Not Just Nice Guys: The Growth and Constraint of the Nova Scotia Teachers' Union, 1950 - 1975

by

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Abstract

Thesis Title: Not Just Nice Guys: The Growth and Constraint of the Nova Scotia Teachers' Union at Mid-Century

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Summary:

This study traces the mid-twentieth century history of the Nova Scotia Teachers' Union (NSTU), with particular focus on the union's democratic, professional, and bargaining structures. Traditionally underrepresented in labour union histories, teachers' unions are a keystone public occupation with extremely high industrial density and a complex relationship with numerous levels of government. In the period studied, teachers were paid both by provincial and local governments but were technically only allowed to bargain with the former; this relationship was instrumental in keeping teachers' demands depressed but was too unstable to contain teacher militancy effectively. Following an interrogation of the union's restrictive legislative and organizational foundation, the thesis analyzes the adoption of professionalism as a status-raising strategy, but with severe exclusionary tendencies. The thesis continues with a chronological recounting of provincial and local-level negotiations, the contention of which forced the union and the provincial government to renegotiate their bargaining mechanisms.

Keywords: Unions, Canada, Nova Scotia, teachers, collective bargaining, strikes, professionalism, Halifax, post-war compromise

List of Abbreviations

NSTU – Nova Scotia Teachers' Union

PEA – Provincial Education Association

NSTPA – Nova Scotia Teaching Profession Act. Before 1968: Nova Scotia Teachers' Union Act

TPA – Teaching Profession Act

TCBA – Teachers' Collective Bargaining Act

TUA – Trade Union Act

CPI – Consumer Price Index

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To Mitch Grant, I offer sincere thanks for parsing data and designing the graphs which can be found throughout this work. Mitch's invaluable contribution makes the NSTU's story considerably more palpable and significantly more visually appealing.

I must make a special note of the contribution of Ian Addis, who sacrificed an entire day to keep this project on schedule. When the archives closed for an extended period, to the surprise of both myself and the staff, digitizing the remainder of the NSTU's boxes became a necessity on two days' notice. Pictured, below, is Ian (left) and myself in the archive at the end of this horrid project.

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Chapter One: Introduction

The words "union" and "strike" are correlated so closely in the Anglo-Canadian imagination that one can scarcely think of one without conjuring up the other. While popular media is in part to blame for the intent focus on this antagonistic bargaining method, it is reasonable to assume that an established union would have plenty of experience with such a protest. This is true especially for a union with over a century of continuous history. One wouldn't look at a hundred-year-old car and assume it had been taken for one drive, nor look at an old hammer and assume it had sunk exactly one nail. But this is precisely the public consensus on the Nova Scotia Teachers' Union (NSTU). In 2017, when Nova Scotia's teachers walked out in protest of a legislatively-forced collective agreement, it was widely reported as the union's first strike.[1] This was no lie; the NSTU had never before authorized a strike of all its members across the province. But a strike is a very specific act, and it would be untrue to suggest that the union had never before been active in such a militant manner. Unfortunately, the written history of this union has stagnated, as with the other Maritime teachers' organizations, leaving educators with little organizing history to draw upon as they continue their struggle against an irreverent government. Worse, one is hard pressed to retrace the steps which shaped the modern union. The analysis which follows will detail the legislative, political, and professional position of the NSTU as it traversed the shifting labour relations

[1] Rebecca Dingwell and Jacob Boon, "For the first time ever, Nova Scotia's teachers just walked out on strike," *The Coast*, February 17, 2017, https://www.thecoast.ca/news-opinion/for-the-first-time-ever-nova-scotias-teachers-just-walked-out-on-strike-5999833; Aly Thomson, "N.S. teachers to hold one-day strike Friday to protest imposed contract," *CTV* News, February 15, 2017, https://atlantic.ctvnews.ca/n-s-teachers-to-hold-one-day-strike-friday-to-protest-imposed-contract-1.3286140?cache=%3FclipId%3D68596%3FautoPlay%3Dtrue.

landscape of the mid-twentieth century, prior to its attainment of true collective bargaining. Far more of this story is missing than what can be offered by just one study, but this is not a fact to be lamented. The history of collective action by Nova Scotian teachers can only be made more nuanced, more diverse, and more utile to the educators still engaged in its creation.

Lest it become a carbon copy of private sector analyses, the organizing history of teachers, civil servants, and other publicly-paid occupations must recognize the unique facets of public sector labour relations. While all employers represent capital interest, and all of their employees sell their labour power, this relationship is altered in the public sector by the fusing of this economic imperative with the political and regulatory functions of the state. As Bryan Evans observes, the state's position as an elected body imbues it with the ostensible responsibility of acting in the public interest.[2] As such, its deployment of coercive and anti-bargaining legislation or tactics, even when illegal, can be defended politically as being in the best interest of the citizens represented by government. Evans notes further that union demands are thus framed as antagonistic to the "guardian of broad public interests."[3] This relationship is dialectical, as the members of these unions tend to be enfranchised citizens, represented by government, acting in their own best interests against the will of their representative. Work stoppages are also altered by this relationship. In the private sector, the primary motivation for the resolution of an interruption is the loss of potential profit, whereas most public sector functions are

[2] Bryan Evans, "When Your Boss is the State." In *Public Sector Unions in the Age of Austerity*, ed. Stephanie Ross and Larry Savage (Halifax: Fernwood Publishing, 2013), 28.
[3] Ibid, 29.

expenditures rather than investments. Governments may actually save money during these disruptions, as wages are not being paid nor are government resources being exhausted.[4] But the state must also mediate the wage demands of its massive public service, another dimension to its complex position. The motivation to end public sector work stoppages is thus economic, in instances where private or public capital is at risk of financial loss, and political, owing to the state's role as arbiter of public interest.

But the employment position of Canadian teachers is unique, even among public sector workers. Though education is a function of provincial governments, prior to the 1970s and 80s, teachers did not tend to be their employees. Instead, they were hired, contracted, paid, and managed by individual school boards. Their connection to the provinces was predominantly remunerative, as cash infusions from the province increasingly factored into local education budgets in the mid-twentieth century. Contrary to a civil servant, teachers take direction from middle administrators who are partly autonomous from the province. Essentially, teachers were, and to some extent still are, forced to interact on a political and economic level with three tiers of government, all of whom hold superior power to determine teachers' working conditions by the means noted above.[5] A boon for labour history, the state's role in collective bargaining has intensified since the mid-twentieth century, an upheaval in the field of labour relations. Studies of teachers' unions are being produced to keep abreast of this still-extant trend, but not to a satisfactory degree, unfortunately. The historiography of Canadian teachers' unions has

[4] Ibid, 30.
[5] In Nova Scotia, teachers still form group contracts with school boards which codify certain, typically region-specific, working conditions.

ebbed and flowed since the early twentieth century, leaving a number of these trends only broadly studied and lacking in regional detail.

In the early 1990s, the late historian Andrew Spaull conducted something of a metanalysis on the histories of Canadian teachers' organizations, and was palpably unimpressed. This sentiment is reflected both in the work's many criticisms of past scholarship and in its very title, "Fields of Disappointment."[6] In it, the author laments the lack of output and the methodological weakness of many entries into the field, but remains hopeful that it would be taken up by a new generation of scholars. "If the historiography of teacher unionism is uninspiring," writes Spaull, "the history of teacher unions in Canada… is rich and vibrant, and distinctive in character compared with their counterparts in the United States or the British Commonwealth of Nations."[7] Spaull identified two "phases" of Canadian teacher union histories. The first began only a few decades after most of these organizations were formed at the opening decades of the twentieth century, while the second would not come to fruition until the 1960s and '70s.[8] For both phases, Spaull critiques their lack of integration with labour history, their failure to properly account for the formation of teachers' unions, and their ignorance of competing factions in unions. The lattermost deficiency, writes Spaull, subjugated the experiences of locals, rural teachers, and women.[9] One extension of this critique which Spaull could have made were the serious and regionally-defined gaps in teachers union

[6] Andrew Spaull, "Fields of Disappointment: The Writing of Teacher Union History in Canada," Historical Studies in Education / Revue d'histoire de l'éducation 3, no. 1 (May 1991): 21–47, https://doi.org/10.32316/hse/rhe.v3i1.865.
[7] Spaull, "Fields of Disappointment," 21
[8] Ibid, 22.
[9] Ibid, 29.

histories which extend to the present day. The histories of Ontario and Quebec teachers' organizations are likely the best developed in the country, followed by the prairies and British Columbia. The history of teachers' unions in the Maritimes exists, but it is hardly lively.

These regional divisions are most obvious in comparative studies or those which attempt to tell a national story of teachers' organizations. Harry Smaller's oft-cited "Canadian Teacher Unions: A Comparative Perspective," is a very competent reference on the formation and progression of teachers' organizations into the 1990s, though it is predominantly populated by sources referencing Ontario and the prairies.[10] Ronald Manzer's 1969 analysis of how such organizations form is similarly devoid of reference to the Maritimes, save for the sporadic inclusion of Nova Scotia.[11] More recently, Maharaj and Bascia chose teachers' groups from British Columbia, Alberta, and Ontario to represent their survey of teachers' approaches to education reform.[12] Even Spaull's own survey of the field included just seven Atlantic Canadian sources in its bibliography out of a total of about eighty. This issue is, of course, not the fault of researchers. Rather, it is a self-fulfilling prophecy, as the lack of secondary source material does not make the region appealing for comparison or in-depth study. The same regional underrepresentation permeates the field of public sector union history, and indeed much

[10] Harry Smaller, "Canadian Teacher Unions: A Comparative Perspective," Contemporary Education 69, no. 4 (Summer 1998): 223–7.
[11] Ronald Manzer, "Selective Inducements and the Development of Pressure Groups: The Case of Canadian Teachers' Associations," *Canadian Journal of Political Science / Revue Canadienne de Science Politique* 2, no. 1 (1969): 103–17, http://www.jstor.org/stable/3231477.
[12] Sachin Maharaj and Nina Bascia, "Teachers' Organizations and Educational Reform: Resistance and Beyond," *Canadian Journal of Educational Administration and Policy*, no. 196 (June 30, 2021): 34–48, https://doi.org/10.7202/1078516ar.

of history generally. But these examples are illustrative of a lacuna which must be rectified to accurately claim that forthcoming studies on the subject are truly representative on a national level.

A key to this issue is that teachers' union history is not particularly fashionable, and in fact has never been to any serious extent. This is somewhat strange, as studies of teachers, teaching methods, and the education system generally has produced a wealth of studies in all provinces. Education being among provinces' highest annual expenditures, the slew of literature on education generally is unsurprising, and yet teachers' unions are not the focus of the vast majority of this corpus. Studies of teachers' unions, such as this one, are a necessary dimension to the scrutiny of education as they emphasize the materially and politically defined nature of classrooms and educational finance. There, of course, great importance in non-union studies, especially those in service of students' rights. In New Brunswick, for instance, academics have contributed to LGBTQ+ visibility in schools in response to Premier Blaine Higgs' abhorrent and retrogressive Policy 713, which requires parental consent before staff affirm a student's preferred pronouns.[13] These studies have brought attention to queer and transgender erasure in sex education and gender-based violence in New Brunswick's school system.[14] Further, many

[13] David Gordon Koch, "'Extreme anti-trans positions' under Higgs condemned by group opposing gender-based violence," *NB Media Co-op,* October 20, 2023, https://nbmediacoop.org/2023/10/20/extreme-anti-trans-positions-under-higgs-condemned-by-group-opposing-gender-based-violence/.

[14] See Casey Burkholder and Melissa Keehn, "'Something That Is so Overlooked': Joyfully Exploring Queer Bodies and Sexualities in Sexuality Education with Teachers in New Brunswick, Canada," *Sex Education*, (December 2023): 1–20, https://doi.org/10.1080/14681811.2023.2296984 and Casey Burkholder, Katie Hamill, and Amelia Thorpe, "Speaking Back to Gender-Based Violence in New Brunswick Schools through Queer Maker Literacies with 2SLGBTQ+ Youth," *Journal of Youth Studies,* (August 2023): 1–15, https://doi.org/10.1080/13676261.2023.2246910.

works valuably advance pedagogical and counselling methods, or identify exclusions and systemic barriers.

When teachers' unions have been studied in Canada of late, it has typically been at the hands of sociologists and political scientists. These writers tend to be interested in educators' interactions with neoliberal governments and exceptional labour legislation and so focus temporally from the 1970s to the present. The example most on-the-nose is Trudy Keil and Pamela Osmon-Johnson' s 2022 study, "The Power of Affect: Teacher Activism as Resistance to Neoliberalism in Saskatchewan," but there are numerous others.[15] In 2020, Chantal Mancini analyzed the internal politics of the Ontario Secondary School Teachers' Federation in response to Bill 115, which imposed upon those teachers a collective agreement and removed their strike rights;[16] meanwhile, Joseph Rose's 2002 article focuses on the post-1975 "Assault on School Teacher Bargaining in Ontario," but particularly on legislative upheavals, rather than teachers' unions directly.[17] Historians have not gone uninfluenced by this trend, and researchers such as Sara Slinn have produced history indicative of the recent surge in public-sector bargaining research. Slinn's 2011 article, "Structuring Reality So That the Law Will Follow," traces the "practical and pragmatic" disputes between government and union over resources and

[15] Trudy Keil and Pamela Osmond-Johnson, "The Power of Affect: Teacher Activism as Resistance to Neoliberalism in Saskatchewan," *Alberta Journal of Educational Research* 68, no. 4 (December 21, 2022): 537–60, https://doi.org/10.11575/ajer.v68i4.74586.
[16] Chantal Mancini, "Austerity, Struggle, and Union Democracy: Bill 115 and the Ontario Secondary School Teachers' Federation, an Insider View," *Labor Studies Journal* 45, no. 1 (March 2020): 8–31, https://doi.org/10.1177/0160449X20901646.
[17] Joseph Rose, "The Assault on School Teacher Bargaining in Ontario," *Relations Industrielles / Industrial Relations* 57, no. 1 (2002): 100–128, https://doi.org/10.7202/006712ar.

bargaining law with reference to the works of Leo Panitch, Donald Swartz, Gene Swimmer, and Mark Thompson.[18]

Doubtlessly the neoliberal paradigm is important to teachers' unions; its dismantling of public sector amenities, harsh austerity measures, centralization of decision-making, and assault on collective bargaining rights, are among the most pressing concerns facing teachers in the twenty-first century. This trend has, however, directed what limited attention the historical community has for teachers' unions away from other relevant issues. Spaull's complaints that teachers' union histories were too monolithic has not gone properly addressed by these studies, which tend to present government and union as two homogeneous political bodies, rather than collections of diverse groups. Furthermore, the implications of the union's internal systems and rhetoric, which contribute significantly to the success of individual teachers and locals, are overshadowed. This said, most newer histories are not so problematic as many of the sources which one must contend with in studying Nova Scotian teachers.

Three studies of the NSTU were conducted outside of the organization in the 1960s and 1970s, all by graduate students. The first, by Roy E. L. Watson, was submitted as a doctoral thesis to the University of Toronto's political economy department in April 1960.[19] While its title indicates that it is meant to study "the sociology of formal organizations," it also traces the bargaining and professionalization history of the

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[18] See Leo Panitch and Donald Swartz, *From Consent to Coercion: The Assault on Trade Union Freedoms* (North York, Ont.: University of Toronto Press, 2009) and Gene Swimmer and Mark Thompson, eds., *Public Sector Collective Bargaining in Canada: Beginning of the End or End of the Beginning?* (Kingston 1995).
[19] Roy Ernest Love Watson, "The Nova Scotia Teachers' Union: A Study in the Sociology of Formal Organizations" (PhD diss., University of Toronto, 1960).

teachers' union between the early 1920s and the late 1940s. It cites a wide array of primary and secondary literature, and is critical of the union's leadership for its inactive approaches to improving teachers' conditions. The second study, a Saint Mary's University M.A. thesis written by Donald B. Hope, was submitted to their school of education in March 1961.[20] This study, titled "The Accomplishments of the Nova Scotia Teachers' Union" is a history of the union's salary, pension, and professional activities from the 1920s to the 1950s. The third is John Coady's 1974 M.A. thesis, also submitted to the Saint Mary's school of education, which follows the development of the union's structure from 1961 through 1973. [21] The latter two these are both more-or-less well researched and informative, but Coady's work suffers from an unwillingness to critique the union and reports facts far more often than they're interrogated. Hope takes the time to make speculations and comment on the union's structure, though remains somewhat uncritical. Like with Hope, Coady's work contains a wealth of quantitative analysis on teachers' employment conditions, but the latter author tends to defer to the opinion of the executive rather than drawing independent conclusions.

Graduate studies aside, the most common sources in the history of teachers' unions are the union-sanctioned histories, or as Spaull refers to them, "in-house" histories.[22] Often written by a union staffer or a teacher attaining a graduate degree in education, these histories are deeply influenced by the union they study and as such are

[20] Donald B. Hope, "The Accomplishments of the Nova Scotia Teachers' Union in the Fields of Salaries, Pensions and Professional Growth," (MA thesis, Saint Mary's University, 1961).
[21] John Roderick Coady, "The Nova Scotia Teachers Union: 1961–1973," (MA thesis, 1974).
[22] Spaull, "Fields of Disappointment," 21.

not highly critical or analytical. There are two large in-house histories of the NSTU spanning the organization's formation in 1895 to 2012. Despite their weaknesses, Spaull's appraisal of this type of history is far too negative, positing that their value is limited to their brevity, access to union sources, and the reproduction of union staffer memory.[23] While these are their primary benefits, there is also a political utility to the subtext of these works as representations of how the union seeks to be perceived. Take, for example, the account written in granular detail by executive secretary Norman Fergusson, upon retirement in 1984. Fergusson's approach is moderate, but on numerous occasions lauds conservative governments, including Ronald Reagan's, and has been quoted elsewhere as neither believing in the trade union model nor in professional associations as helpful to teachers.[24]

Fergusson's work identifies as keystone moments in NSTU history the creation of professional identity through law, license attainment, and influence on the education system. The work does offer a great deal of detail on negotiations with the provincial government, but does so at the expense of more localized militant narratives. This is partly a question of sources, as many of these stories are surely buried in the filing cabinets of local meeting rooms or lost altogether. One does, however, come away from works like Fergusson's with a view of the union as less militant and less internally contentious than they would by reading Roy Watson's independent work. As Spaull points out, in-house histories typically catalogue the union's overcoming of legal and economic barriers to foster an upstanding and respectable institution. True to this

[23] Spaull, "Fields of Disappointment," 22.
[24] Coady, "The Nova Scotia Teachers Union," 73.

assessment, Fergusson's work tends to downplay the failures of the union as a bargaining body by positioning the government as the sole antagonist, rather than suggesting that the union's own strategies were to blame. The second of the NSTU-sponsored books was authored by Paul McCormick, who picked up the history of the NSTU where Fergusson had left it in the 1980s. McCormick was a communications officer for the NSTU for over 30 years and retired in 2009. Less overtly partisan than Fergusson, McCormick's history still purveys an image of upright, professional dealings with government and little internal conflict.

One piece of recent scholarship has reviewed a section of Fergusson's work in the form of a gendered critique. The work by Hartt, Mills, and Mills focuses on a small section of the book which describes the secession of the Halifax local from the NSTU, a schism which occurred plainly along the lines of gender. The event itself will be noted in Chapter 1, but the critiques made by Hartt, Mills, and Mills on Fergusson's work are worth noting also. The researchers posit that, due to its publishing in the early 1990s, the executive secretary's work was coloured by gender equality having become a crucial aspect of NSTU policy.[25] As a result, the researchers observed from Fergusson's work a highlighting and celebration of gender in limited instances, surrounded in the rest of the work by an ignorance of gender entirely.[26] Essentially, when something was accomplished by women it was treated as exceptional, but achievements by men were ordinary. Their observations hold in the remainder of the monograph also, as Fergusson's

[25] Chris Hartt, Jean Helms Mills, and Albert J. Mills, "Reading Between the Lines: Gender, Work and History," *Journal of Management History* 18, no. 1 (2012): 82–95, https://doi.org/10.1108/17511341211188664, 85.
[26] Hartt, Mills, and Mills, "Reading Between the Lines," 87.

work makes no comment on the position of the women in the NSTU, except for the fact that some women campaigned for greater inclusion. Similarly, inequalities in license, wages, and conditions are obfuscated by Fergusson's use of average-heavy data across the teaching force.

These works, though they are the most formal, are not the only sources of history on the NSTU. Commonly passed over for mention in the histories of teachers' organizations are the public materials presented by the union in formats more accessible than archived theses or 200-page books. The NSTU website, like most organizations of some size, sells its own version of the its history which is much further abbreviated but no less telling. From the "About Us" page, one can glean no trace of antagonism with provincial authorities nor can one even tell that the NSTU had gone on strike in 2017. At the time of access, the history present on this page is divided into eras: 1850 – 1920 and 1921 – 1982. The story seems to end there. It may be instructive to read the latter of these two sections before reading a more detailed history of a similar period.

> In 1921 the NSTU was reorganized, a new constitution prepared and a special Annual council held. The first president of the reorganized Union was H. H. Blois; Dr. M. M. Coady was secretary. In January 1922, the first NSTU Bulletin was published, predecessor of The Teacher. In 1942 a minimum provincial salary plan was established, and in 1946 the minimum salary scale was implemented. The first NSTU Handbook was printed in 1949. In 1953 Justice V. J. Pottier was named a one-member Royal Commission on Public School Finance. The Foundation Program, implemented in 1955 as the system of education finance, was described as providing equalization with stimulation. In 1974 the Royal Commission on Education Finance (Graham) was finalized and the Teachers' Collective Bargaining Act passed. The Anti-Inflation Review Board (AIB), in 1976, rolled back negotiated teacher salaries. In 1981 the Commission on

> Education Finance (Walker) reported to the province. In 1982, school boards were amalgamated into 21 district boards; NSTU locals adopted the district model.[27]

The leadership chose to define the organization in this manner not to withhold history from its teachers and the public, but to guide its membership toward an idealized organization. This conceptualization of the NSTU is one which is conciliatory and professional, and whose primary goal is to ensure that "the needs and concerns of teachers are passed to important partners in public school education."[28] The NSTU has a long history from which to draw, making each of these retellings a compelling perspective into the NSTU's self-image.

The NSTU having such a breadth of history, it is not surprising that sources on its origin are lost and its early years obscure. When Fergusson wrote *The Story of the Nova Scotia Teachers Union* it was necessary to rely largely on newspapers and provincial reports on education to piece together its nineteenth-century history.[29] From the similarities in phrasing and chronology, it seems that Watson and Hope drew from many of the same sources. Fergusson noted that the union was so inactive before its reorganization in 1921 that the first president of the newly-reformed organization knew next to nothing on what had been done in the previous thirty years, but this is not abnormal.[30] H. A. Cuff's history of the Newfoundland Teachers' Association claims that

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[27] "About Us," Nova Scotia Teachers' Union, accessed July 23, 2024, https://nstu.ca/the-nstu/about-us.
[28] Ibid.
[29] Norman H. Fergusson, *The Story of the Nova Scotia Teachers Union: From the Formation of the Old Union in 1895 to the 1980s* (Armdale, NS: The Nova Scotia Teachers' Union, 1990), 13.
[30] Ibid.

the organization was founded and re-founded on three separate occasions between 1890 and 1908.[31]

As they tended to be tied to provincial education authorities, the lack of continuity in teachers' unions reflects a nascent central grasp on schooling. The province's various teachers' institutes formed the United Teachers' Association of Nova Scotia in 1862, but this organization lasted only until 1878, before being replaced in 1880 by the Provincial Education Association (PEA). This is the organization from which the modern NSTU would spring.[32] The PEA operated under the purview of the council of Public Instruction, and its purpose was consistent with Smaller's appraisal of these provincially-mandated associations as promoters of a "centralized, bureaucratized, professionalized, patriarchal, and socially stratified" educational system.[33] Teachers could attend their meetings, but would not find in them much more than these professional affirmations.

