

"Hot" edict slapped on Peace River North

The B.C. Teachers' Federation has declared the Peace River North School District in dispute and imposed a "hot" edict on the district.

The Executive Committee took the step at its September 18-19 meeting following its unanimous decision, in a conference call meeting earlier in the week, to suspend the instruction-only cam-

paign while considering further action against two hard-line boards, Peace River North and North Columbia.

The executive also resolved that "the vote to end the Bargaining and Professional Rights Action Plan be taken at meetings in local/sublocal associations on or before October 30."

The action against Peace River North

was taken because of the district school board's refusal to remove letters of warning or reprimand from the personnel files of about 175 of its 355 teachers. The letters were filed when the teachers participated in a province-wide withdrawal of services last spring.

North Columbia still has similar letters in its teachers' files. The Executive Com-

mittee has authorized the federation's full-time table officers to impose in-dispute and "hot" edicts on the North Columbia district as well, if requested to do so by the local teachers' association.

At press time, the North Columbia Teachers' Association was considering an offer from their board to remove
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BCTF Newsletter

Union
vs
Association
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Special General Meeting to launch process

BCTF faces challenge of change

Teachers face the unprecedented challenge this fall of reorganizing the organization that has represented them for 70 years, the B.C. Teachers' Federation.

This has been made necessary by Bill 20 which amends the School Act, effective January 1, 1988. The new legislation has made membership in the BCTF voluntary, excluded principals and vice-principals from teacher bargaining units and required teacher locals to become either certified unions or non-certified associations.

The following is an outline of the process of change that has been triggered by the new legislation.

The first major step in this process will be taken on October 10 at the federation's Special General Meeting in Vancouver. The SGM has been called to approve new by-laws to ensure the federation fits the definition of a trade union under the Industrial Relations Act while continuing the federation's long-standing goals.

Key to this is the August Representative Assembly recommendation that the objects of the BCTF be amended by adding as objects:

- To regulate relations between em-

ployers and employees through collective bargaining in British Columbia;

- To create and charter local associations of the federation;
- To continue to develop and offer

programs of professional development for teachers.

"The first two objects enable applications for certification as local associations of the BCTF," said BCTF staff



Visiting a PSA Council meeting, CTF Thomson Fellowship participants (left to right) Edrys Joseph (Antigua), Charles Connor (Anguilla) and Hambweka Muzenge (Zambia) learn how BCTF specialist associations function in discussions with Executive Director Bob Buzzza (centre), PSA Council chairperson Soph Jeffery (centre right) and deputy chairperson Susan Slater (right). John Hardy photo.

member Lynne Macdonald, coordinator of the sign-up/certification drive. "The third emphasizes our continued commitment to professional development activities and to the unitary character of the BCTF."

At its May meeting, the RA overwhelmingly approved a motion that "local associations be encouraged to apply for certification as locals of the BCTF as soon as possible" and at its August meeting, the RA adopted without dissenting vote the objective of "a BCTF consisting of certified locals in every school district."

However, the RA also voted 70 per cent in favour of the BCTF becoming an umbrella organization which includes local associations in every district, certified unions and non-certified associations, if any, and which offers non-voting associate membership to administrative officers so that they can continue to participate in the BCTF benefit plans.

A series of recommendations on BCTF by-law changes will be presented to the Special General Meeting. (A report on by-law recommendations going to the SGM was published in the September 11 Newsletter; a report on further by-law resolutions is on page 3 of this issue.)

See "Sign-up" page 3

Commitment to PD reaffirmed

Following in the wake of Bill 20 has come a strong reaffirmation from teachers to retain professional development within the BCTF. Pro D has got off to its most impressive start in many a year.

BCTF President Elsie McMurphy caught the mood at the summer conference when she told participants that we are on the threshold of a new year — and new opportunities.

"Our policy on professional development is based on working with teachers so that they articulate their own sense of changes in their roles, functions, understandings and responsibilities and utilize this in planning professional growth and development activities. Democracy is a basic value of our professional development.

"Every crisis presents the opportunity to review, to grow, to change, to reaffirm. There's something essentially exciting and invigorating about the prospects for the fall."

Support for this sense of teachers' commitment to BCTF professional devel-

opment shows in the great range of activities now underway from curriculum meetings with the ministry to in-service meetings with universities and the appointment of new PD staff members.

