

SOCIAL JUSTICE AND THE CATHOLIC SCHOOL TEACHERS' ASSOCIATION: A HISTORICAL PERSPECTIVE OF THE CSTA IN BRITISH COLUMBIA

D.G. Wallace

This essay presents the struggle of teachers to organize a labour union in Catholic schools in British Columbia. It outlines the origins of one particular union—the Catholic School Teachers' Association [CSTA] in one school in Victoria, British Columbia, and examines the continuing struggle by those teachers to maintain viability in the face of opposition from sections of the Catholic community. It describes the creation of Local 02 at Marian Regional High School in Vancouver and the resultant closure of that school by the Archbishop of Vancouver. Finally, this paper looks at the present realities and future obstacles for organized labour in Catholic schools in British Columbia.

At the outset it is important to explain the organization of Catholic schools in British Columbia. They are classified as independent schools, which means that they receive 50 percent of operating costs from the government of B.C. providing they follow British Columbia School Curricula. This 50 percent is based on the per pupil cost of maintaining a student in the public school system. The remainder of operating funding comes from fees. Capital costs are funded by the church through its local parishes. The province is divided into dioceses, each with its own bishop, who oversees and controls all church matters within his diocese including ownership of all property such as churches and schools. The bishop may create a society controlled by him to facilitate the administration of Catholic education and Catholic schools in his diocese. The society, in turn, creates school boards who are delegated authority to oversee the administration of a particular school. Such school boards are usually comprised of elected volunteers. Notwithstanding the delegation of authority and responsibility for the administration of a school, both *de facto* and legal control of the school rests with the bishop.

What prompted a small group of teachers at St. Andrew's Regional High School in Victoria, British Columbia, to certify as a bargaining unit under the Labour Code of British Columbia? Before certification in 1987 all teachers at the school had been on annual personal service contracts. Although there was a pay scale, the administration could use discretion to delegate an individual to a particular year of experience or to pay part-time teachers at varying levels.

Wages were much below those earned by teachers in comparable schools. Class size and timetable hours were inequitable. Provisions for safety in the classrooms and elsewhere in the school were neglected. Criteria for evaluation was decided on by administration without consultation with teachers. There were no provisions for job security. Teachers could be terminated for no reason simply by not having their contracts renewed for the following year. Teachers sometimes had no prior notice that their contract would not be renewed. As a result there was a constant turnover of excellent teachers who refused to remain at the school under such conditions. This lack of security was the catalyst for the forming of the Association.

A teacher who had taught at the school from 1984 to 1986 did not have her contract renewed for the school year of 1986-87. This action was taken by the School Board and Administration without any process of review or evaluation communicated to the teacher. Such action was perceived by the teachers as a violation of the principles of social justice outlined in "Supporting Labour Unions—a Christian Responsibility," a statement issued by the Canadian Conference of Catholic Bishops on May 1, 1986. The response of the teachers at the school was in keeping with the view expressed in the statement that "the Catholic church firmly maintains that labour unions have an essential role to play in preventing the violation of the dignity of human work."¹ This view is supported in the papal encyclical, "Laborem Exercens," in which Pope John Paul II states that unions are "a mouthpiece for the struggle of social justice, for the rights of working people in accordance with their individual professions."²

In early 1987, during the period prior to the certification vote, the teachers were pressured by members of the Catholic community who were opposed to the formation of any collective bargaining unit within the Church. The pressure came in the form of letters from parents, a request from the principal to reconsider and to ponder the ramifications of the decision for the Catholic community, a visit from the superintendent to a staff meeting to demand of the teachers the reasons for this undertaking, and articles written in the local Catholic newspaper, *The Island Catholic News*, a small vibrant newspaper serving the Victoria Diocese.