Provincial organizations of this nature, like the PEA, gave no consideration to the material concerns of teachers. Fergusson posits that, for this reason, those concerned by salaries and being defrauded by their employers were enticed to form a new branch of the organization. The NSTU held its first meetings in this capacity in 1895 and adopted its first constitution in 1896.[34] The PEA, however, would not meet every year, and in fact it did not meet again until 1903. At subsequent meetings, Fergusson reports there being no evidence of NSTU meetings and only sporadic and poorly-documented meetings between

[31] Harry Alfred Cuff, *A History of the Newfoundland Teachers' Association 1890–1930* (St. John's: 1985) 83.
[32] Fergusson, *The Story*, 14.
[33] Smaller, "Canadian Teacher Unions," 223.
[34] Fergusson, *The Story,* 16-17.

1910 and 1920.[35] The organization's inactivity was dire enough that, at a 1916 meeting, President W.A. Creelman asked the members: "What has this Union been and what is it anyway?" The answer, Fergusson writes, was that the union at this time was essentially a defensive group to prevent teachers' from being defrauded.[36] Spurred by members of the already-extant Halifax Teachers Union and teachers from around the province, the NSTU would soon turn its inactivity around, reorganizing into an autonomous organization in 1921.[37] The establishment of the modern NSTU closely followed that of most other Canadian teachers' organizations, which found their current incarnations following World War I.[38]

At its first meeting at Eastertime, the members discussed salary, licenses, pension, and government grants. Demands for improvements to all of these areas were soon relayed to the provincial government, but they had no impact.[39] Though the province does not seem to have recognized the NSTU in any official capacity by this time, the organization could boast locals of at least some strength in Halifax, Truro, New Glasgow, and Amherst.[40] The union's leadership, however, was satiated by the opportunity to be heard by the government, whatever the result, and from this early stage it established a conciliatory character.[41] Ontario's teacher organizations took on the same affect, but

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[35] Ibid, 23.
[36] Ibid, 25.
[37] Watson, "The Nova Scotia Teachers' Union, 22; there is little information available on the Halifax Teachers Union, such as when it was founded and its membership's size. It was noted by Watson as being the only such organization to have survived for "any length of time" in this period (p. 33).
[38] Smaller, "Canadian Teacher Unions," 223.
[39] Fergusson, *The Story*, 30.
[40] Fergusson, *The Story*, 30.
[41] Watson, "The Nova Scotia Teachers' Union," 36.

herein lies one of the divergent trends in teacher organizing. Some teachers' organizations had already been on strike by 1925, namely in Manitoba and British Columbia, and the latter even became affiliated with the Trades and Labour Congress in 1934.[42] Nevertheless, the NSTU continued to gain strength and revenue from fees in the 1920s, and represented nearly half of all Nova Scotian teachers as early as 1932.[43] The union was able to secure a pension act and increases in provincial aid pay in 1928, and was even making representations to the government to discontinue the lowest license levels as a means of raising the industry's entrance standard.[44] The non-antagonistic face of the union would, however, show signs of weakness immediately after establishing this modest level of efficacy.

To this effect, Watson argues that the Great Depression years of the union were patterned by apprehension about damaging the union-province relationship. Some resolutions at annual councils, Watson notes, were voted down for the expressed reason that similar provisions had not been received sympathetically by the government.[45] This strategy did not afford many victories, but it may have had one benefit to the union. Financial hardships had caused the NSTU to begin operating in a deficit in the early 1930s, an issue compounded by frequently deferred membership fees.[46] They were, however, propped up by the province with an infusion of half the PEA's funds for that year, possibly owing to their amicable relationship. [47] Still, the union was on the verge of

[42] Smaller, "Canadian Teacher Unions," 224.
[43] Fergusson, *The Story,* 32.
[44] Ibid, 41.
[45] Watson, "The Nova Scotia Teachers' Union," 43-4.
[46] Fergusson, *The Story*, 49.
[47] Fergusson, *The Story*, 49.

bankruptcy and was losing teachers. It is unsurprising then, that serious discussions about compulsory membership and other powers conferred by Teaching Profession Acts originated in the mid-1930s.[48] The situation only intensified until halfway through World War II, as the council continued to refrain from demanding help from the province.[49] Council pushed much harder for bonuses in 1941, whereupon the government provided wage relief, causing teachers' real income to hit a peak.[50] But the council's discontent had built for years by this point, and was not entirely extinguished by this success, as evidenced by the rise of avowed unionist and socialist Tom Parker into the ranks of NSTU leadership.[51] It would be the 1944 provincial wage subsidies which alleviated this militant fervor among some sects of the rank and file.[52] Following World War II, the modern era of the Nova Scotia Teachers' Union began, and the structures which would define it through the twentieth century began to take shape.

In tracing these developments, the thesis makes significant contributions to the literature on teachers' unions. Chapter Two amends the lack of detailed analysis on the NSTU's structures and relationships which moulded and hampered the organization at mid-century, as well as the democratic shortcomings of the union at this time. It argues that the union was an ineffective platform for marginalized and militant teachers, but with little latitude to amend these shortcomings. This chapter fills historiographical gaps in legislative analysis as well, by providing a longitudinal view of the Nova Scotia Teaching Profession Act and exploring its implications for teachers at the board level. Included also

[48] These Acts will be discussed in detail in Chapter Two.
[49] Hope, "The Accomplishments," 5.
[50] Watson, "The Nova Scotia Teachers' Union," 60; Hope, "The Accomplishments," 5.
[51] Hope, "The Accomplishments," 92.
[52] Watson, "The Nova Scotia Teachers' Union," 114.

is an analysis of participation rates in relation to compulsory membership and loose local structuring.

Chapter Three examines the petit-bourgeois aspirations of the NSTU's leadership and the adoption of professional programming among the rank-and-file. It argues that the NSTU's efforts at professionalization were not only ineffective at increasing the bargaining position of the union, but that the very same rhetoric was often disadvantageous to its membership. This portion of the study integrates professionalism's devaluing of women's work with union and government rhetoric. While a wide array of work can identify women's work as undervalued in the educational system, and a number of studies speak to women's exclusion from organized labour, few studies, if any, directly implicate teachers' organizations in creating exclusionary professional rhetoric and policies.[53] The chapter also provides data through the 1970s demonstrating the inequalities between teachers' wages, owing to Nova Scotia's strictly-tiered certification system.

Chapter Four addresses the fact that Nova Scotian teachers have almost no record of militancy from which they may draw in the creation of their history moving forward. Thus, the chapter recovers the knowledge of militant elements. In doing so, it refutes earlier works which have argued that the paradigm created by the Teaching Profession Acts was stable.[54] In fact, it was the catastrophic deterioration of the TPA's bargaining

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[53] See Nina Bascia, "Women Teachers, Union Affiliation, and the Future of North American Teacher Unionism," *Teaching and Teacher Education* 14, no. 5 (July 1, 1998): 551–63, https://doi.org/10.1016/S0742-051X(98)00005-5 and Harry Smaller, "Gender and Status: Ontario Teachers' Associations in the Nineteenth Century." In Nina Basica, ed. *Teacher Unions in Public Education* (New York: Palgrave Macmillan, 2015).
[54] Smaller, "Canadian Teacher Unions," 225.

mechanisms which necessitated the shift to provincial-level bargaining in Nova Scotia. This chapter locates the NSTU and the province in the decline of the post-war labour compromise, and the prelude to the state of "permanent exceptionalism." Chapter Four renders a chronological view of the union-board-province relationship and explores the strategies of the three parties in asserting their interests. The study concludes with long-range analyses of teachers' wages and bargaining efficacy through the 1970s. As noted earlier, a chief benefit of such a view of education is its ability to emphasize the political economy underlying the production of Nova Scotia's citizenry.

In the late 1940s and early 1950s, the NSTU was again growing and stabilizing. In the three decades to follow, the union would come to represent all but a few dozen of the eligible teachers in Nova Scotia.[55] Over 11,000 strong by the mid-1970s, the NSTU continued to punch below its weight in negotiations and drew exasperation from its only partly-invested membership. The study argues that the NSTU's mobilization approaches, whether trade unionist or professional, struggled to maintain, let alone to raise, the bargaining position or status of Nova Scotian teachers. This resulted from the legal and relational structure of Nova Scotian education and the NSTU's internal shortcomings, both of which dissuaded its membership from meaningful participation in their industry. Importantly, the limitations of the NSTU as a platform were not wholly stifling, as sectional teacher militancy was a fixture of this period.

[55] These teachers would have written out of union membership annually.

Chapter Two

The "Cape Breton Mafia": **Structure, Membership, and Democracy in the NSTU**

> Contrary to the slogan on your masthead, *The Teacher* is not the "Voice of the Teaching Profession in Nova Scotia". It is not even a distorted echo. The voice of the teaching profession is buried in staffrooms and classrooms across this province where we carp and complain and vent our frustrations uselessly in our private sancta and seldom push ourselves to a public display of pique.

The foregoing protest was submitted to the NSTU newsletter, *The Teacher,* in December 1973 by Chester, NS Teacher Mary Ellen Clancey. Clancey's grievances would not be aired to just teachers, as the piece was disseminated two weeks later in Halifax's newspaper, *The 4th Estate*, under the headline: "Seething teacher clobbers her union."[56] The subject of the writer's ire is not truthfully *The Teacher* but rather it's parent institution. As the letter progresses, Clancey posits that the NSTU was devoid of solidarity, silent on social issues in schooling, and impotent in negotiating.

Clancey was not the only commentator to warn of these inefficiencies at the time. Indeed, the growing pains which afflicted the organization were numerous in the early 1970s, and were identified by members and outside parties alike. Regional differences would only exacerbate distrust and inequality, as some locals were perceived as the sole focus of central union activities while others could hardly negotiate with their own board.

Despite shifts in the legislative environment of Nova Scotia and changing bargaining procedures, the NSTU was immobilized from within and without. The

[56] Mary Ellen Clancey, "Seething teacher clobbers her Union," *The 4th Estate,* January 2, 1974, 7.

organization adapted only slowly to its circumstances, if at all, even in times of crisis. Rather than adopting traditional union machinery in the mid 20th-century, the leadership of the NSTU followed the lead of its Canadian peers and predominantly focused on negotiating their recognition as a profession. In part, this pursuit of professional status defined the NSTU's structure, limited its capabilities at the negotiating table, and increased its reliance on the provincial government. The NSTU's leadership prioritized and attempted to increase its institutional legitimacy and hegemony, even at the expense of the organization's efficacy as a labour union. Council was similarly resistant to change, bending under pressure from an over-cautious executive and overprescribing responsibilities to locals. Worse, and as demonstrated by Mary Clancey's testimony, some sections of the rank-and-file were actively distrusting of the provincial unit, or were apathetic and uninvolved even at the local level. The union's defeats on the ground were emblematic of the litany of structural issues developed internally and externally: an impotent incorporating act, an incongruous and apathetic membership, massive disparities among locals, and stifling democratic shortcomings. The union's integration with government, coupled with the implications of disorganized locals and members, created weakness in what was a numerically strong organization. As a result, militant and marginalized teachers' issues were not adequately addressed, nor were the bargaining vulnerabilities of NSTU locals.

This chapter traces the structures and legislation which steered the NSTU through the mid-twentieth century and their impacts on the union's role as a platform for its membership. This section begins with an overview of the NSTU's provincial structure, including its powers and leaders. Once these foundations are established, the post-war

labour compromise is introduced as a force for stagnation in the union's design, specifically through the introduction of the *Teaching Profession Acts*. These laws, it is argued, functioned as vehicles for constriction and state intervention, even after the introduction of the *Teachers' Collective Bargaining Act* (TCBA) in 1975. This act is traced from its original drafting by the NSTU to its assent, with particular attention directed at its partial deconstruction by local and provincial government which marginalized local voices. The chapter continues by discussing the ground-level barriers to democracy resulting from the NSTU's statutory membership clause and the structure of its locals. These structural inadequacies coalesced with legal strictures to make the NSTU an ineffectual platform for teachers' demands.

By the 1950s, the provincial NSTU was not a loose amalgam of workers, but an established, bureaucratic, and vertical hierarchy. It was guided by its executive, which comprised 14 to 21 members between the 1960s and 1980s. This included the union's officers: the President, 1st Vice President, and the immediate Past-President; all three of whom were elected by council. The President was elected on a yearly basis until 1974 when the term was increased to two years; those elected to this position were considered the spokesperson and general overseer of the union, as well as an ex-officio member of all executive committees and typically presider of all executive and council meetings. Two more officers, the 2nd Vice President and the Secretary-Treasurer, were elected by the executive at their first meeting following each annual council meeting.[57] The executive was responsible for the operation of the union between annual councils, when they would receive direction from the membership via its delegates. The executive

[57] Fergusson, *The Story,* 162.

managed membership and fees, operated the union's day-to-day activities, directed staff, controlled properties, managed reserve funds, aided locals in negotiations, and populated the professional committee which disciplined members accused of untoward conduct. At council, the Executive reported on its activities to delegates, accepted direction from and formed committees, proposed its own legislation, made recommendations to delegates on resolutions, and collected legislative amendments passed by the delegates for presentation to the Minister of Education. The headquarters of the NSTU in Halifax was populated daily by the union's executive staff, who by 1971 numbered seven and included: an Economic Welfare Coordinator, an Executive Assistant of Economic Welfare, an executive secretary, a Communications Officer, a Business Officer, a Professional Development Coordinator, and a Special Services staffer.[58]

Annual councils were held in this period during March break, typically in the third week of the month. A three-day event by the mid-1960s, council disseminated the annual reports of the NSTU's myriad bodies and publications, and was a platform for locals to introduce and vote on resolutions which would guide union policy, strategy, and law. Council directed the executive to undertake studies or to enact changes in union codes, and had the power to amend the NSTU's constitution. Typically, the president of the union and other figures in education, such as the president of the Canadian Teachers' Federation or Nova Scotia's Minister of Education, would present to the membership on issues in the provincial and national education sphere. Delegates were drawn from the locals at a rate of one for every twenty-five members, plus one additional representative

[58] "Special Services" referred to teacher certification, grievance management, legal case, and other duties. This according to Fergusson, *The Story*, 165.

for every additional fifty members or large proportion thereof. This formula for representation had been in use since 1921, when the union's membership was a small fraction of its 1970s total, which for most of the decade was over 11,000.[59] As a result, council had become a large affair, typically hosting over 200 active delegates and an aggregate attendance of over 300 including staff and alternate delegates.

Each of these structures were created and moderated internally by the union, and while tweaks were made on occasion, such as the number of executive members or the method of delegate election, the bones of the union were remarkably consistent between its re-organization in 1921 and the 1980s. This was not entirely by choice. While the leadership echelons of the organization did have a penchant for moving cautiously, the introduction of the *Teaching Profession Acts* at mid-century all but legislated this pace of progress. By the 1940s, teachers' combinations had proven themselves as platforms for economic and systemic reform in the education system. For instance, the NSTU had successfully lobbied for salary scales not unlike those of today, by the mid-1940s. These scales established minimum wages for each license and were ostensibly egalitarian. Further, the years following World War II would see a dramatic increase in teacher population, and thus many more potential NSTU members than ever in provincial history.[60] Elsewhere, teachers had been on strike or had been threatening strike by 1925, and British Columbia's teachers had affiliated with the Trades and Labour Congress in

[59] Fergusson, *The* Story, 44; Fergusson reports NSTU membership in 1929-30 as 1,280.
[60] George Perry, "'A Concession to Circumstances': Nova Scotia's 'Unlimited Supply' of Women Teachers, 1870-1960," *Historical Studies in Education / Revue d'histoire de l'éducation*, (October 1, 2003) 327–60, https://doi.org/10.32316/hse/rhe.v15i2.458, 347.

1934.[61] These developments in power, as well as the efforts of provincial union executives, helped to trigger a legislative response to the growing power of teachers' collective advocacy in a subtle but nationally-adopted legal regime.

The 1940s and 1950s were significant for Canada's entire labour sphere, public and private, as provincial and federal governments successfully bartered with organized labour to create a more formal bargaining environment. The result was a more routinized and legalistic relationship between all three of the major economic actors: workers, public capital, and private capital.[62] This new paradigm negotiated workers' demands for legitimacy and capital's demands for a less volatile labour dynamic. The class conflict which characterized the Great Depression and World War II encouraged the Canadian state to peddle this new paradigm, now known as the Postwar Compromise. This new paradigm was meant to increase capital's confidence in crisis-ridden national class relations, and would rely much more heavily on state intervention. Indeed, the federal government dabbled in back-to-work legislation for the first time in 1950 during the national railway strike, where well over 100,000 rail workers withheld their labour, winning a forty-hour work week but acquiescing control over certain managerial concerns.[63]

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[61] Harry Smaller, "The Teaching Profession Act in Canada: A Critical Perspective." In *Labour Gains, Labour Pains: 50 Years of PC 1003*, eds. Cy Gonick, Paul Phillips, and Jesse Vorst, (Halifax: Fernwood Publishing 1995), 347.
[62] For an overview of this process, see Peter S. McInnis, *Harnessing Labour Confrontation: Shaping the Postwar Settlement in Canada, 1943–1950*, (University of Toronto Press: 2002).
[63] McInnis, *Harnessing Labour Confrontation*, 188.

Having struggled to win recognition for decades and having long been subjected to flagrant abuses by management, rank-and-file union members were generally amicable to increased government intervention so long as the result would be a more rule-based system for collective bargaining. The most significant development of this momentary intersection in interests between labour and the state was 1944's Privy Council Order 1003 (PC 1003). Proclaimed under the authority of the War Measures Act, it ostensibly enshrined the right to collective bargaining, protected workers from unfair labour practices, ensured that unions would be officially recognized, and made striking illegal during the tenure of collective agreements.[64] Thus, the directive sought to reduce the spasmodic nature of labour action, relieving the risk of unexpected losses to private property while guaranteeing recognition to unions.

Owing to the same trend of mutual desire for structure, a similar act for the teaching industry was reached on a province-by-province basis between the mid 1930s and early 1950s. This law also integrated the operation of teachers' organizations with government, who would not act as a mediator as in PC 1003 but as a direct regulator of internal union activity. These laws would be named, almost without variation, the *Teaching Profession Acts*, and Nova Scotia would grant assent to their version in 1951. It was uniquely named *The Nova Scotia Teachers' Union Act*,[65] but there was nothing unique about the policy in practice.

[64] Aaron Mcrorie, "PC 1003: Labour, Capital, and the State." In Labour Gains, Labour Pains: 50 Years of PC 1003, eds. Cy Gonick, Paul Phillips, and Jesse Vorst, (Halifax: Fernwood Publishing 1995), 16.
[65] Its short title would become the *Teaching Profession Act* in 1968.

The executive of the NSTU had been pursuing aspects of a professional act since the 1930s. Particularly, they had hoped for statutory membership and a dues check-off to add numerical strength and financial stability to a union which could hardly claim either during the Great Depression.[66] The title of these acts is significant, as the history of this legislation cannot reasonably be de-coupled from the history of professional rhetoric.[67] It was believed at mid-century by some provincial executive members, in organizations across Canada, that a job must first become a profession before it should be afforded bargaining rights. During Norman Fergusson's three-decade career in the NSTU, the executive secretary would find a staggering number of ways to say: "professionals negotiate." These aspiring professionals also believed that, in turn, conditions for teachers would improve as a function of rising professional status. It's been noted that this belief tended to be that of the male "educational elite" who would come to dominate the leadership of teachers' organizations at this time in Canada and abroad.[68] Indeed, opinions on professionalism were not uniform before Nova Scotia got its own *Teaching Profession Act*, nor was there agreement about whether this kind of legislation was even necessary. After all, the NSTU had been operating for decades with only an internal constitution. It was even noted in 1964 by the NSTU's legal counsel that the Act was, from a bureaucratic standpoint, a formality of incorporation that enshrined limited liability, recognition from government, and the right to control funds and property.[69]

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[66] Fergusson, *The Story*, 102.
[67] The Nova Scotia Teachers' Union Act was internally referred to as their "professional act" during drafting.
[68] Smaller, "The Teaching Profession Act," 347.
[69] "Summary of the Proceedings of the Annual Leadership Conference of the NSTU." In Minutes of Annual Council June 24-26, MG20 Vol. 634 item 2, Nova Scotia Teachers'

While this explanation understates the importance of the act to the operation of the union, it does underline that it was never necessary to sustain the NSTU.

Harry Smaller, Professor Emeritus of York University's Faculty of Education, has argued that the *Teaching Profession Acts* enforced governmental control over teachers' working relations, rather than ascribing any professional status to teachers. Though this work omits the Maritime provinces, it can hardly be said that it lacks wide applicability since most of these laws were nearly perfect copies of one another, and include many instances of identical language. For most purposes, having read a *Teaching Profession Act* from Saskatchewan, Alberta, Ontario, or Nova Scotia is to have read each of the others. Smaller identifies some defining characteristics of these Acts:

> First, a clear prescription that all teachers and school principals employed by publicly funded school boards in the province must be members of a provincially [prescribed] teachers' association; and second… that all matters relating to the structures and formal activities of these organizations… are to be determined by regulations approved through orders-in-council of the respective provincial governments."[70]

Some variants, such as Nova Scotia's, also promised to endow upon the union a professional discipline function.[71] But despite these discipline provisions or compulsory membership clauses, the *Teaching Profession Acts* were more lip service than substance on the task of professionalizing the union. What Smaller notes about the law in other provinces holds true for the entire history of the *Nova Scotia Teaching Profession Act*

Union Fonds, Nova Scotia Archives; Many objects in this fond do not have item identifiers.

[70] Smaller, *The Teaching Profession Act*, 342.

[71] This is not a feature of every Act, Saskatchewan had no such policy in its original act of 1935.

(NSTPA); teachers in Nova Scotia had no right to determine "the entry, training, certification, or pedagogical practices of their members" under the Act.[72]

The organizational implications of the *Teaching Profession Acts* were serious. Not only did they often prescribe the style of the organization, in Alberta going so far as to define the timing of annual councils, but they also restricted their internal decision-making. To this end, the NSTPA gave the province veto power of all changes to by-laws, and foisted upon the union the necessity of a two-thirds majority of council to even recommend such a change. "No by-law shall have any force or effect," read the act, "unless and until it has been approved by the Governor-in-council and no by-law shall be submitted to the Governor-in-council unless and until it has been ratified… by a two-thirds majority vote."[73] This would be more than an inconvenience for the NSTU, as the policy codified that changes in structure must come about almost unilaterally, but with the added difficulty of a government veto. Should the union choose to amend the NSTPA, a component of their own constitution, it would have to traverse a council and at least one sitting of the provincial legislature. Thus, urgent changes were almost out of the question until this clause was repealed. Government approval of by-laws was eventually cast off in 1974, though the two-thirds clause remained. [74] It is unclear whether this integration with government was proposed by the union's leadership or the province, as both clauses appear in a 1950 draft of the Act. No matter where they originated, the government had

[72] Smaller, *The Teaching Profession Act*, 343
[73] *An Act Respecting the Nova Scotia Teachers' Union*, amended to March 1958, 2011-062/006-51, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[74] This clause was removed at the same time as the Teachers' Collective Bargaining Act was passed.

very effectively blocked the NSTU from taking control over its own affairs and those of the teaching profession, and the leadership of the NSTU accepted these restrictions.

