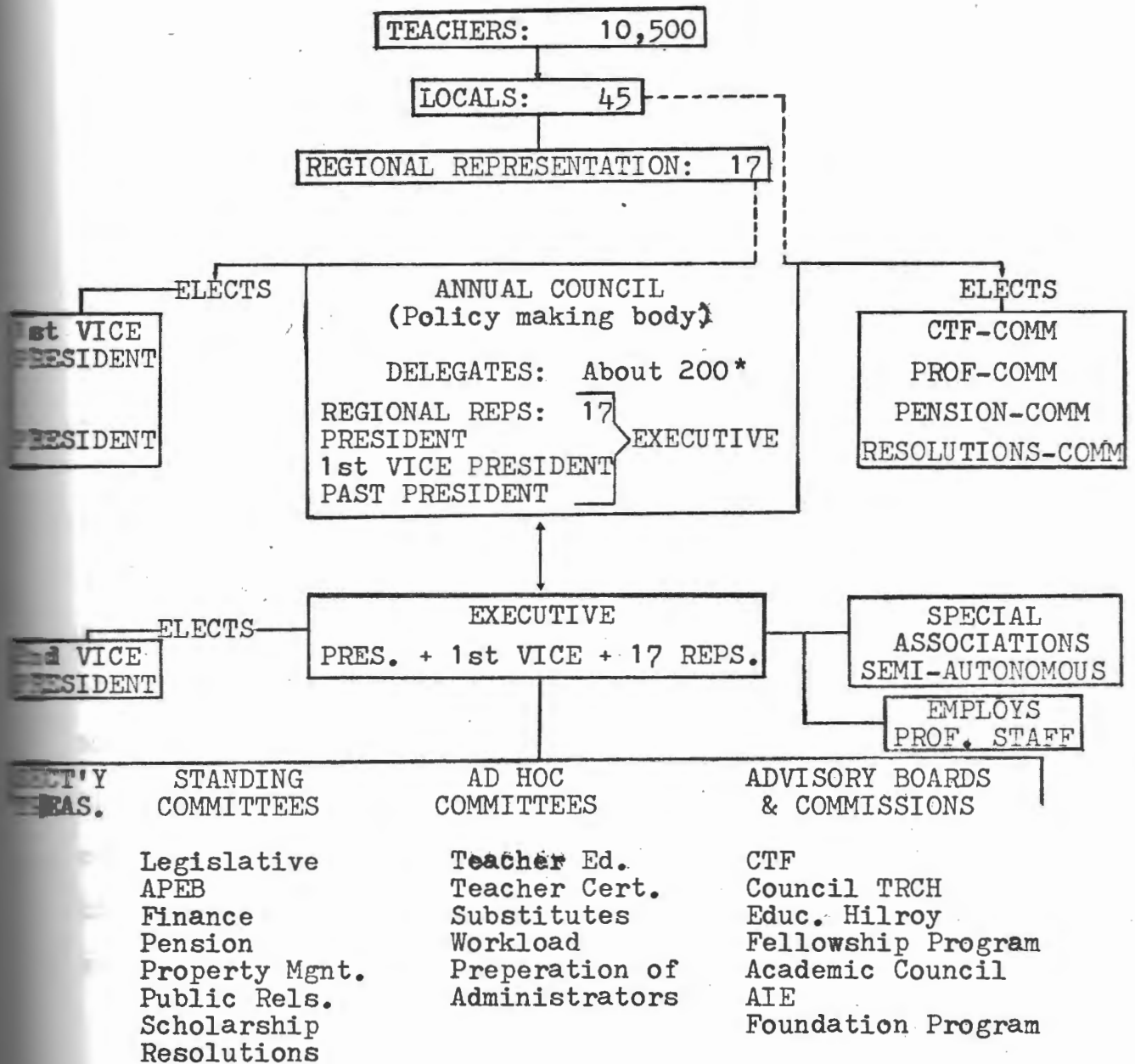
The original constitution of the NSTU,* drawn up in 1921, enables one to briefly sketch the structure of the organization. This document stipulates that the NSTU is to consist of a provincial council and local units. The composition and duties of the council are outlined and an annual meeting of the council is required. The duties, (but not the structure) of the locals are also outlined. Union membership is defined as all persons engaged in teaching in the common and high schools of the province who wish to join. This constitution also set forth the goals of the NSTU.**

The power of the organization is based in the provincial council which consists of representatives of the locals. An executive of the council, consisting of a president, two vice presidents, a secretary-treasurer and five other elected persons, functions to carry out the wishes of the council. The financial support for the executive comes from the locals through the council.

* see appendix "A" of this thesis.

** see appendix "A", article 1.

ORGANIZATION CHART
NOVA SCOTIA TEACHERS UNION



* The actual number of delegates to annual council is approximately 200 when one includes alternate delegates.

Source: Compiled with the assistance of Mr. Les Walker, Executive Assistant of the NSTU.

The constitution of the NSTU has, over the years, evolved into an elaborate document governing a large diversified organization. Reference to the organization chart (figure 2:1) will reveal that the basic structure of the organization, as stipulated by the original constitution, is still in existence, but the organization itself has grown immensely. This growth has required multiple constitutional changes in the form of by-laws and orders of council.

The present constitution of the Union consists of the Teaching Profession Act;* the by-laws to the Act, (approved by the Governor-in-Council of Nova Scotia) and the Standing Orders of Council.¹ The constitution governs the activities of each individual organ of the Union. Whereas the 1921 constitution was open to interpretation, the latter, in many respects, is not. As new organs evolve within the structure of the NSTU, the scope of their activities must be outlined. The following is a summary of the present constitution of the NSTU.

The Teaching Profession Act

- defines terms of reference
- incorporates the NSTU
- designates the elements of the constitution

* The Teaching Profession Act was originally the Nova Scotia Teachers Union Act. By the latter the NSTU was incorporated in 1951.

- defines persons eligible for membership
- recognizes Union objectives
- delegates power
- provides for the formulation of by-laws (with the approval of the Governor-in-Council
- determines member resignation procedures
- prescribes a method for the collection and transfer of dues, and
- sets up compulsory negotiating machinery

The By-Laws of the NSTU

- stipulate membership fees, rights, privileges and responsibilities
- set up and define powers of locals, council and executive
- stipulate officers of the Union, their powers and functions
- recognize committees of council and grant council the rights of defining their duties, and
- establish a legal assistance fund

Standing Orders of Council

- set forth procedures for dealing with resolutions
- determine the basis of and establish procedures for election to the executive, and
- recognize, give support to and limit the scope of special associations.²

Membership and Locals

As indicated in fig. 2:1, there are approximately 10,500* members in the NSTU, representing about 99% of all teachers in Nova Scotia.³ The members belong to 45 locals**

* The Union has adopted the policy of negotiating the Rand Formula into its contracts with school boards. This should result in the NSTU representing virtually 100% of Nova Scotia teachers and will provide greater finances to the organization. To date only 7 out of 45 locals have this formula in their contracts.

** For a list of locals and membership see appendix "B".

spread across the province. According to the constitution:

"A local shall be a committee of the NSTU for purposes within the area of such local and when acting as such shall be under the control of the council, subject to the ...Act and ... By-laws."⁴

The sanctions available for use against a rebellious local or member thereof, although strong, are seldom used. The Teaching Profession Act gives the Union the power to "expel or otherwise discipline any member ..."⁵ It would, however, appear likely that the Union would attempt to placate such a local or member rather than resort to expulsion.

The locals are the bargaining agents of the NSTU and, as such, carry on all negotiating as required by the Teaching Profession Act. They are also represented at annual council meetings on the basis of one representative for every 25-50 active members and one for every additional 50 members or faction thereof.⁶ The locals have a high degree of autonomy, but in the interest of provincial unity must work through and with the provincial executive of the NSTU.

The Council of the NSTU

The council of the NSTU is the legislative or policy-making body. It is composed of local delegates and the executive, which includes 17 regional representatives,

the president, the first vice-president and the immediate past president.* At the annual council meeting the president, first vice-president and the members of the various committees are chosen.

Because the government must approve changes in the Teaching Profession Act and the cabinet must approve the by-laws, the power of the council to change its constitution is limited. None-the-less, Union policy can be changed with a two-thirds vote of the members of council.⁷

The NSTU Executive

The executive of the NSTU supervises the business, property and affairs of the Union between council meetings. To carry out its functions, the executive presently employs a staff of one executive-secretary, five assistants, one business officer and one communications officer. Their range of functions includes administration, negotiation, curriculum design, teacher education, publication, finance, public relations, legal aid and professional development.⁸

The provincial executive is responsible for providing guidance to a large number of standing and ad hoc committees; special associations; the annual council meeting and the locals. This heavy work load necessitates the

* The position of past president has not been filled for 5 years due to retirement.

large staff mentioned above.

Executive members are elected yearly, but because this body requires long-range policy and planning, the practice of yearly elections is beginning to cause some problems. In situations where many new members are elected to the executive in any one year, the effectiveness of the executive declines.

The President of the NSTU

The constitution stipulates that the president shall hold office for the school year following the council.⁹ The president is responsible for "... presiding at all meetings of the council and the executive and has general oversight of the affairs of these bodies."¹⁰ The president is also an ex-officio member of all committees and must perform additional duties that are delegated to him/her by the council.

According to Miss Mary Roach, President of the NSTU, "One of the most important functions of the president is to put his/her personality to work in a liberal interpretation of policy."¹¹ Miss Roach noted that because of a greater degree of faith in the executive, the council has permitted them more latitude in the interpretation of resolutions from that body. She further stated that as president she considers herself both a

leader and a follower, leading on the basis of a broader provincial and national outlook and following on the basis of what is derived from studying the different perspectives of all teachers.

Standing and Ad Hoc Committees and Special Associations

The standing and ad hoc committees established by the council work under the guidance of the executive. Their functions range from preparing requests for legislation to be presented annually to the minister of education; to financial, pension and property management, and teacher education and certification.

The NSTU special associations* are semi-autonomous. They are professional groups concerned with increasing knowledge and understanding of a subject area, performing as a clearing house for ideas and recommending action on matters affecting their subject to the executive.¹² The special associations are province wide. They receive a grant from the provincial executive and do not (unless requested)**become involved in executive business.

As one can see, the organizational structure of the NSTU is complex. It requires a high degree of coordination

* For a list of special associations and their functions refer to : The NSTU Executive Conference, June 1973, pp. 14-23.

** In 1973, at the request of the executive, the School Administrators Association joined forces with the NSTU to present a brief to a government committee on education.

and communication. It depends to a great extent on the membership for active participation in policy formulation and implementation. Lately, many members have become apathetic and prefer to leave Union activities in the hands of the minority. This is not a problem in itself but merely a sign that problems have developed within the structure of the Union. The problems appear to center around a lack of understanding and poor communication of Union policy and a trend toward centralized power.

Identification of Structural Problems
and Recommendations for Change

The annual council meeting of the NSTU held in 1970 gave formal approval to the following resolution:

"that the Executive of the NSTU authorize a complete study of our whole operation to ascertain our future growth and development re Staff, Services and Program, in relation to projected income and energy expended; and further that the executive appoint a committee to carry on such a study and be authorized to call on the expertise of resource people outside the NSTU to assist in study; and further that an amount determined by the Finance Committee and sufficient to pay for such a study be included in the Budget".¹³

This resolution was sponsored by the current president of the Union, Miss Mary Roach. Miss Roach noted that at the time the resolution was approved criticism of the Union was high and non-constructive. Her intention as sponsor of the resolution, was to determine if the Union

was, in fact, meeting the needs of the teachers. She further stated that the study was to be positive and result in recommendations for change where necessary.¹⁴

An ad hoc Structure Committee was formed to work in conjunction with the consulting firm of Booze, Allan and Hamilton Canada, Limited, (BAH) which was commissioned to carry out two studies to identify problem areas in the structure of the NSTU. The entire structural study, consisted of three phases, two of which were carried out by BAH (its reports and recommendations, were submitted to the provincial executive and the Structure Committee). The third phase of the study was carried out by the ad hoc Structure Committee. This committee studied the reports and recommendations of BAH, did some investigating of its own, throughout the locals in the province, and finally, on the basis of BAH recommendations and their findings, submitted their recommendations to the delegates of the council of the NSTU. The recommendations of this committee will be dealt with at the annual council to be held in March 1974.*

The first BAH structure study was carried out during the summer and fall of 1971. The second (a follow-up

* For the purposes of this thesis the officials of the NSTU have been generous enough to make available to me both the report of the structure committee and the BAH reports of 1971 and 1972.

study) was conducted during the fall of 1972.

With respect to the overall structure of the Union, the first BAH report noted that, "... the needs of the membership will rapidly become more complex and diverse. It follows that the structure and actions for definition and response will also become more complex."¹⁵

The report further states:

"A prime measure of a membership association is how well it perceives and responds to the needs of its members. The effectiveness of that perception and response is largely dependent on the nature of the association's organization structure and the role exercised by its governing units."¹⁶

The 1971 report notes that the present organizational structure of the NSTU is not adequate to respond to the needs of its members. The inadequacy is indicated by the fact that "a substantial proportion of the membership lacks understanding of ... NSTU ... activities and is not particularly responsive to existing means of communication."¹⁷ It is recommended that the governing bodies should be constantly aware of this problem and "... continually seeking new ways to improve communications* and to involve the widest possible number of members in NSTU activities."¹⁸

Union locals, according to the 1971 BAH report, are suffering from the "... absence of any rationale or

* The problem of communications, one which is vital to the Union, is dealt with in detail in chapter III of this thesis.

commonality of structure ..."¹⁹ The characteristics of locals vary widely. For instance, membership ranges from a low of 29 to a high of 1,506; locals are dealing with from one to six school boards and the number of schools in a local ranges from one or two, to as many as 59. To devise a common rationale for the structure of locals, the report makes three recommendations. First, the structure of the locals should be re-examined and changes actively sought. Second, a rationale should be defined for the structure of locals and illustrated by flexible but clear criteria. Third, the basic unit of organization of the local (and, hence, the NSTU) should be the school representative.

To alleviate the problems and develop a common rationale for local structure, the structure committee in its final report, makes the following recommendations: First, that the NSTU should encourage greater and wider membership participation in Union activities. The vehicle through which this is to be achieved will be the school representative. (See appendix "D"). Second, that a local council be created. The new local council will consist of the executive of the local (elected by all schools) and the school representatives - at least one from every school in the local.

The creation of the school representative* and the local council represents an attempt by the Structure Committee to encourage greater involvement in local activities on the part of the teacher.

The local council will become the decision making and communications center of the local and a forum for local committee reports. This council will reduce the necessity of frequent meetings of the entire membership of the local which, except in times of crisis, were poorly attended. But the same council will give representation to every school in the local. The local council will, in effect, take over the functions performed by the local general meeting. Never-the-less the entire local will retain residual powers and participate in the making of major decisions such as contract ratification.

The creation of a local council will not be mandatory. Some locals, notably the smaller ones, may not require such a council to achieve increased participation, the school representative in these cases will serve on the local executive as it presently exists. The position of school representative must of necessity be created and maintained as NSTU philosophy now recognizes that the basic unit of the Union will be the school.

* The functions of the school representative will be dealt with in greater detail in Chapter III.

A second problem area noted in the BAH report of 1971 is concerned with the size of the annual council of the NSTU. This body, according to the report, ".s. is excessively large and somewhat unwieldy".²⁰ The report recommends that representation to the annual council be reduced to one half the present number. To effect this change, the NSTU executive is sponsoring resolution number 74-30, to be presented at the annual council in March 1974.²¹ The resolution will reduce representation from the present one for every 50 members to one for every 100 members.

The 1971 BAH report also recommended that because of the President's clearly defined role as spokesman, "consideration should be given to electing the President by popular ballot and to ensuring election by a majority vote."²² As indicated by the proposed organizational chart*, the structure committee has accepted this recommendation.

Pending confirmation at the annual council in March 1974, the entire membership of the Union will henceforth elect the President. This reflects a definite change in

* See appendix "C"

policy, taking power away from the annual council and putting it in the hands of the general membership. The policy change requires numerous alterations in the constitutional by-laws and the approval of the governor-in-council.

Under the proposed changes, the president will be elected for a two year term by a simple majority vote of the members of the Union. The two year term is proposed on the basis of the belief that the president needs time for orientation to the position in order to become an effective leader. The president will not be permitted to re-offer for the position immediately after his two-year term. The Structure Committee feels that the president might, if in office too long, become too far removed from the active profession.²³

Miss Mary Roach supports the proposal to elect the president for a two-year term by a simple majority vote of the members. Miss Roach noted, in an interview, that at the present time it is possible for a president to be defeated at the annual council in March yet carry on as president until August without the confidence of the membership. This, she felt, could prove detrimental to the Union in a crisis situation.

