



Teachers lose fight to impose anti-bullying programs

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The B.C. Teachers Federation has lost its effort to force school boards to impose provincial anti-bullying programs that were ordered four years ago.

The union had claimed the Public School Employers Association was breaking the teachers' collective agreement because not all school boards have implemented the programs -- called student codes of conduct -- as required by the provincial government in 2007.

The union had argued in front of an arbitrator that the lack of the programs affects teachers' working conditions and wanted school boards ordered to immediately comply with the government policy.

But the Appeal Court sided with the arbitrator, who concluded that student codes of conduct have never been negotiated between the union and employer and as a result, he did not have jurisdiction in the issue.

The union appealed, but the B.C. Court of Appeal said in a ruling released Thursday, saying the government order to establish anti-bullying programs is not considered labour law.

"The fact that the ministerial order benefits teachers by fostering a safe, caring and orderly school environment and providing for the prohibition of certain types of discrimination does not make the order employment-related legislation," Justice Edward Chiasson wrote in his judgment.

He also pointed out that teachers are only one group affected by the order and they don't have any special right to police it.

"The consultation process does not refer explicitly to teachers; they are not identified as a separate group, but are included in the category of 'employees of the board,'" Chiasson wrote.

The union has claimed only a couple dozen of B.C.'s 60 school districts have implemented anti-bullying programs, but the government disputes that figure.

Premier Christy Clark, who championed anti-bullying efforts as a radio talk show host, came under fire from the Opposition in the legislature last month when the NDP also claimed not every school district had adopted a proper program.

Clark said the government is working to ensure every school in the province has a policy to combat bullying, adding that every parent who sends a child to school has the right to know that their child will be safe.