The council, for its part, was apprehensive. At the 1947 annual council, a draft of the Act was presented to the delegates alongside the comment from 1st Vice President, G.E. Tingley, that "N.S. is the last to have any such Act, B.C. only lately gaining what is equivalent to such."[75] It was asked by a Halifax City delegate whether there was a point to the legislation, prompting the Past President Dr. C. Mosher to reason that it was important "because the council asked for it, and because of automatic deduction of fees." When the executive was pressed further, Tingley responded that "several other Professions have control over their members, admittance, discipline and several Acts have clauses 're' certification of teachers." The 1st Vice President was mistaken on the lattermost item listed. Evidently, the executive felt they needed to catch up with the status of other Canadian teachers who had already been declared "professionals" by their governments even if only nominally. This ascent into the ranks of professionals was seen as so important that it was worth trading their autonomy, as other unions had already done.

It is important to manage the effect of hindsight in discussing the *Teaching Profession Act.* Though the implications of professionalization and integration with government have become more clear with study, most of the anxiety at this council was directed at the proposed disciplinary mechanisms. "Even now there is some evidence," read the minutes, "of fear in accepting the Act on account of the disciplinary committee,

[75] "Minutes of the 26th Annual Council," 1947, 2011-062/003-07, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 32.

as evidenced in the questions after the vote."[76] The disciplinary committee, known in subsequent drafts as the professional committee, would give the five members elected by council the power to investigate "conduct unbecoming to the teaching profession," to expel or suspend a union member, and to recommend further action to the Minister. The draft also included a board of appeal, which would have comprised one NSTU member and two appointees of the Governor-in-council and have the ability to overturn the executive's decision. The board of appeal was struck from the act before it was made law, likely because this section contained the stipulation that a teacher's license may be cancelled or suspended if they are ejected from the union. This power over certification was retained by the province instead.

Professional conduct was perhaps the most diverging feature of these Acts across the provinces. Canada's first *Teaching Profession Act* was introduced in Saskatchewan in February 1935 and had no provisions for a discipline committee of any kind until amendments were made in 1953. When it was finally introduced it was highly detailed, containing a list of actionable offenses and a highly legalistic regime for investigation and hearing procedures.[77] Alberta passed their equivalent act two months after Saskatchewan, in April 1935, and immediately were granted the ability to expel members as well as give them hearing before a board of appeal.[78] Ontario's system was most similar to Nova Scotia's, with the right to expel members but no law concerning appeals. None of these jurisdictions were granted the right to cancel a teacher's license nor to reprimand a

[76] Ibid.
[77] *An Act respecting the Teaching Profession*, RSS 1953, c 183.
[78] *An Act respecting the Teaching Profession*, SA 1935, c 81.

member through means other than expulsion or suspension from the union.[79] The discipline clauses of these Acts weren't entirely useless to teachers' organizations, as they guaranteed the right to manage membership somewhat, but teachers were entirely circumvented in the process of certification granting and were powerless to police certificates after their issuance.

Internally, the *Teaching Profession Acts* were substantial in their implications on the union, but outside the central office they were less potent. In fact, they had no impact on board-local relations in Nova Scotia, and went to lengths to preserve status quo procedures in pay, benefits, and negotiations. Having been sidestepped in terms of genuine professional control, it should have come as no surprise to teachers that their professional legislation would not include collective bargaining rights, but omissions in these Acts in Nova Scotia went so far as to make teachers' occupational status somewhat vague. Smaller notes that negotiating machinery for teachers was created in spite of *Teaching Profession Acts*, rather than being incorporated into them. This is certainly true for the aforementioned jurisdictions outside of Nova Scotia; bargaining rights for teachers were not legally enshrined in *Teaching Professions Acts* but were confined to other laws, and usually long after the introduction of the *Teaching Profession Acts*. As in Ontario and Saskatchewan, Nova Scotia's teachers waited until the mid-1970s for genuine collective bargaining rights.[80]

[79] In Nova Scotia, this freedom would be added later and will be discussed in Chapter Two.
[80] Smaller, *The Teaching Profession Act*, 341.

The Nova Scotia Teachers' Union Act would, shortly after its introduction, come to include minimal procedures for negotiations between locals and school boards, albeit with disappointing results. Having been written by the Department of Education, these policies were not designed to allow the NSTU to make consistent, substantive, and durable gains in employment conditions. Worse, there were some, mostly urban, locals which had no history of bargaining on their own accord.[81] The provincial government had bargained on their behalf with boards in the past, and would give this responsibility over to the locals in the coming years. This lack of experience by some locals may have made bargaining less effective, but just like the new legislation, would not change its mechanisms.

In 1953, the introduction of section 6A legally allowed the NSTU to bargain on behalf of teachers in school boards where the majority were union members. It also provided for a conciliation process should a dispute arise that could not be resolved among the two parties. If negotiations broke down, the teachers' local would request that the central NSTU give notice to the board that they wished to strike a conciliation commission, and at the same time declare its nominee. The board would then respond with their nominee, and the chair of the commission would be selected at the representatives' agreement. If one party did not nominate a commissioner, one would be chosen by the judge of a county court. The same selection process would apply if the two commissioners could not agree on a chair. Once appointed, the commission would enquire into the matters in dispute and decide either unanimously or by a majority of two on their recommendation. This style of conciliation process was not uncommon for

[81] Hope, "The Accomplishments," 19.

public sector disputes or even other provinces' education sectors.[82] Saskatchewan employed very similar provisions in the *Teachers' Salary Negotiation Act* of 1949.[83]

The most crucial feature of this section was not that it formalized bargaining between teachers and their employer, but that it only pantomimed doing so by legally enshrining the negotiation process. There were no binding clauses in the law which would even require the school board's participation.[84] It was even within the rights of the board to ignore the teachers' request for conciliation; they need not expend any human resources to give the NSTU the silent treatment.[85] The dynamic inevitably enforced by this structure was that teachers were incentivized to accept even modest concessions when offered, because other paths of action could result in the revocation of any gains whatsoever. One strategy through which the teachers could entirely circumvent this process, and one which was used no fewer than a dozen times over the 1950s and 1960s, was the "pink letter method." This practice saw the majority of teachers would resign en masse in order to pressure the school board to hear their demands. While risky, "coincidental resignations" proved effective in many cases but were not adopted as a matter of course for most locals.[86]

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[82] The Provincial government had arranged similar dispute resolution mechanisms on a provincial level with the Civil Service Association; Anthony Thomson, "The Nova Scotia Civil Service Association, 1956-1967," *Acadiensis* 12, no. 2 (Spring 1983): 97-8.
[83] *An Act to amend The Teachers' Salary Negotiation Act*, 1949, SS 1952, c 67.
[84] Technically, the NSTU had all of the same rights, but had no reason to mount this practice.
[85] This was common practice in some boards and the problem only intensified over the following two decades.
[86] The most prolific pupil of the pink letter method was likely the Sydney local. The practice will be discussed further in Chapter Four

The legislators who read and discussed the negotiating amendments to the NSTPA were aware that the bill would result in minimal changes to the relationship between teachers and their boards, so it passed with little discussion in March 1953.[87] "It gives the Union the right to negotiate with the employer… I think that is a right that it did not have formerly, although it might very well be done… There is nothing compulsory," said George Isaac Smith, then Colchester MLA, who introduced the Bill. "If the other party does not agree, such commission cannot be appointed, and if after the commission is appointed and makes a report, there is nothing binding about the report."[88] Smith, who would join Premier Robert Stanfield's conservative cabinet in 1956, invoked numerous times during this address that the Department of Education had drafted these provisions, while teachers were only noted as having input on the timeframe for appointing commissioners. Entering into conciliation was not mandatory, but even if a board chose to do so, the acceptance of the commission's recommendations was equally unnecessary. The suggestions of the conciliation commission were meant only to be "considered as recommendations" in the board's next budget consideration.[89] Broaching urgent issues would be out of the question entirely, in the same manner as with by-laws.

Again codifying what was the norm, the NSTPA provided no clauses relating to the ratification of a contract between a board and teachers when acting as a group. An internal union document from 1965 purports that, "despite Section 6A, the results of our negotiation in many instances are mainly recorded only in the minutes of some School

[87] Another amendment, statutory membership, received more scrutiny.
[88] Nova Scotia, *Debates and Proceedings of the Nova Scotia House of Assembly,* 3 March, 1959, https://0-nsleg--edeposit-gov-ns.ca.legcat.gov.ns.ca/deposit/HansardDeposit/44-04/19530303.pdf, 21.
[89] *An Act respecting the Nova Scotia Teachers' Union*, amended to March 1958.

Board meeting. Such being the case, they could in theory be revoked at any time unilaterally by the Board. This is just not good enough for the teaching profession."[90] The same document reported that agreements were often misremembered, misinterpreted, or misunderstood. That year, group agreements were active only in Antigonish County, Inverness County, Kings County, Pictou County, Queens County, Inverness, Lockeport, North Sydney, Port Hawkesbury, Queens, and Truro.[91] As a product of necessity, establishing group professional agreements with all boards in the province became a goal of the NSTU. The drive to sign such agreements would continue into the 1970s because, by 1972, twenty-one out of sixty-nine school boards had not yet signed professional agreements with their teachers.[92] The NSTU suggested that each teacher also arrange a personal contract with each school board as group contracts were not strictly enforceable under the NSTPA.

Negotiating machinery changed only marginally before Nova Scotian teachers got their collective bargaining act in 1975, but the NSTPA enshrined one stipulation that beset the NSTU through all of these legal shifts. Statutory membership, which had been among the NSTU's highest priorities in the 1930s, 1940s and 1950s, would prove to increase at once the union's size and its membership's apathy. Much is made in Fergusson's official NSTU history of statutory membership. Progress toward its implementation is chronicled from the 1930s, and when recounting its introduction in

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[90] "The Scope and Need for Group and Individual agreements," 20 January, 1965, 2011-062/005-17, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[91] "Executive Report." In "Minutes of the 44th Annual Council of the Nova Scotia Teachers' Union," 20-23 April, 1965, 2011-062/001, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[92] As of July 1971. "Executive Conference," 29 June – 1 July, 1972, 2011-062/013, 2011-062/013-18, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

1956, the author is nearly elated. “After more than twenty years of effort, discussion, and delay, statutory membership was thus achieved in the ‘50s and was one of the key factors contributing to the growth, economic viability, and influence of the NSTU.”[93] The provision was certainly a popular one among other teachers’ organizations. Alberta, Saskatchewan, and Ontario had already received compulsory membership laws by this time. In Nova Scotia, there was concern among the government that statutory membership for teachers would set a dangerous precedent for labour, but the provision would pass owing to the “number of principals and supervisors who were willing to appear in support of the amendment,” wrote Fergusson.[94] Interestingly, though compulsory membership was granted ten years after the Rand Formula was established in the Supreme Court of Canada, write-outs would not be compelled to pay dues until amendments to the TPA were assented to in 1974.[95] Still, as the 1950s progressed and membership trended rapidly upward, the union could increasingly claim to represent the teaching profession across Nova Scotia.

Despite obvious similarities, teaching had not become a closed-shop profession nor has it become one since.[96] Smaller points to the fact that, in a closed-shop system, the workers of an industry have both the option to unionize and the choice of their preferred

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[93] Fergusson, *The Story*, 104. This version of the legislation included a permanent write-out option, which was amended to an annual write-out in 1958.
[94] Ibid. 102
[95] *An Act to Amend Chapter 109 of the Acts of 1968, the Teaching Profession Act*, 23 Eliz. II, c. 109. The Rand Formula, another of the labour-state negotiations of the 1940s, compels members of unionized industries to pay dues whether they voted to unionize or not. It came into force in 1945 as an arbitration measure in the Windsor Ford strike and began applying to NS teachers with these revisions to the TPA.
[96] Though it is usually referred to as “compulsory membership,” The policy is referred to in some NSTU documentation as constituting a “closed-shop” despite these differences; 1972 executive conference minutes.

union; those who enter the industry later do so only after the workforce had made these decisions democratically. In the case of teachers' combinations, the measure was not the result of a referendum nor was the union itself chosen by the industry.[97] While those opposed to the NSTU had the ability to write out, this resignation was only valid for one year before renewal was needed. This is perhaps a small barrier, but a barrier nonetheless and one which is more difficult to surmount than simply not participating in union activity. The significance of the NSTU being chosen for teachers rather than by teachers, lies in the fact that there are no alternative unions. Thus, while there are some bureaucratic measures for holding leadership accountable, there is no possibility of wholesale replacement.

This was not always the case before the NSTPA. Two decades before the Act was implemented, some Halifax teachers voted with their feet and seceded from the organization entirely. The Halifax local of the 1930s was anomalous both for its high proportion of male teachers and its high level of education. Accordingly, many of the men involved in this local aspired to senior and supervisory positions in education.[98] When a pay reduction for Halifax teachers was announced in 1932, the majority of the local's men attempted to assuage this cut by bargaining for men's salaries alone as the Halifax Men Teachers' Association, previously a social club. This left a predominantly female Halifax local both numerically and socially disadvantaged. When the executive recognized the men as a legitimate local and voiced their desire for the "two Halifax locals [to] get together in a friendly spirit," the original Halifax local removed itself from

[97] Smaller, "The Teaching Profession Act," 343.
[98] Watson, "The Nova Scotia Teachers' Union, 48.

the NSTU and did not return until 1936-37.[99] A secession of this nature would not be feasible after 1951, as both the NSTPA and the TCBA awarded sole bargaining rights to the NSTU, thus officially solidifying the union's grasp on its locals.

Once compulsory membership was achieved through the NSTPA, the union began collecting a vast membership with an array of opinions and interests, but with no other options. By the 1970s, the NSTU was breaking historical membership records almost annually and union density was consistently over 96 per cent, per **Table 1**. It was also at this time that calls were being made to evaluate the efficiency of the union and to make updates to its decades-old structure. The Executive was directed at 1969's annual council to establish an ad-hoc committee to this effect and permitted it to engage outside consultation in the preparation of a report and recommendations for the rationalization of the union. This committee was ad-hoc in name only, as it became a fixture of annual councils until the release of its final report in 1974.

The structure committee invited management consultant Booz, Allen and Hamilton Canada, Ltd. to hold the mirror up to the NSTU. The firm's American parent, now colloquially known as Booz Allen, is a United States-based consulting firm which cut its teeth working with Goodyear Tire and Montgomery Ward. During World War II, Booz Allen helped to pioneer the United States' war plans before their official entry into the conflict, most notably collaborating on sketches of U-boat counteroperations.[100]

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[99] Fergusson, *The Story*, 53.

[100] Their claims to fame have become more dubious in the twenty-first century, now operating solely as a government contractor and routinely in intelligence and espionage; Edward Snowden was a Booz Allen employee when the analyst fled to Hong Kong and turned whistleblower against the National Security Agency.

Year	Write-Outs	Permits (Academic)	Total Teachers	Members	Union Density
1970-71	270	139	10,604	10,195	.961
1971-72	189	56	10,351	10,106	.976
1972-73	148	35	10,541	10,358	.982
1973-74	73	52	10,998	10,873	.989
1974-75	45	29	11,375	11,301	.993
**1975-76	20	47	11,658	11,591	.994
**1976-77	13	26	11,370	11,332	.997
***1977-78	7	26	11,370	11,337	.997

Table 1: Membership and Write-out Statistics, 1970-78[101]

By the time of their requisition by the NSTU around 1969, Booz Allen Canada was large and diverse, but very much at home in organizational and industrial consulting for an array of public and private firms. Their resume included projects in urban design, libraries, transport, and the coal industry. The structure committee and Booz Allen were instructed by the NSTU council to compile a "study of [the] whole operation to ascertain our future growth and development re Staff, Services and Program, in relation to projected income and energy expended."

Phase 1 of this study involved the engagement of the rank-and-file, executive, and write-outs, as well as the completion of surveys and the review of council documents. Booz Allen's "Survey of Structure and Operations," presented to the NSTU in October 1971, made a number of observations on the NSTU's membership which support the conclusion that it was punching below its weight. In fact, the report surmised that, despite numerical strength, a large portion of the NSTU was apathetic and inactive. By 1971, the

[101] This data was compiled from Executive Reports from 1975, 1977, and 1978.

NSTU comprised more than three times the membership it had boasted in 1950, but it was led by a "small core of perhaps 50 to 75 leaders" who were the preeminent steering personnel for a rank-and-file that was 80-90 per cent passive and non-participatory in the activities of their locals.[102] Even in Booz Allen's own engagement session, they were disappointed by members' activity, recounting that "as few as seven individuals [appeared] at one meeting."[103] The dearth of activity was connected in the study to serious communications deficiencies besetting the union. Booz Allen identified a "lack of receptivity to communications activities designed to keep members informed and solicit their views." Thus, there was little understanding among union members about the programs offered by the provincial unit. In fact, the report posited that "virtually none" of the members were aware of the union's long-term goals.[104] Somewhat defeatedly, the report conceded that "there is no general solution to combat membership apathy."

Outside issues in communications, Booz Allen also attributed disinterest in the union to the fact that "many are members as a result of the automatic membership provision rather than because of common goals."[105] But statutory membership did not result invariably in the apathy of members, and there were also those in the union with strong convictions on its operations. "A majority of the persons interviewed," said the report, "express great concern that: (1) the Nova Scotia Teachers Union places excessive

[102] Booz-Allen Hamilton, "Survey of Structure and Operations Phase I," 26 October 1971, 2011-062/005-56, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 9.
[103] Booz-Allen Hamilton to the NSTU Structure Committee, 11 November, 1972, 2011-062/005, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[104] Booz-Allen Hamilton to the NSTU Structure Committee, 11 November, 1972, 2011-062/005, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[105] Booz-Allen Hamilton, "Survey of Structure and Operations Phase I," 26 October 1971, 2011-062/005-56, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 9.

emphasis on economic welfare and compensation or (2) that the Nova Scotia Teachers Union places excessive emphasis on professional development and provincial education activities."[106] This data would not be so telling if not for Booz Allen's comment that many of those interviewed found these standpoints irreconcilable.

The union's direction was thus hampered in triplicate: twice by conflicting opinions and once by having no opinion at all. These rifts make it seem very reasonable that there would be a degree of mistrust among the membership. Many or all would feel unrepresented almost as a matter of course considering the membership's trimodality. According to Booz Allen: "the central structures of the NSTU… are often seen as uncommunicative, mysterious, and inscrutable and hence, are viewed with suspicion." They go on to report that many in western Nova Scotia refer to the central unit as the "Cape Breton Mafia" while in Cape Breton it is cast as a collection of "turncoats" concerned predominantly with Halifax and in cahoots with the government.[107] Making sense of these claims, as well as the uninvolved nature of others, rests in large part on the rank-and-files' contact points with the union and the democratic processes which intend to gather opinions from the teachers on the ground.

School staff in the NSTU didn't tend to interact with the provincial union daily, and thus their engagements were mediated by the locals. These units are difficult to assess in a consistent and wholly-applicable manner as they vary widely in structure, size, principles, and power. The most normative statement that can be made about the locals of

[106] Ibid, 14.
[107] Booz-Allen Hamilton to the NSTU Structure Committee, 11 November, 1972, 2011-062/005, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

this period is that their differences contributed to the malaise and underrepresentation of many union members. One aspect consistent to all locals was that they fell under the control of the by-laws, the NSTU Act, and the council.[108] They were free to operate in areas where no policy had been created by the central unit, but where procedures had been established, they were binding. Locals' other responsibilities included: defining their own quorums, meeting regularly, studying proposals requested by council or the executive, and negotiating with school boards. Essentially, locals managed their own affairs and made their best effort not to step on the central unit's toes. Locals in this era were, as evidenced by their diversity, products of the union's early history wherein the organization was more akin to an agglomeration of locals than of a cohesive unit. As such, the NSTU's constitution had not defined local structure outside of broad guidelines, likely because their responsibilities and positions were so diverse that such regulation would be impracticable. By the numbers, the range of circumstances between locals was immense. In the early 1970s, a single local could find itself negotiating with between one and six boards, and covering between one and fifty-nine schools; membership numbers ranged from the low twenties in areas like Lockeport to over 1,500 in Halifax City.[109] As school boards amalgamated and the NSTU responded by doing the same with its locals, the number of schools assigned to each would only increase through the 1970s.

It is obvious that locals would demonstrate differing levels of ability with these discrepancies, but numerous factors exterior to the locals themselves had an even greater impact on their operation. Lacking enthusiasm in the membership, of course, was an issue

[108] *An Act Respecting the Nova Scotia Teachers' Union*, amended to March 1958.
[109] Booz-Allen Hamilton, "Survey of Structure and Operations Phase I," 26 October 1971, 2011-062/005-56, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 23.

for some locals, and the aforementioned Booz Allen report described participation as varying from "minimal to very high."[110] Likewise, the leadership of locals was either long-lasting or a revolving door. The consultants described some locals as undemocratic and suffering from "domination by the same personalities for lengthy periods." The executive corroborated this observation at a 1968 meeting, writing that: "there are many teachers not attending local meetings, but there is a hard core that does go."[111] Yet another inconsistency among locals was how they varied on their perceived purposes, primarily along the lines of the professional-unionist debate. Some operated predominantly as a negotiating body while others spent a much more considerable amount of time promoting professional engagements. This is not purely a question of ideology. It is perfectly reasonable that a local, perennially ignored by a school board, could continue to serve its members in another, possibly more professionally-oriented, role.[112] Locals, thus, could have housed any combination of standing and ad-hoc committees at a given time. For instance, the Truro local of the late 1950s had a flowers committee and a social committee, both of which outnumbered the negotiating committee by one member.[113]

All locals had unique problems, though small rural areas of the province seem most likely to have been constrained by geography, human resources, and democratic power. Examples of these tribulations are present throughout the period of study. In 1971,

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[110] Ibid, 24.
[111] "Executive Deliberations," 23-26 June, 1968, 2011-062/013, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 32.
[112] This dynamic will be discussed further in Chapter Two.
[113] Minutes of the Truro Local N.S.T.U., 24 September 1957, 2011-062/001-24, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

some local members were forced to travel nearly 100 miles to participate in meetings.[114] The Northside-Victoria District school board reported as late as 1984 that Victoria's school division was populated by 1,813 students in a 170-mile radius, making travel between schools for students and teachers alike a significant expense.[115] Though these are worthwhile concerns, isolation was more consequential than commute times. It was a significant issue for some locals who historically faced difficulty accessing resources from the central office and even recruiting teachers. In 1965, the Guysborough East local brought the following resolution to council:

> Whereas there are some areas in Nova Scotia where the school is very isolated; and Whereas in these areas consolidation appears not to be imminent or possible; and Whereas the pupils in these areas are subjected year after year to the services of permissive teachers because licensed teachers cannot be attracted to these areas; BE IT RESOLVED that the NSTU ask the proper authorities to make a survey of these areas with the view towards asking the provincial government to offer isolation pay over and above the current scale to licensed teachers who will go to teach in these areas.[116]

While this request was initially passed to the Economic Policy Committee for study, it was sent back to the locals with the suggestion that they take action toward amending this problem themselves. Isolation also impacted attendance at annual council, sometimes reducing locals' voices to an empty space on a roll sheet. Some historically small locals, like Lockeport, with fewer than 25 members in the early 1970s, had at most a handful of

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[114] This is almost certainly an extreme and uncommon case, but it is an important reminder that large swaths of Nova Scotia, particularly Guysborough County, were not party to the highway expansions of the 1960s-1990s and some areas remain traversable only with great time commitment.