On April 2, 1987, as part of the process toward the formation of the union, a certification hearing was held by the Industrial Relations Council of British Columbia to determine whether this group of teachers constituted a viable bargaining unit. The vote was conducted on April 3, 1987, and the CSSTA—Catholic Secondary School Teachers' Association—was certified as the sole

-
1. Canadian Conference of Catholic Bishops Episcopal Commission for Social Affairs, *Supporting Labour Unions*, 1 May 1986.
 2. Pope John Paul II, *Laborem Exercens* 20, 1981.

bargaining agent for fifteen teachers at St. Andrew's High School.³ Five of the stated goals of this Association are the following:

- a. To foster and promote the cause of Catholic Secondary School education in British Columbia.
- b. To promote the professional status, welfare and development of all members of the Association.
- c. To work toward improving working conditions and standards of employment of members of the Association.
- d. To represent the members of the Association in any and all dealing with their employers and labour relations thereto.
- e. To serve as the Bargaining agent for the members of the Association; to negotiate and regulate labour relations between members and their employers through collective bargaining including but not limited to such matters as professional status, working conditions, salaries, other remuneration and general welfare.⁴

On the day of the vote students threatened to call the media and have a walkout. They were persuaded to desist after an emergency assembly was held, at which explanations were given. Angry parents visited the school. The principal arranged for a delegation of them to meet with two representatives of the teachers in an effort to reach an understanding.

Although certified, the struggle of the teachers to be accepted as a union within the Church community had only begun. In a letter to parents dated April 12, 1987, the CSSTA explained their action by citing how dramatic turnover in staff because of salary and poor working conditions had adversely affected the life of the school. The teachers informed the parents of the difficulties of working with a school board that closed its meetings to the public. They stated that improved employer-employee relations "must stem from positions of mutual respect to ensure that teachers, as professionals, are guaranteed their right to negotiate, on an equal standing with the employer, with respect to employment relations." In the concluding paragraph, the teachers of the CSSTA expressed their regret for concerns in the community and their hope "that this new step in employment relations will be one of mutual benefit and positive outcome."⁵

However, strong negative reaction against the formation of the union continued. At a meeting of the St. Andrew's High School Board on April 15, 1987, opposition was vehemently expressed by several parents and others, including

-
3. British Columbia Labour Relations Board, *Certification for the CSSTA Catholic Secondary School Teachers' Association*, 3 Apr. 1987.
 4. CSSTA Catholic Secondary School Teachers' Association, *CSSTA Catholic Secondary School Teachers' Association Constitution and Bylaws*, Victoria, B.C., 1988.
 5. CSSTA Catholic Secondary School Teachers' Association to Parents, 12 Apr. 1987.

clergy. The teachers had been requested by the School Board to be in attendance and for many the opposition to their action was a surprising and traumatic experience in view of the church's teachings on labour. The Catholic community is encouraged by the Canadian Conference of Catholic Bishops to support labour unions. "Unions have a major responsibility to continue striving for just wages, benefits and working conditions for their own members and for all working people."⁶ It was obvious that the vocal parents and others at the meeting represented those who "tend to perceive labour unions as somewhat illegitimate, having little legal or moral right to exist."⁷

The teachers were resolved to maintain their position and they held firm during the following months. On May 28, 1987, the first meeting took place between the CSSTA and the St. Andrew's High School Board with a view to negotiating a first collective agreement. However, the process was not without complications. Immediately following, on June 1, 1987, there was a province-wide day of protest organized by labour to protest two new labour bills—Bills 19 and 20—introduced by the Social Credit government of B.C.⁸ Three of the CSSTA executive refused to cross a picket line of construction workers that had been set up in front of the school because of non-union construction at the nearby Diocesan Centre. In consequence, the three teachers were suspended by the Board for three days without pay and disciplinary letters were placed in their files. No other workers in the province of British Columbia were subjected to any penalty because of protest action on that day. The result of the suspensions was that the struggle within the school between the union and management became public via the media. As a result, the wider Catholic community became aware that there was a small group of teachers holding the church accountable to its teachings on labour. Some members of the Catholic community were outraged by the suspensions and proceeded to run for the school board elections held the following October. One teacher in the public school system in Victoria sent money to cover one day's salary for each teacher. This was matched by the twelve other members of the CSSTA. The union continued to meet with various board members until agreement was reached that the disciplinary letters be removed from the files of the three members.