Contrary to recommendations forwarded in the 1971

BAH report, the Structure Committee has proposed the creation of the position of president-elect. The president-elect will serve as first vice-president for one year prior to his or her installation as president. The rationale for the creation of this position is that the president-elect will gain the experience of one year as a member of the executive of the Union before assuming the position of president. The possibility of a conflict of interest arising between the president and president-elect does not pose any real threat because the powers of a president-elect will be limited to those of a first vice-president.

The problem of yearly election of provincial executive members, as previously noted in this chapter, received attention from the Structure Committee. The committee proposed that executive members be elected for a two-year term with one half being elected each year. Membership on the provincial executive will be restricted to a maximum of two consecutive terms (the proposed duties of the executive are enumerated in appendix "C"). These recommendations are made in the belief that the executive of the NSTU is one of the most important elements in its structure. This body requires continuity and can no longer rely on the possibility of some members being re-elected

each year as is now the case.

The recommendations of the Structure Committee, discussed in this chapter, are of primary concern to the NSTU. All recommendations forwarded by the Structure Committee have the official support of the present provincial executive of the union. The resolutions required to put these recommendations into effect have been prepared and published in The Teacher (a publication of the NSTU) so that all representatives to the annual council of the Union may have a chance to study them before attending the council meeting in March 1974.

Most of the proposed changes will require constitutional alterations. It is believed that the alterations, once made, will have the effect of reviving and strengthening the organization. The objective of the proposed changes is to induce more members to participate in policy formulation and Union activities. The NSTU has recognized that the restrictive aspect of a constitution can, with time, become dysfunctional. The Union has, therefore, decided to alter the specifics of the present constitution which maintaining its general philosophy. The constitutional alterations should allow the organization to adapt to altered circumstances in the future.

Administrators and the NSTU

School administrators in the NSTU appear to wield on inordinate degree of power. Although considered teachers, this group has its own special association, the School Administrators Association (SAA). Administrators account for approximately 7% of the membership of the NSTU, but at any one time may represent 50% of the provincial executive. Because of the power it controls, this group occasionally receives extreme criticism from the "ordinary" membership.

The Sydney local of the NSTU, in an attempt to decrease administrative control of the provincial executive, has forwarded the following resolution for consideration by the annual council in March 1974.

"Whereas classroom teachers constitute the bulk of the membership of the ... NSTU Be it resolved that the membership of the provincial executive of the NSTU be confined to NSTU members spending 50% (fifty percent) or more of their working day as classroom teachers."²⁴

This resolution would not entirely exclude school administrators from the provincial executive but would decrease their representation on the executive. The possibility of this resolution passing through council is slim, but the resolution demonstrates the fact that some members are concerned about the high degree of power

held by school administrators in the NSTU.

In summary, this chapter has presented the present structure of the NSTU. The reports of BAH and the Structure Committee report indicate that the structure is not adequate to respond to the needs of the members of the Union. The structure of the Union, as determined by its constitution is inhibiting participation by the members in the activities of the Union and in the formulation of its policies. The recommendations of the Structure Committee are designed to alleviate the problems discussed by changing to some degree the organizational structure of the Union. The recommended changes require alteration of the constitution. By altering its constitution, the Union is attempting to provide an adequate structure which will fulfill the needs of its members and permit the organization to adopt to altered circumstances in the future.

The implications of the Structure Committee recommendations are for the most part quite clear, but a few inconsistencies will be explored in the conclusion to this thesis. One immediate implication of the proposed structural changes involves internal communications and these will be explored further in Chapter III.

Footnotes Chapter II

1. Constitution: Nova Scotia Teachers Union, August, 1973, p. 2.
2. Constitution: NSTU, pp. 1-20.
3. Mr. Norman Ferguson, Executive Secretary of the NSTU, Interview, February 11, 1974.
4. Constitution: NSTU, p. 10.
5. Constitution: NSTU, p. 2.
6. Constitution: NSTU, p. 10.
7. Mr. Norman Ferguson, Interview,
8. Nova Scotia Teachers Union Organization Booklet, 1973, pp. 9-10.
9. Constitution: NSTU, p. 13.
10. Constitution: NSTU, p. 13.
11. Miss Mary Roach, President of the NSTU, Interview, February 13, 1974.
12. Miss Mary Roach, Interview.
13. Nova Scotia Teachers Union Council Minutes, 1970, p. 97.
14. Miss Mary Roach, Interview.
15. Booze, Allan and Hamilton, Canada, Ltd. (BAH) Findings and conclusions: Survey of Structure and Operations Phase I, Nova Scotia Teachers Union. Ottawa, 1971, p. 1-12.
16. BAH, 1971, p. III - 1.
17. BAH, 1971, p. III - 1.
18. BAH, 1971, p. III - 2.
19. BAH, 1971, p. III - 5.
20. BAH, 1971, p. III - 7.

Footnotes Chapter II (Cont.)

21. "Resolutions for Annual Council", resolution no. 74-30,
The Teacher. Nova Scotia Teachers Union, Halifax,
No. 9 Vol 12, January 15, 1974.
22. BAH, 1971, p. III - 13.
23. Nova Scotia Teachers Union Structure Committee Report,
January, 1974, p. 1.
24. Resolutions for annual council.

CHAPTER III

COMMUNICATIONS

The structural changes in NSTU locals were designed with two objectives in mind, to encourage participation and to improve communication. Both BAH studies identified communication as a very important problem area. There are two aspects of communication with which the Union is concerned. They are internal and external. Internal or intra-union communication takes place within the Union itself such as communication between the locals and the executive of the Union. External communication is concerned with contact between the Union and external bodies such as the Government of Nova Scotia. This chapter deals first with internal and later with external communication.

The structure of any interest group, including the NSTU, is extremely important with respect to both aspects of communication. As noted in the introduction to this thesis, individual interests and ideas must be able to be communicated to the leadership. In turn, the leadership must be able to quickly communicate policy to the membership and to external interests. The structure of the organization determines the speed and effectiveness of such communication. If the structural means of communicating are poorly developed, then efforts to communicate will be less than satisfactory.

Inadequacy of communication leads directly to ignorance and suspicion. The membership of the group remains ignorant about what the leaders are doing and why. The leaders are ignorant of the wants and needs of the members. Ignorance, as a result of inadequate communication, breeds suspicion which may result in the general memberships' apathy or distrust relative to the leadership of the organization.

Communication Problems of the NSTU

Particularly during the 1960's, there was much talk of the 'communication gap', between parent and child, between employer and employee, between government and the electorate, and, in the case of the NSTU, between the leadership and the membership. Realizing that the Union had a communication problem, the leadership determined to do something about it in the 1970's. BAH was asked to study this problem in their study on structure.

The BAH report of 1971 noted that, "The attitude of many members of the NSTU, perhaps half or more, can be characterized as apathetic."¹ Apathy was not noted as a problem in itself, but rather as a consequence or sign of a communication problem. The communication problem was noted in a second, follow-up, study done by BAH in 1972. This study reported the following:

"Communications at the local level and throughout the NSTU structure are seriously deficient.

- 'Top down' communications rely primarily on The Teacher [the NSTU periodical] and sporadic visits of

- central office personnel.
- Both approaches are viewed as inadequate vehicles for top down communications with management.
- Regular structured channels for 'bottom up' communications do not exist.
- Communications and established routine channels for communications within the locals, generally are poor."²

Noting this failure of the NSTU, with respect to the vital area of communication, the following recommendations were made in the same report:

- " The school representative should be the primary communications link (1) within the local and (2) between central and regional structures and the general membership, communications from central office to the general membership should give greater emphasis to:
- defining long range programs and objectives for the NSTU,
 - reporting ... how the budgeted resources of the NSTU are distributed ...,
 - activities in support of regional and local programs and program development."³

Pending acceptance by Council 74, the structural model for internal communication will follow that outlined in appendix "D" of this thesis.

The School Representative: Internal Communicator

The model outlined in appendix "D" was designed to perform the dual functions of increasing membership participation in the decision making process and establishing clear, up and down communication channels. This model is intended to solve the problem of intra-union communication. A study of the model reveals that a prime function of the school representative is that of a communicator. It is intended that the school representative disseminate (top down)

information received at the local council level to the school staff. Such information will include local as well as provincial news - the provincial news being communicated to the local council by the regional executive member who will be an ex-officio member of every local. The school representative will also convey (bottom up) to the local council the feelings and attitudes, questions and comments of the school staff.

On the basis of such flows of communication, the local council may formulate policy to be transmitted from the council itself directly to the provincial executive of annual council, or may transmit it through the general meeting of the local to the provincial executive or annual council. This model presents a means for the consistent and rapid flow of communication from top to bottom and vice-versa. The degree and clarity of information communicated will depend to a great extent upon the ability of the school representative and the cooperation of the regional executive member in releasing information to the local.

This model has been tried and found successful* in increasing membership participation and information. It also has the quality of being adaptable to fit local circumstances and specific communication problems as defined by the locals.

* The model has been in operation in the Yarmouth local of the NSTU for the past two years.

Publics of Concern: External Communication

Although internal communication is of paramount importance to the maintenance of unity within the NSTU, external communication is also important, particularly as the Union functions as an interest group. At the annual leadership conference of the NSTU held in 1961, various 'publics of concern' were designated as important targets with which communication officers must be concerned:

- "- Communications among teachers,
- Communications to those who are directly dependent on what teachers as professional people have to give,
- Communications between central office and locals,
- Communications with groups whose sympathy and support may be enlisted,
- Communications with individuals and groups whose interests sometimes conflict with those of teachers or with the needs of education,
- Communications with those who can help spread the word, and
- Communications with government."4

Among the many external 'publics' with which the NSTU must maintain communication links are students, parents, home and school associations, professional people, clergy, service clubs, boards of education, town and city councils, mayors, wardens, tax payers, the news media, elected representatives, civil servants, the department of education and the government.

It would be extremely difficult to maintain communication links at all times with the various publics of concern. The objective of the NSTU, therefore, has been to establish such links and use them when necessary. This objective has

been established because the Union speaks for most teachers in Nova Scotia. As such, it must always be prepared to present to any public of concern its views on any subject relating to teachers.

The channels of external communication utilized by the NSTU are most often used during breakdowns in contract negotiations. At such times, the general public of Nova Scotia, or, in cases of local negotiations, the local public, becomes aware of the existence and policies of the NSTU. Press releases, radio announcements and television commercials are all exploited in an effort to gain public support for the Union. These channels are utilized in the desire to bring public pressure to bear on the government or the school board. Such pressure, when in support of the Union, helps bring negotiations to a satisfactory conclusion. The effectiveness of such communication channels in the resolution of contract disputes appears to be satisfactory. The NSTU, through Bill 184, is now attempting to reduce the incidence of negotiation breakdowns.*

The basic internal and external communication medium used by the NSTU is The Teacher (formerly the NSTU News Letter and the NSTU Bulletin). This medium has existed since 1921, first in bulletin form, later as a news letter, now as a tabloid. The Teacher is published bi-monthly (except in

* Bill 184 will be discussed further in Chapter IV and V.

July and August). It is distributed to all schools and teachers in the province and to teacher education institutions in Nova Scotia, the department of education, all members of the Legislative Assembly and even as far away as Africa.⁵

During the 1960's, the greatest emphasis in terms of targets of communication was placed on teachers, government and the teacher training institutions. Communication directed toward other groups has depended upon the particular circumstances in which the Union found itself.

Communication in the 1970's

Much of the communication initiated presently by the NSTU is not readily evident to the general public. The provincial executive or executive personnel now meet with the minister of education, on average, about once a month. The Union has also established regular contacts with junior and senior civil servants in the department of education.⁶ These meetings and contacts present the opportunities required for the NSTU to voice its views on the direction of government policy regarding education and its method of implementation.

The Union also periodically presents briefs to government committees and commissions whenever it is thought that its

views should be put forth.* These briefs serve the dual function of stating the position of the NSTU on particular issues and occasionally broadening the scope of the committee or commission investigating the issues.

According to one member of the Legislative Assembly of Nova Scotia (who prefers to remain anonymous), the NSTU has also developed a sophisticated and effective system of lobbying which is activated whenever educational issues concerning the Union come before the House. The M. L. A.'s are flooded with telephone calls from 'concerned constituents' and receive visits from representatives of the Union. With respect to the government, it would appear that the communication channels are available and open, but this does not necessarily ensure that the Union gets what it wants from the government. Mr. Norman Ferguson, Executive Secretary of the NSTU noted, in an interview, that although the Union may never have changed a cabinet decision, it has, by making its point of view known, influenced decisions.

As a method of communicating its policy and views, the NSTU is represented on all provincial councils or committees concerned with education in Nova Scotia. The Union has

* Two extensive briefs presented recently are:

- The NSTU, Initial Statement of position to the Royal Commission on Education, Public Services and Provincial Municipal Relations. (Graham Commission) August 1971.
- The NSTU Statement to the Standing and Select Committee of the Nova Scotia Legislature on Education. November, 1973.

representation on the Department of Education Curriculum Committees, the Advisory Board on Teacher Certification, the Foundation Program Committee, the Council of Teacher Education, the Board of Governors of the Atlantic Institute of Education, the School Television Council, the education section of the Voluntary Planning Board and the Steering Committee of the Total Educational Program Development System for Nova Scotia Schools. 'The Voice of the Teachers', as the Union likes to refer to itself, is heard frequently on each of these bodies. As noted in the introduction to this thesis, one function of an interest group, if it is to be effective, is representation on bodies which deal with matters of concern to the group. In this respect the NSTU has certainly been effective.

Apart from communicating with its various publics through submission of briefs, formal meetings and representation on numerous committees, councils and boards, the NSTU has developed other sophisticated communication techniques. For purposes of simplicity these devices have been grouped into three publications and six non-publications.

Publications

The Teacher, previously mentioned, is published approximately nineteen times per year (15,000 copies per issue). This is a tabloid form newspaper concerned with disseminating Union and educational information to all teachers in the province as well as to all other interested groups, including teacher

training institutions and government.

NSTU Bylines is a new creation developed in the fall of 1973. It will be mailed between issues of The Teacher to the school representatives and will contain Union news, announcements and some local news.

The NSTU Handbook has been published annually for a number of years. It provides members with immediate access to necessary information regarding pensions, dues, benefits, salary schedules and NSTU services.

Non-Publications

NEWS RELEASES are given periodically to all print and electronic media in the province. They serve the function of immediately informing the public about NSTU policies when the need arises. An interesting development has occurred with respect to news releases. When the Union found that the Cape Breton media was not making use of the releases, it instituted a system whereby Halifax news releases were mailed to a Union representative in Sydney, Cape Breton, for local release. The media response, in the form of more coverage of Union activities, has proven favourable and the Union is now contemplating its use in other parts of the province.⁸

THE PUBLIC RELATIONS WORKSHOP is another innovation begun in 1973. Its primary objective is to teach local communication officers the basics of newsletter publication.

NEWS LETTER AWARDS have been instituted to promote the establishment of local newsletters for internal local

communication.

REGIONAL PRESS LIAISON OFFICERS are being appointed to promote the establishment of rapport with the media in key provincial centers.

SLIDE/SOUND SETS were also introduced for the first time in 1973. The Union is accumulating these sets for distribution across the province. They will serve to inform the membership of the functions of central office, the executive and the local bargaining procedure.

TELEVISION PROMOTION is perhaps the most exciting communication device developed during the past two years by the NSTU. Beginning originally with slides, the Union quickly graduated to thirty second film commercials. The response of the public to this method of communication (depicting primarily the role of the teacher) has been highly favourable. Letters and telephone calls to the NSTU are encouraging it to continue in this effort. Unfortunately, the high cost of such a communication device may limit the Union's use of it.⁹

The NSTU's rapid advances in internal and external communication are presently restricted by the structure of the organization and its finances. If, as appears likely, the proposed structural changes are made, the problem of internal communication can be expected to diminish greatly. This should be followed by an increase in membership participation in Union activities and a corresponding decrease in apathy. But it is worth noting once more that much

depends upon the ability and willingness of both the school representative and the provincial executive member to communicate and encourage greater activity at all levels of the NSTU.

For the present, external communication devices will remain stabilized. Any substantial, further advances in communicating with the Union's 'publics of concern' will have to wait until increased financing is available.