[115] "A Submission to the Formula Review Committee by the Northside-Victoria District School Board," 1984, 2011-062/005, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

[116] "Minutes of the 44th Annual Council of the Nova Scotia Teachers' Union," 20-23 April 1965, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

delegates and as such may have had to weigh whether the commitment to travel to Halifax each March was worthwhile.[117]

Reflecting disparate geographies and perhaps their reported mistrust for the central unit, Cape Breton's Glace Bay local suggested in 1972 that "at least one executive staff member be stationed in Cape Breton, closer to the teachers and problems of said area."[118] Though this request was taken up, council had directed the provincial unit in 1971 to take the recommendation of the Kings local, who had introduced a policy that would have the provincial union "provide negotiators to work with the economic committees of those locals which request such assistance. Such negotiators could represent the committee in direct negotiations with their respective school boards, if the negotiating committee so desired."[119] The following year, the New Waterford local remarked on how contract negotiations were hampered by the amount of time they required and the inexperience of negotiating committees. The executive affirmed at least the first of these observations, having reported that 1971-72 saw a marked increase in the direct involvement of the executive in local negotiations. Central office members were present during this year in Halifax City, Digby Regional, Digby Urban, Digby Municipal, Windsor Regional, Trenton, Pictou Municipal, Chester, New Waterford, Northside

[117] In 1970, Lockeport had no representatives at Annual Council.
[118] "Minutes of the 51st Annual Council of the Nova Scotia Teachers Union," 14-17 March 1972, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[119] "Minutes of the 50th Annual Council of the Nova Scotia Teachers Union," 13-16 April 1971, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

Victoria Amalgamated, Cape Breton Municipal, Halifax Municipal, Kings Amalgamated, and Sydney.[120] Even large locals, it seems, were in need of extra support at the table.

The NSTU further responded to complaints of isolation and regional representation in the early 1970s with some new policies aimed at democratic inclusion. New local structures were disseminated at annual council and council itself was restructured slightly to allow for greater regional representation. 1972 was the first year that the NSTU's executive would be elected by region; this was in response to a 1971 resolution which was signed by a dozen locals and which read, in part:

> Whereas Locals in certain geographically isolated sections of the province are of the opinion that they have an inadequate voice in the vital decisions taken by our Executive, and Whereas the present channels of communication do not allow for an adequate two-way flow of information and opinion between these areas and the upper echelons of the NSTU, and Whereas many delegates at this council are concerned with what appears to be lack of direction to the Executive regarding the question of redistribution of area representation on the Executive, BE IT RESOLVED that the Executive or a committee empowered by them make a study of area representation on the Executive with the aim of designing a redistribution that will ensure adequate representation of geographically isolated areas of the province, such as Cumberland, Yarmouth, Digby, and Shelburne Counties.[121]

Enhancing regional representation was a step in the right direction, but other reforms meant to further include far-flung locals and to streamline NSTU democracy were less successful.

One such recommendation of Booz Allen and the Ad-Hoc Committee on Structure was that a new type of local member, the School Representative, should be the

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[120] "Report of President and Executive to council," 14-17 March 1972, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[121] "Minutes of the 51st Annual Council of the Nova Scotia Teachers Union," 14-17 March 1972, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives. The twelve locals were: Oxford-Pugwash, Springhill, Amherst, River Hebert-Joggins, Shelburne West, Lockeport, Shelburne Area, Yarmouth, Digby, Clare, Inverness South, and New Waterford.

"basic unit" of the union.[122] The proposed system would give a local one school representative for every one to twenty-five active members and one additional representative for every additional twenty-five members or major fraction thereof. Their responsibilities included: obtaining their members' thoughts on professional and economic concerns, disseminating info on local and provincial matters, and calling no fewer than three meetings per year.[123] This new position was also to have the ability to vote in the local executive. Among the recommendations was the guideline that these executives meet no less than six times per year, the clearest indication that this program was targeted at increasing local activity. By delegating a very specific task to a new class of members and by creating two guidelines for the frequency of local meetings, the NSTU seemingly hoped to legislate away local idleness.

The fact remained, however, that locals' structure could not be prescribed by the Executive and as such, the school representatives program was not mandatory. Rather, the locals asked each school's members to appoint them.[124] The number of locals that adopted school representatives is not clear, but in a 1984 governance and structure review, it was reported that locals were having difficulties getting members to fill the position.[125] This same study found some evidence that locals remained largely uninvolved even a decade after the Booz Allen report. This new structure committee

[122] Booz-Allen Hamilton, "Survey of Structure and Operations Phase I," 26 October 1971, 2011-062/005-56, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 52.
[123] "Report of the Ad Hoc Committee on Structure," March 1974, 2011-062/005-39, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[124] "Constitution – Halifax Local Nova Scotia Teacher's Union," 1975, MG20 Vol. 1016 item 7, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[125] "Governance and Structure Review," December 1984, 2011-062/005-38, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 26.

invited locals to meet with them to discuss their concerns, but only five chose to do so.[126] The committee remarked, however, that "although initially disappointed with the response of Locals, the Committee felt that Locals not responding did not have any major concerns to express." A questionnaire distributed to a random selection of the membership indicated that locals did have concerns, but that the committee may have been correct in surmising that expressing them was not a priority. Fifty-nine percent disagreed with the statement: "Local leadership is undertaken by many, rather than fewer members," and more than a third of the respondents remained neutral on questions regarding local meetings and programs.[127]

The compounded attributes of choking legislation, division, inaction, and inaccessibility created a council and indeed a whole union that moved slowly when it did move, even at opportunities to improve the union's democratic procedures. When action was taken, it was frequently at the behest of the executive. A key recommendation of the Booz Allen and Structure Committee reports of the early 1970s was the pruning of annual council, which had become too bloated, too lacking in continuity, and too redundant. Worse still, some of those who did attend annual council testified they often did so because nobody else in the local was willing to go. This, said Booz Allen, was an issue only exacerbated by repeated resolutions and the pool of replacement delegates.[128] Of the more than 300 attendees, a massive proportion were replacements, who filled in for a delegate from their local who was not present. Booz Allen stated that the number of

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[126] Ibid, 4.
[127] Appendix F, "Governance and Structure Review," December 1984, 2011-062/005, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[128] Booz-Allen Hamilton, "Survey of Structure and Operations Phase I," 26 October 1971, 2011-062/005-56, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 25.

replacement delegates at the 1971 council was 187, and thus those voting on resolutions may have suffered from lack of information and background on important issues. The report would have been justified in noting as well the fact that council sessions would often carry on late into the evening.

The resolution which was to amend some of these issues was introduced to council in 1972 and read: "BE IT RESOLVED that the Annual council be reduced in size with one local representative for a membership of 25 to 100 active members and one representative for every additional 100 members or major fraction thereof."[129] Despite being introduced by the Structure Committee alongside the rationale for this change, the resolution was defeated. A similarly phrased resolution was introduced in 1978, this time by the executive, and it met with similar reception. The issue remained contentious. In the 1984 structure study, it was reported that there remained a feeling "among the larger locals" that council's size was excessive. [130] When the question was put to the membership, fifty-four percent remained neutral, perhaps having never attended a council themselves. A thirty-one percent plurality disagreed with the assessment of council as too large, and thirteen precent agreed that there were too many delegates. No action was taken on the size of council in this year either.

As large as council had become, the NSTU's total membership was still over thirty times larger. Yet, even into the 1980s, the NSTU's President was still elected at councils rather than by popular ballot. Booz Allen recommended in the early 1970s that

[129] "Minutes of the 51st Annual Council of the Nova Scotia Teachers Union," 14-17 March 1972, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[130] "Governance and Structure Review," December 1984, 2011-062/005-38, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 9.

this be amended, writing: “since the primary role of President is that of spokesman, he might better represent the membership if elected by popular vote.” [131] The consultants weren’t alone. In fact, the membership had expressed this desire throughout the province according to the Structure Committee’s 1974 report. When a resolution was introduced by the executive at the 1972 council to enact an election by popular ballot, it was defeated. Whether the delegates had voted against the consensus of the union or if the structure committee had been mistaken is not clear. A similar resolution was introduced in 1974 to the same effect, and then again in 1977. It was only the latter of these three resolutions which unfolded differently. Dartmouth Suburban brought this resolution, upon which a motion was carried to refer it to the executive for review. Rather than allow the motion to receive another vote, the executive opted to replace it with another resolution at the following council which read: “be it resolved that the By-Laws of the Nova Scotia Teachers Union be amended to allow any active member of the union to run for the office of President or First Vice-President whether or not he/she is a delegate to council.”[132] An improvement though this was to the union’s policies, the council had not received the opinion of the executive as they requested, only an unrecognizable resolution. Though fifty-six percent of the respondents to the 1984 survey indicated that the President should be elected by popular ballot, the Committee recommended that the President continue to be elected at council: “It is probably more democratic to elect the President by a popular

[131] Booz-Allen Hamilton, “Survey of Structure and Operations Phase I,” 26 October 1971, 2011-062/005-56, Nova Scotia Teachers’ Union Fonds, Nova Scotia Archives, 57.
[132] Minutes of the 56th Annual Council of the Nova Scotia Teachers Union, 15-18 March 1977, 2011-062/002, Nova Scotia Teachers’ Union Fonds, Nova Scotia Archives.

vote of the membership. However, the logistics would be a problem and the cost of this type of vote would be substantial." [133]

The preceding examples demonstrate both council's resistance to change and the power which the executive can hold over decision making processes. The most controversial use of executive power almost certainly occurred in the early 1950s while the union was debating affiliation with the Canadian Congress of Labour. The Provincial government had allowed teachers' wages to stagnate amid inflationary pressures from the Korean War, with the result being an increased militancy among NSTU members that expressed itself in a drive for affiliation.[134] In 1951, a referendum resulted in a victory for affiliation, the vote having been 1,124 in favour and 918 against. The total membership for 1951-1952 has been reported as approximately 3000, making for a turnout in this referendum of sixty-three percent. Low participation in this vote drew the ire of opponents of affiliation, who maligned this disenfranchisement which they saw as being caused by the lack of notice on the referendum.[135] A provincial strike vote the following year suggests that many were unable to cast their vote on affiliation, as the later plebiscite

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[133] 18% were neutral, 24% disagreed; There does not seem to have been a consensus on electoral procedures among Canadian teachers' organizations; Ontario and British Columbia both followed a similar process to the NSTU, while Alberta and Quebec decided their president via a popular ballot.

[134] Norman Fergusson, "Twenty Years Development of Salaries and Negotiating Machinery 1945 – 1965," October 1965, 2011-062/005-30, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives. Fergusson, *The Story*, 122.

[135] Booz-Allen Hamilton, "Survey of Structure and Operations Phase I," 26 October 1971, 2011-062/005-56, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 2. Booz-Allen Hamilton, "Survey of Structure and Operations Phase I," 26 October 1971, 2011-062/005-56, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 2. "*Summary of the Proceedings of the Fourth Annual N.S.T.U. Workshop,"* 30 August-1 September, 2011-062/012, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives. Hope, "The Accomplishments," 71.

incurred an eighty percent turnout.[136] Though the vote affirmed a desire to strike among the rank-and-file, the executive "did not consider the majority large enough to ensure success," according to Fergusson.[137] Also in 1952, council voted on the affiliation issue and recorded another victory for proponents with 43 in favour and 39 opposed. But the council decided at this meeting to delay affiliation "until more information was secured."[138] Their delaying of the issue at councils lasted until 1955, despite threats from two locals that they would withdraw from the union should the topic be shelved again. By 1955, salaries had again begun to improve and another vote was taken. Affiliation was defeated by the closest margin of any vote yet, 33 to 31, and the union took this decision of council as the will of the membership and rejected affiliation with labour outright.[139]

Fergusson's official history of the NSTU recounts this episode, noting the "unenviable position of carrying out… policy that could possibly split the Union."[140] If the leadership of the union were truly concerned about alienating the membership, they would perhaps have attempted to arrange a ballot with a greater turnout, or at least accepted one of the two victories for affiliation. Evidently, the union was not concerned predominantly with a possible split, but was perhaps considering the implications of affiliation on their relationship with the Provincial government. After all, then Minister of Education, Henry Hicks, had voiced distaste for the move, and cautioned that affiliation would be a "disservice to the profession."[141] One must bear in mind that this was a

[136] The final tally was 1,658 – 952. Fergusson, *The Story*, 108.
[137] Fergusson, *The Story*, 108.
[138] Ibid, 122.
[139] Ibid, 123.
[140] Ibid, 122.
[141] Ibid.

sensitive time for union-government relations, as the NSTPA was being frequently revised in the 1950s and the union had not yet been granted statutory membership or bargaining machinery. That said, it would not suffice to disregard the conservative influence in the union's leadership. There were a number of executives and council delegates who were staunchly opposed to appearing as trade unionists, and both sides made strong representations on the issue. Most likely conservative forces and the practical, political elements of the era worked in concert to push the union's leadership against affiliation.

A consistent feature of the union negotiating its own policies and ideologies has been a council tending to favour status quo policies, exceptions being made only in times of crisis, such as with affiliation.[142] Division and apathy are doubtlessly behind this trend in part, but the provincial education system and its influence on local conditions casts an inevitable shadow over the decisions made at council. Teachers' salaries were paid at this time in combination by the province and by municipal or town councils, with the regional unit having the latitude to pay their staff at or above the minimum wage set by the Minister of Education's provincial salary scales.[143] The bargaining environment created by weak legislation and this discretionary payment procedure created a tense existence for NSTU locals, who could potentially find their wages stagnated by a scorned school board. Changes to the structure of the schooling system, support for strikes, affiliation for labour, and other actions which could be perceived as antagonistic to boards could thus put the local at risk financially. In 1965, twelve areas were paying above the minimum

[142] Chapter Four will discuss this trend in more detail.
[143] See Chapter Four.

salary scale, or about one fifth of locals. Among these better-paid sects, there was a high proportion of large locals with a high number of delegates.[144] Halifax City, for instance, opposed the resolutions at 1970 council which would cause changes to board-level pay, reorganizations in school board governance, or the adoption of provincial-level bargaining,[145] but supported pay increases from the Provincial government that did not implicate their school board. This was by no means a rule, and even though it was paid better than other locals, the Sydney local, for example, proved quite militant. It bears noting, however, that some locals simply had more to lose than others in rejecting the status quo.

The NSTU's leadership was forced to seer a discordant membership through myriad legislative and political obstacles. Though the union had a great deal of potential owing to its numerical strength, it was of little use. In the course of its mid-century growth, the union had made trades, sometimes under duress, to nominally increase its professional standing at the cost of its autonomy and the potential to direct teaching standards. While it had achieved a dues check-off, statutory membership, and the blessing of the government to refer to teaching as a profession, the NSTU was still shackled with uncertain contracts and no reproach against miserly school boards. Twice the union sought legislation to stabilize its bargaining environment, and twice it traded away autonomy for the same. Though many of these issues were the product of exterior forces, a risk-averse leadership and the diversity of locals would maintain an underserved and

[144] The locals were Halifax City, Dartmouth, Truro, Sydney, Halifax County, Halifax County Vocational, Cape Breton Vocational, Canso, Bridgewater, Annapolis County (TL4's), and Victoria County (TL4's).
[145] G. Frederic Butler, "Resolutions Committee," 2 March 1970, MG20 vol. 635 item 12, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

uninvolved rank-and-file. Worse, it would sow distrust in some sects. For Mary Ellen Clancey, the union's troubles were too numerous to reform.

> What do most of us do? Sit and seethe helplessly, of course. The beast is too large to know where to attack. Through a Union local which is spread over three municipalities and an entire county and which our central office seeks to amalgamate with others and make even less accessible to us all? Most of us are so discouraged by past efforts that we just sit. After all, we tell ourselves we aren't the salaried Union workers whose daily job this is. We aren't the movers and shakers at the centre. Our daily job is already too much to cope with. Why add to already mountainous troubles? …Meanwhile, daily my classes grow larger; my patience wears thinner; learning is minimized; but I can simply delight in my status as a professional.[146]

Clancey sarcastically invokes professional status to underscore the union's failure to act as either a union or a professional body. It's integration with government and limited bargaining options suggest that it aspired to the latter, but Clancey was not convinced that the program had brought any benefit to the teaching force. "Tell me then," the dispirited teacher concludes, "why do I feel like a worker?"

[146] Mary Ellen Clancey, "Seething teacher clobbers her Union," *The 4th Estate,* January 2, 1974, 7.

Chapter Three

***"Well-respected nice guys, but patsies on payday"*: Who is the Profession?**

> "Seek to improve your own teaching skills. Since, for the most part, teachers who feel burned out also feel they are no longer making a difference with their students, then it is urgent that you see that *you* must make the changes yourself. It is vital that you see that you *do* make a difference in children's lives and that you *can* control or improve on this in yourself and in your classroom."[147]

Promises to raise the status of Canadian teachers have been extant in every province since they could each claim their own teachers' organization. Union strength was an obstacle to defining this principle in the early years, but by the 1950s, when the NSTU had begun grasping all of Nova Scotia, this nebulous policy of teachers' elevation began to solidify into a reliance on exterior validation and individual effort. To be better respected by society, employers, and themselves, teachers had to assert their authority, and their value, by increasing their level of training and expertise. At least, this was the thinking of the time among the union's leadership and the author of the above quotation, psychologist Stephen Truch. If each teacher worked to be viewed as a highly trained, expert educator, then class mobility was sure to materialize for all. It was thought that this revolution could be achieved through a diversity of professional development programs: heightened barriers to entry, specialization, ethical conduct, research, up-to-date teaching styles, higher wages, increased status, and classroom programming. Each of these goals was promoted by numerous branches of the union, and much of the rank-and-file

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[147] Stephen Truch, *Teacher Burnout and What to Do about It* (Novato, Calif: Academic Therapy Publications, 1980), 78. This was said to be the best description of pressures on the contemporary teacher by CTF president Paschal Chisholm in a 1981 address to Annual Council.

responded by participating in professional projects or by upgrading their qualifications through the 1970s.

Aspirations to professional status may have guided this adoption of professionalization, but the material benefits of higher pay and improved knowledge of the job were certainly a factor. For many, it was a means of improving one's lot in Nova Scotia's hostile institutional and political context, wherein collective bargaining was not a tenable mechanism for wage increase. But these benefits were not dispersed among the teaching profession, predominantly because a unified teaching profession never materialized; "professional" was too often defined through exclusion, and the programs touted as lifting all boats were accessible predominantly to urban men of higher qualification and class. Women, who had historically been valued lower than their male peers, saw their second-class status preserved by license differentiation. Even those who could avail themselves of professional improvement were not necessarily sheltered from job insecurity or wage stagnation. Promoting the tenets of just and effective teaching is an uncontestable good, but the programming adopted by the NSTU would carry considerable externalities. Since professionalism was not a collective effort, it resulted in no collective benefit and no class elevation for teachers. Indeed, it failed to achieve the union's express goal: raising the status of teaching.

Chapter Three builds on the discussion of professionalism in teachers' unions by investigating how the NSTU's membership responded to the project's numerous outgrowths and by interrogating how professionalism excluded a great deal of Nova Scotian teachers. This section begins with a recounting of the development of special associations in the NSTU as an internal and cost-effective means of espousing

professional development, before surveying the response of leaders and membership to the initiative. The chapter continues by locating license upgrading at the heart of professionalism, then tracing the historical and contemporary exclusivity of the license classification system. The chapter concludes by recounting professionalism's impact on the union's relationship to the province, particularly how it was ultimately ineffective in increasing the value of teachers who were terminated by the hundreds in the 1970s and 1980s.

The terms "profession" and "professional" become meaningless when one surveys their many uses, meanings, and formulations. Sociologists and industrial relations researchers have collectively shaped numerous definitions of professionalism over many decades. Thus, the definition used in this work must, to avoid anachronism, reflect its use by those contemporary to the study period while acknowledging the structural implications of the term. Sociologist Keith M. Macdonald has argued that professions rely on an industrial monopoly to assert their claims to status. "The professional project has as its objectives the securing, enhancement and maintenance of the social and economic standing of its members, and thus the achievement of a relative advantage in the structure of inequality. It therefore plays a part in the social stratification of society…"[148] This relative advantage sought by the professional teacher does not seem to be rooted in achieving power over colleagues. Indeed, achievement of professional status among Nova Scotia's teachers did not manifest itself as a race toward the post of principal. Instead, control over the work itself, in all its vestiges, was the goal.

[148] Keith M. Macdonald, *The Sociology of the Professions*, (London: Sage Publications 1995), 36.

Among the most important of these were wages and work conditions, such as the four areas identified by Charles and Humphreys: job security, personnel policies, working conditions, and the instructional program. Due to their relatively high level of control over classroom function but lacking say in these regulatory matters, teachers' work is incompletely proletarianized, leading Harp and Betcherman to surmise that teachers occupy a contradictory class location. The scholars contend that teachers are caught between the petit bourgeoisie and the working class.[149] The complete conversion of teachers' class, from semi-autonomous into fully-autonomous wage earners, then, is core to the struggle for professional control. A definition referenced in J. Douglas Muir's 1968 study of teacher collective bargaining requires that professions also possess a "specialized body of knowledge" and a "corporate form." Muir says that these professional bodies necessarily exert legislatively-backed discipline and control over their members. The NSTU promoted specialization both rhetorically and through the encouragement of license upgrading, and as noted in Chapter Two was heavily involved in attempts to strengthen its corporate form. In short, the professionalism generally referred to among teachers and administrators at this time was one comprised of educated, authoritative figures with organizational backing to serve as a platform for their collected voice and group class ascension.

The 1951 NSTPA explicitly identifies the goal of "raising the status of the teaching profession… by any means which the union shall deem advisable" and the union's earliest constitution from five decades prior promised "to elevate and unify the

[149] John Harp and Gordon Betcherman, "Contradictory Class Locations and Class Action: The Case of School Teachers' Organizations in Ontario and Quebec," *The Canadian Journal of Sociology / Cahiers Canadiens de Sociologie* 5, no. 2 (1980), 147.

teaching profession in Nova Scotia."[150] Ever-present in spirit, these words did not crystallize into a consistent strategy until the 1950s, and lacked cohesion and institutional frameworks until the 1960s. Justifying occupational development was no difficulty in the Maritimes, and the state of professionalism in Nova Scotia was maligned by NSTU executive secretary Tom Parker in 1961. Parker noted that the need to employ qualified personnel was paramount across the country, but that Nova Scotia had been less successful at remedying this issue because the province's teacher salaries had "not yet reached the competitive level for the area and also lag far behind teacher salaries in other parts of Canada."[151] Parker, of course, saw wages as an important pull factor for qualified teachers, but contended that "a much more basic reason is the fact that until very recently our efforts have been spasmodic and poorly organized." Notwithstanding wage increases and individual training, the executive of the NSTU saw a need for teachers to organize themselves. Not along the lines of bargaining units as is traditional for a union, but along their specialized professional capacities. This strategy, it was thought, would convey the value of teachers as specialists and experts, invaluable in their field.