The process of negotiating the first collective agreement between the CSSTA and the St. Andrew's School Board continued from May to December 1987. It was a learning process for negotiators on both sides. While bargaining, the teacher negotiators continued to maintain full teaching duties. Throughout this process, Bishop Remi De Roo, who is considered by many to be a leader in the

6. *Supporting Labour Unions.*

7. *Ibid.*

8. Statutes of British Columbia, Bill 19: Industrial Relations Reform Act; Bill 20: The Teaching Profession Act (May 26, 1987).

Catholic Church in Canada in the area of social justice, had remained silent. He explained his position in a public statement issued in December, 1987, after the collective agreement had been ratified.

Some people wondered why I did not make a public statement earlier concerning the formation of the Secondary School Teachers' Union and the subsequent negotiation of a collective agreement. In the first place, it is not appropriate for a higher authority to intervene in matters that have been entrusted to other people as their responsibility, unless the common good requires emergency intervention. Further, as Bishop of Victoria, I also serve as President of the Catholic Public Schools of Victoria Diocese, a body which owns and ultimately operates the high school. Not only did I not wish to appear to be taking sides, but I was anxious to comply fully with the legislation in this Province, and in particular take no action that might be construed as an unfair labour practice. Accordingly, acting on legal advice, I chose to remain silent in spite of considerable pressure on me to make a statement. Events have shown the wisdom of not intervening in the process. But I am now free to speak, and I offer the following comments.

Catholic schools strive to provide an experience that goes beyond the education available in public schools. They exist to provide a witness to Catholic teaching in fact as well as in content. The experience of working toward a first collective agreement between the Board and the Teachers has forced the parties to re-think models and patterns of work and come to a greater understanding of what Pope John Paul calls a "community to work." Catholics are called to be living witnesses in our own institutions to the Gospel of justice that the Church proclaims. As stated by the 1971 Synod of Bishops "anyone who ventures to speak about justice must first be just in (people's) eyes." It is hoped that this process has served as a learning experience of this modelling of the Gospel and of the Church's social teachings.⁹

The first collective agreement between the CSSTA and the St. Andrew's High School Board was signed on December 8, 1987. There was great joy in the school at the achievement of this significant milestone. The hard work, the hours, and the emotional and physical fatigue of the negotiators was mitigated somewhat by the strength of the agreement. The main achievements were a substantial improvement in wages and the establishment of a grievance procedure.¹⁰

9. Bishop Remi J. de Roo, *Statement Concerning St. Andrew's Regional High School*, Dec. 1987.

10. St. Andrew's Regional High School Board and CSSTA Catholic Secondary School

During the period that teachers at St. Andrew's High School were negotiating their first collective agreement, another group of teachers in British Columbia became involved with the CSSTA. In July, 1987, the twenty teachers at Marian Regional High School, an all-girls Catholic School in Vancouver, were certified as Local 02 of the CSSTA. Marian Regional High School Educational Committee, formed primarily of lay people in the parish, was deemed to be the employer. The feeling of excitement within the union membership was shared by many members of the Catholic community. Whereas Bishop Remi de Roo of Victoria had remained silent and outside of the proceedings for certification at St. Andrew's, Archbishop Carney of Vancouver issued a public statement in the July issue of the *B.C. Catholic* questioning the need for unions in Catholic schools.¹¹ The CSSTA responded to the concerns of Archbishop Carney in a letter of August 30, 1987.