Footnotes Chapter III

1. Booze, Allan and Hamilton Canada, Ltd. (BAH) Findings and Conclusions: Survey of Structure and Operations, Phase I, Nova Scotia Teachers Union. Ottawa, 1971, p. III - 1.
2. BAH, Preliminary Report of Field Interviews on Local Structure. Ottawa, 1972, p. 3.
3. BAH, 1972, pp. 15-16.
4. Nova Scotia Teachers Union Leadership Conference: Summary. 1961, pp. 19-20.
5. Mr. Les Walker, Executive Assistant NSTU. Interview, February 19, 1974.
6. Mr. Norman Ferguson, Executive Secretary of the NSTU. Interview, February 11, 1974.
7. Nova Scotia Teachers Union Organization Booklet. 1973, pp. 15-16.
8. Mr. Les Walker, Interview.
9. Nova Scotia Teachers Union Executive Conference. 1973, Appendix "C" pp. 1-7.

CHAPTER IV
BARGAINING PROCEDURES

In the bargaining process, external communication is related to specific 'publics of concern', notably the school boards and the government. A prime determinant of the formation of teacher associations was the need for a vehicle by which teachers could collectively seek to improve their economic position. Teachers realized that school boards could not always be depended upon to offer reasonable salaries. Through organization they could seek the right to bargain collectively and exert a degree of influence over negotiating procedures.

Teacher associations have the ~~unenviable~~ position of seeking salary increases from school boards which depend on locally raised taxes for funds. Since the school board trustees are local people, they are particularly sensitive to increased local taxes to raise teachers' salaries. During the 1960's, when much of Canada, including Nova Scotia, was experiencing a teacher shortage, salary increases were relatively easy to secure. As the financial position of the teacher thus became more attractive, the teacher shortage quickly turned into a surplus. Teacher associations now must seek salary increases under less favourable conditions than existed in the 1960's.

J. D. Muir notes that, " ... it is possible to force the level of teacher salaries upward with little effect on the demand for teachers. However, every dollar increase in total teachers salaries increases total operating expenditures by \$1.72."¹ Therefore, a change in the level of teachers salaries has a direct and substantial impact on total educational expenditures and the tax rate.

Trends in Educational Finance

In the past decade, total educational expenditure in Canada has increased by 381% and now consumes 9.7% of total personal income as compared to only 5.1% a decade ago.² The cost of education is now, and has been for some time, on the incline. The tax payers who must foot the bill naturally do not welcome increased educational costs. Faced with rising costs in education, they have been calling for more governmental controls and restraints.

Since education costs are financed in large part by property taxes, and because the tax base of most local municipalities is relatively small, their ability to pay increased educational costs is severely hampered. Therefore, in recent years the trend has been toward greater provincial government participation in educational financing. The British North America Act of 1867 (section 92) limits direct federal participation in financing the educational systems of the provinces.

As the provincial governments' share of educational

costs increased, they began to assume greater control over educational expenditures in general. This is reflected in the establishment by the provinces of larger administrative units by consolidating existing school boards into larger jurisdictions. In the long run, such consolidation should lower the cost of the educational program. General administrative consolidation was first embarked upon by British Columbia in 1945 and since that time it has been adopted to varying degrees by the other provinces.³ To date, Nova Scotia has established three such units.*

Salaries paid to teachers account for almost 70% of the operating costs of public schools in Canada.⁴ Because teachers seem to be continually improving their relative economic and occupational position through collective bargaining activities, some provinces have attempted to control these activities in an attempt to reduce costs. Muir contends that:

"There appears to have been a disturbingly wide acceptance of the view that control of teachers collective bargaining activities is an ideal vehicle through which to control the movement of teachers salaries and in turn, school taxation."⁵

In short, most provincial authorities have attempted to reduce educational costs by improving the administrative system and by maintaining some form of control over teachers'

* The Northside-Victoria Amalgamated School Board. 1970
The Colchester East-Hants Amalgamated School Board. 1970
The Kings Amalgamated School Board. 1970

collective bargaining activities. But it should be noted that while many provincial governments pay most of the educational bill, "Most matters affecting the administration of teachers, including their salaries and working conditions are the responsibility of the local school boards."⁶

Teacher Bargaining in Nova Scotia

The NSTU is legally recognized as the bargaining agent for Nova Scotia teachers under the Teaching Profession Act of 1958. The Act states that:

"Where a majority of the teachers employed by the school board are members of the Union, the Union may negotiate with the school board, on behalf of all teachers employed by the board in respect of salaries and other items and conditions of employment with a view to the conclusion of a professional agreement."⁷

Accordingly, local representatives of the NSTU have the right to bargain with the school board(s) within its area of jurisdiction. The local also has the right to compel the school board(s) or its representatives to negotiate. If such negotiations do not take place within the stipulated time then a conciliation officer may be appointed by the minister of labour. If the efforts of the conciliation officer fail then a conciliation commission may be appointed.

The three-man commission would consist of one teachers' nominee, one school board nominee and a third representative agreed upon by the two nominees. This commission, " ... shall inquire into the matters in dispute and endeavour to

bring about agreement between the parties, and for this purpose shall have the powers of a commission appointed under the public enquiries act."⁸ In cases of an unresolved dispute, the commission is mandatory but its decisions are not binding. The commission must report its findings and recommendations to the minister of education and to the parties involved within a month of being appointed.⁹ In the period 1961-1970, a conciliation commission was employed twelve times to resolve disputes between the NSTU and various school boards across the province. Because their decisions were not binding, the success of the conciliation commissions was limited.*¹⁰

The Teaching Profession Act also stipulates that:

"Every professional [collective] agreement entered into ... shall contain a provision for final settlement, by arbitration or otherwise, of all differences between the parties or persons bound by the agreement... concerning its meaning or violation."¹¹

By February 28, 1974 such professional agreements were signed between all 45 locals of the NSTU and their respective employers.¹² A representative of the executive of the Union signs all collective agreements negotiated at the local level. Executive assistants of the NSTU also participate to a great extent in the negotiation of these agreements.

The Education Act of 1973 of Nova Scotia also determines,

* See Chapter VI of this thesis. Teacher Salaries 1961-1973.

to a degree, the bargaining situation in the province. This Act defines the powers of the minister of education and spells out the duties and responsibilities of both the school boards and the teachers**

Because the individual school boards are considered the employers of the teachers, negotiations have been concentrated, for a number of years at the local level. When negotiations break down, the NSTU resorts to some form of sanction or one of its external communication devices to pressure the school board into re-opening them. The NSTU's members do not have the right to strike but the Union has developed and refined other pressure methods such as: coincidental resignation where all teachers in the local concerned submit resignations to the employing school board thereby forcing it to negotiate or attempt to hire an entire new staff; work slow downs; sporadic walkouts; and the curtailing of teacher participation in extracurricular activities.

Virtually all of these methods were used in 1971-72 when the NSTU experienced extreme difficulty in attempting to reach a salary agreement with the provincial government. The fact that the NSTU was bargaining with the provincial

* Refer to, The Education Act, Nova Scotia Department of Education, Queens Printer, Halifax 1973. pp. 4, 6-7, 22-24, 51-54.

government in 1971-72 contradicts previous statements to the effect that salary negotiations are carried on at the local level. The explanation is simple - such a contradiction does, in fact, exist.

In Chapter I of this thesis it was mentioned that a foundation program designed to establish minimum teachers salaries for the province of Nova Scotia as a whole was brought into effect in 1956. This program has had the effect of upsetting the entire teacher salary bargaining procedure in the province. It was originally designed to produce, among other things, a minimum salary grant scale based on teacher qualifications, in which the provincial government would cost share with the school boards. School boards were at liberty to pay salaries above the grant scale and many did, but in recent years the tendency has been for the Foundation Program of minima to become the Norm.

The Foundation Program provided the avenue through which the provincial government became involved in educational finance in Nova Scotia.* The program committee consists of two representatives of each of: the NSTU, the Nova Scotia School Boards Association, the Nova Scotia Department of Education and the Union of Nova Scotia Municipalities.

* For a summary of provincial government spending on education in Nova Scotia see appendix "E".

The Foundation Program Committee met periodically to review all financial aspects of the educational program including teacher salaries. Its recommendations were presented to the minister of education who gave final approval to the suggested salary scales. The NSTU did not have much influence on this committee. The Union's recommendations on salary scales were usually defeated by other members of the committee.¹³

As long as some individual school boards were willing to pay salaries above the foundation scale (salary differentials), the Union complied with the procedure, but as more school boards, notably Sydney, Halifax and Dartmouth began to adopt the foundation scale as the norm the Union became discontented.

In 1971, the NSTU rejected the foundation committee's recommendations and began to deal directly with the minister of education.¹⁴ After setting the precedent in 1971, this practice continued so that now all salary negotiations are conducted with the minister. According to Mr. Allan Sullivan, Education Minister during the 1972-1973 negotiations "The NSTU is extremely effective as the representative of an interest group and has been able to negotiate good benefits."¹⁵

Because the Foundation Program Committee did not function well as a decision-making body*, the Union chose This Committee still functions to make recommendations on other aspects of educational finance.

to go to the person who could make the decisions, the minister of education. The final decision on teachers salaries is now made by the provincial government through the minister of education. It would appear that as the provincial government has increased its proportion of educational costs, the location of the final authority for the approval of teacher salary increases has changed from the school boards to the government.¹⁶ While bargaining is still carried on at the local level, the school boards merely rubber stamp provincial salary scales, but bargain in earnest on all other contract items.

The NSTU now participates in bi-level bargaining which is not legally recognized. At the top level, the minister of education, who is not the employer, determines salaries. On the lower level, the school boards, which are the employers, no longer determine salaries, but bargain with the NSTU on all other issues. The implications of negotiating salary scales with a non-employer will be examined later in this chapter and in more detail in chapter V.

Teacher Bargaining in Quebec

As a basis for comparison, the bargaining situation between Quebec teachers and their employers is of interest. A brief examination of that situation may provide some insight with respect to the solution of bargaining problems experienced by the NSTU.

There are five statutes regulating public school administration in Quebec:

- " - the Education Department Act, which defines the powers of the minister of education;
- the Superior Council of Education Act, which established a Superior Council of Education and details the powers and duties of both this council and the school commissions;
- the Education Act, which determines the powers and duties of the trustees as they relate to the teachers;
- Bill 25, which ensures the right of education for children and provides for both negotiations and a teacher salary scale at the provincial level; and
- the Labour Code, which grants employees in the province the right to organize, to bargain and to strike."¹⁷

There are also three major provincial teacher organizations in Quebec:

- "--the Provincial Association of Protestant Teachers (PAPT), representing English-speaking Protestant teachers in the province;
- the Quebec Teachers Corporation (QTC), representing French-speaking teachers in the province; and
- the Provincial Association of Catholic Teachers (PACT), representing English-speaking Catholic teachers in the province."¹⁸

These three organizations could legally have sought certification and achieved the right to bargain as early as 1944. However, it was not until the 1950's that QTC locals and the provincial association of PACT became certified under the Labour Relations Act and acquired the right to bargain. With an amendment to the Labour Code in 1965 specifically to include teachers, most PAPT locals became certified.¹⁹

Bill 25, which establishes province-wide bargaining,

was passed in 1967. Under its provisions "... all teachers, regardless of whether they are represented by PAPT, PACT or QTC, are included in a province-wide unit for terms which are bargained at the provincial level."²⁰ As of July 1, 1972, the 1200 local school boards, outside the island of Montreal, were regrouped into 160 district boards. On Montreal Island, there are still fifteen protestant and thirteen catholic school boards. All boards in the province exist for the purpose of dealing with terms of employment (apart from salary) which are determined at the local level.²¹

The three teacher associations have entrusted the provincial-level bargaining of their common agreement to a joint committee, consisting of representatives of the provincial executive bodies of each. The switch from local to provincial-level bargaining has evidently required alterations to constitutions of each of the three unions, permitting a greater centralization of power. The bodies that are represented at provincial-level negotiations are: QTC, PAPT, PACT, the Federation of Catholic School Boards, the Quebec Association of Protestant School Boards and the Quebec Provincial Government.²²

Bill 25 simultaneously took away the Quebec teachers' right to strike and established a provincial salary scale. Negotiating machinery was established at a later date along with the system of representation referred to earlier. The

Bill was passed in 1967 when over 35,000 teachers were involved in six different strikes which almost crippled the education system in some parts of Quebec.

Because teachers in Quebec still bargain under the Labour Code, they are, by implication, free to strike. But there is an inconsistency here because a strike may be declared illegal "... if it interferes with the education of the child."²³ In fact, the strike weapon does not appear particularly useful to Quebec teachers because, "... where a dispute is provincial in scope, strike action would logically be province-wide...and the attendant problems of organization, discipline and finances would be immense."²⁴ The three teachers organizations are not unified to the degree that they always agree upon the necessity of a strike or its means of implementation.

The QTC is by far most militant of the Quebec teacher associations.* According to Marcel Pepin, "the the image it (the QTC) is now seeking to establish is that of a truly militant central labour body prepared to use its full material and intellectual resources to challenge the traditional ideology which, as far as it is concerned, places more importance on individual rights than on collective ones."²⁵

In 1972, QTC joined with other labour bodies to form

* Membership of the QTC is now over 70,000.

the 'Common Front' against the government. As a result, they paid a fine of one million dollars and saw their leader, Yvon Charbonneau, go to jail. Andre Dulude noted that "The affiliation with the common front was not a factor for success (in contractual negotiations) and the financial outlays far outweighed the results."²⁶

The Quebec teachers affiliated with labour to become certified and obtain the right to strike, a right which they can no longer use due to Bill 25. They have become highly political and extremely militant. Both factors have proved a hindrance in their contractual negotiations with the government. In short, as a model to emulate, their tarnished image has not impressed the NSTU.

Rejection of the Quebec Model

The NSTU has not followed the example of the Quebec teachers associations. Affiliation with labour was rejected during the 1950's when the Union leaders realized that affiliation would result in a split in the NSTU.

Today, there are more reasons to reject the labour model than to embrace it. The NSTU believes that the advantages of affiliating with labour are far outweighed by the restrictions that would be imposed on Union activity. According to Mr. Norman Ferguson, "The NSTU model of development has more to commend it for the future than any other model."²⁷ He contends that the NSTU performs

well the collective bargaining functions of a labour union and the professional development function of an interest group. Mr. Ferguson further states that "... because we are a group of employees, we must bargain as one, but we are also a professional organization and, as such, have obligations to fulfill."²⁸ So far as the NSTU is concerned, the classical models, either professional (such as the Canadian Medical Association) or labour union, are breaking down. To attempt to wholly adopt one model, to the point of excluding the other, would not be realistic. The NSTU must continue to recognize its position as a professional interest group and a bargaining agent acting on behalf of the group.

Bill 184

The present status of the NSTU as a bargaining agent is not acceptable to its membership. The provincial government salary scales for the entire province are determined through negotiations with the Union. But the minister of education, as representative of the government, is not the employer of the teachers. Nor does the NSTU have the right to reject provincial government decisions by striking.

To rectify this situation, the NSTU has proposed

Bill 184.* This Bill would establish legal bi-level

* Bill 184 was introduced to the House in 1973 but went into a government committee on education and has not as of yet been re-introduced.

bargaining. At the top bargaining would be conducted with the minister of education, who would be the recognized employer of the teachers for the purposes of determining salaries and other specified benefits. On the lower level it would be conducted with school boards for terms and conditions of employment. Bill 184 would also grant the NSTU the right to strike after all established procedures for dispute resolution had been exhausted to no avail.

Bill 184 would perform the function of granting the NSTU all the advantages of a labour organization without its concomitant restrictions. It would also alleviate the inconsistencies which now exist with respect to teacher bargaining in Nova Scotia. The Bill would permit the NSTU to follow its own developmental model without the necessity of becoming certified under the labour code. This Bill and its implications will be examined further in chapter V of this thesis.