For a solution, the NSTU looked westward at a new sub-unit of teachers' organizations, known as special associations, that had been established in Saskatchewan, British Columbia, and Alberta by the 1950s. While these sub-units went by various names, their responsibilities were strictly delineated. Special associations were to be semi-autonomous branches of the NSTU, populated by teachers and school staff in

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[150] "An Act Respecting the Nova Scotia Teachers' Union," 1951, MG20 Vol. 634 item 1, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives; Fergusson, *The Story,* 16.
[151] Tom Parker, "Specialist Associations and Professional Growth Within the NSTU," 29 August 1961, MG20 Vol. 634, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

similar positions or teaching similar subjects, and were authorized to charge dues for the funding of their various programs.[152] These units were not region-bound, and frequently drew participation from across the province. Most importantly, special associations were concerned with "professional problems of [their] own field of interest." They were not meant to duplicate the role of the local or provincial union by dealing in administrative matters, such as salaries, pensions, conditions of employment, contact with the Department or dealings with school boards.[153] They were, however, able to introduce resolutions in the NSTU's annual council, wherein the recommendations of these organizations could be passed to the Curriculum Committee, then the executive, and then to the department.[154] Though the content of these resolutions was proscribed to the aforementioned topics, the benefits of joining a special association were still numerous. The groups held and attended conferences, conducted research, organized seminars, associated with organizations in their fields, and afforded training opportunities. As Norman Fergusson writes, special associations were a method of "promoting in-service professional training and improving the professional competence and skill of the classroom teacher."[155] Essentially, special associations were meant to create within the NSTU an atmosphere of professional assuredness, while encouraging specialization and license upgrading.

Special associations' containment within the NSTU provided a primary benefit of union-directed professionalization. Their aims could be accomplished internally to the

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[152] Special associations are alive in the NSTU today, now referred to as "Professional Associations."
[153] Paker, "Specialist Associations."
[154] Fergusson, *The Story of the Nova Scotia Teachers' Union,* 192.
[155] Ibid 147.

union and Nova Scotian teachers could upskill without interference from the Department of Education or the school boards. Where working condition negotiations with either body could be resource and time intensive, special associations were autonomous and required modest investment. For one local, the question of organizing a special association was directly tied to their status in the eyes of their employing school boards and the failures of the union's bargaining model. At a 1964 seminar on mathematics sponsored by the Queens local, the unit reported that they had recently been "engaged in a dispute involving salaries and other conditions of employment. Some teachers felt because of the emphasis on economic matters that the time had come when the local should think seriously about placing part of the Local's efforts towards some aspect of professional development."[156] While grants for license improvement awarded by boards and the province would also be imperative for many teachers' professionalization, funding for special associations was entirely up to the union and the association itself. In 1963, the executive resolved to "assist each association financially with a per capita grant of $2.00 per member… minimum grant to be $100."[157]

The first of these bodies, the School Administrators Association, was formed in 1961. By the Spring of 1966 it comprised 139 members, including principals, superintendents, guidance staff, and Department of Education personnel.[158] By then, the

[156] "Special Associations: Minutes from NSTU Executive, Annual Council, Special Associations, and Other Reports," May 25, 1965, MG20 vol. 634, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[157] "Special Associations: Minutes from NSTU Executive, Annual Council, Special Associations, and Other Reports." The Maximum grant was $500.
[158] "Executive Report," 12-15 April 1966, MG20 Vol. 634, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives. "Annual Report of the School Administrators Association," 12-15 April 1966, MG20 vol. 634, Nova Scotia Teachers' Union Fonds, Nova Scotia

number of special associations had grown to seven and represented teachers in vocational education, social studies, math, business, and language. A retired teachers' association was formed later at the request of twenty-five Halifax-area pensioners.[159] The expansion of the initiative was of clear importance to the executive, whose materials for their 1964 annual conference included a challenge to Nova Scotia's teachers in the form of a report from the Alberta Teachers Association (ATA). It claimed that one-in-eight teachers in the ATA's jurisdiction had joined such an organization and posited that one-in-two teachers in British Columbia had done the same.[160] As intended, special associations' prominence progressed rapidly in the 1960s, though their early uptake was not as high as in Alberta or British Columbia; in 1966 it stood at approximately one-in-fourteen.[161] But confidence had increased by 1967-68; with membership greater than one-in-nine, the NSTU's budget for special associations tripled from $5,000 to $15,180.[162] In 1972 it was reported at an annual council that over one-in-five NSTU members had signed onto a special

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Archives. The total membership of the NSTU stood at 7,300 for the 1965-66 school year and they had amassed $290,695.38 in revenue for the year ending 31 December 1965.

[159] "Executive Report," 12-15 April 1966, MG20 vol.634, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

[160] "Report on ATA Specialists council Seminar, Banff," 25 August 1964. In "Special Associations: Minutes from NSTU Executive, Annual Council, Special Associations, and Other Reports."

[161] This estimate is based on the memberships of the VTA, SSTA, SAA, MTA, BETA, and RTA as presented at the March 1966 Annual Council; the MCLTA was assessed at 100 for these purposes as they claimed "over 100 teachers" were interested in joining the new association. This brings the total population of NSTU special associations in 1966 to 535.

[162] "Report of the President and Executive," April 8-11 1969, 2011-062-002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives. In "Minutes of the 48th Annual Council of the Nova Scotia Teachers Union," 8-11 April 1969 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives. The budget was reduced to $12,600 the following year after less than $10,000 was expended during this period.

association,[163] and more were being founded. Special associations continued to rise in number from fourteen in 1973, to twenty-three in 1983.[164] By this time, there were associations dedicated to French-language educators, driver education teachers, speech pathologists, library staff, and other specialties.

Though their focuses ranged widely, membership in special associations was more confined, and their reputation was somewhat contentious. Despite their growth, membership was not uniform across the NSTU's ranks. A 1986 third-party study of special associations observed that the organizations "historically attracted high school rather than elementary teachers."[165] There is much room for speculation as to why this was the case: greater opportunity for specialization, a propensity to adopt a more professional posture, or greater opportunities for participation by high school teachers are all possibilities. Whatever the determinants of this demographic gap, it is a likely culprit for years of surveys and assessments reaching contradictory conclusions on what teachers as a whole thought about their special associations. In the 1986 study, which admits to an overrepresentation of high school teachers and special association participants, the units were viewed with approval. But in their early 1970s study of the union, Booz-Allen posited that the bodies were "generally regarded as ineffective," adding that most were

[163] "Report of President and Executive 1972," 14-17 March 1972, 2011-062-002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives. In "Minutes of the 51st Annual Council of the Nova Scotia Teachers Union," 14-17 March 1972, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[164] "N.S.T.U. Handbook," 1983, MG20 Vol. 742, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[165] H. J. Murphy, "Report of the NSTU Membership Survey on Special Associations," 1986, 2011-062/006-61, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

"next to dormant at the local level and… seen as having little value."[166] The early 1970s structure committee concurred: "Special Associations work in almost total isolation at the provincial level. They do not generate local involvement in professional development programs."[167] Even ten years later, the 1984 structure committee expressed reservations on "whether or not [special associations] are meeting the needs of the membership… many of the union leaders closest to the Special Associations feel that the Associations should evaluate themselves and justify the need for their continued existence."[168] Yet the structure committee's own survey reported that 75 per cent of teachers believed that "Special Associations in general perform a very useful function for teachers."[169]

Distilling the average teacher's opinion from these sources is difficult. While direct surveys tended toward approval, the representation of teacher's opinions by internal and external studies is less optimistic. Short of biased samples, this discrepancy may come down to conflicts in the perceived role of the special association, as there seems to be a division between rank-and-file opinions and those of above observers. In Booz-Allen's report, they noted that uptake of special associations was an issue, as was the calculated participation level of seventeen per cent.[170] But direct participation in a special association was not likely a requisite for viewing them favourably. The President

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[166] Booz-Allen Hamilton to the NSTU Structure Committee, 11 November, 1972, 2011-062/005, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 6.
[167] "Report of the Ad Hoc Committee on Structure," 1974, 2011-062/005, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[168] "Governance and Structure Review" December 1984, 2011-062/005, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 30.
[169] Appendix F, "Governance and Structure Review" December 1984, 2011-062/005, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[170] Booz-Allen Hamilton, "Survey of Structure and Operations Phase I," 26 October 1971, 2011-062/005-56, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 20.

and executive's report of 1972 lauded the organizations for contributing to a "marked upsurge in the number and quality of special association publications," and research was often conducted by these bodies which would not have been limited to the eyes of members. [171] As such, the materials produced by special associations, as well as the transmission of their ideas to outside educators, could have elevated their status even to those who didn't sign on directly. To observers in the leadership, these benefits would be invisible and the lack of broader participation would seem more troubling.

Whether or not it was visible outside of the rank-and-file, teachers were increasingly approving of the tenets of professional development laid out by the union's leadership. By joining special associations or by commenting on their value, many teachers were underscoring a view of the occupation as one with specialized sectors and intellectual communities. By engaging with other specialists, producing joint research, and organizing conventions or educational opportunities, special associations gave teachers a veneer of value not unlike that provided by medical societies or law specializations.

But even approving of special associations or attending professional development sessions does not equate to participation in on-paper professionalization via license upgrading, an even more quantifiable and important measure of status for teachers. Unfortunately, this aspect of professionalization was laden with a great deal of barriers including severe gendered inequalities. Since the NSTU increasingly concerned itself

[171] "Report of President and Executive to council," 14-17 March 1972, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives. In "Minutes of the 51st Annual Council of the Nova Scotia Teachers Union," 14-17 March 1972, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

with increasing teachers' training level, and since professionalizing rhetoric was a tool meant to encourage teachers to do so, it was necessary to define professionalism through exclusion. This seems counterintuitive for a union whose stated purpose is to raise the status of teaching and teachers, but there would be little incentive for movement if all were granted the label of "professional." Indeed, the design and adoption of tiered salary scales, clearly meant to encourage training, had occurred in the mid-1940s with input from the NSTU's own executive.[172] Further, there was no indication at any point to follow that the central union found this stratification untoward. The union, province, and boards were committed to a schedule of salaries which did not relate to workload, and even worse, one which disadvantaged those for whom license upgrading is more difficult, especially women. Of course, there were no NSTU policies which sought to devalue women's work, and ostensibly the union was very contrary to the notion. However, gendered divisions in professional and economic status were stark, and lessened only slightly from the 1960s to the 1970s.

Primary amongst the reasons that the NSTU's women were unable to overcome the hurdles to professionalism was that none of the union's policies counteracted longstanding trends and ideations in women's teaching. By the mid-twentieth century, the inequalities between men and women in the industry hard scarcely been rectified and the province was no more than a few years removed from a time when female teachers were viewed as little more than gig workers. Women educators in Nova Scotia had been historically typecast as elementary teachers and temporary workers, in both cases owing to their assumed future as wives and mothers. It was also believed by education

[172] This will be discussed further in Chapter 3.

authorities that women's work did not require a high level of training, and the combination of their lower licensing and presumed transient nature justified significant pay differentials.[173] In 1933, the provincial superintendent reasoned that "most authorities would agree that the elementary grades may be properly left to feminine guidance, the high school grades to men, and both sexes in the junior high." As such, prior to and during World War II, women teachers with low qualifications were generally hired as cost-saving measures and as temporary relief for labour shortages.[174] Theses discriminatory wage practices began to break down in the 1940s and 1950s due to the provincewide salary scale, but the last gendered salary schedules would not be done away with locally until the 1960s. Though professional rhetoric was ostensibly meant for all teachers, the union did not attempt to reverse the trends which had historically blocked women from professional attainment.

Rather than targeting less-developed areas of their workforce, the union increasingly insisted on greater barriers to entry into teaching. A core tenet of the executive's beliefs at this time, this policy tended to develop stricter guidelines for who was professional and who was not. Interestingly, the union promoted this rhetoric even in spite of government pushback. At annual council in 1966, the union resolved to increase the minimum requirements for teacher certification but was met with no support from the Minister of Education, who responded that the present supply of teachers did not warrant the changes.[175] They were successful elsewhere in controlling entrance to the profession,

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[173] George D. Perry, *The Grand Regulator: The Miseducation of Nova Scotia's Teachers, 1838-1997,* (Montéal: McGill-Queeen's University Press, 2013), 189.
[174] Ibid, 190.
[175] "Annual Report of the Legislative Committee," April 12-15 1966, MG20 Vol. 635, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

however. Per request of the union, the Nova Scotia Teachers' College in Truro removed the one-year teacher training course in 1963, leaving only the two-year option. The school also began to require a grade twelve certificate for entry.[176] The NSTU carried on its drive for higher standards internally and advertised a new institutional principle, printed in teachers' annual handbooks and other official documents. "The NSTU believes…" reads these informational passages, "that the minimum standard for admission to the teaching profession be university matriculation (or its equivalent) plus four years of academic and professional preparation (or their equivalent) of which at last one quarter should be professional."[177]

Teachers at this time were ranked through the Teacher Certification scale, abbreviated as "TC" in official documents. They were able to acquire a license ranging from a TC1 to a TC8, depending on education and training.[178] The level of training described by the NSTU's aforementioned statement most closely matches the requirements for a TC4 or TC3, meaning that the NSTU sought a cessation in granting a number of the lowest licenses: TCM, TC1, TC2, and possibly the TC3. [179] The number of these licenses in the industry would slowly diminish over the next decade, but at this time the NSTU was calling many of its teachers professionally unqualified. Respite from this derision would not have been easy to find, as the desire to separate professionals from non-professionals emanated from some locals as well. A 1954 meeting held in Truro

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[176] Fergusson, *The Story of the Nova Scotia Teachers' Union* 149-150.
[177] "N.S.T.U. Handbook," 1969, MG20 Vol. 742 item 5, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[178] A higher TC number denotes a higher level of training and /or education.
[179] Regulations Under the Education Act, COP.NS.775 c2, 17 March 1970, 41; this description does not perfectly match either categorization.

sought the formation of a "completely professional organization," reportedly owing to a dissatisfaction with the number of low-licensed teachers.[180]

The desire to separate professional and non-professional spheres was clearly gendered, and is reminiscent of the actions of the Halifax Men Teachers' Association two decades prior. In the 1969-1970 school year, there were 3181 male and 6830 female teachers in the NSTU. In this same year, the union recorded 4,499 teachers with licenses ranging from TC1 to TC4, 84 per cent of whom were female. By contrast, the highest four licenses were held by 3,816 teachers, 52 per cent of whom were male.[181] This general balance in gender after the TC5 owed mostly to the relative equality in that license, but the difference was stark in the highest three licenses, where 67 per cent were males. Thus, the rhetoric of professional value was directed predominantly at higher-trained male teachers, and the professionalizing directives of the 1960s served them primarily.

Fortunately, the NSTU kept records of teacher gender and license over a number of years. From this data it can be gleaned that there was a noteworthy growth in the population of teachers with higher qualifications by the late 1970s. Of course, the NSTU had grown too. Where just over 10,000 teachers had been in 1969, there were 11,500 by 1979. In these ten years, women's dominant license moved from TC2 to TC5, while men's moved from TC5 to TC6. Fergusson reported that, during this period, the density

[180] Fergusson, *The Story*, 101; Also according to Fergusson, this impetus eventually lead to the creation of special associations.
[181] "Teachers Classified by Sex and Certificate," September 1971. In "Teacher Statistics," c. 1980, 2011-062/014-01, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

of TC2 licenses in the industry dropped from 34 per cent to just 3 per cent, and that the proportion of those holding a TC5 or higher had grown from 33 per cent to 78 per cent.[182]

The progress in training is undeniable, but like in the previous decade it was heavily influenced by sex. The number of TC1 through TC4 trained teachers had decreased to just 2,496, but this population was now 88 per cent female, as shown in **Tables 2 and 3**. The top four licenses were held by 8,565 teachers, 52 per cent of whom were now female. Thus, there was some slow progress toward balancing licenses, but it should be noted further that TC7 and TC8 licenses were taken up by nearly the same ratio of male and female teachers as they had a decade prior. In 1969, there were 113 of those licenses and they were held by women in 25 per cent of instances, whereas in 1979 this had crept up to 29 per cent of 1,257 TC7 and TC8 certifications. Taken together, these statistics demonstrate progress, with the unfortunate caveat that males were far more likely to increase their training level in the 1970s.

This trend can likely be ascribed to a handful of systemic and cyclical issues which teachers would need to surmount in order to upgrade their licenses. A common means of training while maintaining one's tenure as a teacher was attending "summer school." Though the program's name evokes rows of academically-struggling students staring out classroom windows at their more fortunate peers, for teachers it referred to summer lessons at teacher training institutions for the purpose of improving license level.[183] It is unclear if teachers were also known to stare out the windows while in summer school. Alternatively, teachers could enroll in full-time courses at the same

[182] Fergusson, *The Story*, 162.
[183] Fergusson, *The Story*, 42.

institutions, though this would have been less financially viable than continuing work in the school year.

Certificate	Male	Female	Percent Male
TC1	50	712	6.56%
TC2	187	1777	9.52%
TC3	303	1470	17.1%
TC4	364	683	53.3%
TC5	1291	1479	46.6%
TC6	618	315	66.2%
TC7	77	24	76.2%
TC8	8	4	66.7%

Table 2: Teaching Certificates by Sex, 1969-1970[184]

Certificate	Male	Female	Percent Male
TC1	1	31	3.13%
TC2	8	325	2.4%
TC3	68	671	9.2%
TC4	219	1173	15.7%
TC5	1426	2701	34.6%
TC6	1822	1359	57.3%
TC7	695	288	70.7%
TC8	192	82	70.1%

Table 3: Teaching Certificates by Sex, 1978-1979[185]

Summer school courses could be taken at the Nova Scotia Teachers' College or at universities who offered such programming.[186] Some locals were fortunate enough to

[184] "Teachers Classified by Sex and Certificate," September 1971. In "Teacher Statistics," c. 1980, 2011-062/014-01, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[185] "Teachers Classified by Certificate," September 30, 1971. In "Teacher Statistics," c. 1980, 2011-062/014-01, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[186] At various times, the Teachers' College was officially and colloquially known as the Normal School, Normal College, Provincial Normal College, or the Provincial Teachers' College; it was closed in 1997 and now serves as the town of Truro's public library; see: "College History," *ns.teacherscollege.ca*, https://www.nsteacherscollege.ca/?page_id=196, accessed 2 August 2024.

strike deals with universities who would send staff into their communities to teach summer courses, as was the case in the Truro local. In the locals far removed from a university and its staff, or far from the Teachers' College, it was up to the individual to work out a means to receive training. This caused issues for teachers with second employment or homemaking responsibilities, who could not always be expected to uproot from these realities to attend teacher training. The disadvantage of distance was compounded by rurality, where there may not have been enough teachers to justify travel by university faculty. As such, more than seventy-five per cent of Nova Scotia's rural teachers did not receive university training. [187] At a 1970 leadership conference, one local leader spoke on training difficulties in rural areas, and posited that some teachers "have difficulty in raising qualifications due to living so far from University – family obligations make summer school difficult. There is a problem of getting professors to come out to various areas."[188]

Of course, holding a lower license was a barrier in itself to attaining a higher one. This issue of class is familiar to other industries, where time and sufficient income are imperative to improve one's training. Paradoxically, one only becomes more likely to possess both the time and money to receive training in higher echelons of employment. Of course, lower-licensed teachers were necessarily lower-paid teachers, which would negatively impact their ability to pay for childcare and tuition, or to travel for their education. Summer school grants were offered by some boards to help alleviate these

[187] J. Douglas Muir, *Task Force on Labour Relations: Collective Bargaining by Canadian Public School Teachers,* (Ottawa: Information Canada 1971), 79.
[188] "Nova Scotia Teachers Union Leadership Conference," 11-12 September 1970, 2011-062/013, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 22.

strains, and the government had agreed to include these among the items which they would cost-share with boards under the Foundation Program. While certainly helpful, this agreement lasted only until 1970. The government, citing excessive expenditure, discontinued its support of summer school grants and other financial incentives, payment of which was left to school board discretion.[189] The central NSTU and its locals also offered support in the form of scholarships, though these were limited in number and amount, on top of being awarded in some instances with consideration of participation in union activities and teaching experience. Indeed, the 1986 special association survey named funding as the most common barrier to conference attendance, affecting seventeen per cent of respondents. This lack of financial ability could have become cyclical if teachers went without means to upgrade their licenses. From the data on licensing, it is clear that female teachers in the lowest echelons of qualification were less likely to progress toward a new license than were males. For teachers already struggling with leaving the home outside of school hours, or any teacher new to the industry, these stipulations would have been problematic.

Class-conscious rhetoric was not so common in the leadership of the NSTU, but women's issues did not go unspoken. Most attention of the attention to feminist issues was given to women's lack of representation in the union leadership, which was dominated by high-achieving men. The most outspoken advocate for women's advancement in the union in this era was undoubtedly Dr. Florence Wall, who punctuated a thirty-nine-year career in education with employment as a teacher, administrator, union

[189] "Minutes of the 50th Annual Council of the Nova Scotia Teachers," 13-16 April 1971, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

officer, and executive assistant. Wall was also the President of the Advisory council on the Status of Women and the second female President of the NSTU.[190] Wall frequently maligned the lack of participation from women at the highest levels of the union, including at large meetings of local leaders and annual councils. At a 1964 conference of local leaders and the executive, Wall observed a regression in women's representation among the union's leadership and, among some union members, a misogynistic outlook on the union's staffing:

> "Bearing in mind that in Nova Scotia, women constitute 80% of the teaching profession, a glance at the 1963 – 64 list of NSTU provincial committees sent out from Central Office, shows 26 women, 63 men. The list this year shows one more man, one less woman. We lost a woman this year on our Executive; but what is even more alarming is the attitude toward this situation. The former apathetic, lethargic attitude was disturbing enough, but the present vocal expression for male preference, on the part of even some of our own membership, is what I consider to be extremely dangerous."[191]

The issue of representation in the union's leadership would remain problematic for some time. The executive would remain dominated by male representatives into the 1980s. The next female president of the NSTU would be Mary Roach, elected in 1972, though she would be the last woman at the helm until the mid-1980s.

Evidently, gendered barriers to participation in the central union existed, thus weakening the possibility that issues of equity would come to the fore. A policy which

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[190] "President's Remarks to Florence Wall Upon Presentation of an NSTU Honorary Membership." In "Annual Council Minutes," 16-18 March 1981, 2011-062/011, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives; The NSTU's first Female President was Gene Morrison (term 1956-1958). Wall was presented an Honorary membership in the NSTU at the 1981 Annual Council by then-President and Wall's former student, Harold Doucette.

[191] "Summary of the Proceedings of the Annual Leadership Conference of the NSTU," 24-26 June 1964, MG20 vol. 634 item 3, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

recognized responsibilities at home as possible barriers to participation in the NSTU did pass at 1981's annual council. At this time, numerous resolutions meant to assist with family care were proposed for those with business at the provincial level of the union. One such resolution was narrowly-defeated. Jointly proposed by the Digby, Western marine, and Colchester-East Hants locals, plus the Provincial executive and the NSTU's Status of Women Committee, it suggested that, "when acting in an official capacity on behalf of the NSTU, at the Provincial level, teachers be allowed to claim babysitting expenses and that specific rates be determined by the Provincial Executive."[192] A less committed variant of this resolution passed by a vote of 118 to 100, holding the Finance Committee to the creation of "a set of guidelines and standards of procedure which will acknowledge the payment of family-care expenses, where appropriate, for members in attendance at Annual council, Provincial Executive and Provincial Committee Meetings." This resolution would not solve the issues posed by gendered labour among teachers, though these resolutions indicated a willingness at this time to act, financially, on equity programs by the council and executive.

Each of the three actors in teacher training, the boards, the province, and the union, were in part responsible for gaps in the accessibility of training. For all of them, the number and level of teaching licenses across the province was an important rhetorical device. Indeed, it was the school boards which made professionalization a direct

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[192] "Annual Council Minutes," 16-18 March 1981, 2011-062/011, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives; The NSTU's Status of Women Committee was founded in the early 1970s but was, according to Fergusson, short-lived. After it's re-establishment later in the decade, it functioned similarly to other provincial committees or special associations. The committee held conferences, undertook publicity action, reported to the Executive, and occasionally proposed resolutions at Annual Councils; Fergusson, *The Story*, 196.

influence on negotiations. According to an NSTU Economic Bulletin from April 1962, the union had acquired a memorandum circulated to school boards titled "Some Reminders for School Board Members in Their Negotiations with the Teachers' Union." In the document, the Nova Scotia Association of Urban and Municipal School Boards supplies rhetoric to board negotiators across the province and takes exception with the "professional status" and according salary demands of a number of teachers.