And the evidence showed most strongly in a poll of a sample of BCTF members who gave PD a resounding vote of support. In a poll where an index of +25 or better is considered a strong response, members approved the BCTF spending approximately \$2.2 million a year to provide professional development services with an index of +86.

Here is a partial reporting of some of the activities underway in professional development:

In curriculum, BCTF representatives meeting with ministry officials stressed their desire for a normalization of communications, for teachers to be supported in their curriculum development, and for cooperation to be extended. They report a positive, optimistic tone at the meeting.

Ministry representatives confirmed the

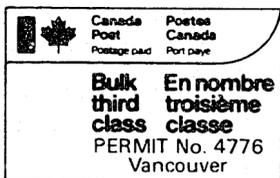
agreement on the selection of teachers for curriculum committees would be used as soon as the BCTF Bargaining and Professional Rights Action Plan was suspended. This agreement involves, for each curriculum revision, the convening of a selection panel with representatives from the curriculum branch and from the BCTF PD division, usually drawn from appropriate PSAs.

Other matters discussed at the meeting include:

- staff assignments in the BCTF and ministry as they relate to improving communications regarding curriculum development;
- possibilities of sharing resources of BCTF Lesson Aids and ministry resource centre;
- ministry officials shared information on the counsellors advisory committee, advertisements for the language arts/English committee, and plans on assessment and implementation.

See "Impressive" page 2

IF UNDELIVERED, return to 2235 Burrard St., Vancouver, B.C. V6J 3H9



College nominations close Oct. 15

An advertisement from the Election Commission appeared in the major newspapers on the weekend of September 19/20 and will appear in regional newspapers this week. Nominations of candidates for College Council are called for and will close on October 15, 1987.

The ballot for the first council will be by mail. The target date for closing off receipt of mail ballots is the end of November, 1987.

Soon, teachers will receive a letter from the Election Commission explaining the voting process and enclosing a copy of the advertisement. You should have this letter by October 10, 1987.

When you receive this letter at your home address you will know that you are on the voters' list and will receive a ballot by mail.

If you have not received a letter by October 10, contact the commission.

Phone for Vancouver area is 733-0333; long distance is 1-800-663-9161; or, write to Box 5137, V.M.P.O., Vancouver, V6B 4B2. The information the commission will need is: the name in which your certificate was issued, birthdate, social insurance number, certificate number (if known), name of school district and current address.

The BCTF election organizers in your zone and your local association will monitor to ensure that active teachers are registered to vote.

The commission expects substitute teachers to vote from their home addresses, rather than from a district in which they are employed. Local associations should make special effort to ensure that substitute teachers know how to get on the voters' list.

Retired teachers are eligible to vote but will not receive an initial letter and

will have to phone or write the commission in order to be placed on the voters' list.

The BCTF Executive Committee has supported a request from the Election Commission to school boards that it have access to teacher lists as of September 30. The purpose of the request, and the reason for the executive support, is to ensure that the commission's voters' list of active teachers is updated as quickly as possible.

The BCTF process for selecting a BCTF college candidate is under way in each zone. A meeting will be held in Vancouver on October 9, 1987 for all BCTF supported candidates and their campaign organizers.

As the college election process unfolds, you will receive regular updates either through the *Newsletter*, or through your local association.

Special General Meeting

Agenda

09:00 - Call to order

1. Preliminary business:

- (a) Recommendation re chairpersons
- (b) Recommendation re scrutineers
- (c) Adoption of rules of order
- (d) Adoption of the agenda
- (e) Recommendation re Resolutions Committee

2. Report of the President

3. Business of the Special General Meeting — By-law and Policy Amendments

(Note: The order of business that follows should be read in conjunction with the details of proposed by-law changes printed in the September 11 issue of the *BCTF Newsletter* and in this issue. For the convenience of delegates, a Recommendation and Resolution book will be printed in AGM format and distributed at the Special General Meeting.)