Footnotes Chapter IV

1. J. D. Muir, Collective Bargaining by Canadian Public School Teachers: (Task Force on Labour Relations Study No. 21) Ottawa, Information Canada, 1971.
2. J. D. Muir, p. 1.
3. J. A. Spragge, Teacher Bargaining in Canada. Ottawa, Canadian Teachers Federation, C-70201, p. 2.
4. J. D. Muir, p. 2.
5. J. D. Muir, p. 2.
6. J. D. Muir, p. 6.
7. "The Teaching Profession Act". Quoted in the Nova Scotia Teachers Union Constitution. Halifax, 1973, Section 15(1) p. 5.
8. The Teaching Profession Act. Section 15(10) p. 7.
9. The Teaching Profession Act. Section 15(13) p. 7.
10. Mr. Norman Ferguson, Twenty Five years Development of Salaries and negotiating machinery. Nova Scotia Teachers Union, Halifax, 1970, pp. 9-13.
11. The Teaching Profession Act. Section 16(1) p. 7.
12. Miss Mary Roach, President of the Nova Scotia Teachers Union, Interview, February 13, 1974.
13. Mr. Norman Ferguson, Executive Secretary of the Nova Scotia Teachers Union, Interview, November 2, 1973.
14. Mr. Norman Ferguson, Interview, November 2, 1973.
15. Mr. Allan Sullivan, Attorney General of Nova Scotia, Interview, February 28, 1974.
16. Mr. Allan Sullivan, Interview.
17. J. D. Muir - p. 11.
18. J. D. Muir - p. 20.
19. J. D. Muir - pp. 113-114.
20. J. D. Muir - p. 137.

Footnotes Chapter IV (Cont.)

21. Andre Dulude, "Teachers and Collective Agreements: a Puzzle for the Seventies", The Labour Gazette. Government of Canada, Department of Labour, Vol 73 No. 2, February 1973, p. 93.
22. Andre Dulude - p. 93.
23. J. A. Spragge - p. 18.
24. J. A. Spragge - p. 18.
25. Marcel Pepin, "Quebec Teachers Challenge the System", The Labour Gazette. Government of Canada, Department of Labour, Vol 73 no. 12, December 1973, pp. 816-817.
26. Andre Dulude - p. 93.
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28. Mr. Norman Ferguson, Interview, January 14, 1974.

CHAPTER V

NSTU PRIORITIES: 1961-1973

The NSTU is both a protectionist and a professional organization. On the one hand, the Union is concerned with the economic welfare and working conditions of the individual teacher and, on the other hand, with the status of the teaching profession as a whole. Miss Mary Roach, current president of the Union, claims that, "... to try to draw a distinction between our protective and professional roles is futile. The two are inextricably linked."¹ Both functions, according to Miss Roach, evolved from the objective of improving the quality of education in Nova Scotia. Although this chapter will be concentrated on the protectionist or welfare aspects of the Union, one should keep in mind the relationship between these aspects and the professional objectives of the NSTU.

The Union establishes goal priorities on both the provincial and local levels. To investigate the priorities of each of the 45 locals is beyond the scope of this study. The focus here is on three provincial-level priorities of concern to all members of the organization: first, the attainment of security of tenure; second, the securing of legally recognized bi-level bargaining and powers equivalent to those of a labour Union, through Bill 184; third, the

maintenance of the status quo with respect to school administrators in the NSTU. It is not intended at this point to draw any conclusions in relation to the priorities of the Union but rather to present the rationale for their development and the arguments for and against them.

Security of Tenure

A committee of the NSTU reporting to the annual council meeting of 1957 on the establishment of 'boards of reference' which could appeal the termination of contracts of individual teachers stated:

"Certainly, the continued policy of arbitrary termination of contracts as practiced by some Nova Scotia school boards, is contributing nothing to the welfare of education in the province. The work of the NSTU in seeking adequate protection for teachers and boards is one of our most pressing and most important problems."²

The problem was, of course, security of tenure. Individual school boards had the power to arbitrarily dismiss teachers, who had no means of appeal. The problem of tenure has dual aspects. First, without security of tenure, teachers capable of educational innovation for the good of the profession were restricted by prohibitive and arbitrary action by school boards. Therefore, the advancement of the profession was suffering. Secondly, there is the welfare aspect of security of tenure - to ensure the economic future of the individual teacher. Miss Mary Roach asserts that, " ... there is no doubt in my mind that well qualified,

competent teachers free from money worries, with security of tenure will produce a good educational system."³

During the 1950's, the attainment of security of tenure became a high priority goal of the NSTU. The time lapse between the setting of the priority and its achievement was a long one. The main stumbling block was the unwillingness of the ministers of education to introduce, to the House of Assembly, legislation providing security of tenure. The ministers were unwilling to act on the issue because the NSTU and the Association of Urban and Municipal School Boards could not agree on the establishment of boards of reference to which problems of contract termination and appeal could be directed.⁴

The Union and the Association met a few times during the sixties, but could not agree upon the terms of reference for the establishment of such boards of appeal. By 1969, after much Union pressure, the government recommended legislation for boards of reference acceptable to the Union and the Association. The legislation included a clause stipulating that, "alleged breach of contract or alleged injustice in termination of contract could be appealed."⁵

In 1969, section 76 of the Education Act was amended to define probationary and permanent contracts and set up a board of reference for any teacher holding a permanent contract who wished to appeal a termination of the contract.⁶ This board became operative in 1972.⁷

Security of tenure, a priority recognized by 1957, therefore did not become a reality until 1972. Whether or not the ultimate objective of this goal - the improvement of the quality of education in Nova Scotia - will be achieved remains to be seen. Regardless, the identification of security of tenure as a high priority goal of the NSTU is directly responsible for its attainment. Without a system of priorities and definable objectives on which to base Union actions, it is doubtful that such success would have been achieved.

Bi-level Bargaining and Labour Union Powers: Bill 184

In May, 1972, a joint announcement from Premier Gerald Regan, and Boyd Barteaux, president of the NSTU stated that, "the provincial government has agreed in principle to proposed changes in the Teaching Profession Act which would give teachers bargaining powers and procedures equivalent to those of a labour union."⁸ As mentioned in Chapter IV, the proposed changes introduced to the Legislative Assembly of Nova Scotia as Bill 184 were designed to alleviate collective bargaining inconsistencies under the Teaching Profession Act and The Education Act as they now exist. The Bill was introduced to the House of Assembly late in the spring session of 1972 by Mr. Allan Sullivan who was then Minister of Education. The Bill did not receive second reading but went into a select committee on education appointed to study

it. According to Mr. Sullivan, the Bill went into committee because, "the Nova Scotia School Boards Association and the Union of the Nova Scotia Municipalities wanted to present briefs to the committee stating its views on the proposed legislation."⁹

Bill 184 would grant to the NSTU the following:^{*}

the same rights as exclusive bargaining agent which are granted under the Trade Union Act,

strengthened provision for notice to commence collective bargaining,

a procedure for the appointment of a conciliation officer,

a procedure for the appointment of a conciliation board,

a mediation officer to settle contractual disputes, provincial level bargaining with recognition of the minister of education as employer in respect to salary and other conditions of employment relating to monetary benefit,

bargaining procedures with the province,

no alteration of wages or conditions of employment until the bargaining process is concluded,

professional agreements binding to both sides,

* For further information refer to: Bill 184, "An Act to Amend chapter 109 of the Acts of 1968, the Teaching Profession Act." Queens Printer, Halifax, Nova Scotia, 1973.

arbitration of disputes without stoppage of work,
provisions granting the right to strike,
provisions determining when the right to strike or
lockout may be used,
provisions against unfair labour practice,
some say by the NSTU in the constitution of concili-
ation boards, and
binding arbitration where conciliation fails to
result in an agreement between parties.¹⁰

In brief, Bill 184 proposes to certify the NSTU as a bi-level bargaining agent and give its members the right to strike. The rationale behind seeking these objectives stems from external changes affecting the bargaining ability of the NSTU. As previously stated, with a shift in the bulk of financial support from the local to the provincial level, a partial transfer in actual bargaining powers occurred; a transfer which is not taken into account in the Teaching Profession Act as ammended to 1968.

In seeking the rights of collective bargaining with the minister of education, the Union is attempting to legalize and formalize what is already a reality. Since 1971, the NSTU has, in fact, bargained with the minister of education with respect to teachers' salaries and other conditions of employment related to monetary benefit which are of general concern to all teachers in Nova Scotia.

The Minister of Education, Dr. William Gillis, admitted that bi-level bargaining has grown to be the practice and indicated that, as governmental participation in educational financing continues to increase, the practice will likely be continued.¹¹ He also noted that the forthcoming Graham Royal Commission Report may, in fact, determine the trend in future bargaining between the NSTU and the government if it recommends that the province take over educational financing completely.¹²

The NSTU wants the right to strike. It is recognized by the Union as a powerful weapon but one to be used only as a last resort. The government appears prepared to grant the NSTU this right. Dr. Gillis stated that he would not be adverse to giving teachers the right to strike,¹³ while Mr. Allan Sullivan noted that "the use of the strike weapon works both ways; it can be considered a weapon in the hands of either side."¹⁴ A prolonged strike can be just as harmful to the Union's position as to that of the government. Mr. Sullivan appears to be in agreement with granting the NSTU the right to strike. "Besides", he stated, "compulsory arbitration does not work."¹⁵

Compulsory arbitration is another item in Bill 184. Section 27 of the Bill would establish compulsory arbitration procedures for, "... all differences between the parties to or persons bound by the agreement."¹⁶ Mr. Sullivan's statement regarding arbitration indicates that he does not

favour this aspect of the Bill. The NSTU recognizes compulsory arbitration as a benefit and, therefore, included it in the Bill.

To date, the provincial committee has not reported on the proposed Bill 184. When the committee does present its report it will likely suggest some alterations to the NSTU's proposal. Briefs were presented to the provincial committee by the Union of Nova Scotia Municipalities and the Nova Scotia School Boards Association.

The School Boards Association noted that, "the NSTU ... seems to be seeking greater central control. The logical development of this trend towards centralization would appear to be the incorporation of the teaching staff into a provincial civil service."¹⁷ Their submission also contended that the boards " ... can find themselves confronted with the task of carrying out responsibilities and meeting costs which have been arbitrarily imposed upon them."¹⁸ The Association is in disagreement with both the trend toward centralization and the concomitant imposition of responsibility.

The Union of Nova Scotia Municipalities took strong exception to many aspects of the proposed Bill, most notably bi-level bargaining. According to the brief, "the Union is appalled by the dual bargaining procedures set forth in the proposed Bill. There is no clear and specific delineation of the items which are bargainable on these

two separate and distinct levels."¹⁹ It is also concerned with the fact that "... local authority should be preserved and not further eroded by decisions arrived at after bargaining in which local boards have no standing."²⁰ This group is also disturbed about the NSTU's 'having its cake and eating it too':

"If the teachers really desire to have the right to strike and be in a position to exercise all the economic sanctions available to a trade union under the Trade Union Act then they should also accept the responsibilities imposed upon a trade union by the Trade Union Act. If the right to strike is granted to the teachers then it is submitted that they should be liable to all provisions of the Trade Union Act with regard to certification, conciliation and general supervision and control by the Labour Relations Board and the courts."²¹

This implies that the NSTU would have to forfeit its aspiration to professionalism and accept all the restrictions imposed upon a labour union as well as the powers granted. The NSTU is not prepared to do this.

School Administrators: Union or Management?

School administrators now belong to the NSTU, but there is a move afoot, on the part of the Nova Scotia School Boards Association and the Union of Nova Scotia Municipalities, to separate this group from the Union. The NSTU, through Bill 184, is attempting to consolidate its position by defining a teacher as follows:

"Teacher means a person holding a teachers certificate or a vocational teachers certificate or a vocational teachers permit pursuant to the Education Act of Nova Scotia."²²

The Union of Nova Scotia Municipalities Opposes this definition as it implies that all teachers employed by a school board could be members of the NSTU. This would include administrative and supervisory personnel and principals who hold such a certificate or permit. The municipalities do not agree with permitting administrative personnel to be members of the NSTU if it attains the powers it is seeking.²³

The Nova Scotia School Boards Association states that such a definition is also disagreeable to it. Its stand is indicated by the following quotation:

"This, in effect, means that school boards who are primarily policy-making bodies, lack a senior management or administrative group, free from union affiliation to carry out their directives. This does not appear to be the generally accepted pattern for labour legislation where senior management is normally excluded from union membership. Such a completely dominated structure as proposed by the ... NSTU ..., is not conducive to the most effective operation of a public school system."²⁴

The Association has taken the position that administrative personnel should be excluded from teacher bargaining units. The school boards base their position on the fact that administrators, including principals, "... are required to perform supervisory, evaluative and managerial duties which conflict with the duties and responsibilities of a member of the teachers' bargaining unit."²⁵

The question of where administrators belong in the educational system has become a controversial one. The NSTU

asserts that administrators should remain in the Union while opposing interests claim that administrators should be excluded from union membership and considered part of the management team.

The NSTU and the School Administrators Association (SAA) have stated their position on the question; their rationale for maintaining the status quo is as follows. At present, the membership structure of the NSTU reflects the collegial model, one which allows colleagues in the educational enterprise, regardless of position, to belong to the same profession and organization. In other words, both administrators and teachers as colleagues of the same profession - education - have the right to belong to the same organization. Such has always been the case in Nova Scotia, and neither teachers nor administrators wish to change the situation.²⁶

In a joint statement, the NSTU and SAA noted that, "... it would be anachronistic to propose a model reflective of a hierarchial and out of date industrial situation. Teachers and administrators belong to the developing teaching profession. They believe that their responsibilities can best be carried out as members of the same profession."²⁷ The sides have been drawn. On the one hand, school administrators have a management function, and, on the other hand, they are members of a collegial profession.

Administrators, as noted in chapter II, represent 7%

of the membership of the NSTU and, as such, number approximately 750 to 800. These members wield a high degree of power in the Union. Their loss would be difficult but not impossible for the Union to cope with. The NSTU does not wish to lose either the financial resources derived from these members or the valuable contribution they make to Union activities. Today, the maintenance of the status quo with respect to school administrators is a major priority of the NSTU. This, however, may change in the future if the Union is forced to choose between the comparative advantages of their proposed legislation and the retention of administrators in the Union structure.

In summary, security of tenure - a Union priority in the 1950's - was finally achieved in 1972. The effect of security of tenure is to ensure the economic future of the teacher and it should lead to a greater degree of professional development. The present priorities of the NSTU - the establishment of legal bi-level bargaining procedures, the attainment of powers normally associated with a labour union and the maintenance of the status quo with respect to school administrators - were all established in relation to Bill 184 and its proposals. The rationale for each priority has been presented as well as the arguments for and against them. The success of the NSTU in achieving

these priorities will have a direct influence on its effectiveness as a professional interest group and a bargaining agent.

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2. Nova Scotia Teachers Union Council Minutes. 1957,
appendix 17 p. 3.
3. Nova Scotia Teachers Union Council Minutes, 1973, p. CM5.
4. Nova Scotia Teachers Union Council Minutes, 1959, p. CM41.
5. Nova Scotia Teachers Union Council Minutes. 1969, p. CM21.
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7. Norman Ferguson, The Difficult Birth of Tenure
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8. The Mail-Star, Halifax, Nova Scotia, May 10, 1972, p. 1.
9. Mr. Allan Sullivan, Attorney General of Nova Scotia,
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10. Nova Scotia Teachers Union Special Council Minutes,
December 1971, pp. 107.
11. Dr. William Gillis, Minister of Education for Nova
Scotia, Interview, January 22, 1974.
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1968, the Teaching Profession Act. Halifax,
Queens Printer, 1973, p. 9.
17. Nova Scotia School Boards Association, Submission to
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20. Union of Nova Scotia Municipalities, Submission, p. 6.
21. Union of Nova Scotia Municipalities, Submission, pp. 6-7.
22. Bill 184, p. 1.
23. Union of Nova Scotia Municipalities, Submission, Appendix p. 1.
24. Nova Scotia School Boards Association, Submission, pp. 3-4.
25. Nova Scotia School Boards Association, Submission, p. 5.
26. The Nova Scotia Teachers Union and The School Administrators Association, Statement to the Standing and Select Committee of the Nova Scotia Legislature on Education. Halifax, November, 1973, pp. 14-15.
27. The Nova Scotia Teachers Union and The School Administrators Association, Statement, p. 15.

CHAPTER VI

NSTU ACCOMPLISHMENTS IN THE FIELD OF SALARIES

In addition to the three problem areas examined in the preceding chapter, the effectiveness of the NSTU in securing salary increases for its members is a criterion on which to base an assessment of the Union. Any union is necessarily concerned with improving the economic status of its members. The NSTU has, since 1961, encountered numerous problems in this respect.

Although granted the right to negotiate with local school boards in 1958, the Union experienced difficulty for some time thereafter in establishing reliable bargaining procedures. The school boards were not compelled to accept the findings of conciliation commissions which were used frequently during the 1960's. The recent trend toward provincial level negotiations has already been noted. In this chapter the trend will be related to actual salary increases granted to Nova Scotia teachers.