> "As the majority of teachers in Nova Scotia have not attained university graduation of at least the bachelor level, only about 25% of the profession could meet the first requirement of "specialized knowledge and skill", and could possibly expect full professional status in the community… As for the sub-professionals, who make up a substantial majority of the teaching profession, we doubt that any one could suggest earnestly that they are deserving of professional status in the same generally accepted terms as medical doctors, lawyers, etc."[193]

It's certainly reasonable to conclude that school boards would use such a talking point in denying salary increases to teachers, but as Fergusson notes, they were likely more concerned with their finances than the licenses themselves. "Why then," wrote Fergusson in a direct reply to the document, "has not the School Board Association done something to accord this 25% full professional status – financial or otherwise."[194] Had this document truly been circulated to school boards, it speaks to a lower appraisal by education officials of the work done by teachers holding lower licenses, and in large part a devaluation of women's work. No matter its origin, the document aligns closely with the NSTU's mantra that professionalism is a prerequisite to deserving a higher salary. Also interesting is the

[193] "Bulletin on Negotiations," #8 April 1962, 2011-062/007, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[194] Ibid.

defensive nature of Fergusson's response, which shifts responsibility for inequality on the boards themselves.

Though boards were perhaps not convinced of teachers' professionalism, teaching necessitates the management of appearances to an even larger clientele. If teachers were not upstanding providers of a social good, the unions claim to professionalism would be moot. Changing the face of the teaching profession, then, necessitated an NSTU effort to monopolize the policing of its professionals' ethics. In October 1965, the Professional Committee considered a resolution which read:

> Whereas there are within the profession both within and without the Union, Teachers who, by unethical conduct, involve the profession in unfavourable publicity; Be it resolved that the proper authorities be requested to establish a Board, to include at least one member of the Union to exercise a disciplinary function within the profession.[195]

The committee recommended that the board should comprise only union members and that the NSTU be given full investigative and punitive powers. Earlier that year, President Roderick G. Fredericks stressed the gravity of behaviour in the school, positing that "Every member of the NSTU is a public relations officer whether he or she realizes it or not. Every one of us helps to build up or impair the image of the teacher and the profession. We cannot afford to have even one teacher run down teaching or belittle his profession – or his professional organization."[196] That this was such a pressing issue suggests the teaching profession was being actively damaged owing to bad publicity from

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[195] "Annual Report Professional Committee." In "Minutes of the 45th Annual Council of the Nova Scotia Teachers' Union," 12-15 April 1966, MG20 Vol. 635, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[196] "President's Remarks." In "Minutes of the 46th Annual Council of the Nova Scotia Teachers Union," 29-31 March 1967, 2011-062-002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

misbehaving teachers. Between 1962 and 1966, however, no charges of unprofessional conduct were heard by the committee. It seems the union was posturing in this manner to impress upon teachers the imperative of their good conduct in the public eye.

Notwithstanding a lack of necessity, a policy was adopted in the NSTPA which was nearly verbatim to that drafted internally by the union. The new clause, Section 11, allowed the NSTU to "reprimand, suspend or expel" a member charged with "conduct unbecoming a member of the teaching profession."[197] Previous versions of the Act allowed only for the revocation of a teacher's NSTU membership at the discretion of the executive.[198] This change in policy gave the union the ability to operate as an ethics committee not unlike those which oversee medicine and law. In fact, the amendment restored some of the committee's powers which were struck from a late draft of the NSTPA. Furthermore, the responsibility for the profession's behaviour was taken, in part, from the purview of government and into that of a separate entity, making teachers less akin to traditional public servants. Unfortunately, and as Smaller notes for other organizations, information about the NSTU's use of disciplinary privileges is not readily available.[199] It is important to point out that the union was not given jurisdiction to dismiss a teacher from their position, but that this amendment did enshrine its right to discipline membership and to be seen as a more authoritative figure in industry conduct.[200] The union's attempt to extend into the jurisdiction of ethics, however, did not

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[197] *An Act to Amend Chapter 109 of the Acts of 1968, the Teaching Profession Act*, 23 Eliz. II, c. 109.
[198] *An Act Respecting the Nova Scotia Teachers' Union*, amended to March 1958.
[199] Smaller, "The Teaching Profession Act," 344.
[200] The power to dismiss a teacher, when an investigation was requested by the Minister of Education, was also struck from the NSTPA prior to its assent.

go unchallenged. The NSTU punished a teacher in 1974 for, they asserted, breaching the Code of Ethics by criticizing union leadership in a Halifax newspaper; when the issue was brought before a judge, the result was a reprimand of the union and the excusal of the Teacher.[201]

Some were less concerned by teachers being perceived as a professional institution, and posited that their power could instead derive from leveraging teachers' labour power. In a 1974 issue of the Halifax local's newsletter, high school Teacher Peter McCreath published an editorial dealing with teachers' level of professionalism and relationship with their employer. McCreath, a former executive member and Halifax local negotiator, posited that the relationship between professionalization and remuneration was not particularly strong. In the article, titled "Teachers should employ more 'clout'", the author noted that, until recently, teaching standards equated to a "willingness to go into the classroom with some degree of regularity, and the ability to read and write – although on occasion the latter might be dispensed with."[202]

McCreath goes on to describe the contemporary teacher as a "well-trained, well-educated professional" with "as much or more education" than the average dentist. Most importantly, the piece argues that school boards will not respect the demands of teachers, no matter their professional status, until teachers use make use of their "clout," the term chosen by the author to describe the threat of withholding labour. Until teachers are more willing to project their value through antagonism rather than through "competence and

[201] Fergusson, *The Story,* 169.
[202] Peter McCreath, "Teachers should employ more 'clout,'" *The Reflection* 2*,* no. 1, November 1974, MG20 Vol. 635 item 15, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

dedication," the author predicts that they will be "well-respected nice guys, but patsies on payday." Fittingly, the timing of this publication places it in the midst of a bourgeoning economic crisis and in the same publication as an editorial titled "Our amazing, shrinking paycheck," which asserts that teachers have taken a pay cut in the past year owing to inflation. Unsurprisingly, it would be the very next year that teachers' discontent would secure their collective bargaining act.

The NSTU's failure to employ its clout was almost certainly a reason that teachers were drawn to professional development programs and license upgrades. No matter a local's success at negotiating a higher wage, teachers could theoretically get a raise, though only for themselves, through upgrading their license. The modern salary scale, a modified version of which still exists today, was introduced by the province at the behest of boards and the union in the 1940s and purported to create more egalitarianism among teachers, as it based salaries solely on education and experience, rather than location and gender.[203] In practice, the scale only institutionalized these disparities, chalking them up to deficiencies in professional status rather than demographics. The establishment of minimum salaries were a feather in the NSTU's cap, but Chapter Four will reason that inconsistent revision would leave them still too low for most. Under this system, higher licenses received increments for up to eleven years of service, while lower licenses were eligible for fewer raises. Thus, after a number of years teaching, the only way to receive a pay increase outside of obtaining a new salary agreement was to obtain another degree.

[203] This early scale will be described in more detail in Chapter Four.

For example, in 1970 a teacher qualified as TC5 in their fifth year of teaching would make a minimum of $7,900. As shown in the example scale, **Table 3**, a teacher in their first year as a TC8 would minimally make $8,600, and a teacher in their 14th year as a TC8 would make a minimum of $12,850. Average salary rates are thus only a vague indicator of teachers' bargaining power, considering the number of license upgrades which occurred in the 1960s and 1970s and the variance in teachers' experience. Fergusson reported the average salary increase for this period which, while skewed heavily by inflation, is shocking. In 1969-70 the average teachers' salary was $6,482, while in 1979-80 it had increased to nearly $24,000.[204] But these gains were note evenly distributed, and the disparities between different licenses levels is clear upon review of **Figure 1.**

Year	TCM	TC1	TC2	TC3	TC4	TC5	TC6	TC7	TC8
1	$3,900	$3,700	$4,250	$4,800	$5,600	$6,400	$7,100	$7,900	$8,600
2		$3,950	$4,500	$5,100	$5,925	$6,775	$7,525	$8,325	$9,025
3		$4,200	$4,750	$5,400	$6,250	$7,150	$7,950	$8,750	$9,450
4		$4,450	$5,000	$5,700	$6,575	$7,525	$8,375	$9,175	$9,875
5		$4,700	$5,250	$6,000	$6,900	$7,900	$8,800	$9,600	$10,300
6			$5,500	$6,300	$7,225	$8,275	$9,225	$10,025	$10,725
7				$6,600	$7,550	$8,650	$9.650	$10,450	$11,150
8				$6,900	$7,875	$9,025	$10,075	$10,875	$11,575
9					$8,200	$9,400	$10,500	$11,300	$12,000
10						$9,775	$10,925	$11,275	$12,425
11+						$10,150	$11,350	$12,150	$12,850

Table 3: Foundation Program Salary Schedule Effective 1 January 1970[205]

[204] Fergusson, *The Story,* 157.
[205] "N.S.T.U. Handbook," 1971, MG20 Vol. 742 item 5, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

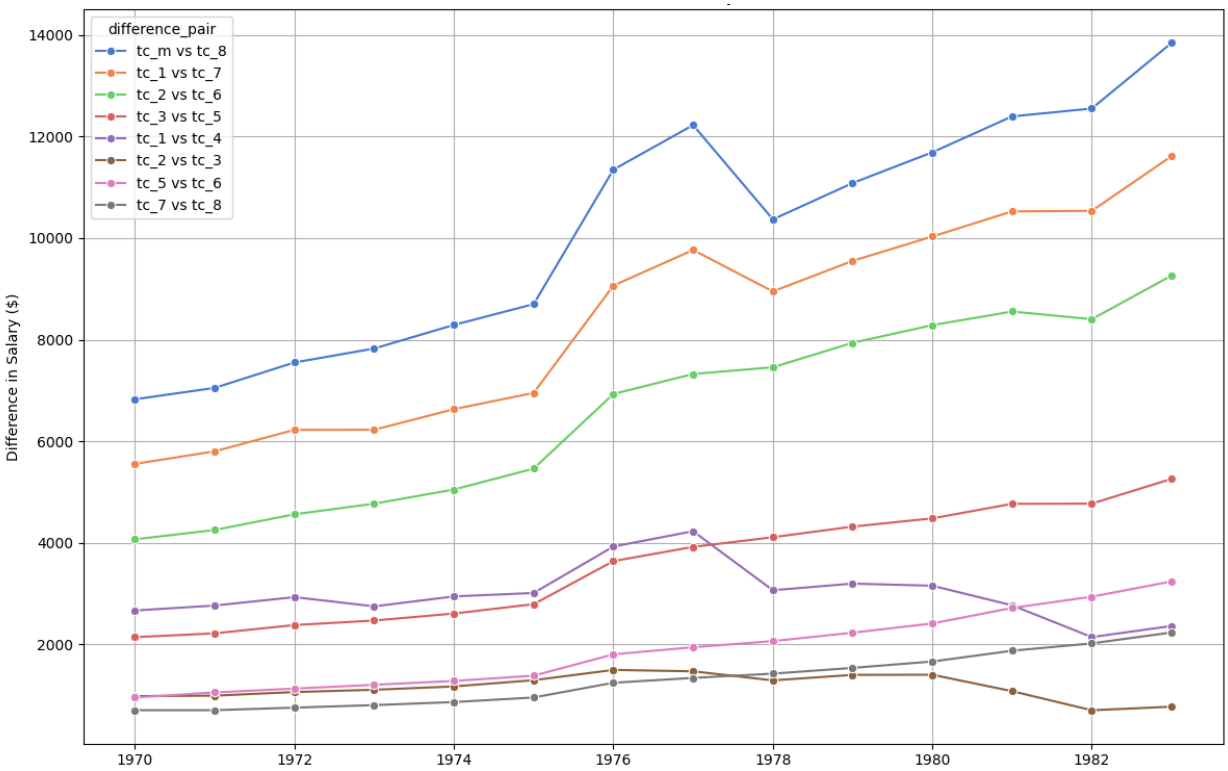

Figure 1: Differences in Average Salaries by License Level[206]

While for some it was a welcome source of increased income, the commitment of time and money teachers made license upgrading a completely unfeasible method of keeping abreast of inflation. Even those who had the ability to participate in their local union found it difficult to balance union responsibilities and professionalization. Locals were already at the helm of salary negotiations and operated professional development programs all their own, making upgrading a license a significant commitment for teachers so involved. Partly in recognition of this issue, the Richmond East local filed a resolution at the 1966 annual council which made a substantial number of their grievances known:

[206] The salary data in this figure was collected from annual handbooks and provincial agreements.

> Whereas the shortage of qualified teachers in Nova Scotia schools has become acute; and Whereas in order to retain our own qualified teachers and attract teachers from other provinces we must pay higher salaries; and Whereas there is no equal financial remuneration, according to license, for all teachers in the province; and Whereas a basic wage comparable to that in other provinces cannot be achieved by bargaining with individual School Boards; and Whereas teachers throughout the province are now spending on Economic and Negotiating Committees valuable time that could be put to professional development; and Whereas as educators our primary objective should be to provide adequate education for all students of this province, a goal which requires immediate united effort; Be it resolved that the Annual council of the NSTU direct its Executive members to study the feasibility of a provincial bargaining agent for teachers and to take steps for the implementation of such a body.[207]

Gripes with professional development are not at the forefront of the local's testimony, and it seems more likely that Richmond East's members meant to stress their desires for centralized bargaining. This resolution, however, draws attention to the fact that an increase in teachers' individual responsibilities as a professional were bound to interfere with collective action and vice-versa.

As one can glean from **Figure 1**, there were notable gaps between the average salaries of the license levels, per the design of the earliest salary scales.[208] More noteworthy is the fact that these differentials increased over time, thus further privileging those at the highest points in the salary scale. A positive slope is indicative here of an increasing differential between salaries, and is present for all lines save for TC1 vs. TC4 and TC2 vs. TC3. These discrepant salary pairs owe their declining slope to the fact that, in 1978, the scales for all license levels up to TC2 were consolidated. This meant that

[207] "Recommendations of Economic Policy Committee." In "Minutes of the 45th Annual Council of the Nova Scotia Teachers' Union," 12-15 April 1966, MG20 Vol. 635, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[208] Early scales will be noted in Chapter Four.

TCM, TC1, and TC2 were all paid uniformly and given raises at the same rate. This consolidation of salary schedules also explains the 1977-78 slope decrease for some lines. Reasonably, the lines fixed highest on the graph are those of the difference between the highest and lowest salaries. But even the salaries in the middle of the licensing range grew more disparate with time, such as TC5 and TC6. Another point of interest is the immediate effect of the TCBA's adoption and the following negotiations with government. The new contract, agreed upon in December of 1975, included raises for all licenses, but it also seems to have privileged higher licenses more than other contracts, as the slope of most every line is noticeably steeper between 1975 and 1976 than any year before or after. The first collective agreement in NSTU history, the 1975 deal seemed not only to preserve the stratification of licenses, but to widen it further.

Of course, there came with professionalization the assumption that a higher-licensed teacher is capable of higher quality work, this was likely a reason for divergent salary scales. But this thinking would send professionalization ricocheting back at the union. By the middle of the 1970s, the NSTU had achieved true collective bargaining legislation and had made progress in training their teaching force, but their bargaining position remained quite unchanged and job security became a matter of serious concern as the 1970s wore on. At this time, the dwindling effects of the baby boom began to show in enrolment numbers, just as financial anxiety did in the government's austerity measures. The NSTU reported in 1980 that, between 1970-71 and 1978-79, the decline in enrolments provincewide amounted to 20,859 or 9.7 per cent.[209] This did not ease

[209] "NSTU Submission to the Walker Commission Report on Public Education Finance," 24 November 1980, 2011-062/005-24, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 3.

increasing budgetary concerns for the province, as per-pupil costs continued to climb. In this situation, any government would be faced with two choices: maintain the teaching force amid declining enrolment and keep an abundance of staff on hand, or attempt to match the pace of decline with cuts in teaching positions.

The latter would be the more likely to detriment the educational system, but Gerald Regan's Liberal government took aim at schools and teachers. Austerity was not an unfamiliar policy to this administration, in power 1970 to 1978, which had touted economic reform from its election but which was now faced with a much more serious situation. Unemployment exceeded ten per cent in May 1976, private investment stagnated, and Minister of Finance Peter Nicholson feared slashes to the imperative federal equalization payments.[210] While make-work developments and public investment were targets of provincial funding, the public sector was not among the fortunate beneficiaries. The Minister of Education, Maynard Macaskill, penned a letter to school boards in March 1976 announcing a "year of restraint," during which the government would reduce the number of teachers' salaries which the province would cost-share.[211] The Minister's justification was a now decades-old regulation in the Education Act dictating the pupil-teacher ratio,[212] by then a vestigial part of the legislation according to the union.

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[210] Duncan Fraser, "Nova Scotia," in *1976 Canadian Annual Review of Politics and Public Affairs*, ed. John T. Saywell (Toronto: University of Toronto Press, 1977), 212.
[211] Fergusson, *The Story*, 182; "Address by Honorably Maynard C. Macaskill Minister of Education to Annual Council of the NSTU," 17 March 1976. In "55th Annual Council Minutes," 16-19 March 1976, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[212] The regulation reads as follows:

While addressing the union at the 1976 annual council, the Minister justified these actions by the very means which the union had used to justify its own direction:

> "With regard to the quality of education, I can say with assurance that it will not suffer, as long as the current trend toward better qualified teachers continued, and as long as school boards appreciate the importance of a judicious selection of qualified candidates for available teaching positions… Our teachers are shown to be better qualified than ever before in the history of education in our province. This superior quality is reflected fairly in improved salaries and fringe benefits."[213]

The union's response was quite typical, consisting mostly of a publicity campaign espousing the dangers of reduced staffing and warning of overcrowded classrooms.[214] When these efforts couldn't reverse the province's decision and the cuts came, their proportionality was no surprise. Between the September 1975 and September 1976 there was a net growth in TC6, TC7, and TC8 licenses, though every category below these saw

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"(7) Where in a two-department school the total enrolment drops below thirty-five pupils the board may in its discretion provide one teacher only, and where in such a school the total enrolment drops below twenty-five pupils the board shall provide one teacher only." (8) Where the enrolment in a school of three or more departments declines, the board shall reduce the number of teachers in that school when:

> (a) in a three-department school the total enrolment drops below an average of twenty pupils per classroom;
> (b) in a school having four to seven departments the total enrolment drops below an average of twenty-five pupils per classroom;
> (c) in a school having eight or more departments, the total enrolment drops below an average of thirty pupils per classroom;" Regulations Under the Education Act, COP.NS.775 c2, 17 March 1970, 12.

[213] "Address by Honorably Maynard C. Macaskill Minister of Education to Annual Council of the NSTU," 17 March 1976.

[214] "Press Release of NSTU Executive Secretary March 12," 1976. In "55th Annual Council Minutes," 16-19 March 1976, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

a net loss. The total number of teachers dropped by 288 in this period, though the number of male teachers fell by just fifteen.[215]

The union stayed the course in terms of professional development during this epoch, and the aforementioned professional programs persisted into the 1980s. Anxiety over job security also proved itself quite durable, and for good reason. When the government again reduced funding for teachers, the union responded with a mix of their traditional tactics and a new, more professionally-aligned strategy. Fergusson wrote that the beginning of the 1980s were fraught with anxiety among teachers about another economic downturn and the resultant decline in federal funding.[216] Worse, the Progressive Conservative government of John Buchanan was set on re-organizing Nova Scotia's education system, and the impacts on teachers were not yet fully known. The early 1980s amalgamation of school boards and a reconfiguration of funding formulae was holding the union's full attention, but the union did not have the Minister's attention whatsoever. President Harold Doucette complained at 1981's annual council that the union was being left out of educational decision making altogether.

> "I must say, it seems odd that even though the Minister of Education indicated to the municipalities that he was open to suggestions and alternatives to both the number of district boards and to their composition – that he was not necessarily married to the district boards as proposed in the Commission Report – however in the end, after receiving requests from areas such as Argyle, Cumberland, Halifax County, the Industrial Cape Breton area, the Shelburne and the Pictou areas, final approval was given for the original 21 District Boards with no change in composition. No reason was given by the Minister for not approving area requests

[215] "Teachers Classified by Certificate," September 1975 and September 1976. In "Teacher Statistics," c. 1980, 2011-062/014-01, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[216] Fergusson, *The Story,* 219.

for an alternate arrangement – unless of course you accept that – "Cabinet did not approve" – as a reason.

--so much for democracy in action--"[217]

By now facing what was considered a teacher surplus and a worrying shuffle of boards, and with 830 teachers having graduated in 1980, locals were increasingly demanding job security clauses in their contracts with school boards.[218] Between 1980 and 1985 dozens of teachers were terminated by school boards citing budgetary concerns, and in these years the number of teachers dropped from 11,444 to 11,163. Interestingly, Fergusson attributed this decline primarily to attrition. This was made possible partly by the newer, more professional efforts of the NSTU, which catalyzed entrance into other industries for those feeling burnt out or seeking new careers. Job fairs and career-change workshops were organized by the union with co-coordination from the School Boards Association and the Department.[219] The response to a 1981 job fair was "overwhelming," and hundreds of applicants had to be turned away. The lack of job production in the industry provincewide would culminate in an estimated 3,500 unemployed teachers in 1985.[220]

Heralded as the solution to teaching's historic issues of deprivation and disrespect, the NSTU's search for professional identity provided little more than a veneer of status upon some in an industry still fraught with inequality and perceived as financially

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[217] "President's Address," 16 March 1981. In "60th Annual Council Minutes," 16-18 March 1981, 2011-062/011, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[218] "60th Annual Council Minutes," 16-18 March 1981, 2011-062/011, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[219] Fergusson, *The Story,* 233.
[220] Paul McCormick, *Conflict and Collegiality: The Nova Scotia Teachers' Union, 1984-2012* (Halifax: Nova Scotia Teachers' Union, 2012): 10.

expendable. The union would encourage ladder-climbing, either rhetorically or financially, but was kept rather hands-off when it came to direct control over its profession. Its efforts were much more notable on the individual level and the result of this atomistic approach was the persistence of fragmentation and continued predation by the government. Though progress was made in improving the training of many teachers, the manifold barriers to women's attainment in the teaching profession were not sufficiently addressed by the union, likely owing in part to its own democratic shortcomings. Stagnation in lower licenses kept scores of teachers from pay increases at a time when improvements thereof where not forthcoming, while the male-dominated administration offered few opportunities to those women who were able to participate in union organizing and management. Similarly, rural and lower-class teachers went without the means to improve their financial or professional situations. Measuring the reception of professionalization strategies among rank-and-file teachers is difficult, but it is clear that direct participation was undesirable or inaccessible for a significant proportion of Nova Scotia's educators. For those who took advantage of opportunities to upgrade their license or participate in special associations, the personage of the professional either did not materialize or failed to shift the relationship between teachers and their employers on either level of government. The professionalization process which had accelerated in the 1950s had fully matured by the 1970s, but it had yet to turn teachers' collars white.