A. Policy Matter:

General Principle:
Recommendation 1

B. Constitution and by-law amendments

- Objects:**
Recommendation 3
Statutory membership:
Recommendation 4
Basic "teacher" membership:
Recommendation 5
Administrative officers:
Recommendation 6
Other members:
Recommendation 7
Consequential:
Recommendation 8
Local Associations:
Recommendation 9, Resolution 101
Local rights and responsibilities:
Recommendation 10
Substitute membership and voting:
Recommendation 11
Initiation fees:
Recommendation 12
Charter form:
Recommendation 13

C. Objective:

Recommendation 2

ensure the validity of the count. An independent auditing firm will oversee the actual count, which will be done provincially rather than locally. Ballots will be printed provincially and distributed to local and sublocal presidents in quantities sufficient for their members.

Active members, voluntary active members and honorary life members who are currently teaching will be eligible to vote. Proxy votes will not be allowed.

Process of change:

Sign-up/certification drive follows SGM

From page 1

To take effect, the proposed by-law changes must be approved by a 75 per cent majority of SGM delegates.

Following the provincial SGM, local associations will hold their own general meetings to approve similar constitutional changes, bringing local by-laws into line with those of the BCTF. These by-law changes will in most locals also have to be approved by a 75 per cent majority at local general meetings. At this meeting as well, teachers in most districts will be voting on a resolution that their local seek certified status by becoming a teachers' union under the IRA.

The next step in the process will be a BCTF member sign-up drive which will take place throughout the province in October-November. Teacher canvassers will visit schools, talking to their colleagues, presenting arguments for continuing a united organization, for seeking certification and urging teachers to sign cards for membership in the BCTF and the local association. On signing membership cards, teachers will be required by the new legislation to pay a \$2 initiation fee, \$1 going to the BCTF and \$1 to the local association.

After most of teachers in the local have been signed up, the School Act amendments require that a further formal vote be held among signed-up members to seek certification. To proceed, a majority of 50 per cent plus one must vote in favour of the local becoming "a trade union for purposes of the Industrial Relations Act."

That done, the local on January 1, 1988, or as soon thereafter as possible, then applies to the Industrial Relations Council (IRC) for a certification vote.

Within ten days of application, an industrial relations officer holds a secret ballot vote in the local. To get certification, a majority of 50 per cent plus one of the voters must vote in favour of certification.

Assuming the majority votes in favour, the IRC then issues the certificate giving the local exclusive rights as the bargaining agency for all teachers in the district.

The local then begins to negotiate a collective agreement — and the new world of teacher-board bargaining unfolds.

Poll of members finds:

Majority support BCTF union status

A recent poll shows that 72 per cent of BCTF members are prepared to sign up immediately as voluntary members of the federation, and that 69 per cent are ready to vote for certification as a union under the BCTF umbrella.

Only small minorities are opposed to voluntary membership (5 per cent) and certification within the BCTF (15 per cent).

Some teachers have not yet made up their minds about these two crucial issues: 23 per cent are undecided about remaining with the BCTF voluntarily, and 16 per cent are not yet sure about certification within the BCTF (but many of these are leaning in that direction).

The poll shows 13 per cent of teachers are prepared to vote for a non-certified local association.

Commissioned by the BCTF, the survey was conducted August 12-18 by CQ

Research Corp., a Vancouver polling organization. It involved telephone interviews with a random sample of 479 members province-wide. The results are considered highly reliable.

In addition to investigating members' current intentions, the survey probed attitudes toward the BCTF and the degree of members' satisfaction with its performance in various areas.

In general, members seem happy with the way the BCTF operates: 84 per cent said they are either satisfied or highly satisfied with the federation.

The respondents were asked to rate how well the federation has served various interests, on a scale of 1 (poor) to 7 (excellent). These ratings were translated into percentage scores as follows:

Overall, how well has the BCTF served:

| | |
|---|-----|
| A You as an individual teacher? | 70% |
| B Teachers in general? | 73 |
| C The teaching profession? | 74 |
| D The interests of students? | 70 |
| E The public interest of quality education? | 73 |

On the same scale of 1 - 7, here's how the members rated BCTF performance in certain specific areas:

| | |
|---|-----|
| A Professional development | 77% |
| B Learning conditions | 75 |
| C Bargaining | 75 |
| D Financial services to teachers | 69 |
| E Social programs (PAR, S/W, child abuse) | 77 |
| F Defence against government attacks | 72 |

Apart from probing members' opinions, the interviewers tested the impact that the statement of various arguments and facts about the BCTF would have on the members' inclination to vote for certification under the BCTF. Some statements of basic facts about the federation proved to have a powerful positive influence on this question; others were less influential. The pollster's rating of the relative strengths of these factual statements ranged from a high of +86 (for a statement about the BCTF's \$2.2 million annual PD budget) to a low of -24 (for a statement of BCTF policy on abortion).