The formation of this Association has been done with a great deal of thought, prayer and consideration. The commitment of our members to the principles of Catholic education should not be in question for it is reflected in their professional and personal dedication to their teaching responsibilities....We concur whole heartily with your statement that "a school that is not a community of Catholic faith—faith lived and shared—cannot be called a Catholic school." We would add only that such a community must be built upon mutual respect for and participation by its members—parents, students, and teachers. To date, in this province Catholic school teachers have not had a collective voice in the decision making processes which affect them....The teachings of the Church are clear with respect to the role of labour and the rights of workers to organize.¹²

With no response from the Archbishop to this letter, the union continued to prepare for collective bargaining in good faith for Marian High School. The collective agreement for St. Andrew's Regional High School was signed in December 1987 and in January 1988 collective bargaining commenced for Marian Regional High School. The union executive felt that their experience at St. Andrew's would prove very helpful to the Marian negotiators, even though each local formed its own bargaining team. The proposed agreement which the Marian team presented to the negotiators appointed by the Marian Regional High School Educational Committee was very similar to the one successfully concluded at St. Andrew's

Teachers' Association, *Collective Agreement: 1987-1988*.

11. Archbishop James Carney, "Maintain Commitment to Catholic Education," *B.C. Catholic*, Aug. 3, 1987, n.p.
12. CSSTA to Archbishop Carney of Vancouver Archdiocese, 30 Aug. 1987.

in Victoria. The two teams agreed upon a process in which bargaining would take place. They were to read through the entire agreement together after which collective bargaining would commence.

After several meetings the employers' negotiating team began to question the CSSTA about the insertion of a twenty-four-hour Catholic lifestyle clause, a clause which was not in the proposed agreement nor in the St. Andrew's agreement. Such a clause was, however, in the personal service contracts of all Catholic teachers in the Archdiocese. In the proposed collective agreement there was a clause that recognized the Catholic nature of the schools and bound both parties to teach and conduct their professional lives in a manner consistent with the teaching of the Roman Catholic Church. The CSSTA negotiators agreed that the words "as interpreted by the Archbishop" be included in this draft clause. However, the negotiation team of the Archdiocese wanted a twenty-four-hour clause with the employer deemed sole determiner of what constitutes Catholic denominational standards as well as an additional clause that would eliminate any possible appeal from their decisions. The CSSTA team believed that the employer was using the clause as a precondition to collective bargaining. They felt that the Archdiocese had changed the agenda and now wanted to negotiate specific clauses while previously they had insisted upon a complete reading of the document.

The twenty-four-hour lifestyle clause that the Archdiocese demanded of the teachers caused great difficulty for the union. The clause contained three specific sections:

1. It is an essential condition of this contract of employment that the Employee exhibit at all times conduct and a way of life that are consistent with Catholic denominational standards;
2. the determination of what are Catholic denominational standards shall be the sole right and prerogative of the Employer through its Board of Directors;
3. a breach of this covenant shall constitute just cause for dismissal.¹³

Given that Catholics have taken both baptismal and confirmation vows and had already committed themselves to denominational standards, the CSSTA questioned the necessity of part one of this clause. Part two of the proposed clause was particularly problematic since the Marian Regional High School Education Committee, constituted as it was of lay people, had no authority to determine what was or was not a Catholic denominational standard. And until part two of the clause could be agreed upon, part three could not even be discussed.

13. Catholic Public Schools of Vancouver Archdiocese, *PrincipallHead Teacher's Contract, 1987*.

During this difficult period of bargaining, teachers did not ever consider that by refusing to accept the Catholic lifestyle clause as a precondition to continued bargaining, they were in imminent danger of being fired and their school shut forever. The magnitude and severity of such action by an employer that had held itself out as benevolent had never crossed their minds.