It is the belief of the NSTU that salary increases will serve not only the union's welfare (protectionist) function but the professional function as well. The teacher's economic position and, therefore, his welfare, will be improved with increases in salary. The profession as a whole will also be improved as a result of increased

salaries because more qualified people will be inclined to enter the profession as the economic status of the teacher is improved.

Teacher Salaries 1961-1973

The Foundation Program grant scale, which took effect in 1956, initially provided substantial salary increases for most teachers in Nova Scotia. Yearly increments, which had by this time become accepted, as well as training differentials, were increased. Unfortunately, however, provisions for yearly revision in the salary scale were omitted and no legal mandatory negotiating machinery existed at the time.¹

Until the government was willing to increase the provincial salary scale the Union was forced to rely upon the school boards for salary increases. The local school boards were not inclined to pay salaries above the Foundation Program scale of supposed minima. The government did grant small increases in 1958 and 1959 which were accepted by the Union and the school boards.

In 1961 the average salary of Nova Scotia teachers was \$3,274.* The teachers considered their financial situation intolerable. As a result, in six areas of the province dispute situations arose and teachers resigned their positions. In five of these cases, conciliation commissions

* See table VI (1)

recommended salary increases, but the school boards rejected the recommendations.² Apparently the feeling of the school boards was that no more money could or should be expended on teacher salaries from local sources. They felt that the responsibility lay with the provincial government and were waiting for it to take action on the matter.³

The government, as a result of the teacher disputes in 1951, established a new joint committee to study the Foundation Program. The committee consisted of representatives of the NSTU, the government, the Union of Nova Scotia Municipalities and the School Boards Association. This committee reported its findings and recommendations to the government in April, 1962, but a new grant scale did not come into effect until August, 1963.⁴ Any increases in salary scales between 1961 and 1963 were determined locally and achieved only after conciliation commission reports were accepted.

Appendix "G" of this thesis indicates that there were no percentage increases in teachers' salaries between 1961 and 1963.* Teachers' average salaries did, in fact, increase during these years, as indicated by table VI (1). The increase was due mainly to yearly increments and raising

* Appendix "G" refers only to percentage increases of grant scales as of January 1, each year.

teacher qualifications. By 1963, teachers in Nova Scotia were earning an average of \$3,610, an increase of 10.2% over 1961.

The grant scale produced by the joint commission for 1963-64 was accepted by all local school boards, with few paying salaries above the scale.⁵ Though the scale remained in effect for both calendar years, the teachers' average salary continued to rise. By 1965, the average teachers salary had increased to \$4,247 or 29.7% above the 1961 level.

In 1965, only ten of the 77 local school boards were paying salaries above the Foundation Program scale.* The NSTU now realized that the Foundation scale had, indeed, become the maximum rather than the minimum that most school boards would pay. Yearly salary increases, aside from yearly increments and higher qualifications, would have to originate from this scale rather than from the local school boards. Aware of this fact, the Union pressed for annual review of the Foundation scale by a permanently - appointed committee.

As a result of the NSTU's pressure, a new committee was appointed in the fall of 1965 with instructions to draw

* School boards paying above salary scale in 1965 were: Halifax city, Dartmouth, Truro, Sydney, Halifax County Vocational, Cape Breton Vocational, Canso, Bridgewater, Annapolis County, and Victoria County.⁶

Percentage Increase in Teachers average salary compared to
**Percentage increase in the Nova Scotia Industrial
 Composite and Nova Scotia Nurses Average Salaries**

Table VI (1)

Year	(1)	(2)	(3)		(4)	(5)	(6)	(7)	(8)
	Teachers Av. Sal. N.S. \$	Annual Percentage Increase Over Prev. Year(s) %	Industrial Composite Av. Weekly Wages & Sals. x 50 \$	Annual % Increase	Annual % Increase	Nurses Av. Sal. N.S. \$	Annual % Increase	(1) is of (3) %	(1) is of (5) %
1947	1316	10.9	1630					80.7	
1948	1497	13.8	1799	10.3				83.2	
1949	1625	8.6	1882	4.7				86.3	
1950	1674	3.0	1970	4.6				85.0	
1951	1717	2.6	2126	7.9				80.8	
1952	1782	3.8	2294	7.9				77.4	
1953	1930	8.3	2431	6.0				79.4	
1954	1999	3.6	2478	2.0				80.7	
1955	2075	3.8	2542	2.6				81.6	
1956	2520	21.4	2645	4.1				95.3	
1957	2682	6.4	2818	6.5				95.2	
1958	2761	2.9	2917	3.5				94.6	
1959	2934	6.3	3009	3.2				97.5	
1960	3196	8.9	3133	4.1				102.0	
1961	3274	2.4	3199	2.1		3000		102.3	109.1
1962	3484	6.4	3287	2.7		3300	10.0	106.0	105.5
1963	3610	3.6	3423	4.2		3300	.0	105.5	109.3
1964	3955	9.6	3540	3.4		3420	3.6	111.2	115.6
1965	4247	7.4	3686	4.1		3420	.0	115.2	124.1
1966	4317	1.7	3850	4.4		3660	7.0	112.1	117.9
1967	4918	13.9	4132	6.8		4320	18.0	119.0	113.8
1968	5909	20.2	4411	6.8		4800	11.0	134.0	123.1
1969	6038	2.2	4748	7.6		5100	7.9	127.2	118.3
1970	6482	7.4	5208	9.7		5700	11.7	124.5	113.7
1971	7409	14.3	5641	8.3		6000	5.2	131.3	123.5
1972	8309	12.1	6170	9.4		6420	7.0	134.7	129.4

Source: Teachers average salary and Nova Scotia Industrial composite average salary:
 NSTU Economic Handbook, 1973-1974 p. H4.
 Nurses average Salary:
 Nurses Staff Association of Nova Scotia, 'Files'.

up a new scale and commence annual reviews of the Foundation Program. The new scale took effect in August, 1966. As a result of the new Foundation scale, teachers' average salaries in 1967 were 13.9% higher than in 1966 and 50.2% above the 1961 average.*

The Foundation Program committee recommended increases in salary scales in 1967 and 1969. The 1967 salary increases had a marked effect, raising teachers salaries in 1968 to an average of \$5,909, just over 80% above the 1961 figure. The minister of education did not act on the committee's recommendations for 1969. A consequence of this, was that the Foundation Program Committee held meetings in November and December of 1969 and recommended salary increases of 11% in January, 1970 and a further 7% in January, 1971.⁷ The minister agreed with the recommendations and these increases, along with yearly increments and higher qualifications, raised teachers average salary in 1971 to \$7,409 or 126% above the average in 1961.

The NSTU Executive Report to the 1970 annual council noted that the Foundation Program scales were devised to:

- "A - raise the level of low licenced teachers up to a subsistence level, and
- B - raise the ... class 3 and 5 ... salary categories to a competitive level with comparable categories in other provinces of the atlantic area."⁸

A prophetic event occurred in Sydney in 1969 when the

* See table VI, (1)

school board attempted to remove the \$200 differential clause from its agreement with the Union.* The teachers resigned over the matter and two government-appointed mediation officers failed to resolve the dispute. Finally, a government-appointed board of inquiry settled the matter and the differential was restored for one more year. Classes resumed two weeks behind schedule in September.⁹ Although the Sydney teachers managed to retain the salary differential for one more year, they lost it in 1970. This represented one less school board paying salaries above the Foundation Scale.

According to NSTU Council Minutes, 1970 was a threatening year. The minister of education announced that government's contribution to educational costs for 1971 would not go beyond 8% over the 1970 costs. This resulted in threats of teacher and program cut backs by school boards across the province.¹⁰ Intense discussions by the NSTU and the school boards with the government persuaded it to relax its guidelines. Never-the-less, some areas of the province experienced teaching staff declines and a cut in the number and quality of programs offered.

Mr. Boyd Barteaux, immediate past president of the NSTU, addressing the annual council of the Union cautiously

* A salary differential is the amount of money paid by a school board above the Foundation Program Scale.

stated: "It is regrettable that retrograde action, due to fiscal restrictions by the government, has tended to halt, and in some instances wipe out, the progress in providing educational services to the youth of our province."¹¹ He did not, at this time, care to expand upon the position of the teachers on salary increases, perhaps realizing that this might appear to the public to be selfish.

During the fall of 1971 and spring of 1972, dramatic results were produced with respect to collective bargaining for teacher salaries. The Foundation Program Committee met as usual in the fall of 1971, but according to Mr. Norman Ferguson, something was amiss:

"Despite initial indications of reasonable compromises being worked out, the process was terminated when other parties got together and made a deal of what percentage would be recommended through the Foundation Program Committee."¹²

When this incident occurred, the NSTU abandoned the committee and went directly to the minister of education who in any case would make the final decision. By December 17, 1971, meetings with the minister resulted in little or no change of government position on the issue of teacher salaries. The government had offered a 5% increase.¹³

On December 17, 1971, the NSTU held a special council meeting to determine what to do with respect to salary negotiations. The council decided to poll the membership as to whether or not it should accept the government offer of 5%. The membership overwhelmingly rejected the offer

and authorized the Union executive to seek changes in the Teaching Profession Act so that they could bargain with the provincial government.

Rejection of the government offer was conveyed to the minister of education on Friday, February 4, 1972. The following Monday, the Premier announced, as government policy, a 5% guideline for all teachers and others who are paid directly by taxes.¹⁴ The executive of the NSTU, fully aware that the government would not retreat from its position, decided to try for a compromise. Meanwhile, NSTU locals were creating havoc with the educational system across the province by work slow downs, walk outs, working to rule and decreasing teacher participation in extra curricular activities.* A compromise was reached with the Union achieving an agreement to change the Teaching Profession Act and the government maintaining its 5% guide line.

In 1973, negotiations between the NSTU and the minister of education produced an agreement to cover the time period from July, 1973 to December, 1975. The 5% salary guideline established by the government was maintained but the government was willing to include a \$10,000 term life insurance policy for each teacher and complete provincial payment of

* For details of NSTU local activities during February and March of 1972, see, NSTU Council Minutes 1972, pp. CM9-10 also The Chronicle-Herald, Halifax Herald Ltd. 1972, February 10, 19, 21, 22, 24, 25, 26, and 28.

a 'total care' health plan for all single teachers, (50% premium payment for married teachers). Average teacher salary figures for the years 1973-75 are not available but the minimum and maximum salary figures for each licence level along with yearly percentage increases for each level are available.*

Rural-Urban Salary Difference

The Foundation Program provides the same salary scale to all teachers in Nova Scotia. The uniform salary scale combined with the reluctance of the school boards to pay salaries above the scale has reduced but not eliminated the difference in average salaries between rural and urban teachers.** The more well qualified teachers once attracted to urban areas by higher salaries are now beginning to find rural areas increasingly appealing.

As more well qualified teachers enter the profession in rural areas the quality of education in those areas is gradually rising to a level comparable to that of urban areas. Thus, with the advent of a uniform salary scale for Nova Scotia teachers the average salary and educational differences between rural and urban areas have declined significantly.

* See appendices "F" and "G"

** See appendix "H"

Average Salaries of Nova Scotia Teachers,
Nurses and Industrial Composite

The performance of the NSTU in terms of the welfare function of salary increases can be determined only in relation to the average salary increases of other groups in Nova Scotia and in relation to the Consumer Price or cost of living index.

A study of table VI (1) reveals that over the long term average teacher salaries have climbed from 80.7% of average Nova Scotia Industrial Composite salaries in 1947 to 134.7% in 1972.* This indicates that with respect to this large diverse group, the average salary of Nova Scotia teachers has increased dramatically. Correspondingly, the standard of living of the teachers has also shown a sharp increase compared to the industrial composite group.**

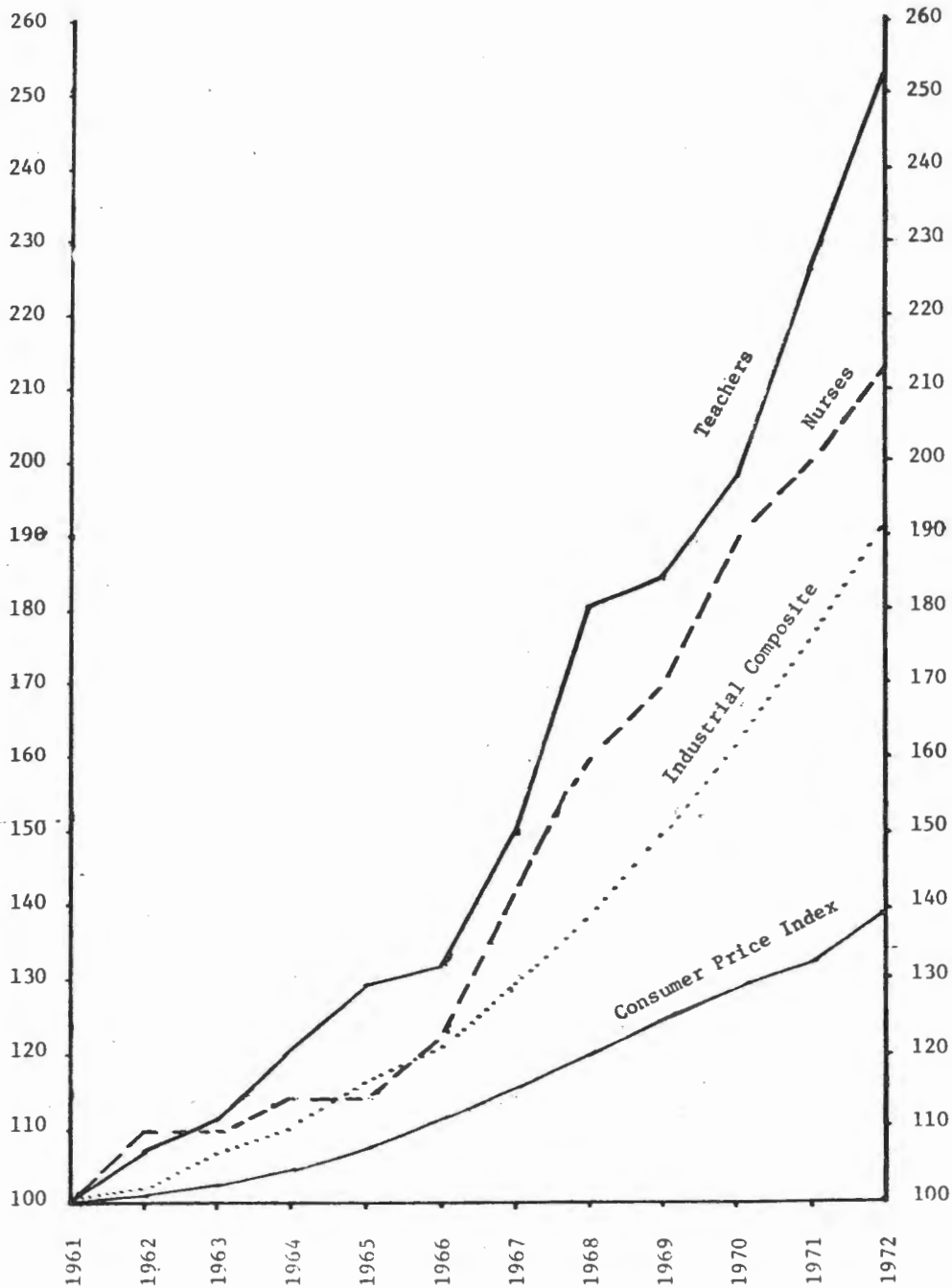
Because Nurses in Nova Scotia consider themselves a professional interest group and have a bargaining agent, they are in much the same position as teachers. Therefore, they provide a convenient basis for comparison to determine the relative success of the NSTU in its welfare function.

A comparison of teachers' average salary with that of Nurses

* The Nova Scotia Industrial Composite is determined by averaging the weekly wages and salaries of all industries in the provinces (employing 20 persons or more). The industries include mining, manufacturing, construction, transportation and communication, trade, finance and service.

** See Chart VI (2)

Growth of teachers, Nurses and the Nova Scotia Industrial Composite average salaries versus the Consumer Price Index, 1961-1972



Source: Consumer Price Index; Prices and Price Index (62-002).
 Statistics Canada, Ottawa, October 1973, p. 50.

indicates that while teachers' salaries increased at a rate faster than that of nurses, the rate of increase over nurses is not quite so dramatic as the rate of increase over the Nova Scotia Industrial Composite. Teachers' average salary moved from 9.1% to 29.4% above that of nurses between 1961 and 1972.