A reminder that the BCTF has spent \$1.2 million in the last seven years to assist teachers overseas brought a +68 rating. A specific reference to a \$63,000 contribution to education projects in Nicaragua rated +31.

A full report of the facts and arguments tested will be available to sign-up/certification drive organizers at their training session September 25-26.

Of the 479 teachers in the sample, 28 per cent described themselves as BCTF activists, 62 per cent as passive supporters of the federation, and 7 per cent as opposed to the federation; 3 per cent did not answer this question.



The poll revealed a highly-supportive membership, with members giving particularly high ratings to BCTF performance in professional development, learning conditions, bargaining and defence against government attacks.

Impressive start for PSA programs

From page 1

Other parts of the PD operation off to a good start include the PSAs.

John Klassen, president Math PSA, reports 80,000 copies of the calculator brochure that was developed through the BCTF community outreach grants have been distributed, and he is having 10,000 more printed. The brochure is designed for parents. (Anybody interested in the brochure should contact Linda Lawton, BCTF Pro D.)

Eain Lamont, president Hospital/Homebound PSA, has taken the initiative in the BCTF membership drive where he suggests his membership could be helpful in that they travel to all schools district wide. He reports a positive meeting with UBC regarding a course to be introduced, upgrading a handbook produced by the PSA, and an emphasis on improving networking for this fall.

Joan Hall, Primary Teachers PSA president, reports Project RIM (reach individual members) the PSA in-service program may possibly go to two areas in the province this year. Teachers must be a member of the PSA to attend, the cost is \$15 to cover facility and refreshments, and the PSA covers all other costs, including provision of a speaker.

Primary teachers produced an evaluation handbook that won national recognition last year and the PSA is currently in demand for in-service related to it.

Ernie Cordonier, president Environment Education PSA, says their biggest problem came when cutbacks hit outdoor education and they lost 300 members. But he says they are rebuilding with currently 120 members. K to 12. "Teachers have a major role and responsibility to communicate the need to rationally pursue a balance among people, prog-

ress, and the integrity of eco systems," he says. As part of raising awareness in the community, the PSA will be sponsoring a conference at UBC next May when they will have industrialists speak as part of building a bridge between the groups.

Finally, Jim Skinner PD staff member, reports success with UBC on Project T.E.A.C.H., still regarded as the best program of its kind, that it will now qualify for credit as it has in the other two universities.

Members' vote set on ending instruction only

From page 1

letters of reprimand in return for an indication that the teachers do not intend further job action.

Nine other school boards have removed objectionable letters from their files. This was one of the factors that persuaded the BCTF executive to suspend the teachers' province-wide instruction-only campaign.

The executive passed the in-dispute and "hot" edict motions after hearing reports on dealings with the two school boards by Greg Haines, president of the Peace River North Teachers' Association, and Ann Bayfield, president of the North Columbia Teachers' Association.

The "hot" edict means in part that teachers in other school districts will not participate in any activities (for example, regional or provincial sport tournaments) that involve the "hot" district.

BCTF President Elsie McMurphy explained that suspension of the instruction-only campaign was a response to the majority of school boards that have removed letters of warning or reprimand from their teachers' files.

"Clearly it is still our intention to have the remaining letters of warning or reprimand removed from members' files," McMurphy said. "The objective is the same; our tactics will change."

The instruction-only campaign was part of the BCTF's Bargaining and Professional Rights Action Plan, which was approved by a province-wide vote of members. While it is now suspended, a similar vote of members will be needed to formally end the action plan.

Accordingly, on or before October 30, members will be asked to vote on a ballot reading:

Are you in favour of ending the action plan approved by a vote of the membership in April?

Yes _____ No _____

The ballot will include a description of the action plan.

The procedures used in this vote will be the same as those used in the vote that approved the plan. The full-time table officers were authorized to appoint a three-person technical committee to monitor the voting procedures and to

Project Overseas I - 1988

Sponsored jointly by the
Canadian Teachers' Federation
and member organizations

Each year about 75 Canadian teachers are chosen to spend their summer without salary working on CTF Project Overseas. Their assistance is given upon invitation to teachers in Africa, the Caribbean, Asia and the South Pacific to improve teaching skills and strengthen professional teacher organizations.