On May 19, 1989, while the students and teachers were attending a track meet, the parents of the 370 girls who attended Marian received a letter from Rt. Rev. John Stewart, Chancellor of the Archdiocese, informing them that Marian Regional High School would be closing at the end of the school year. No one had informed the twenty teachers or the union of this decision. Rev. Stewart wrote:

This most difficult decision was made following failure to reach agreement with the unionized teachers of the school that a most fundamental principle be included in the collective agreement: the principle that in their way of life Catholic teachers must exhibit conformity to Catholic standards of conduct at all times as a condition of employment. Without acceptance of this non-negotiable principle we simply cannot begin preparations for the next academic year.¹⁴

He also cited the 1984 Supreme Court decision with respect to the Caldwell case¹⁵ which "upheld our right to expect conformity with Catholic standards of conduct as a condition of employment."¹⁶

The teachers, students, and parents of Marian High School were in a state of shock. The CSSTA called on other labour organizations within the province to intervene on their behalf to the Archbishop of Vancouver. The B.C. Federation of Labour, the B.C. Teacher's Federation, the Ontario English Catholic Teacher's Association, and other labour organizations in the province spoke out against the closure. Several provided financial assistance that was much needed and appreciated. The union made both personal and written submissions to the church to convey that the union was prepared, in principle, to agree to a "catholicity clause" but that the wording of the clause needed to be negotiated. In spite of the union's assurances that the "publically stated" basis for closing the school was illusionary, the church remained firm in its position. With no other recourse open to them, the CSSTA sought justice from the Labour Relations Board of British Columbia, an organization which was being boycotted by labour at the time because of its pro-management bias. After a nine-day hearing and a six-week delay in decision-making, the Council concluded that negotiations had reached

14. Rt. Rev. John Stewart to Parents of Marian High School Students, 19 May 1988.

15. *Caldwell et al. v. Stuart et al.*, 603, Supreme Court of British Columbia (1984).

16. Rt. Rev. John Stewart to Parents, 19 May 1988.

an impasse and that it was not prepared to order the Archdiocese to open the school and to return to the bargaining table. They affirmed that the Archdiocese had the right to hard bargaining and was, like any employer, free to close a place of business permanently.

The results of this hearing were devastating to the students and parents of the school. In a letter to the Papal Nuncio in Ottawa, the president of the CSSTA wrote:

Your Excellency, a school of 370 children is a large Catholic school by B.C. standards. Many of our schools have only around 200 children. A few schools are larger. However, to deprive this number of children of a Catholic education is in our opinion and in the opinion of many other Catholics, scandalous behaviour. It has created a great rift in the Archdiocese of Vancouver and left parents, children and teachers disillusioned with their church. It has caused great hurt to the children and parents. It will have a devastating impact in the families of those teachers who have been fired and cannot find alternate employment.

A Catholic education is indeed a very special thing that we can offer our children....The values and morals instilled in the young people that attend Catholic schools are very strong. However, to have one's church turn on them at such a young age as the students at Marian believe the church has, can only be detrimental to their future spiritual well being and commitment to the Catholic Church.¹⁷

In addition to sending this letter, the president of the CSSTA made a personal visit to the Papal Nuncio in Ottawa. This visit was made possible by financial support from OECTA [Ontario English Catholic Teachers' Association] and from the parish of Holy Cross Church in Ottawa. The Church hierarchy refused to intervene in this dispute despite the Church's stated beliefs about labour in *Laborem Exorem* #20. The church's refusal to assist left several questions concerning the closure of Marian High School unanswered. Would the reaction of the Archdiocese have been the same if the school had been educating young men as well as or instead of young women? Was the Marian closure a case of sexism as well as union bashing? Did the fact that Marian was a girls' school make the decision to act in such a decisive and harsh manner much easier for the all-male Church hierarchy? Was the real issue for the church a question of power or of faith? In retrospect, the church's refusal to assist the teachers and the Archbishop's closure of the school clearly indicate that the primary goal of the closure of the school was in fact to break the union.