With respect to both groups, the teachers have obviously taken the lead in the field of salaries. This fact must be attributed to both the great emphasis placed on the development of satisfactory negotiating machinery by the NSTU and an effort on the part of the government and the school boards to improve the quality of education in Nova Scotia during the 1960's.

Chart VI (2) illustrates the average yearly increase in salaries from 1961 to 1972 for teachers, nurses and the Nova Scotia Industrial Composite compared to the consumer price index. It is evident that with respect to this index, the teachers have again fared well. In comparison to base year 1961, the Consumer Price Index increased to 139.8% while comparable figures for the other groups increased to 192.8% for the industrial composite, 214% for nurses and 253.7% for teachers. Concerning the cost of living then, all groups have improved their situation and have consistently acquired yearly increases in average salary higher than the Consumer Price Index. The standard of living for all groups has thus improved over the years with that of teachers improving

the most.

In relation to both the nurses and the Nova Scotia Industrial Composite, teachers have achieved their objective. That is, the economic status of Nova Scotia teachers has climbed faster than that of either of the other groups since 1961. It would appear that the NSTU has been following the right course in the establishment of its negotiating machinery.

The Union is not satisfied, however, with its success in the field of salaries. The executive of the NSTU points to the fact that the Consumer Price Index is now rising much faster than in the past and teachers are experiencing greater difficulty attempting to keep pace with the rising cost of living. If the index rises as sharply in 1974 as it did in 1973 there is little doubt that the teachers in Nova Scotia will realize for the first time since 1958, a decrease in purchasing power.* The Union is aware of this and hopes, through the attainment of its proposed legislation discussed in the previous chapter, to remedy the problem. To date, the NSTU has succeeded in its salary objectives, but not to the degree it wishes. With the rapid increase in the cost of living, the future for the teachers looks grim.

* The Consumer Price Index rose by 9.4% in 1973.

Footnotes Chapter VI

1. Norman Ferguson, Twenty Five years Development of Salary and Negotiating Machinery. Nova Scotia Teachers Union, Halifax, 1971, p. 7.
2. Nova Scotia Teachers Union Council Minutes, 1962, Appendix 0, p. 2.
3. Nova Scotia Teachers Union Council Minutes, 1961, p. 84.
4. Norman Ferguson, 1971, p. 9.
5. Nova Scotia Teachers Union Council Minutes, 1964, p. 5.
6. Nova Scotia Teachers Union Council Minutes, 1965, pp. 8-9.
7. Nova Scotia Teachers Union Council Minutes, 1970, p. 14.
8. Nova Scotia Teachers Union Council Minutes, 1970, p. 15.
9. Norman Ferguson, 1971, p. 13.
10. Nova Scotia Teachers Union Council Minutes, 1971, p. 8.
11. Nova Scotia Teachers Union Council Minutes, 1971, p. 6.
12. Nova Scotia Teachers Union Council Minutes, 1972, p. 8.
13. Nova Scotia Teachers Union Council Minutes, 1972, p. 8.
14. Nova Scotia Teachers Union Council Minutes, 1972, p. 9.

CHAPTER VII

NSTU ACCOMPLISHMENTS IN THE FIELD OF FRINGE BENEFITS

Fringe benefits, although ultimately concerned with teacher welfare, also have a direct influence on professional development. Improvements in existing benefits or the creation of new ones serve much the same purpose as salary improvements, to raise the economic status of the profession and make it more attractive to well qualified personnel. Some fringe benefits are unique to the teaching profession, making it impossible to compare the achievements of the NSTU with those of other occupational groups such as nurses.

The 1959 report of the Manitoba Royal Commission on Education states:

"If we are to attract and hold better qualified and more capable teachers, it is necessary, but not sufficient, that teachers salaries be comparable to those obtainable by like people in other professions and in business. Conditions of work, job satisfaction, and fringe benefits must also be reasonably comparable ... The chief fringe benefits of consequence to teachers are: right to educational leave; sick leave with pay; pensions; group life insurance; group health insurance."¹

The importance of fringe benefits in determining the attractiveness of a profession and the satisfaction of its members should not be overlooked. The trend today with most labour unions is to attain the most fringe benefits possible from the employer, while maintaining salary levels

above the cost of living. Realizing the importance of such benefits to both the welfare and professionalism of teachers, the NSTU has attempted, especially since 1958, to develop and improve them.

Bargaining procedures for fringe benefits have not, in most cases, paralleled the procedures for salary bargaining. Because the Education Act places formal bargaining powers in the hands of the local school boards it is with them that the Union must negotiate fringe benefits.* These negotiations were, at first, painfully slow because the bargaining machinery was not refined. For this reason, any fringe benefits granted by school boards before 1961 were usually in the form of 'minutes of the board' (benefits granted as a result of board meetings and recorded in the minutes of the meetings) and were usually cost sharable with the province.²

One such benefit obtained before 1961 on a province-wide basis was cumulative, sick leave. This is a cost sharable benefit between the school board and the province under the Foundation Program. Apart from sick leave, few benefits were granted by the school boards. In rare cases where additional benefits were granted, there was no obligation to maintain them from year to year.

* The informal salary bargaining procedures between the provincial level of the NSTU and the government have not, to a great extent, been adopted with respect to fringe benefits.

The inclusion of fringe benefits in local contracts became an objective of the NSTU during the late fifties and early sixties. But the Union was not especially successful in obtaining them until after 1965, when its negotiating machinery was more refined. Today, local negotiating to introduce or improve fringe benefits has both a draw back and an advantage. The draw back is that all teachers in the province do not normally enjoy the same benefits. The advantage is that local negotiations produce a 'whip-saw' effect in that benefits once negotiated with one local school board become easier to obtain from others. The advantage of the 'whip-saw' effect would be lost if the Union were forced to negotiate all fringe benefits with the provincial government.³ This is one of the reasons why the NSTU is attempting to develop the bi-level bargaining system discussed in chapters IV and V.

There are presently three fringe benefits available to all teachers in the province which have been negotiated with the provincial government. These exceptions to the rule of local bargaining are a pension plan, a health care plan and a group insurance scheme.

1) The NSTU Pension Plan (NSP)*, applies to all teachers in the province. It has evolved into a comprehensive plan designed by the government in concert with a

* The plan is sanctioned by an Act of the Nova Scotia Legislature entitled The NSTU Pension Act, of 1949.

standing pension committee of the NSTU. A joint commission, consisting of representatives of the Union and the government, administers the Pension Act. The NSP has been in existence since 1949.* Improvement in the plan has evolved through discussion with the government or through the annual presentation of NSTU resolutions to the minister of education, some of which requested changes in the Pension Act.⁴

The NSP is designed to provide a maximum amount of security to teachers upon retirement and is coordinated with the Canada Pension Plan (CPP). Teachers contribute a maximum of 6% of salary per year to the plan and are eligible to receive upon retirement 2% of their salary for each year of service up to a maximum of 70%.⁵

The coordination of NSP and CPP has provided the following benefits with respect to the entire plan: 1. The full service pension referred to above; 2. a reduced service pension based on 2% of salary for each year of service to the maximum of 70%; 3. a full disability pension, available to teachers who have completed ten years of service and are unable to continue teaching or earn a livelihood; 4. a partial disability pension, available to teachers who have completed ten years of service and are unable to continue teaching but can do some other type of work; 5. a widow's or widower's pension, normally

* The first NSTU Pension Act was passed in 1926 but was found to be actuarially unsound and replaced in 1949.

50% of the spouse's pension or 50% of what the spouse would have received had he or she been receiving a pension at the time of his or her death; 6. a survivor's pension after ten years of service, available to a survivor other than the spouse but related to or dependent upon the deceased, equal to 50% of pension; 7. refundable payments for teachers with less than ten years of service.⁶

2) Life Insurance became available to all teachers in the province as of August 1, 1973. Every teacher automatically carries a \$10,000 term life insurance policy along with an accidental death policy for the same amount. The government offered the plan during the process of salary negotiations with the NSTU in the spring of 1973. Because the government pays the entire cost of the premium the average teacher realizes a saving of \$50 a year.

The government, because it was committed to a 5% guideline for salary increases, realized that other monetary benefits would have to be offered if salary negotiations were to be brought to a satisfactory conclusion. To successfully conclude negotiations, the government included, along with a 5% salary increase, the life insurance plan and a health care scheme.

3) Total Health Care is now provided, the government paying 100% of the premium for each single total health care policy and 50% for each married plan. The plan provides 100% payment of semi-private hospital care, 80% of extended

health care charges and 100% payment of drugs. The saving realized for the average teacher by this plan is \$55 per year. In cases where the same benefit has been negotiated between a local of the Union and its employing school board, the premium for the married plan is now 100% paid for. This represents a total saving for the married teacher of \$110 per year.⁷

With the exception of the above mentioned benefits, most fringe benefits must be negotiated at the local level between the NSTU locals and the school boards. Some school boards, notably the three amalgamated school boards in the province and the urban boards, appear to grant fringe benefits more quickly than others. This may be due to the fact that those boards employ large numbers of teachers and, as such, become targets in the negotiating process. As often as not, central office personnel are involved in negotiations with these boards in the belief that what these boards grant will be granted by the smaller school boards in future negotiations.

Three fringe benefits negotiated at the local level which have a direct influence on professional development include professional development grants, conference grants and sabbatical leave. These benefits have been negotiated in the belief that any improvement in a teacher's qualifications will result in improved instruction which is a direct benefit to the school board, the teacher, the

student and society as a whole.

During the 1960's when teacher licence levels were low, many education department and school board officials believed it necessary to provide teachers with some incentive to improve qualifications. The province, through the Foundation Program, provided funds to school boards to be dispersed to teachers for the purpose of such improvement. Today the emphasis is on the need for teachers to have access to new methodology. This stems from the desire to make education relevant to the student in the 1970's. In 1970, the provincial government placed a moratorium on incentive grants, thus forcing the school boards to pay the grants without cost sharing. NSTU policy became directed to saving what grant agreements they had already reached with individual school boards.

Each of the fringe benefits negotiated with local school boards emerged either during or after 1961, some of them very recently. The emergence of new benefits tends to coincide with the Union's efforts to improve its negotiating machinery.

Professional Development Grants are paid to teachers who take university courses during the summer or winter. The size of the grants ranges from \$100 to \$200 per teacher, per course. They are normally given for only one course per year. This benefit has been negotiated in 37 of 65 school boards and is available to 72.2% of all teachers in

Nova Scotia.* One should note that in cases where this benefit has not been negotiated it may exist as a 'minute of the board'.

Conference Grants are also paid to teachers, in this case for expenses incurred by them while attending a conference related to their subject area. These grants are normally determined on a mileage and receipt basis with ceilings imposed. The school boards normally set aside a specified sum of money per year to cover such expenses although some have no imposed maximum available. This benefit has been negotiated in 44 of 65 school boards and is available to 80.8% of teachers in Nova Scotia.

Sabbatical Leave is one of the more contentious fringe benefits negotiated at the local level by the NSTU. Difficulty has been experienced in attaining this benefit because of its high cost and the fact that relatively few teachers benefit from it. "In many parts of the province, school boards have attempted to remove provision for sabbatical leave from their collective agreement."⁸ This benefit, although negotiated in only 15 of 65 school boards,

* The figures quoted in the remainder of this chapter are calculated on the basis of information supplied by Mr. Murray Fahey, Executive Assistant of the NSTU. They are complete to January 1, 1974. Unfortunately, information with respect to the percentage of teachers enjoying benefit previous to 1973 are not available. For this reason it is difficult to determine bargaining trends during the years 1961-~~to~~1973.

is available to 62.3% of the membership of the NSTU.

Provisions with respect to sabbatical leave are diverse. Payment while on leave ranges from 50% to 100% of salary with the average being about 70%. The number of teachers who receive this benefit is limited to from one to fifteen per board, per year. Presently, a teacher may receive this benefit only once. This is due to the NSTU Pension Act which allows a teacher only one year off the job for study purposes. Because of the relatively few teachers who enjoy the benefit of sabbatical leave, the Union is contemplating a de-emphas~~s~~ on its negotiation in new contracts.

Sick leave portability, maternity leave, insurance cost sharing and retirement gratuities are four fringe benefits which are negotiated locally and related directly to the welfare of the teacher. They offer security and reward for services rather than the chance to improve professionally, but the negotiation of these benefits could help induce more well qualified people to join the profession.

Sick Leave Portability. Sick leave is granted to all teachers in the province under the cost sharing plan of the Foundation Program. It is therefore a provincial level benefit through which teachers can accumulate up to twenty days of sick leave with pay to a maximum of 195 days or one full year. Portability of sick leave, which is bargained at the local level, has proven to be more difficult to achieve.

Without portability, teachers in the province are less inclined to switch places of employment because of the loss of accumulated sick leave. Portability of sick leave has been negotiated with 24 school boards employing 59.4% of Nova Scotia teachers. Most of the 24 boards grant 100% of accumulated sick leave upon commencement or after one year of employment. Seven of the 24 boards grant the benefit only if it is reciprocal or, in other words, only if it is granted by the previous employing board. Portability of sick leave should result in higher mobility of teachers and could tend to increase the emerging trend of highly qualified urban teachers moving to rural areas as mentioned in chapter VI.

Maternity Leave has been negotiated with 45 school boards employing 70.2% of the NSTU membership. This benefit has been negotiated primarily on the basis that it is a sickness. Pregnancy is thus recognized as a form of illness, affecting the physical and mental health of the employee. Previous to the negotiation of this fringe benefit, pregnant teachers were expected to submit their resignations to the school boards and, in many cases, were not re-hired the following year.*

The cost to the school boards in granting this benefit is low because, in many cases, it is granted with the

* Many school boards have an unwritten policy not to hire married female teachers.

provincial government cost sharing under its cumulative sick leave program with the boards. A high percentage of school boards granting maternity leave do so by allowing the twenty days sick leave accumulated yearly by the teacher to be applied to the pregnancy. Other boards grant a maximum of forty days pregnancy leave with pay, twenty of which are deductable from accumulated sick leave. Although teachers are now eligible for maternity leave payment under the Unemployment Insurance Act, they are entitled to it only if they do not receive income from any other source.

Insurance Cost Sharing was originally negotiated at the local level before the provincial government granted some of these benefits to all teachers. Where such benefits have been negotiated with the local school boards the contracts still stand. The result is that some teachers enjoy double benefits with respect to life insurance and total health care. There is, in other words, an overlap in cases where the benefits granted by the provincial government have been previously negotiated with local school boards.

At the local level, insurance cost sharing has been negotiated with respect to life insurance, accidental death and dismemberment insurance and total health care. The benefits of insurance of any kind are obvious and do not require elaboration. Table VII (1) presents the

performance of the NSTU to date in negotiating these items into collective agreements with local school boards.

Table VII (1)
Insurance Cost Sharing

	<u>Life</u> <u>Life</u>	<u>Accidental death</u> <u>and Dismemberment</u>	<u>Total Health</u> <u>Care</u>
no. of Boards	10	10	21
no. of Members	3187	1875	5493
% of Members	28.7	16.9	49.5

As indicated by the table, school boards have been more inclined to grant total health care than life or accidental death and dismemberment insurance. The combined total health care schemes of the province and the 21 paying school boards (both of which pay 50% of the premium for married teachers) takes the burden of health care costs from all married teachers in the 21 boards.* Both life and accidental death and dismemberment insurance are relatively newly acquired fringe benefits which, hopefully, will improve with time.

A Retirement Gratuity benefit has been negotiated between the NSTU and 21 employing school boards for 63.4% of the Union membership. It is, in effect, a form of recognition for good, long and faithful service. The gratuity is granted nearly always upon retirement but

* The premiums for single teachers are now paid by the provincial government.

rarely in severance cases. This reward is not portable but is granted on the basis of the number of years spent by the teacher as an employee of the board. It may be a percentage of salary or a cash gift. Gratuity size ranges from a low of 12% of salary for ten years of service, to a high of 60% for 25 years.

The performance of the NSTU in attaining fringe benefits is directly related to the ability of the local negotiating committees and their willingness to seek aid from central office personnel. Although hampered to some degree by having to negotiate at the local level with 65 school boards, the Union has proven effective in the bargaining process. As previously noted, all of the benefits discussed, with the exception of cumulative sick leave, have been negotiated since 1961.