Administrative, travel and living expenses are borne by the Canadian Teachers' Federation, the provincial and territorial teacher organizations which are members of CTF and the Canadian International Development Agency.

Requirements

- membership in a provincial or territorial organization which is a member of CTF; — an appropriate teachers' certificate;
- a minimum of five years teaching experience in Canada;
- Canadian citizenship;
- excellent health;
- evidence of flexibility and mature judgment.

Applications

Deadline date for applications: **November 13, 1987**. Further information and application forms are available from the Government Division, BCTF.

Special General Meeting

Special resolution to be considered

This is notice to all members that the Special General Meeting of October 10, 1987, announced in the September 11, 1987 *BCTF Newsletter*, will be held in the Food Building, Pacific National Exhibition grounds, commencing at 09:00 hours. Note the change in location.

To be added to the matters to be considered at the Special General Meeting is the following special resolution to amend the by-laws, proposed by the Vancouver Elementary School Teachers' Association and the Burnaby Teachers' Association. Members should note that the text of this resolution was printed on page 6 of the *BCTF Newsletter* of September 11, 1987.

Resolution 101:

That the first paragraph of by-law 3.1 be renumbered 3.1(a) and amended to read as follows:

3.1(a) The Executive Committee shall have the authority to create local associations of the federation and to

charter such local associations by the issuance of a charter in the form set out in the appendix to these by-laws or in a form as determined by the Executive Committee. Each local association shall adopt a constitution and by-laws to govern its operation. The local association shall have the authority to determine local matters and administer its affairs in accordance with its constitution and by-laws, provided that no clause in the constitution and by-laws of any local association shall be inconsistent with this constitution and by-laws, and to the extent of any such inconsistency this constitution and by-laws shall govern.

That the second paragraph of by-law 3.1 be renumbered 3.1(b).

That the following be added as by-law 3.1(c):

3.1(c) Notwithstanding by-laws 1.1(b) and 1.1(c), in the event that a local

association to which a charter has been issued does not, by January 1, 1989, obtain and thereafter maintain certification pursuant to the Industrial Relations Act or successor legislation as the exclusive bargaining agent for a unit including its members, the Executive Committee shall cancel the said charter, in which case the local association ceases to exist as a local association of the federation and the membership in the federation of all individuals in the former local association as at that date terminates.

That the following be added as by-law 3.1(d):

3.1(d) Notwithstanding by-law 1.1(b) and 1.1(c), but subject to by-law 3.1(e), applicants for active membership in the federation subsequent to January 1, 1989 must signify an intent to favor certification of a local association pursuant to the Industrial Relations

Act or successor legislation. Such membership may be granted at large where no local association has been issued a charter pursuant to by-law 3.1(e).

That the following be added as by-law 3.1(e):

3.1(e) Subsequent to January 1, 1989 the Executive Committee may only issue a charter to a local association consisting of persons admitted as active members pursuant to by-law 3.1(d). A minimum of the lesser of 10 such members, or such members equivalent to 10% of the teachers in a school district, shall be required as a prerequisite for application for and issuance of such a charter. In the event that the said local association obtains certification, all employees in the bargaining unit for which the local is certified shall thereupon be eligible for active membership pursuant to by-law 1.

BCTF Newsletter

British Columbia Teachers' Federation
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CLIVE COCKING

Editor

Editorial guidelines

The *BCTF Newsletter* is published by the B.C. Teachers' Federation pursuant to policy statement 36.26 in the *Members' Guide to the BCTF*. The Newsletter Editorial Advisory Board, which reports to the Executive Committee, serves in an advisory capacity, assisting the editor in interpreting and implementing newsletter policy.

Letters to the editor must be signed by and bear the address of the writer. The Newsletter may edit letters for brevity, clarity, legality or taste. Letters to the editor and signed articles contained herein reflect the views of the authors and do not necessarily express official policy of the BCTF. Unsigned articles are the responsibility of the editor.

