

# Should Principals Be Union Members?

*By Michael Zwaagstra*

## Executive Summary

- The Manitoba Teachers' Society (MTS) is responsible for representing the interests of all 14,000 of its members.
- Principals and vice-principals are considered teachers and are full members of (MTS).
- The primary goal of MTS is the improvement of working conditions for teachers.
- The job description of school principals makes it clear that they perform managerial functions. Unions normally exclude managers from membership.
- It is impossible for MTS to adequately represent the interests of principals when it regularly takes the side of teachers at Board of Arbitration hearings.
- Principals have found that the Manitoba Teachers' Society has been an active opponent of any attempt to exercise their management prerogatives in areas such as work assignments to employees.
- Several other provinces, most notably British Columbia and Ontario, recognized this inherent conflict and established separate associations for principals and teachers.
- Manitoba should create the Manitoba Principals' Society, which would be responsible for representing the interests of principals and vice-principals.
- Separating the Manitoba Principals' Society from the Manitoba Teachers' Society would ensure that both organizations would be able to represent the interests of their respective members more effectively.

## Introduction

Unions have played an important role in the history of Canada. In the last century, workers in a variety of occupations decided they needed to work together to improve their working conditions, so they formed unions to bargain collectively with their employers. By standing firm for their demands, they gained better salaries and working conditions than they would have been able to do as individuals.

What is now the Manitoba Teachers' Society was founded in 1919 and was known as the Manitoba Teachers' Federation. Membership was voluntary. In 1942, the Manitoba legislature passed the Manitoba Teachers' Society Act, which called for mandatory society membership for all public school teachers.<sup>1</sup> Since all school principals must have teaching certificates, they are considered teachers for the purpose of membership in MTS.

However, while principals may be teachers in the sense that they hold teaching certificates and usually have classroom teaching experience, they also perform the functions of management. They are involved in hiring decisions, performance evaluations and firings of teachers who work in their schools. Thus, it is important to examine why it is that principals and teachers are members of the same union and whether this is something that needs to change.

## The Role of MTS in Manitoba

The Manitoba Teachers' Society has this mission statement on its Web site: "The Manitoba Teachers' Society is dedicated to safeguarding the welfare of teachers, the status of the teaching profession and the cause of public education in Manitoba."<sup>2</sup> As could reasonably be expected, the primary focus of MTS is on defending the rights of teachers. This includes, but is not limited to, improving salary scales, negotiating better working conditions, protecting tenure rights and enhancing the professional autonomy of teachers. While this is a broad set of objectives, it is important to note that they all revolve around improving conditions for public school teachers.

The MTS Constitution<sup>3</sup> makes it clear that MTS has policy positions that would, if fully implemented, substantially infringe on the right of management to make decisions about how best to run public schools. Some of its positions are listed below.

- The regular school day should not exceed 5 ½ hours, and time with students should be limited to 20 hours per week.
- Teachers should receive a minimum one-hour, duty-free lunch each day.
- Assigned supervision duties should be limited to 10 minutes before the beginning of the day and five minutes prior to the beginning of afternoon classes.
- All staff meetings should be conducted within the regular school day.
- Class sizes should be limited to no more than 20 students per class.
- All participation in extra-curricular activities shall be voluntary.

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1 J. W. Chafe, *Chalk, Sweat, and Cheers*. (The Manitoba Teachers' Society: 1969).

2 The Manitoba Teachers' Society, *About MTS*, May 2007. <http://www.mbteach.org/aboutmts.htm>

3 The Manitoba Teachers' Society, *Constitution, Bylaws and Policies Governing the Manitoba Teachers' Society* 2006. <http://www.mbteach.org/acrobatfiles/handbook2006%20revamped.pdf>

Considering that the main goal of MTS is to promote the welfare of teachers, these policy positions are not surprising. They restrict the ability of school administrators to assign additional work to teachers. Should school boards adopt all of these positions, principals would find their management authority substantially curtailed. To date, no school division has allowed all of these items to be negotiated into its collective agreements, although some similar clauses are included in most agreements.

Another main activity of MTS is coming to the aid of teachers who are in danger of being dismissed from their jobs. MTS instructs its members to inform it immediately if any allegations are made against them or if they are being pressured to resign. Its legal team will come to the aid of the teacher threatened with dismissal, and it will represent the teacher at a Board of Arbitration hearing should the school board attempt to fire the teacher.