17. CSSTA to Apostolic Nunciature, 13 Aug. 1988.

In the years since the closure of Marian High School, Local 01 of the CSSTA at St. Andrew's High School has continued to carry on the struggle for social justice, despite the vulnerable situation they find themselves in—in a Catholic community whose representatives in Catholic education and on parish councils reflect a strong anti-union bias. Local 01 has continued to act responsibly for its members with respect to seeking positive outcomes for problems with the employer and with the administration of the school. Successive collective agreements have resulted in improved wages even though they remain 20 percent below those received by colleagues in the public school system. In February, 1989, a *Handbook for the Evaluation of Teachers* was developed and mutually agreed upon by a joint committee of teachers, board members, and administrators. There is an ongoing advisory committee comprised of teachers, board members, and administration to deal with specific problems that emerge concerning the operation of the school. The grievance procedure is in place and teachers have job security.

Not only have the teachers of St. Andrew's benefited from the efforts of the CSSTA, but so have all Catholic school teachers in British Columbia. The wages of all teachers in both the Vancouver and Victoria Catholic schools have increased substantially since the formation of the CSSTA in 1987. At the same time, government funding for these schools has increased from 33 percent to 50 percent. The wording in the *Teacher Handbook for the Catholic Public Schools of Victoria Diocese*, prepared in 1990, bears a remarkable resemblance in some sections to that of the collective agreement negotiated by the CSSTA with the St. Andrew's High School Board. Conspicuous efforts have been made by the administration of the Diocese to place teachers on various planning committees. However, there has also been an effort by the administration of the Diocese to strengthen the Vancouver Island Catholic Educators' Association. Membership in this professional educator's association is voluntary and open to administrators, teachers, and others involved in Catholic education at all levels throughout the diocese.

It is a question to ponder what factors might cause the need for a collective bargaining unit to become important to teachers in Catholic schools in British Columbia. Teachers in the Catholic schools of Vancouver and Victoria remain fearful and reluctant to form locals within the CSSTA, even though in quiet conversation many acknowledge that their improved wages, working conditions, and job security have resulted from the pioneer struggles of the CSSTA.

At the Annual General Meeting of the CSSTA held in May 1989, the name of the Association was changed from CSSTA—Catholic Secondary School Teachers' Association—to CSTA—Catholic School Teachers' Association. The purpose of this change was to facilitate the establishment of locals in both elementary and secondary schools throughout British Columbia. Continuing contact with teachers in the five elementary schools that feed to St. Andrew's has been encouraged through an annual golf tournament sponsored by the CSTA.

Of the fifteen original members of the CSTA, only five are part of the present staff of twenty. However there is 100 percent membership in the union and support of these teachers for the union. When the collective agreement expired in August, 1990, the negotiating team of the CSTA continued a long and enervating process of negotiation throughout the subsequent academic year. In spite of numerous strikes throughout the province by teachers in the public schools in British Columbia in 1990-91, the teachers of St. Andrew's were reluctant to take this action. An alternative strategy of withdrawing from voluntary lunch-hour supervision and of reducing extra-curricular activities had little effect on speeding up the collective bargaining process. An agreement was finally achieved on May 14, 1991, after twelve months of difficult bargaining.

At present the CSTA is investigating the possibility of affiliation with a large professional association. It is also taking steps to establish the beginnings of a strike fund, despite being limited by the fact that there are only twenty teachers to contribute to it. The Association is committed to act with integrity. It refuses to bargain in bad faith and insists on open and honest dialogue. Every executive and general meeting begins and ends with prayer. Association members have made every effort to maintain a high level of professionalism in their teaching and as employees. They support and celebrate each other. The entire membership is kept fully informed about the work of the CSTA executive and is frequently consulted on issues and possible courses of action. Most members have served as researchers or committee members within the organization.

The struggle to organize and maintain the viability of the CSTA, despite resistance from a strong anti-union segment within the Victoria Diocese, has been enervating at the same time as it has achieved significant gains. The vision for the future will depend largely on the continuing level of commitment and energy and on the professional integrity of the membership. It will also depend on whether the Catholic Church will carry out its commitment to social justice in the work-place.