It is obvious that school boards, as a result of NSTU efforts, are more inclined to grant fringe benefits related to professional development particularly when cost sharable with the provincial government. Benefits whose sole function is economic in nature have been successfully negotiated for a high percentage of teachers, and there is every indication that this success will continue.

Footnotes Chapter VII

1. Quoted in the Economic Handbook. Nova Scotia Teachers Union, Halifax, 1973-1974, p. F-9.
2. Mr. Murray Fahey, Executive Assistant of the NSTU, Interview, February 14, 1974.
3. Mr. Norman Ferguson, Executive Secretary of the NSTU, Interview, February 11, 1974.
4. Mr. Ron MacPherson, Executive Assistant of the NSTU, Interview, March 12, 1974.
5. Nova Scotia Teachers Union Member Handbook, Halifax, 1973, pp. 53-55.
6. Nova Scotia Teachers Union Member Handbook, Halifax, pp. 54-60.
7. Nova Scotia Teachers Union Member Handbook, Halifax, pp. 34-35.
8. Nova Scotia Teachers Union Economic Bulletin, Halifax, February, 1973, p. 1.

SUMMARY AND CONCLUSIONS

Because of their importance with respect to the NSTU as a whole, four points of departure from which to examine the Union must be recognized. They are: 1. the structure and organization of the Union; 2. its effectiveness as a professional interest group; 3. its effectiveness in the welfare (protectionist) function; and 4. the future of the NSTU.

The Structure and Organization of the NSTU

In the Introduction to this thesis a number of criteria were put forward in relation to the various ways in which the structure of an organization should be capable of reflecting the interests of the individuals in the group. According to Helen Jones Dawson any legitimate interest group should have well established internal and external communication systems or devices. The ability to communicate will, according to Dawson, be determined by the structure of the organization. The structure must be such that it can encourage activity and unity internally and the expression of the views of the interest group externally. Through the structural studies referred to in chapters II and III of this thesis the NSTU identified the structural problems that inhibited the reflection of individual interests and participation in Union activities.

As a result of these studies and the recommendations of

the ad hoc Structure Committee, a number of alterations are about to be made in the organizational structure of the Union. The purpose of the alterations is to promote greater participation in Union activities and policy formulation as well as greater communication. These dual problems are closely related. Without improved internal communication participation will remain low. But until the NSTU undergoes some form of structural change, neither internal communication nor membership participation will be improved.

The creation of the school representative and the local council is perhaps the most important change proposed in the structure of the Union since its revival in 1921. The school representative is expected to be both a communicator and a catalyst. Communication flow and feedback should increase and lead to greater participation by the school staff in Union activities and policy formulation.

Some NSTU members regard the school representative as a 'shop steward' and accuse the Union of leaning too close to the labour model. They feel justified in this belief because one function of the school representative is to convey the problems and complaints of the members to the local council for action.

It has also been suggested that the creation of this position could have the reverse of its desired effect, by encouraging the rest of the school staff to take a 'let him do it' attitude and therefore become even further removed

from Union activities. One should note, however, that in large locals membership attendance at local meetings has declined rapidly to the point where very few schools are represented. This means that many school staffs remain virtually ignorant of and unconcerned about what takes place at local meetings. It is in such locals that the school representative is needed most. The ad hoc Structure Committee believes that by fulfilling his function as communicator the school representative will keep school staffs aware of what is happening and also encourage their participation.

Realizing the importance of external communication, the NSTU has endeavoured to establish frequent contact with the minister of education and officials of his department. It has also developed numerous communicative techniques which serve to inform others of Union views and possibly influence their decisions when they concern the interests of the NSTU.

Other structural and procedural changes discussed in Chapter II were designed to bring the Union executive closer to the 'ordinary' member while lending greater continuity to NSTU policies by extending the terms of executive office. In conclusion, the present structure of the NSTU is not capable of reflecting the characteristics (as defined by Helen Jones Dawson and noted in the Introduction to this thesis) which will encourage greater membership participation and communication. As such the structure is weak. The

proposed alterations are designed to rectify this situation by changing the organizational structure of the Union, thus enabling it to fulfill to a greater degree its functions as an interest group.

The NSTU as a Professional Organization

The fact that the NSTU performs dual roles was mentioned in the Introduction to this thesis and illustrated throughout it. As a professional interest group the NSTU must foster the interests of the profession. Although this thesis did not deal directly with the professional functions of the Union, it did deal with the manner in which those functions are fulfilled.

The professional interests of the NSTU can only be fostered in relation to the degree of influence it possesses. To have influence any interest group must, according to David Kwavnick, be accepted as legitimate. As noted in the Introduction to this thesis, Kwavnick believes that by achieving the status of legitimacy the group qualifies for entrance into the political process and may become directly involved in governmental decision making. That the Union is accepted as legitimate is illustrated by the fact that it is represented on every provincial-level committee or council concerned with educational decision making. Representation on these bodies gives the NSTU the chance to help determine the directions in which education in the province will move.

The Union has thus attained some voice as a professional interest group in the growth and development of the teaching profession. This is directly related to the advancement of the status of the teaching profession - the primary goal of the NSTU.

A further indication of the influence of this interest group on the status of the teaching profession is the ability of the Union to negotiate fringe benefits which contribute directly to increasing the qualifications of the teacher. Every year more teachers are up-grading their licence qualifications as a result of increased incentive in the form of higher salaries, incentive grants and higher professional standing. It should be noted that one of the determinants of yearly increases in average teacher salaries was increased licence qualifications. This is indicative of a desire on the part of teachers to improve their professional as well as their economic status.

The Union also presents yearly to the minister of education its legislative resolutions which normally result in government legislation to change the Education Act, the Teaching Profession Act or the Nova Scotia Teachers Union Pension Act. The ability of the NSTU to have its own legislation introduced to the House of Assembly as government policy is perhaps the greatest illustration of Union influence and its recognition by government as a legitimate interest. The very fact that the education minister was willing to

introduce Bill 184, which was drafted by the NSTU, as government policy indicates the degree to which the Union is accepted as a professional interest group.

In conclusion, the NSTU in its role as a professional interest group has evidently acquired a great deal of influence and recognition. The influence, which is derived from its recognition as a legitimate interest group, is used to promote the interests of the teachers and thereby raise the status of the teaching profession and the quality of the education system in Nova Scotia.

The Welfare (Protectionist) Function of the NSTU

The reality of the position of professional teachers as employees necessitates that they form an organization capable of conducting negotiations with the employer to improve their economic and professional status. The NSTU then must perform the function of a bargaining agent as well as that of a professional interest group. In assuming the function of bargaining agent the Union has promoted its members' interests and encouraged the development of patterns of procedure to reduce conflict between employer and employee.

As noted in Chapter IV of this thesis, the NSTU received the right to bargain at the local level in 1958. It is evident that in respect to salaries, soon after the Union received the right to bargain, the right to make decisions on salary increases shifted from the local to

the provincial level. The NSTU then found itself in the awkward situation of attempting to secure salary increases through the Foundation Program Committee. Three quarters of this committee consisted of the parties from whom the Union was attempting to get salary concessions.

The NSTU removed itself from this awkward situation in 1971 when it went directly to the minister of education to carry out its bargaining function. The reality of external conditions, with salary determination shifting to the provincial government, had forced the Union to change its procedural patterns. The NSTU now carries on informal bargaining with the minister of education for salary increases and formal bargaining with the employing school boards for fringe benefits and conditions of employment.

Considering the confusion during the period 1961 to 1973, it is a credit to the NSTU that it did so well in negotiations at both levels. While attempting to develop reliable legal bargaining machinery, the Union was responsible for increasing the average salaries of Nova Scotia teachers by more than 150%. It was also successful in keeping average teacher salary increases well above those of the Nova Scotia Industrial Composite and the nursing profession. The Union was also during this time able to negotiate, at both the local and provincial level, new and improved fringe benefits.

It was stated earlier that Bill 184 indicates the degree of influence of the NSTU as an interest group. This bill

(discussed in Chapters IV and V) was designed to alleviate the glaring inconsistencies which exist with respect to teacher bargaining in Nova Scotia. The Bill has a professional as well as a protectionist function. It is only by eradicating the present situation of bargaining for salaries and certain benefits with a non-employer that the NSTU can develop recognized procedural patterns through which to advance its dual role.

Through such a recognized, legalized and formalized bargaining process the Union hopes to advance the economic status of the teaching profession. Any move forward in economic status will result ultimately in a professional advance. The informal bargaining procedure which now exists is considered inadequate by the NSTU. Only through formal bargaining, it believes, can the interests of the group be sufficiently promoted to result in further advancement of the teaching profession. Only through advancing the professional and economic status of the teacher will improvement come about in the quality of education in Nova Scotia.

In conclusion, there is little doubt that the NSTU has performed well in its dual role as a professional interest group and a bargaining agent. The professional qualifications as well as the income of the average teacher are today much higher than they were in 1961, both absolutely and comparatively. The result has been an increase in the economic

and professional status of the teaching profession in Nova Scotia. It would appear that on both fronts the NSTU is achieving its objectives. One wonders what the future might possibly hold in store.

The Future of the NSTU

In the conclusion to chapter VI of this thesis it was stated that in relation to the rapidly increasing cost of living the future for teachers looks grim. The future will also present challenges in other respects. The reaction of the NSTU to such challenges will doubtless determine its effectiveness as an interest group and as a bargaining agent.

One challenge which is related to the status of school administrators has already confronted the Union. The question of where the administrators belong, with union or management, is a controversial one. The arguments for and against their membership in the NSTU have been presented previously. It is worth noting that opposition to the Union's position is not solely with the school boards and municipalities but also within the Union itself. There is, with respect to this problem, a dissident faction in the NSTU as evidenced by the attempt of the Sydney local to restrict administrative representation on the provincial executive.

Future conditions may decide this question and will definitely affect the Union's stand on the issue. The NSTU

may be forced into the position of trading off the administrators in order to achieve its objectives in relation to Bill 184. It is obvious that to represent more effectively the interests of the membership the Union must have the rights and powers it seeks in Bill 184. If forced into an either/or situation the Union would have to decide which is more beneficial, the objectives of the Bill or the maintenance of the status quo with respect to the school administrators. The question of just whose interests are served by the NSTU will obviously be the deciding factor. If such becomes the case, the NSTU would have to sever its relationship with school administrators.

There is no conclusive proof that the collegial model will break down if administrators secede from the Union. In fact, through compromise agreements, arrangements could possibly be worked out whereby administrative positions would be filled by personnel with experience in education rather than professional administrators. In this manner, the collegial model would be retained and the NSTU could achieve its objectives through Bill 184.

It is also possible that the NSTU could in the future separate its professional and welfare functions as have the nurses in Nova Scotia. The nurses have formed two associations; the Registered Nurses Association, which performs the professional functions of the interest group, and the Nurses Staff Association, which performs as a

bargaining agent. By this means the nurses have been able to retain control of their profession, especially over licencing, while bargaining collectively with their employers. There appears to be relatively little conflict between the two bodies. This model of development is mentioned as one possibly appropriate for teachers in Nova Scotia. In this way the collegial professional model could be retained as it presently exists, yet teachers could also bargain collectively in their own economic interests. The possibility, though interesting, is one which at the present time would not be acceptable to the NSTU.

The economic future of teachers in Nova Scotia will probably prove to be the greatest problem confronted by the Union in the immediate future. At present the NSTU is committed to a contract, offering 5% salary increases each year, until December, 1975. If the cost of living continues to increase at the same pace set in 1973 then the purchasing power of the teachers will decline. One possible solution is to tie teachers salaries to the Consumer Price Index so that salaries will increase with the Index. The Union is at present reluctant to do this as additional salary increases would be difficult to bargain and the Index could in the near future decline to its normal increase of 3% to 4% per year. Tying teachers salaries to the Index may mean never again increasing their standard of living. Not taking such

action may mean even further decreases in teachers purchasing power.

The solution to this dilemma is difficult and with luck the economy will slow down, thus automatically alleviating the problem. Meanwhile, dissent among the rank and file of NSTU membership is growing as the cost of living continues to rise. The immediate future does indeed look grim for the teachers and consequently for the NSTU.

The three future possibilities discussed will present challenges to the NSTU. But in the course of its development the Union has overcome great problems as in 1952. With a reformed structure, improved communications, and with its objectives firmly entrenched in the minds of its leaders, there is little doubt that the NSTU will in the future display the adaptability which has permitted it to stand the test of time.

Post Script

The 1974 Annual Council of the NSTU was held during March 19-22. At this Council many of the proposed structural changes examined in Chapter II of this thesis were discussed.

The proposed model for locals (see appendix "D") and the creation of the position of school representative were accepted on a voluntary basis by the locals. The model may be adapted to fit particular local conditions.

The Council rejected the proposal to have the president elected by the general membership but did pass a motion to elect the president for a two year term beginning in 1975.

The creation of the position of president-elect was rejected as well as the proposal to reduce the size of the Annual Council. The proposal to elect provincial executive members for a two year term (one half each year) was accepted.

At first glance it would appear that the Council has, by rejecting many of the proposals, acted contrary to the good of the Union. Such may not be the case. As the legislative body of the NSTU, the Council has responsibility for Union policy. Representatives to Council have a mandate to exercise power on behalf of the general membership. As such they must be given substantial reason

for changing union policy.

The rejected proposals were defeated (by a two-thirds majority) in the belief that the rationale for their implementation was not sound. Council members in the exercise of their responsibility required greater evidence that the proposals would have the desired effect. Such evidence was found to be lacking.

For the present, the essential changes in structure have been approved but the Council, in its wisdom, has rejected those which do not appear, to it, to be necessary. One might question the wisdom of Council but not its authority.

APPENDIX "A"

CONSTITUTION OF THE NOVA
SCOTIA TEACHERS' UNION
1921

Article I.

Section 1. This organization shall be called the Nova Scotia Teachers' Union and shall consist of a Council and Local Unions.

Section 2. The object of the Union shall be to secure the co-operation of the teachers of Nova Scotia for the purpose of raising the status of their profession and promoting the cause of education in the Province.

Article II.

Section 1. The members of the Council shall be chosen by the various Local Unions of the Province on the basis of one representative for a membership of from twenty-five to fifty, with one extra representative for every additional fifty members or fraction thereof. Such representatives shall be duly accredited by their Unions.

Section 2. The duty of the Council shall be to act in an advisory, legislative, and executive capacity for the Local Unions; more specifically the duty of the Council shall be:

(a) To endeavour to unify and elevate the teaching profession in Nova Scotia.

Source: Bulletin of the NSTU. NSTU, Halifax, Vol 1 no. 1, January 1922, pp. 5-6.

(b) To bring the claims of the profession before the public and the Legislature of Nova Scotia as occasion may require.

(c) To watch the educational outlook and trend of thought in other countries with a view to keeping the profession abreast of the times.

(d) To endeavour to advance salaries by increasing the capability of the teachers, by improving the quality of their work, by educating the public to a proper appreciation of the value of skilled teaching, and by developing among the members of the profession an 'esprit de corps' and a high sense of professional honour.

(e) To assist the Local Unions in carrying out their various undertakings.

Section 3. The Executive of the Council shall consist of a President, two Vice-Presidents, a Secretary-Treasurer, and five others. Five of the Executive shall be women and four men, or four women and five men.

Section 4. There shall be an Annual Meeting of the Council on or about Thanksgiving Day of each year, notice of which shall be given to the secretaries of Local Unions at least twenty days before the meeting. The time and place of meeting shall be determined by the

Executive. At this meeting the Executive shall be appointed for the ensuing year. All other meetings of the Council and all meetings of the Executive shall be called by the President at his pleasure. The expenses of the delegates to such meetings shall be paid by the Council.

Section 5. The Secretary-Treasurer shall execute a bond in favour of the Council with a Guarantee Company for a sum determined from time to time by the Council as a guarantee that he will faithfully perform his duties as Treasurer. The cost of such bond shall be borne by the Council.

Section 6. The funds of the Council shall be deposited in a chartered bank. All cheques on the said bank shall be signed by the Secretary-Treasurer and countersigned by the President.

Article III.

Section 1. All persons actually engaged in teaching in the Common and High Schools of the Province shall be eligible for membership in Local Union.

Section 2. The duty of the Local Unions shall be:

(a) To deal with such local matters as shall make

for the betterment of educational affairs in their own territories.

(b) To protect teachers who through errors in agreements or otherwise are in danger of being defrauded.

(c) To diffuse among the members of the profession a knowledge of law as it specially affects teachers.

(d) To advise teachers against whom legal proceedings are taken on charges connected with their profession, and where deemed advisable, to aid in an appeal to a higher court.