Chapter Four

***It's Not a Strike, it's a Coincidental Resignation*: The Rise and Fall of the Foundation Program and Local Negotiations**

> Dear Mr. MacPherson:
>
> Please find enclosed, a bill in the amount of $ 18.24 which is for damages incurred to my office door when you so childishly lodged your foot in same as I was trying to have it closed. As I write this letter I am still amazed at the immature and unprofessional-like manner in which you conducted yourself in my office this afternoon (after the meeting had been adjourned), thus making it necessary for me to kindly ask you to leave several times. However, when these attempts proved futile, I was forced to physically remove you. I should note here that during my six years as an official with the Town of Pictou I have never before had to resort to this type of action, however I must say I've also never been confronted with a person possessing such an imperious manner as yours.[221]

Such was the atmosphere of the last negotiations under the NSTPA in 1975. After twenty years at odds with one another, it seems that boards and union officials were at wits' end. For this, they can hardly be blamed. Being on an NSTU negotiating team in the 1950s, '60s, and '70s was, at best, a feat of determination or, at worst, a task for the masochist. In attempting to negotiate with school boards of the time, locals were just as likely to be welcomed as equals as they were to have doors to bargaining slammed shut in their faces, or on their feet. The odds of improving salaries and conditions were, as noted previously, never in the favour of Nova Scotia's teachers, but the situation worsened over the 1960s as school boards' distaste for spending grew and their competence at blocking NSTU proposals was honed. This prompted an equal response from some locals, who only increased their antagonism in concert with that of school boards, mounting mass

[221] D.R. English to Ron MacPherson, 31 July 1975, 2011-062/006-30, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives; MacPherson was hired by the Union in 1971 as an executive assistant specializing in economic welfare, and was chief negotiator for Pictou's teachers in 1975 when the alleged altercation occurred.

resignations or threats thereof whenever the standard procedures broke down. The result of this arms race became clear by the late 1960s; the patchwork bargaining structure which had been imposed for two decades was creating an educational landscape cratered with staff turnover, mutual animosity, instability, and interruptions in the school year. This scheme in which teachers fought for their livelihoods was more than a legal regime, it also relied heavily on the competition of their interests with those of local governance and the mediation of this antagonism by the Premier's office.

While the school board – union relationship was a major agent in this history, it will not do to understate the provincial's government's direct hand in maintaining a three-party power dynamic in Nova Scotian education. This system kept teachers' salaries at near national lows and forced municipalities to raise their proportion of spending, despite the increasing financial involvement of Halifax. When the NSTU negotiated with a school board they were really negotiating with two streams of income: the provincial grant for education, dispensed on a basis of need to boards, and the predominantly tax-based revenue of the local government. Negotiations were viewed by boards as a zero-sum game pitting teachers against taxpayers and students, because boards increasingly relied on their own funds to match provincially-mandated salary scales. Raising the salary of teachers at the provincial level generally required increased efforts from both levels of government, while local level increases would mean an increase in only local expenditure. As a result, upward wage pressure was very difficult for teachers to create without the most extreme of negotiating tactics, because their expectations were less defined by what the province was willing to spend on education, and more by what local governments could afford. To manage the unrest of local governments, the province

needed to only occasionally increase its proportion of spending, and needed only to infrequently increase the minimum salaries of teachers to manage their dissatisfaction. In short, when the stability of education was threatened, the province used meagre expenditures as oil on troubled waters. This system was cheap but untenable long-term, leading the province to employ direct means of coercion and the union to demand greater centralization. The result was provincial bargaining, which upheaved the local mode of negotiating and represented a fleeting alignment of these two parties' interests.

This section takes the form of a chronological account of NSTU bargaining at the provincial and local level between the 1950s and early 1970s. Beginning by establishing the union-province-board balance of educational finance, the chapter traces the introduction of the first modern salary scales for teachers and the Foundation Program of salary schedules. These developments increased the provincial portion of funding for local schools but maintained local negotiations. Upward wage pressure was difficult to create for the NSTU, owing to the decentralized nature of bargaining and the province's occasional adjustment of minimum salaries. School boards, equally incentivized as the province to keep teachers' wages low, were beset by increasingly antagonistic NSTU locals through the 1950s and 1960s. The "coincidental resignation" was the union's most effective form of persuasion, and became a staple strategy of numerous locals. Despite some energetic bargaining, teachers began to perceive diminishing returns on their efforts in the mid-1960s, and began to petition the provincial NSTU for centralized bargaining with the province. The apprehension of the union to make this shift was doubtlessly galvanized by the crisis in Quebec education of 1967, which resulted in heightened left-wing militancy among teachers after provincial bargaining was pressed upon them. The

NSTU could not hold out long, however, as the austere policies of Gerald Regan's provincial Liberal government would force the union to reconcile with an explosion of member militancy.

The three-party nexus of educational finance in Nova Scotia came to maturity following the Great Depression and World War II, when teachers across the country were paid pittances if they were paid at all, and very few remedial initiatives existed outside the demands of teachers' organizations. The situation of teachers was dire at this time. Arrears in the salaries of Nova Scotia's rural educators exceeded $137,000 by 1936 and the 1944 Royal Commission on Provincial Development called teachers' salaries "humiliating."[222] Whenever they were paid in the 1930s, Nova Scotia's teaching salaries were approximately on par with those of New Brunswick and Quebec, though all of these provinces found themselves hundreds of dollars below the likes of Ontario, Manitoba, British Columbia, and other jurisdictions to the west.[223] These comparisons obfuscate sex-based differentials, however. In 1941, salaries for women averaged $649 and men's averaged $1,160.[224] In 1931 the average male teacher made $1,152 and the average female made $633, a bare increase over a decade.

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[222]Angus L. MacDonald and J.H. MacQuarrie, "Briefs and Submissions to The Canada Royal Commission on Dominion-Provincial Relations, Submission by the Government of Nova Scotia," February 1938, Accessed 10 July, 2024, http://archive.org/details/31761117117283, 132; George D. Perry, *The Grand Regulator: The Miseducation of Nova Scotia's Teachers, 1838-1997,* (Montéal: McGill-Queeen's University Press, 2013), 186. P. 21 https://0-nsleg--edeposit-gov-ns-ca.legcat.gov.ns.ca/deposit/b10130305.pdf, 186.

[223] R. D. Gidney and W. P. J. Millar, "The Salaries of Teachers in English Canada, 1900-1940: A Reappraisal," *Historical Studies in Education / Revue d'histoire de l'éducation*, (18 June 2010), https://doi.org/10.32316/hse/rhe.v22i1.2134, 25.

[224] Ibid.

The stagnation of wages had moved the NSTU to request a $1000 minimum salary from the Nova Scotian government by the mid-1940s, and they continued to pitch the notion while sitting on a committee struck by the province in 1945. Meant to comment on the condition of teachers in Nova Scotia, this committee of representatives from both the Teachers' Union and the Nova Scotia Union of Municipalities submitted five principles for the consideration of the Education Department. These included: a minimum salary scale, salary increments based on years of service, financial recognition for training level, reimbursement for supervisory duties, and the recognition of specialized qualifications.[225] One can glean the professionalizing undertones of these recommendations, as they were clearly targeted at increasing one's level of training and incentivizing experience in the industry, rather than incentivizing entry into teaching. Furthermore, the largest increases would be given to those with the highest level of training, generally the core leadership of the Teachers' Union, and generally men.[226] The implications for the management of militant action at the highest echelons of the organization are obvious. As noted in Chapter Three, stipulations regarding location, sex, and position were not technically present in this scale, though differentials on these grounds would exist at the board level for decades, as would the implicit differences between the sexes in qualification.

[225] Norman Fergusson, "Twenty Years Development of Salaries and Negotiating Machinery 1945 – 1965," October 1965, 2011-062/005-30, Nova Scotia Teachers' Union Fonds, Nova Scotia Archive, 2; The committee had also drawn up a proper salary scale, not unlike those seen elsewhere in this work, for submission to the provincial government.
[226] Hope, "The Accomplishments," 11

Premier Angus L. Macdonald's government would go on to accept each of the committee's recommendations and establish a minimum wage scale for the Province's 1946 school year, though the salaries recommended would be reduced by $100 across the board.[227] Having shown little propensity for paying higher wages in the past, many sections took this new minimum scale as the de facto maximum, and "resisted any local efforts to obtain increases" excepting "three or four towns and cities."[228] Though it would not improve salaries uniformly or at all in some cases, the scale was an important development in the Province's relationship with teachers and boards. Sharing the costs of education had been the purview of the province already, and indeed it paid for approximately 30.6% of Nova Scotia's educational program by the early 1940s.[229] But the province quickly began taking on a larger burden. The rapid increase in the provincial proportion of education spending, which hit 51% just five years later in 1948, prompted the Lieutenant Governor to remark on the situation to the legislature in 1951.

> Where $825,000 was sufficient to run Nova Scotia's schools in the year 1900, the budget of today is roughly that of $12,000,000 with the province providing an amount of over $6,500,000. I must at this point, Mr. Speaker, emphasize, that today this province is bearing a larger portion of the total costs of education than that of any Canadian province, not excepting the rich and financially powerful province of Ontario.[230]

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[227] Norman Fergusson, "Twenty Years Development of Salaries and Negotiating Machinery 1945 – 1965," October 1965, 2011-062/005-30, Nova Scotia Teachers' Union Fonds, Nova Scotia Archive, 4.
[228] Ibid.
[229] Ibid.
[230] Nova Scotia, *Debates and Proceedings of the Nova Scotia House of Assembly*, 14 February, 1951, https://0-nsleg--edeposit-gov-ns-ca.legcat.gov.ns.ca/deposit/HansardDeposit/1951.pdf, 11; There does seem to be a basis for this claim, as the 1950 Royal Commission on Education in Ontario reported that the province was paying slightly less than half of education expenditures and that municipal

The government was aware that this would be no passing spike in expenditures, as it was bound to increase with the growth of the profession and the awarding of experience and training increments, even if the scale were to remain completely static. Dynamism in salary scales seemed to be the furthest thing from the government's mind, as there had been no provision made for the regular scrutinizing of the scale, and NSTU efforts to introduce a $1200 minimum in 1950 were entirely fruitless.[231] Evidently, the scale was never intended to steadily increase the wages of teachers. Like its tendency to favour male, highly-educated teachers in salaries, the program itself would be used, and indeed was created, as a pacifier of teacher antagonism. This is evidenced partly by the amount of force required to activate the government on the issue of salaries. Though low wages are certainly sufficient to drive workers to make demands of their government, the NSTU was but one element calling for action in the mid-1940s. After the government had awarded teachers perfunctory and poorly-received salary aid in 1942, the NSTU attained the endorsement of fifteen other institutions for its salary improvement efforts, eleven of which were labour organizations.[232] The introduction of the scale followed this much more emphatic call. But adjustments in provincial salary regulations would continue to be sporadic for the tenure both of this scale and that of its successor, the "Foundation Program." This uninvolved stance of government resulted both from the province's unwillingness to continually improve salaries, and the NSTU's inability to mount broad

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entities outspent the province by about $10 million; see: *Report of the Royal Commission on Education in Ontario*, (Toronto: Baptist Johnson 1950), https://dn790007.ca.archive.org/0/items/reportofroyeduc1950onta/reportofroyeduc1950onta.pdf, 682.

[231] Hope, "The Accomplishments," 22

[232] Hope, "The Accomplishments," 5-6.

support for salary increases in the years immediately following a notable scale revision. Thus, local bargaining was the strategy more consistently encouraged by the executive through the 1950s and 1960s.

The union was able to garner the attention of the government again in 1953, spurring a 2 March order-in-council to form the Royal Commission on Educational Finance. It was steered by one individual, Justice Vincent J. Pottier. Neither the NSTU nor the union of Municipalities was invited to sit on the commission, but it was nevertheless welcomed by the executive as the early 1950s looked much the same on the salary front as had the early 1940s. The government had allowed wages to stagnate once more as the number of teachers and schools ballooned in response to the baby boom, and as inflation rose in response to the Korean War.[233] It was at this time that the NSTU devised a publicity campaign for which $2,000 was budgeted, and proceeded to make numerous pleas to the Minister of Education.[234] Discontent showed in the lower ranks of membership too. The strike and affiliation votes noted in Chapter Two were taken in this period, and Cape Breton had been maintaining a strike fund with contributions from the nearby locals of the United Steelworkers and United Mineworkers.[235] Discontent was so high in the Antigonish Rural, Cape Breton Village, and Cape Breton Rural locals that all three walked off the job in unauthorized wildcat strikes in 1951; while not officially

[233] Fergusson, *The Story*, 104; Norman Fergusson, "Twenty Years Development of Salaries and Negotiating Machinery 1945 – 1965," October 1965, 2011-062/005-30, Nova Scotia Teachers' Union Fonds, Nova Scotia Archive, 5.
[234] Fergusson, *The Story*, 105-106.
[235] Minutes of the 1952 Annual Council, 2011-062/003-12, Nova Scotia Teachers' Union Fonds, Nova Scotia.

condoned they were supported post-hoc by the executive.[236] Some gains were reported in these locals, but unrest was not sated broadly. The provincial strike vote, though abandoned by the executive, was counted in January 1952, and in late March, fifteen teachers from the Westville Urban local adopted the pink letter method and resigned.[237] Disaffection was even aimed at the executive, and the Inverness North Local moved a vote of non-confidence citing ineffective leadership, though this motion was defeated.[238]

The Pottier Commission was announced shortly thereafter, and was highly receptive to the recommendations of the union.[239] The resulting legislation, Bill 66, enacted the "Foundation Program" of educational spending, which more clearly defined the subject and service areas that were to be shared between the government and municipalities, also known as the "Basic Program." The law also committed the province to a minimum expenditure of 25% on teachers' salaries. The Foundation Program came into effect on 1 January 1956 and was lauded by the leadership of the NSTU for progressing educational finance. The union offered congratulations to Justice Pottier for "his excellent and very thorough report," and commented that Pottier had "made a very substantial contribution to the solution of the basic problem in public school education in this province."[240] Pottier was later made an honorary member of the NSTU. The union was correct, the Foundation Program did change educational finance in Nova Scotia, but

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[236] Norman Fergusson, "Twenty Years Development of Salaries and Negotiating Machinery 1945 – 1965," October 1965, 2011-062/005-30, Nova Scotia Teachers' Union Fonds, Nova Scotia Archive, 5.
[237] Fergusson, *The Story*, 109
[238] Ibid 110.
[239] Hope, "The Accomplishments," 35.
[240] "NSTU Statement on the Report of the Royal Commission on Educational Finance," c. 1954, 2011-062/005, Nova Scotia Teachers' Union Fonds, Nova Scotia.

like the NSTPA of just a few years prior, it made little difference to the relationship between province, board, and union. No improvements were made to negotiating procedures and again there was no provision for the periodic revision of salaries. The legislation's most notable changes to the bargaining position of the NSTU was that it ratcheted the Premier's educational expenditures up and revised the salary scale once more. The Foundation Program went on to also create an insubstantial simulacrum of provincial bargaining in the Foundation Program Committee, a body the Minister of Education could call upon for recommendations established in 1961.[241] On this committee sat the NSTU, the Union of Municipalities, the Department of Education, and the School Boards Association. NSTU wage concerns were, unsurprisingly, voted down consistently at its meetings if they were discussed whatsoever. This wouldn't be an official and regularly-meeting committee until 1965 and was not a decision-making body, rather it was a token form of consideration by the province.

By the end of the 1950s, the Foundation Program and the NSTU Act had failed to make any major changes to the teacher-board relation in Nova Scotia, but local level developments had not stalled. Locals were negotiating the wage scale in earnest, and through the 1950s and 1960s made some appreciable gains in their lot. It was generally recognized by union leadership, however, that they did so with diminishing returns over time. The first major victory of local negotiations was the first group agreement, signed in Sydney in 1958.[242] In the same year, disputes in four boards entered the conciliation process. Though this last-gasp negotiating procedure had become mandatory if requested

[241] Fergusson, *The Story*, 141.
[242] "Salary Bulletin," September 1959, 2011-062/007-11, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

by either party in 1959, there would never be a guarantee that the commission would come to a settlement found reasonable by either party. Of these four disputes, one was resolved by mutual agreement to the conciliation commission's terms, one was halted altogether by the board's rejection of the recommendations, another required further negotiations before a mutual settlement was agreed upon, and in the last the teachers took up the pink letter method to bring about a settlement.[243] It was clear around this time that the school boards would be setting the pace of negotiations. In some locals, such as Truro, the teacher-negotiators were granted meetings only inconsistently when requested.[244] It was not uncommon for "vacations" and "other commitments" to make school boards unreachable for weeks.

1960-61 was more contentious, with seven conciliation commissions called, six of which resulted in teachers submitting their pink letters to school boards.[245] While these negotiations did sour, it was not always purely at the discretion of boards, but rather also of municipal councils. In municipalities, the council had ultimate control over whether the school board would be allowed to spend more on education, regardless of whether the school board had recommended granting the teachers' requests. According to Fergusson, at this time, "most of the disputes in the previous three years had been in municipal areas where municipal councils had refused to budget for the money necessary to provide the salary increases that had been recommended by either a municipal school board or

[243] Ibid.
[244] Minutes of the Truro Local N.S.T.U., 25 October 1959, 2011-062/001-23, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[245] "Economic Handbook 1974-75," September 1975, 2011-062/007-01, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

conciliation commission."[246] Boards and councils were likely testing the resolve and militancy of the province's teachers, as the reports of conciliators were rejected each time they recommended salary increases this year.

Local governments were also perceptive of negotiations in nearby communities. The impacts of these negotiations were not contained to the boards and locals directly involved, but had knock-on effects. In a bulletin on negotiations dated April, 1962, Fergusson observed the wider implications of settlements.

> Last year teachers in Bridgetown resigned before they got salary increases. While they did not receive all that was recommend, yet the resignations pointed out the possibilities. Later last year, Digby teachers were granted an increase. This year the Municipal School Board of Annapolis granted an increase of $200 per teacher; and this year also teachers in Middleton received a substantial increase.[247]

1962 also saw the teachers of Queens County reach a settlement with their board by resorting to resignations; schools were closed for the first eight days of the year.[248] Taken together, there were no fewer than thirteen negotiations between 1959 and 1962, and in seven cases teachers resorted to resigning en masse.[249] Six of the resignations occurred in 1961 alone, in what was referred to by Fergusson later as the "1961 Blow-up."[250]

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[246] Fergusson, *The Story*, 141-2
[247] "Economic Bulletin," April 1962, 2011-062/007-11, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[248] "Report on Negotiations," n.d. 1962, 2011-062/007, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[249] Ibid; teachers threatened resignation but did not resign in Kings County, 1960, brining the use of resignations as a tactic to a total of eight for this period; A handful of negotiations are not detailed in this section, and this list is based predominantly on central office reporting, so there may be other negotiation attempts unaccounted for.
[250] Fergusson, *The Story*, 139

The magnitude of teachers' discontent was evident, but their disposition is even more stark when one considers the fact that resignations could have been final in any number of cases. The onus laid on boards to re-appoint teachers after a coincidental resignation, but this didn't always occur. Thus, coincidental resignation was risky, but locals typically did not strike outright because it carried greater risks. Striking would have involved a breach of contract and possibly litigation against individual teachers, while resigning was perfectly legal. Another advantage to the pink letter was that resignations likely weren't effective immediately upon their submission. At least some jurisdictions stipulated a timeframe in which resignations could be tendered, and often they wouldn't become effective until August. So, if a teacher resigned in March, they would continue in their position for the remaining three months of the year, but would not teach the following September. As such, major interruptions in the school year were usually avoided by coincidental resignation, and the school board would be less motivated to retaliate than if teachers had simply walked out.

Though it was common for teachers' demands to be refused outright, this was not the only or even the primary tactic deployed by school boards at the bargaining table. In reality, great efforts were made to never see the bargaining table in the first place. Negotiations rarely took longer than a few months under ideal circumstances, but numerous boards went to lengths trying to run out the clock. This strategy relied on the financial year of local governments and was widely feasible to execute. Towns and cities typically operated on an April-March budgeting cycle, meaning salaries and benefits for their employees, including teachers, would need to be settled before the end of March and

ideally earlier.[251] Therefore, the NSTU recommended that teachers attempt to open negotiations as early as possible in the school year if they expected to conclude on time. But school boards would delay meeting or intentionally slow the process with their own demands to push negotiations past the budget deadline, rendering them useless. In 1960-61, Pictou, Queens, and Richmond were all faced with this strategy, noting a "lack of school board response" to their numerous requests for meetings.[252]

But school board tactics could be more direct, as they were in Windsor in 1961. After rejecting what the union had called "modest increases" and the resignation of 28 teachers, the school board began advertising for new teachers rather than negotiating with those who had left. The board had even secured permission from the Department of Education to reduce staffing from 34 to 30.[253] The chair of this board went as far as to write "rather nasty letters to the newspaper about teachers and the NSTU" and eventually hired replacements for the 26 teachers who did not return to the board.[254] This was not common practice among school boards but highlighted the risks taken by those who resigned and the steadfastness of some local governments on issues of spending. Anti-union rhetoric was sometimes generated, as was the case in Windsor, but in the pursuit of parsimony, some boards went to greater lengths. In some cases, these lengths cost their blurred the line between teacher and community member.

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[251] "Economic Bulletin," February 1960, 2011-062/007-10, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[252] Ibid.
[253] "Economic Bulletin," June 1961, 2011-062/007-10, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[254] Ibid.

The locales in which NSTU locals resided were, generally speaking, small and so closely-knit that professional relationships sometimes blended with those more personal. The results were not always negative, as even a cursory glance at the Truro local's minutes indicates that many staff were well-acquainted with members of the school board and that the two even fraternized. Banquets, mutual gifts, and a respectful rapport often characterized the town's school system. But this goodwill did occasionally break down, and in one instance members of the local were reprimanded for failing to keep confidential the content of their meetings. The minutes report the feelings of one Mr. Reynolds who complained that "…too much of what took place at our meeting was told outside by a person or persons." This comment was spurred by the fact that, following a meeting, "the members of the School Board knew who had spoken and what had been said by each member."[255] Mr. Reynolds allegedly found this behaviour most unprofessional. Fergusson reported in 1962 that, elsewhere, a personal spat cost a teacher their job. "In one other area," writes the staffer, "a teacher was pressurized into resigning his position because of an altercation he had with the Deputy Mayor over a town service on the street where he lived."[256]

The size of these communities often made locals reliant on school boards for meeting spaces, and in one instance this was taken advantage of by a hostile board. The administrators of Kings County attempted to evict NSTU meetings from their facilities by

[255] Minutes of the Truro Local N.S.T.U., 11 December 1962, 2011-062/001-23, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[256] "Report on Negotiations," n.d. 1962, 2011-062/007, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

charging exorbitant rates to the local, despite providing room for other groups free of charge. A letter from the Board dated 15 December 1961 relayed their stance to the union.

> It was the opinion of the Board that unions did not fall into the category of the above outlined organizations [the Home and School, Church groups, Women's' Institutes, fire departments]. They are organizations or associations which have as their chief function the negotiating of higher salaries or wages and additional benefits for the personal gain or convenience of their members.[257]

Though the teachers argued that the functions of schools and the betterment of students were also components of NSTU meetings, the Board insisted on charging $100 for an auditorium, $30 for a kitchen, and $25 for a classroom. To their credit, the school board concluded their message with good tidings for the holiday season.[258]

While teachers on the ground were being brushed off and hassled by local government, the central unit had been submitting frequent requests to revise the Foundation Program salary scale to little avail. Their submissions were brief but often quite detailed, with pages of graphs and tables showing how Nova Scotian teachers compared to their counterparts in other jurisdictions. The inevitable conclusion of these reports was that Nova Scotian teachers were subsidizing the province's education program by taking low wages that tended to put them only second or third from the bottom nationally. It was likely owing more to the array of local disputes than these requests, but the government appointed a Foundation Program Committee in September 1961 to study and make recommendations on the Foundation Program.[259] The members

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[257] "Economic Bulletin," January 1961, 2011-062/007-10, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[257] Ibid.
[258] Ibid.
[259] Fergusson, *The Story*, 142.

reported to the Minister of Education in April 1962, but it would be over a year before any changes were made.

