

1998 BILL 219

Second Session, 24th Legislature, 47 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 219

EDUCATION EMPLOYMENT RELATIONS
STATUTES AMENDMENT ACT, 1998

MRS. BURGNER

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 219
Mrs. Burgener

BILL 219

1998

EDUCATION EMPLOYMENT RELATIONS STATUTES AMENDMENT ACT, 1998

(Assented to _____, 1998)

HER MAJESTY, by and with the advice and consent of the
Legislative Assembly of Alberta, enacts as follows:

School Act

Amends SA
1988 cS-3.1

1(1) The *School Act* is amended by this section.

(2) Section 77 is amended by adding the following after subsection (2):

(3) For the purposes of this Act or any other enactment, principals shall not be included with teachers for the purpose of collective bargaining.

(3) Section 99 is amended

(a) in subsection (2)(b) by adding "subject to subsection (4)," before "delegate its power";

(b) by adding the following after subsection (3):

(4) No collective agreement between a board, or an employer's organization acting on behalf of a board,

Explanatory Notes

School Act

1(1) Amends chapter S-3.1 of the Statutes of Alberta, 1988.

(2) Section 77 presently reads:

77(1) Subject to section 75, a board may appoint any person or designate a teacher to an administrative, supervisory or consultative position.

(2) When an organization representing teachers carries on collective bargaining on behalf of the teachers, a board and the organization, through negotiation, may include in or exclude from the teachers on whose behalf the organization is bargaining any teacher who has been designated by the board to an administrative, supervisory or consultative position.

(3) Section 99 presently reads:

99(1) Notwithstanding anything in this Act, the Labour Relations Code applies to a board and the employees of the board.

(2) A board may

(a) be a member of an employers' organization, and

(b) delegate its power to bargain with any of its employees to

and teachers or their bargaining agent may be reached except in accordance with section 99.1.

(4) The following is added after section 99:

Collective bargaining

99.1(1) Notwithstanding any other Act or any other provision of this Act,

- (a) the Alberta School Boards Association shall be the employer's organization for every board for the purpose of bargaining collectively and reaching collective agreements with teachers, and
- (b) the Alberta Teachers' Association shall be the sole bargaining agent for all teachers for the purpose of bargaining collectively and reaching collective agreements with teachers.

(2) A collective agreement reached between the Alberta School Boards Association and the Alberta Teachers' Association shall be binding on all boards and teachers employed by those boards.

(3) The *Labour Relations Code*, to the extent that it is not inconsistent with this section, applies to collective bargaining and collective agreements reached under this section.

(4) In the event of a conflict between this section and the *Labour Relations Code*, this section applies.

Labour Relations Code

Amends SA 1988 cL-1.2

2(1) The *Labour Relations Code* is amended by this section.

(2) Section 94(1) is amended by adding the following after clause (b):

- (c) teachers and school boards to the extent that they bargain collectively with teachers.

the employers' organization.

(3) When a delegation is made under subsection (2), the employers' organization may bargain collectively and make an agreement on the board's behalf in accordance with the Labour Relations Code.

(4) Collective bargaining.

Labour Relations Code

2(1) Amends chapter L-1.2 of the Statutes of Alberta, 1988.

(2) Section 94(1) presently reads:

94(1) This Division applies to the following:

(a) firefighters and municipalities to the extent that they bargain collectively with firefighters;

(b) employers who operate approved hospitals as defined in the

3(1) A collective agreement between a board and teachers reached prior to the coming into force of this Act shall not be renewed or be continued.

(2) A collective agreement between a board and teachers that has not expired prior to August 31, 2000 will be of no force or effect after that date.

4 This Act comes into force on Proclamation.

Hospitals Act, and all the employees of those employers.

3 Termination date of collective agreements.

4 Coming into force.