Thus, although MTS describes itself as a professional society, its primary activities are that of a union. While there is nothing wrong with MTS doing its best to improve the working conditions of teachers, it is important to keep its primary goals and objectives in perspective. There is a substantial difference between a union such as MTS and a professional governance organization such as the Law Society of Manitoba.

### **Principals as Union Members**

Throughout most of the history of MTS, principals have been union members. Collective agreements include provisions for principals' salary allowances and MTS officially supports the continued inclusion of principals as members. Nevertheless, there are a number of reasons to be concerned about requiring principals to be members of MTS.

- 1) *Principals perform a management role in schools. It is an inherent conflict of interest for a union to represent the interests of both managers and employees.*

It is acknowledged that individuals are managers if they provide overall direction to the organization, have the ability to hire and fire employees, conduct personnel performance evaluations and allocate work assignments to those under their authority.

The Louis Riel School Division policy manual lists the duties and responsibilities of school administrators. Among these responsibilities are the following:

- Assists the superintendent's department with the recruitment, selection and placement of personnel.
- Supervises and evaluates personnel according to divisional policy.
- Assigns and delegates teacher assignments and responsibilities.
- Attends to the managerial functions necessary to administer an effective school in accordance with board policies, guidelines and procedures.<sup>4</sup>

Given that school boards have delegated considerable managerial authority and responsibility to principals, there can be little doubt they perform management roles.

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4 Louis Riel School Division, *Policy Manual: Roles and Responsibilities of School Administrators*.  
[http://www.lrsd.net/Policies/G/LRSD\\_Policy\\_GCNCB\\_appendix\\_A.pdf](http://www.lrsd.net/Policies/G/LRSD_Policy_GCNCB_appendix_A.pdf)

- 2) *In circumstances where the principal initiates disciplinary action against a teacher, the Manitoba Teachers' Society represents the interests of the teacher rather than those of the principal.*

As noted earlier, principals are responsible for conducting performance evaluations of teachers who work in their schools. An important component of this evaluation is the need to recommend to the school board whether or not a teacher's employment should continue. In cases where dismissal is recommended and then acted upon by the school board, MTS invariably provides legal counsel for the accused teacher and works to overturn the decision made by the principal and the school board.

An example of this occurred at a Board of Arbitration hearing that involved the School District of Mystery Lake in Thompson. The principal, in consultation with the superintendent, concluded that a teacher was not performing her duties adequately, and she had made several critical errors in judgment. The teacher grieved her termination, and MTS represented the teacher at the hearing and sought to undermine the testimony given by the principal. Ultimately, the Board of Arbitration upheld the termination, but it required the school board to provide additional severance pay to the teacher.<sup>5</sup>

There are many other examples of situations where MTS lawyers have opposed decisions made by school principals concerning teacher termination and/or discipline.<sup>6</sup> One wonders whether it would be better for principals to belong to an independent association that would give them the full support they need when they must make difficult decisions.

- 3) *Principals have found that the Manitoba Teachers' Society has been an active opponent of any attempt to exercise their management prerogatives in areas such as work assignments to employees.*

To run a school effectively, principals need to delegate an appropriate amount of work to their teachers. They should also be able to adjust the school timetable as necessary to ensure the success of their students. There are a number of circumstances where teachers grieved management decisions made by principals, and they were represented by MTS at the Board of Arbitration.

One of these cases involved the assignment of extra-curricular activities. In 1988, the Churchill Teachers' Association challenged the right of the principal-superintendent of the School District of Churchill to assign non-voluntary, extra-curricular activities to teachers.<sup>7</sup> Although the Board of Arbitration ruled in favour of the school district, MTS has not given up its fight and has successfully negotiated a clause into several collective agreements stipulating that extra-curricular activities are voluntary.