(e) To arouse teachers not only to a full sense of their duties as teachers, but also to a full realization of their obligations and responsibilities as citizens in the broadest and fullest meaning of the term.

Section 3. Members of Local Unions shall pay an annual fee of .50 if their total annual salary is not more than \$500.

\$1.00 if their total annual salary is more than \$500 and not more than \$1000.

\$1.50 if their total annual salary is more than \$1000 and not more than \$1500.

\$2.00 if their total annual salary is more than \$1500 and not more than \$2000.

\$2.50 if their total annual salary is more than \$2000.

Section 4. Fifty per cent of the local fee shall be paid to the Council not later than the first of February of each year.

Article IV.

This Constitution shall not be altered except by a two-third vote of the delegates present at an Annual Meeting of the Council. Notice in writing of proposed changes shall be given by the Secretary-Treasurer to each Local Union at least thirty days before the said Annual Meeting.

APPENDIX "B"

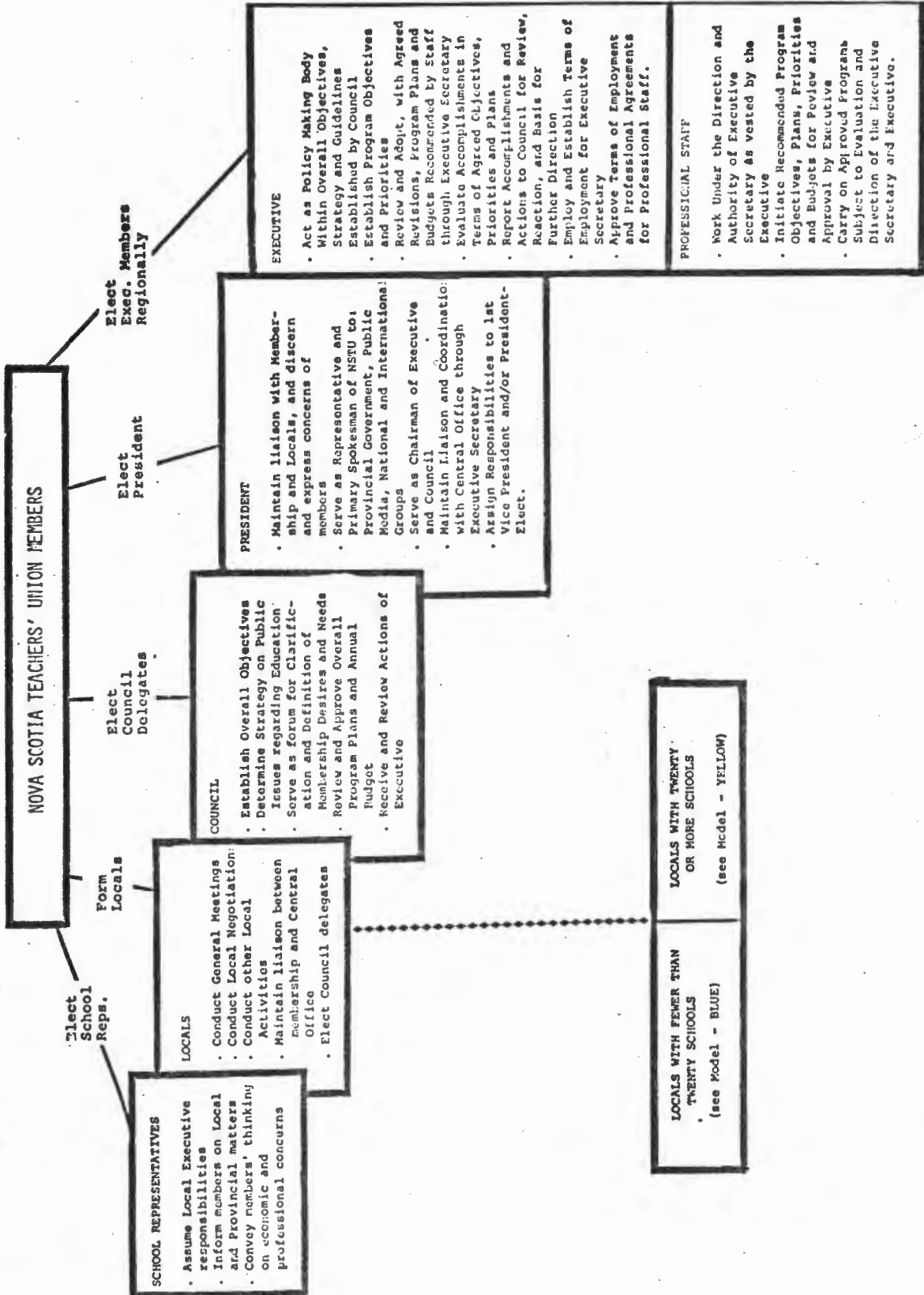
NSTU Locals and Membership

	<u>Local</u>	<u>Membership</u>
1.	Amherst	168
2.	Annapolis	347
3.	Antigonish	268
4.	Argyle	96
5.	Bedford	399
6.	Bridgewater	245
7.	Canso Regional Vocational	44
8.	Cape Breton Rural and Village	431
9.	Clare	114
10.	Colchester-East Hants	715
11.	Dartmouth	903
12.	Dartmouth Suburban	258
13.	Dartmouth Vocational	85
14.	Digby	169
15.	Dominion	46
16.	Glace Bay	265
17.	Guysborough	119
18.	Halifax City	1422
19.	Halifax East	69
20.	Halifax Regional Vocational	45
21.	Halifax West	309
22.	Hants West	252
23.	Inverness North	102
24.	Inverness South	237
25.	Kings	695
26.	Lockeport	26
27.	Lunenburg	200
28.	Musquodoboit	59
29.	New Waterford	197
30.	Northside-Victoria	447
31.	Oxford-Pugwash	114
32.	Pictou	553
33.	Queens	165
34.	Richmond	225
35.	River-Hebert Joggins	107
36.	Shelburne	100
37.	Shelburne West	111
38.	Springhill	97
39.	St. Mary's	44

NSTU Locals and Membership (Cont.)

<u>Local</u>	<u>Membership</u>
40. Sydney	413
41. Western Marine	100
42. Yarmouth	205
43. Yarmouth Vocational	30
44. Cape Breton Vocational	44
45. Inter-Provincial School for the Deaf	43

PROPOSED ORGANIZATIONAL CHART - NSTU

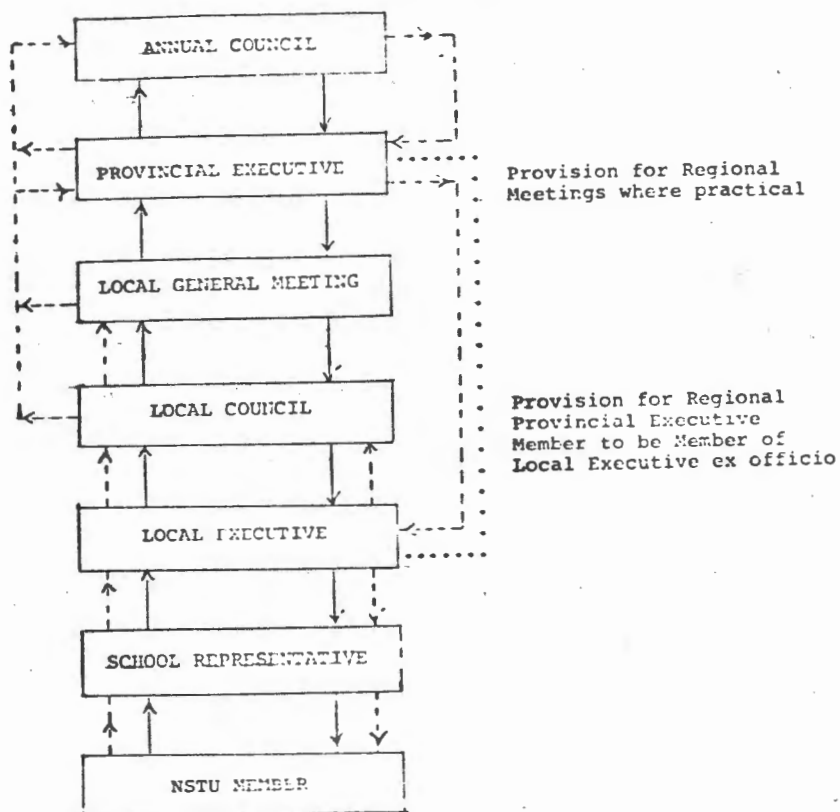


LOCALS WITH FEWER THAN THIRTY SCHOOLS (see Model - BLUE)

LOCALS WITH TWENTY OR MORE SCHOOLS (see Model - YELLOW)

APPENDIX "D"

Proposed Model for Locals with
more than twenty schools



The Solid Lines - indicate the relationship between the units which form the NSTU, the central flow of ideas which eventually become policy, and the communication thereof.

The Broken Lines - indicate the path which resolutions to annual council may follow.

The Dotted Lines - indicate provisions for liaison between the local and the Provincial executive.

Source: Report of the Ad Hoc Committee on Structure, NSTU Council, 1974, p. 6.

APPENDIX "E"

PROVINCIAL GOVERNMENT SPENDING ON EDUCATION
IN NOVA SCOTIA 1956-1972

Year	Provincial Spending \$	Provincial Percentage of Total Educational Expenditure %
1956	11,353,744	51.9
1957	14,180,091	56.0
1958	15,181,792	54.8
1959	16,615,861	54.0
1960	19,020,230	52.5
1961	21,349,959	52.1
1962	22,676,662	50.7
1963	24,200,147	54.2
1964	28,820,422	54.3
1965	31,046,659	55.1
1966	34,295,336	58.1
1967	41,831,736	62.9
1968	55,323,987	64.1
1969	65,793,957	63.6
1970	73,468,657	65.9
1971	95,940,973	66.0
1972	106,316,994	71.0

Source - Annual Report of The Department of Education.
Government of Nova Scotia,
Queens Printer, Halifax, 1972.
pp. 42-43,
also 1973, p. 42.

N.S. TEACHERS SALARY SCALES 1961-1975

Basic Scale Figures - as of January 1 in each year

Class	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975
1 Max	2,340	2,340	2,340	2,700	2,700	2,700	3,100	3,600	3,959	4,700	5,100	5,500	5,800	6,600	7,200
1 Min	1,620	1,620	1,620	1,800	1,800	1,800	2,200	2,600	2,950	3,700	4,000	4,300	5,800	6,600	7,200
2 Max	2,940	2,940	2,940	3,500	3,500	3,500	3,900	4,400	4,750	5,550	5,975	6,450	6,800	7,700	8,250
2 Min	1,980	1,980	1,980	2,300	2,300	2,300	2,700	3,200	3,550	4,250	4,600	4,950	5,175	5,950	6,300
3 Max	3,540	3,540	3,540	4,100	4,400	4,400	5,100	5,750	6,000	6,900	7,350	7,925	8,350	9,345	10,000
3 Min	2,340	2,340	2,340	2,900	2,900	2,900	3,600	4,100	4,200	4,800	5,250	5,650	5,900	6,720	7,200
4 Max	3,900	3,900	3,900	4,940	5,300	5,300	6,000	7,100	7,400	8,200	8,675	9,300	9,775	10,850	11,600
4 Min	2,700	2,700	2,700	3,500	3,500	3,500	4,200	4,900	5,000	5,600	6,075	6,500	6,775	7,650	8,200
5 Max	4,620	4,620	4,620	5,900	6,500	6,500	7,400	8,950	9,300	10,150	10,800	11,725	12,300	13,520	14,470
5 Min	3,060	3,060	3,060	4,100	4,100	4,100	5,000	5,700	5,800	6,400	6,800	7,225	7,550	8,470	9,070
6 Max	4,980	4,980	4,980	6,700	7,500	7,500	8,400	10,050	10,500	11,350	12,100	13,100	13,750	15,070	16,150
6 Min	3,420	3,420	3,420	4,700	4,700	4,700	5,600	6,300	6,500	7,100	7,600	8,100	8,500	9,470	10,150
7 Max								10,650	11,200	12,150	12,900	13,950	14,650	16,030	17,150
7 Min								6,900	7,200	7,900	8,400	8,950	9,400	10,430	11,150
8 Max								11,250	11,900	12,850	13,600	14,700	15,450	16,890	18,100
8 Min								7,500	7,900	8,600	9,100	9,700	10,200	11,290	12,100

Source: NSTU Executive Conference, June 1973, p. 48.

N.S. TEACHERS SALARY SCALES 1961-1975

Percentage increase over previous year - as of January 1 in each year

Class	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975
1 Max	0.0	0.0	0.0	15.4	0.0	0.0	14.8	16.1	9.7	19.0	8.5	7.8	5.5	13.7	9.2
1 Min	0.0	0.0	0.0	11.1	0.0	0.0	22.2	18.2	13.5	25.4	8.1	7.1	34.9*	13.7	9.2
2 Max	0.0	0.0	0.0	19.0	0.0	0.0	11.4	12.8	8.0	16.6	7.7	7.9	5.4	13.2	5.8
2 Min	0.0	0.0	0.0	16.2	0.0	0.0	17.4	18.5	10.9	19.8	8.2	7.6	4.5	14.8	5.9
3 Max	0.0	0.0	0.0	15.8	7.3	0.0	7.5	12.7	4.5	15.0	6.5	7.8	5.4	11.9	7.0
3 Min	0.0	0.0	0.0	23.9	0.0	0.0	24.1	13.9	2.4	14.3	9.4	7.6	4.4	13.9	7.1
4 Max	0.0	0.0	0.0	26.7	7.3	0.0	13.2	18.3	4.2	10.8	5.8	7.2	5.1	11.0	6.9
4 Min	0.0	0.0	0.0	29.6	0.0	0.0	20.0	16.1	2.0	12.0	8.4	7.0	4.2	12.9	4.2
5 Max	0.0	0.0	0.0	27.7	10.2	0.0	13.8	20.9	3.9	9.1	6.4	8.6	4.9	9.9	7.0
5 Min	0.0	0.0	0.0	34.0	0.0	0.0	22.0	14.0	1.8	10.3	6.3	6.3	4.5	12.2	7.1
6 Max	0.0	0.0	0.0	34.5	11.9	0.0	12.0	19.6	4.3	8.1	6.6	8.3	5.0	9.6	7.2
6 Min	0.0	0.0	0.0	37.4	0.0	0.0	19.1	12.5	3.2	9.2	7.0	6.6	4.9	11.4	6.9
7 Max									5.2	8.5	6.2	8.1	5.0	9.4	7.0
7 Min									4.3	9.7	6.3	6.5	5.0	11.0	6.9
8 Max									5.8	8.0	5.8	8.1	5.1	8.7	7.8
8 Min									5.3	8.9	5.8	6.6	5.2	10.7	7.2

*Scale eliminated in 1973 -- all teachers in this class receive same pay.

Source: NSTU Executive Conference
June 1973, p. 49.

APPENDIX "H"

Average Salary By Location and Sex

	<u>1970-71</u>	<u>1969-70</u>	<u>1968-69</u>	<u>1967-68</u>	<u>1966-67</u>	<u>1965-66</u>	<u>1964-65</u>	<u>1963-64</u>	<u>1962-63</u>	<u>1961-62</u>	<u>1960-61</u>
All Teachers:											
Total	\$7409	6482	6038	5909	4918	4317	4247	3955	3610	3484	3274
Men	8684	7898	7513	7437	6191	5480	5443	4987	4635	4437	4230
Women	6832	5896	5478	5367	4512	3962	3889	3664	3346	3240	3015
Rural and Village:											
Total	7019	6035	5566	5390	4401	3805	3688	3467	3057	2956	2855
Men	8428	7571	7153	6988	5720	4980	4833	4467	3918	3751	3789
Women	6384	5403	4987	4859	4021	3500	3401	3234	2865	2781	2662
Urban:											
Total	7773	6913	6573	6503	5518	4902	4876	4512	4262	4105	3848
Men	8922	8213	7898	7903	6658	6002	5962	5426	5299	5069	4716
Women	7252	6373	6048	5971	5113	4530	4485	4199	3946	3816	3613

Rural as a percentage of urban Salaries

	% 90.3	87.3	84.7	82.9	79.8	77.6	75.6	76.8	71.7	72.0	74.1
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Source: The Annual Report of the Department of Education, Government of Nova Scotia, Queens Printer, Halifax, 1971, p. 57 and 1966, p. 23.

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