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Union vs Association

This comparison of the union and association models under the *School Act* was prepared for the Vancouver Secondary Teachers' Association by Leo McGrady, a Vancouver Barrister and Solicitor. The document is intended to be his comparison on and interpretation of many of the major points of difference between the two models. It is not intended to be an exhaustive and detailed analysis of rights and obligations.

Union

Association

Membership

- (a) Principals, Vice-Principals, and Directors of Instruction are excluded.
- (b) Certified substitutes are included.

- (a) Same
- (b) Same

Scope of negotiations

- (a) The *School Act* and Regulations are part of any collective agreement.
- (b) Generally the Union is free to negotiate other terms and conditions of employment.

- (a) The same provision applies. The *School Act* and Regulations are part of any agreement.
- (b) The range of terms and conditions which the Association can negotiate is more limited.
The Association cannot negotiate selection and appointment of teachers, courses of study, teaching techniques, nor teaching assignments for the Principal, Vice-Principal, and Director of Instruction.

Impasse resolution

- (a) The Union may strike to obtain a resolution of an impasse.
- (b) The Union and the School Board may both agree to arbitrate their dispute rather than have the Union strike. The jurisdiction of the arbitrator covers the range of terms and conditions of employment. For example, the arbitrator may award terms relating to technological change, contracting out, layoffs, workload, and class size. The employer's ability to pay is paramount.

- (a) Associations cannot legally strike. They have no method of impasse resolution unless the School Board agrees to interest arbitration. If the School Board does not agree, it may reject all bargaining proposals tabled by the Association. The agreement then becomes the *School Act* and Regulations plus any other terms the School Board is able to impose.
- (b) If the School Board agrees to arbitration, the jurisdiction of the arbitration board is limited to salaries and bonuses. The arbitrator must consider the School Board's ability to pay to be paramount.

Grievance procedure

- (a) The law requires the parties to agree to an impartial system of arbitration to resolve disputes arising during the term of the collective agreement.
- (b) Most appeals go to a panel of impartial labour relations experts.

- (a) The parties may negotiate such a term. However, the School Board is not compelled to agree. A salary arbitration board has no jurisdiction to impose a grievance procedure.
- (b) If the School Board agrees to a grievance procedure, there would be no appeal from the arbitration board's decision. There would be a limited review by the Courts.

Layoffs

The Union can negotiate out of the provisions of Bill 35 in the *School Act*. They may negotiate notice provisions, seniority protection, severance pay, and bumping, amongst other terms.

In the absence of the School Board's agreement, layoffs are regulated by Bill 35 in the *School Act*. Seniority protection is at a minimal level. There is no provision for bumping. Severance pay is an alternative to recall.

Discipline and dismissal

- (a) The law requires the parties to agree to an impartial system of arbitration to resolve disputes over discipline and dismissal.
- (b) The authority of the arbitrator on procedural matters and on remedies is more extensive than the authority of the Board of Reference.
- (c) Most appeals are to a panel of impartial labour relations experts.

- (a) An impartial system of arbitration is only available if the School Board agrees. Otherwise the Board of Reference procedure in the *School Act* applies.
- (b) The general level of protection accorded the individual teacher under the *School Act* Board of Reference procedure is high. However, the authority of the Board of Reference is more limited than that of the arbitration board.
- (c) The Courts have a limited review power.

Evaluation

The Union may negotiate extensive provisions covering teacher evaluations, beyond the *School Act* Regulations. Such provisions are common, for example in faculty association collective agreements.

Additional evaluation procedures are available to the Association only if the School Board agrees, or agrees to arbitration.

Hours of work

The Union may negotiate detailed provisions regarding hours of work and workload. The typical collective agreement contains this kind of provisions.

The Association can attempt to negotiate on these issues. If, however, they are unsuccessful, the School Board's consent is required before the matters are arbitrated.

Professional development

This issue is open to negotiations by Unions. Collective agreements for faculty instructors typically cover this subject.

The Association has the right to negotiate on this issue but no right to arbitrate.

Unfair labour practices

The law contains extensive protections for the individual, and for the Union in the event of employer interference. It prevents the School Board from disciplining an employee, for example, for participating in the administration of a union.

None of these protections are available by law to an Association.

It also protects the teacher member by ensuring that he or she will not be penalized by the Union, except for fair and reasonable cause. The law also ensures that the Union will represent teachers in good faith.