Recently, the Winnipeg Teachers' Association grieved a decision of the principal of Elmwood

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5 Board of Arbitration, *Grievance of Regine Geiger*, 1993. <http://www.mast.mb.ca/services/documents/Grievances-Teachers/Mystery%20Lake%20Regine%20Geiger%201993.pdf>

6 Manitoba Association of School Trustees, *Services for School Boards: Labour Relations*. [http://www.mast.mb.ca/services/Grievances\\_Teachers.htm](http://www.mast.mb.ca/services/Grievances_Teachers.htm)

7 Board of Arbitration, *School District of Churchill and the Churchill Teachers' Association*, 1988. [http://www.mast.mb.ca/services/documents/Grievances-Teachers/ExtraCurricular\\_Churchill.pdf](http://www.mast.mb.ca/services/documents/Grievances-Teachers/ExtraCurricular_Churchill.pdf)

School to begin opening exercises (*O Canada* and morning announcements) five minutes prior to the beginning of classes. Again, at the arbitration hearing, MTS lawyers sided with teachers in opposition to the actions undertaken by the principal. In this hearing, MTS was successful, and the Winnipeg School Division was informed it could only continue holding opening exercises at 8:55 a.m. if the total school day remained 5 ½ hours.<sup>8</sup>

Both examples show the degree to which MTS seeks to undermine the ability of principals to exercise their management rights. As MTS has the enhancement of working conditions for teachers as its primary goal, it is unsurprising MTS chooses not to side with the principal in these circumstances.

### **Create an Independent Principals' Association – The Manitoba Principals' Society**

Several provinces recognized the inherent conflict involved in requiring principals and teachers to be members of the same union and oversaw the creation of separate associations that represent the unique interests of their members more effectively. Since 1988, the British Columbia Principals' and Vice-Principals' Association (BCPVPA) has been an autonomous organization that represents the interests of school-based administrators. The BCPVPA provides legal services and professional development opportunities for approximately 2,250 members.<sup>9</sup> Principals are not members of the British Columbia Teachers' Federation.

In 1998, the Ontario government removed school principals from teachers' unions and created the Ontario Principals' Council.<sup>10</sup> Like the BCPVPA, it advocates for the interests of principals and provides legal services and professional development opportunities for its 5,000 members.<sup>11</sup> An examination of its Web site quickly reveals a vast array of information and support geared to its membership.

Manitoba should follow the example of Ontario and British Columbia and create a Manitoba Principals' Society, which would be independent of the Manitoba Teachers' Society. This organization would not have to decide which members (principals or teachers) it is going to represent at a Board of Arbitration hearing. The Manitoba Principals' Society would also be given authority over matters such as professional development, and it would be invited to contribute to the principal certification program.

### **Conclusion**

It is clear that an independent association devoted exclusively to the interests of principals and vice-principals would be a more effective way for school administrators to receive support. The Manitoba Teachers' Society has the improvement of working conditions for teachers as its primary goal, and while this goal is commendable, it has often led MTS into direct conflict with a large segment of its membership — principals.

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8 Board of Arbitration, *Winnipeg School Division and the Winnipeg Teachers' Association*, 2005.

<http://www.mast.mb.ca/services/documents/Grievances-Teachers/Winnipeg%20Instructional%20Day%20Award%20Sept%202005.pdf>

9 British Columbia Principals' and Vice-Principals' Association, *About the Association*.

[http://www.bcpvpa.bc.ca/index.php?option=com\\_content&task=view&id=13&Itemid=62](http://www.bcpvpa.bc.ca/index.php?option=com_content&task=view&id=13&Itemid=62)

10 Alberta Teachers' Association, *Principals Have Been Out of Teachers' Associations for Years: How is it Working?* 2003.

<http://www.teachers.ab.ca/Issues+In+Education/Issues+Archive/The+Learning+Commission/Ontario+Situation.htm>

11 Ontario Principals' Council. <http://www.principals.on.ca/cms/default.aspx>

A new association, the Manitoba Principals' Society, would be the best solution to this ongoing conflict of interest. Manitoba's school administrators are worthy of being represented by an organization that has the enhancement of working conditions for principals as its primary goal.

## About the Author



**Michael C. Zwaagstra** has a B.Ed., a Post-Bachelor's Certificate in Education, and an M.Ed. in Educational Administration from the University of Manitoba. During his studies, he received numerous academic awards, including the Dr. A. W. Hogg Undergraduate Scholarship, the Klieforth Prize in American History, the Schoolmasters' Wives Association Scholarship, and the Aaron Bricker Memorial Scholarship. At present he is a high school social studies teacher in Manitoba. He has written a number of policy papers on Canadian education for the Frontier Centre for Public Policy in Winnipeg and the Atlantic Institute for Market Studies in Halifax. He is also a city councillor in Steinbach, Manitoba.