In November 1962, the union was growing impatient and, in a further report, politely asked that the province hurry up. "Now that the recommendations have been studied and endorsations and opinion obtained," they wrote, "the NSTU trusts that Government plans will be finalized at an early date and that its intentions will be made public without further lapse of time."[260] The union even claimed that they had held only minimal negotiations intentionally, "because it was felt that problem of this magnitude could not properly be studied and a decision made under an atmosphere of heat and pressure."[261] Rather than the effect of an intentional strategy, this lack of negotiation was likely owed to coincidence. The settlements which were the cause of previous years' upheavals were still in effect, so disputes would be unlikely regardless of union policy. The implication of this remark is important, as it identifies the NSTU's recognition of its ability to create headaches for the province through antagonistic action at the board level. It also intimates, however, that the union was willing to be conciliatory if the province took action on salaries. The new scale and adjustments to shareable costs would finally go into effect in August 1963, well over a year after recommendations were made.[262]

The new scale did not remedy the fact that most boards had, by this time, regressed to paying only the foundation salary and no more. Worse, the delay in the enacting of this scale, as in the case of the earlier adjustments, meant that the new salaries

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[260] "Revisions to Foundation Program," 8 November 1962, 2011-062/010-17, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[261] Ibid.
[262] Fergusson, *The Story*, 142.

would be out of date upon arrival. The new scale also did not prevent a resignation of a "large majority" of teachers in Sydney "mainly over basic salaries and administrative allowances."[263] Increases to these funds, as well as adjustments to sick leave, pay increments, and administrative structure, were all won after a 1964 conciliation commission finally brought the parties together, but this was just one victory in a heap of local defeats. By the mid-1960s, it was nearly the rule of the industry that teachers be paid the provincial minimum salary scale and no more. The province was not interested in enforcing new minimum salaries either. The scale introduced in 1963 allowed boards to pay the old salary scale, simply making it possible to receive cost-sharing from the province up to the new scales.[264] This trend had the effect of keeping salaries, on average, at or below the rate of inflation, as visualized in **Figures 2 and 3**. Negotiating these salaries would again fall to locals and their boards. This more laissez-faire salary prescription would end up the norm.

Figures 2 and 3 show the change in an average teachers' salary between 1950 and 1964 against inflation. For the purpose of consistency with later data, the base year for CPI is 1970. The data on teachers' salaries was sourced from an internal 1964 NSTU report, which gave only average salary numbers; more specific data for teachers' salaries

[263] "Economic Handbook 1974-75," September 1975, 2011-062/007-01, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[264] Fergusson, *The Story*, 142

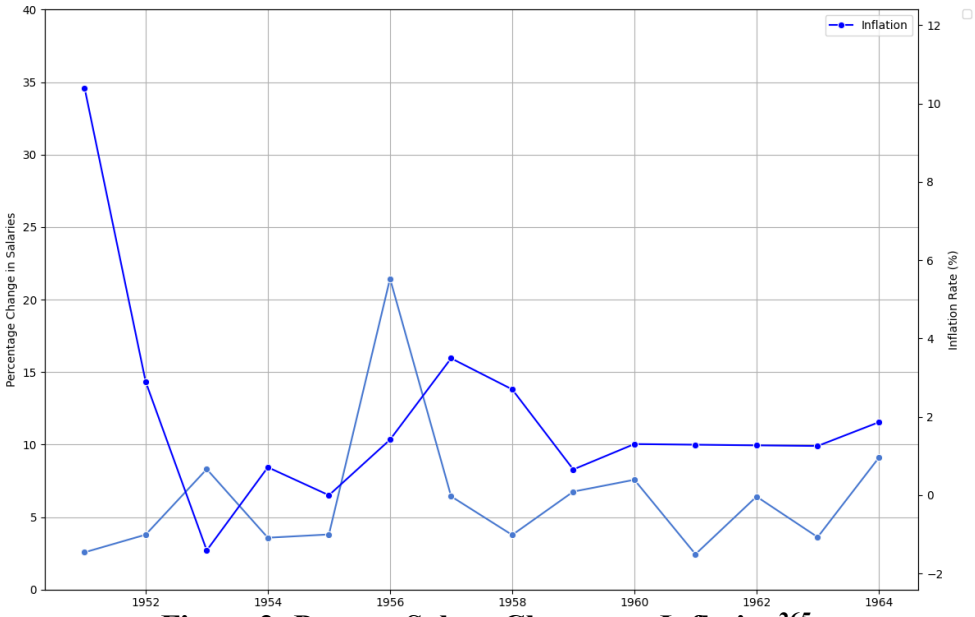

Figure 2: Percent Salary Change vs. Inflation[265]

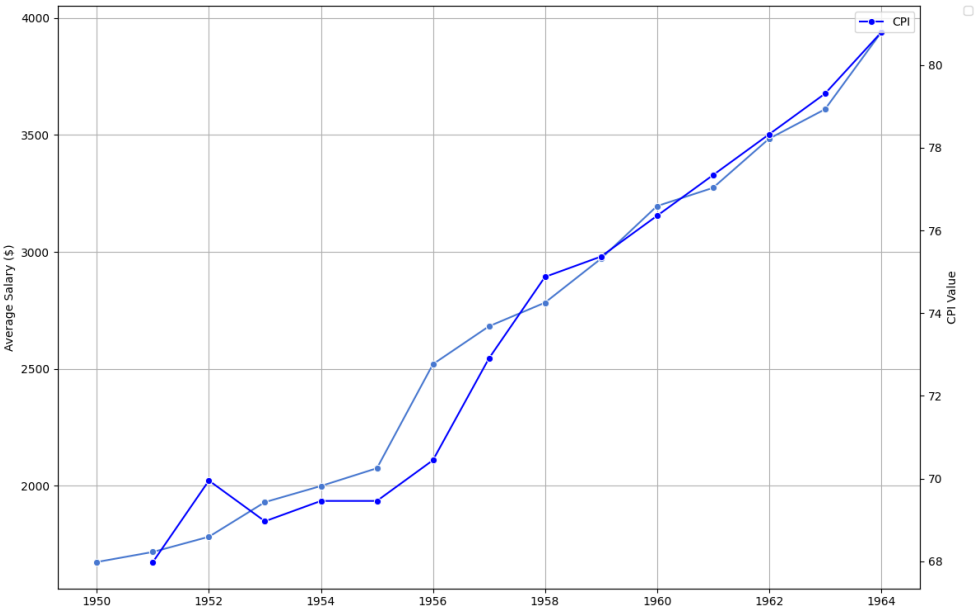

Figure 3: Actual Salary Change vs. CPI[266]

[265] Average salaries numbers were collected from "A Preliminary Study of NSTU Future Growth and Expansion," November 1964, 2011-062/012, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 6; "Consumer Price Index, annual average, not seasonally adjusted," Statistics Canada, 15 August 2024, https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=1810000501.

[266] Ibid.

in these years does not appear to be available. This data, being a set of averages, implies that a great number of teachers' salaries fell well above and well below the inflation line when the two values were closest. It is unclear whether these numbers were based on all teachers' salaries including possible regional outliers, or if this was based purely on Foundation Scale salaries; the latter of these two seems more likely. Further, it is unclear whether the union included outliers such as experienced TC8 teachers or low-licensed teachers with little experience. The graphs show that, after exiting a period of extreme inflation during the Korean War, the average salary of Nova Scotian teachers generally kept abreast of inflation until the late 1950s, after which point teachers tended to take pay cuts in terms of CPI. The salary increases attained in 1956 appear to have been substantial, on average exceeding twenty per cent, and this revision seems to have actually shifted the trendline of salary development in **Figure 3**. However, the average pay raise after 1956, likely the result of the new Foundation Program, was not durable. This increase exceeded CPI until just 1958, and the early 1950s deflationary advantage to teachers was erased in half a decade.

For many teachers, the bargaining environment was too hostile to bear. Locals had been negotiating, or failing to negotiate, for over a decade. Soon, calls were being made to lift the burden of bargaining off of locals entirely. Similar suggestions had been heard as early as the 1950s, but they were becoming more commonplace by the mid-1960s. In Chapter Three, a 1966 resolution from the Richmond East local was discussed, which requested that the council "direct its Executive members to study the feasibility of a provincial bargaining agent for teachers and to take steps for the implementation of such

a body."[267] Two years later, the union executive confirmed that this was not an isolated sentiment. "We often hear the rank and file membership question the very ieda [sic] of negotiations at the local level. They wonder why all negotiations cannot be between the professional staff at central office and the Minister of Education."[268] The locals were right to question this arrangement. They weren't populated by professional negotiators, nor even by full-time officers, but by active teachers. Given the difficulty and length of negotiations, the central body was far better equipped to handle the matter.

But the executive would continue to hesitate on whether there was merit to negotiating at the provincial level. In response to Richmond's suggestion, they claimed that "without having strong local negotiations we will have greatly reduced our provincial efforts as well as having abolished local achievements."[269]At a 1968 Leadership Conference comprised of the executive and local leaders, the executive further reasoned that,

> while the Provincial situation would be well known by the professional staff it would be impossible for them to be familiar with the more than eighty (80) existing school board districts in Nova Scotia. The only ones who can really be familiar with the various local situations are the teachers who live there. Thus local negotiations fall on our shoulders.[270]

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[267] "Recommendations of Economic Policy Committee." In "Minutes of the 45th Annual Council of the Nova Scotia Teachers' Union," 12-15 April 1966, MG20 Vol. 635, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[268] "Leadership Conference," 25-27 August 1968, 2011-062-013-14, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[269] "Minutes of the 46th Annual Council of the Nova Scotia Teachers Union," 28-31 March 1967, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[270] "Leadership Conference," 25-27 August 1968, 2011-062/013-14, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

This thinking was clearly becoming outdated at this point. As locals had not made lasting, appreciable gains bargaining on their own, they were becoming more dependent on the provincial government as the wage-setter. Furthermore, the central apparatus of the union had already been quasi-negotiating on a provincial level, though these efforts were not typically successful. Additionally, the Province had proven on numerous occasions that its intervention was critical in maintaining the educational standoff between boards and locals. Responsible for cost-sharing and salary scales, the province played both sides, but avoided direct intervention in local politics. Thus, it is very likely that locals noted at least some of these trends, and concluded before the executive that provincial-level bargaining would soon be the norm. The executive, for its part, was doubtlessly worried that butting heads with a legislative body would spell disaster for the union, as it could mandate away the union's powers, however nominal. This possibility became all the more worrisome for the union in 1967 when they became aware of major developments in Quebec's educational model.

In the 1960s, Quebec's educational finance system would have quite been familiar to Nova Scotian educators, with the exception of their separate systems based on language and religion. Despite these demarcations, their fiscal policies were generally modelled on an agreement struck by the English-Speaking Catholic teachers and the Alliance des Professeurs de Montreal in 1960, quite similar to Nova Scotia's Bill 66, with salary schedules based on experience. After 1964, with the creation of Quebec's Department of Education, the province obtained a greater degree of control than in Nova Scotia and defined insurance terms, leave agreements, and other fringe benefits for all

boards.[271] In Nova Scotia, these conditions were up to boards and locals to work out. The single largest difference between the two jurisdictions, however, was that Quebec teachers gained the right to strike in 1964. Like in Nova Scotia, though, Quebec's boards turned to the Department of Education for aid in paying teachers' salaries. These requests were initially met with a flexible approach to funding, whereby the Province of Quebec would pay half of any overages above expected costs.[272] Quebec paid 20% of its provincial education cost in the 1959-1960 school year, but by 1964-65 their proportion had risen to 51%.[273] The speed at which these expenses ballooned would have been familiar to the bureaucrats of Nova Scotia.

Still, these costs proved too rich for the Quebec government, and they were the pretext for a top-down cascade of change to the province's educational finance model. Robert E. Lavery, at different times the secretary of both the Federation of English Speaking Catholic Teachers, the Provincial Association of Catholic Teachers, and a faculty member in McGill's Education department, recalled the rapid change.

> "In October of [1966] the Minister of Education, Jean-Jacques Bertrand, announced, seemingly out of the blue, that norms would go into effect placing a ceiling on teacher salaries, and that school commissions were required to submit salary offers to the Department of Education for approval. Departmental approval would also be required before going to arbitration. Any financial over-commitment on the part of school boards would have to be financed by an increase in property taxes. The net effect of these decisions by the government was to render negotiation between boards and unions meaningless."[274]

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[271] Robert E. Lavery, "Changes in The Teaching Profession," *McGill Journal of Education / Revue Des Sciences de l'éducation de McGill* 7, no. 2 (1 September 1972), https://mje.mcgill.ca/article/view/6878, 170.
[272] Ibid.
[273] Ibid.
[274] Ibid.

The response to this announcement was highly consistent with Quebec teachers' track record. Between July 1960 and July 1967 there were twenty-two teachers' strikes in Canada, 19 of which occurred in Quebec; this announcement would spur one of them.[275] This effort was in vain, however, and the vehicle for these changes, Bill 25, passed in February 1967. This made Quebec's provincial salary scale effective province-wide, suspended local negotiations, established the framework for provincial bargaining, and brought teachers back to work by prohibiting strikes until 30 June 1968.[276] The legislation seemed to bring Quebec's teachers much closer into line with civil servants than independent professionals.

Striking, increased provincial control over the profession, and militancy may have ruled the day in Quebec, but it did not sit well with NSTU leaders. The executive quickly disavowed the "Quebec Model," with President Roderick G. Fredericks denouncing it as the consequences of disunity in the profession which "…hurt their pride more than it did their pocketbooks – and it hurt there, too."[277] In the early 1970s, Fergusson repeated similar rhetoric in an interview, arguing that "…because we are a group of employees, we must bargain as one, but we are also a professional organization and, as such, have obligations to fulfill."[278] These statements speak to an anxiety about the NSTU being split between a pro-strike and anti-strike faction, an issue which was certain to enter discourse more frequently after the events of 1967. Interestingly, these calls for unity and cohesion

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[275] Muir, *Task Force on Labour Relations,* 223. This number is probably inflated by the number of different provincial unions, but it is well beyond second place, which was Alberta with just two teachers' strikes in the same period.
[276] Lavery, "Changes in The Teaching Profession," 170.
[277] "Minutes of the 47th Annual Council of the Nova Scotia Teachers Union," 16-19 April 1968, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[278] Coady, "The Nova Scotia Teachers Union," 72.

in bargaining seem to be at odds with the executive's dedication to local-level bargaining. Certainly, their all-together rhetorical stance stood in opposition to the NSTU's exclusions of professionalism and the tiered wage system. Furthermore, the executive's rationale for discounting Quebec's system hinged on the same anxieties of splitting the union which drove their decision not to affiliate with labour in the early 1950s.[279] One can surmise, given the militancy of Quebec's teachers, the mixed opinions within the NSTU, and the leadership's distaste for traditional unionism, that their opposition to Quebec's model had less to do with provincial collective bargaining and more to do with protecting their institutional and professional legitimacy.

When the NSTU distanced itself from Quebec's financial model, it was tacitly distancing itself from the radical disposition of some Quebec teachers. After the imposition of Bill 25, educators with the Centrale de l'Enseignment du Quebec began to turn more directly toward working-class rhetoric and increasingly perceived the conflict between state and teacher as the classical struggle between wage labour and capital, according to Harp and Betcherman.[280] This shift included the building of relationships with the Common Front public sector militancy movement, and the publishing of written works which were overtly Marxist in nature.

> But fifteen years after the lunching of educational reforms, we can state that massive investments in education in a market economy do not necessarily signify an increase in educational resources for the people. Rather an attempt to democratize education which is not accompanied by a transformation of social relations cannot lead to a disappearance of social inequality… The school is cultivating certain values like individualism, competition and rivalry; in copying the social relations existing at the factory, by placing value on obedience at the

[279] As discussed in Chapter Two.
[280] Harp and Betcehrman, "Contradictory Class Locations," 157.

> expense of the development of critical awareness… does much more for the employer than to prepare for him a worker with developed skills.[281]

The NSTU had never espoused such radical critiques of the educational system, even if certain members had held similar beliefs. Even former President Frank Glasgow, who had served from 1953 – 1956, publicly maligned the NSTU for its lack of social awareness and inaction on discrimination, housing, poverty, and disability.[282] But the NSTU was not interested in changing course at this time. Should the events of Quebec transpire in Nova Scotia, thought the union, they would lose years of petit bourgeois aspirations and their perceived self-governance would be shattered entirely. Of course, when similar changes were enacted in the education system just a few years later, they would not turn to Marx for inspiration and would not change course on those aspirations to class mobility. The rank-and-file of the union, however, were still fighting and losing on the local level, a reality which would come into even starker relief when the most serious dispute of the era began in Sydney.

The teachers of Sydney were probably the most experienced of all in the NSTU with antagonistic bargaining techniques, as they had been deployed in numerous aforementioned disputes. Their 1968-69 situation was caused predominantly by the school board's attempt to delete a $200 salary differential, claiming that it was a bonus and not a permanent clause in the contract, as the teachers contended.[283] Negotiations

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[281] *Les Dossiers CEQ*, February 1978. Quoted in Harp and Betcherman, "Contradictory Class Locations," 160.
[282] Frank Glasgow, "Teachers Should Tackle Social Issues… Must be Concerned With Poverty, Housing, Discrimination," *The 4th Estate,* 11 March 1971, 14-16.
[283] M. J. Fahie, "Report of Sydney Dispute," 7 April 1969. In "Minutes of the 48th Annual Council of the Nova Scotia Teachers Union," 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

opened on 16 October 1968, leaving plenty of time to resolve any disagreements before the budget would be struck the following year. There were three meetings in December, and an additional meeting in January 1969. At these meetings, the teachers proposed the maintenance of the $200 differential, other allowance revisions, increased salaries, pension plan adjustments, tenure for married women, and the amending of other fringe benefits.[284] The board, bizarrely, indicated in January that it was "not prepared" to negotiate these items, despite earlier meetings. This sudden rejection caused the Sydney teachers to appeal on 30 January to the union's central office for a conciliation commission. The commission would not open until 4 March, but in the intervening time, the executive approved an action plan for the Sydney local which consisted of: local meetings on possible actions and information relating to the dispute, a secret ballot on submitting pink letters, and the collection of resignations if necessary. When 261 of the area's 353 teachers met on 4 March, they voted ninety-eight per cent in favour of coincidental resignation.[285] The same day, the conciliation commission opened and revised propositions were presented by the teachers. To facilitate easier bargaining, they had nixed their demands regarding incentive pay and adjustments to the pension plan. Still, the financial matters which the teachers kept on the table were each given the same response: "Can't afford it." Meetings that followed on 10 and 18 March saw no changes in the position of either side.[286]

It was up to the conciliation commission to rule on what changes, if any, were to be made. The report was unanimous, meaning the representatives for the Board and

[284] Ibid.
[285] Ibid.
[286] Ibid.

NSTU agreed to the terms as well as the chair. Together, they found that the $200 differential must be maintained, as it was not a bonus. The commission also ruled that sabbatical leave should be improved. The rest of the conciliator's findings were in favour of the school board, the most notable being the provision that salaries for the lowest licensed teachers, TCM, TC1, and TC2, should be reduced by $50 with every increase of the same magnitude in the provincial Foundation Scale.[287] In response, the local meeting on 27 March passed the following resolution:

> "Despite the fact that the Conciliation Commission recommendations are not in complete accord with the proposals of the Sydney Local, yet since the report is a unanimous report which has taken into consideration the position of both parties the Sydney Local of the NSTU is prepared to accept the recommendations of the Conciliation Commission in order to resolve the dispute."

Despite compromise from the commission and teachers, as well as the unanimity of the commission, the board did not budge. The union had prepared for this outcome and released statements on TV, radio, and in print recounting their commitment to compromise and expressing their incredulity that "any employer in the indsutrial [sic] area of Cape Breton would ignore the unanimous recommendations of a Conciliation Commission."[288] At the end of March, 283 teachers gave their resignations to the school board. When the board remained immobile, and when the school year commenced in September, these educators were not on the job. A final resolution was only reached in mid-September 1969, when another attempt at mediation brought about agreement that the $200 differential be preserved for one year.[289] The teachers returned to work on 16

[287] Ibid.
[288] Ibid.
[289] Fergusson, *The Story*, 145

September after almost two weeks of school closure, exactly eleven months from when they had opened negotiations.

Though it was dramatic, there were few surprises in the development of the 1969 Sydney dispute. The two parties had been heatedly opposed in years prior, and the teachers were likely prepared to compromise with the findings of a commission given the state of bargaining in the province. Among the most telegraphed results of the situation, however, was the commission's recommendation that salaries for at least some scales be slowly regressed to the Foundation Program level. Boards across the province who had previously been paying above the scale had tended toward this method for years as the Foundation Program spasmodically increased, leaving local governments paying a higher proportion of their funds into teachers' salaries.

Two examples of this trend, the Dartmouth and Halifax County negotiations of 1966, are illustrative. In these areas, teachers maintained their salaries above Foundation levels as they had for years. In Dartmouth, the previous contract had paid varying licenses from $100 – 900 in excess of the scale, while the contract signed in 1966 reduced these differences to between $100 and $800.[290] In Halifax, differentials which had ranged from $500 – $1200 above the scale now ranged between $300 and $900. These salary amendments are not as extreme as pay cuts, but demonstrate boards' propensities to roll back wages via salami slicing in resistance to provincial interference in the business of education. The year previous, only twelve areas of the province were paying above the Foundation Scale, and by the early 1970s, differentials were nearly

[290] "Professional Agreement Bulletin #5," January 1966, 2011-062/007-02, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

extinct.[291] At 1972's annual council, President Boyd Barteaux observed that local negotiations were increasingly done in vain, admitting that "the effectiveness of local negotiations in regard to salary scales has disappeared with changing emphasis on Provincial Input through the Foundation Program."[292]

The growing anxiety over educational expenditure, which had caused a revolution in Quebec's educational finance, had slowly ground Nova Scotian teachers' salaries to a halt, save for the occasional palliative of the Foundation Program. This had not been done maliciously in every instance, and one must account for the interest of school boards on the opposing side of the table. School board antagonism toward teachers, though it could range from being financially frank to outright petty, was in the best interest of the boards. Not only were teachers' salaries increasing, but the capital cost of education was increasing from the ongoing demographic effects of the baby boom, and the necessity of building newer, larger schools across the province. Furthermore, the dictation of salary expenditures by the province had implications for the independence of local governments, whose educational program was increasingly defined by which expenses the province would fund. The NSTU observed in 1970 that school boards had become increasingly committed to success in negotiations and had become "better organized, more knowledgeable and better equipped for negotiations." The executive gave as evidence for their claim the fact that communication between boards was improving, that their national organization had "engaged a full time secretariat," and that they had

[291] "Minutes of the 44th Annual Council of the Nova Scotia Teachers Union," 20-23 April 1965, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[292] "Minutes of the 51st Annual Council of the Nova Scotia Teachers Union," 14-17 March, 1972, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

introduced their own demands, which "can be used to slow down negotiations, to win their point-of-view or to "trade-off" when the going gets rough."[293]

School boards had good reason to deflect wage demands. The NSTU's submissions to the 1982 Walker Commission on Nova Scotia's educational finance quantified what was known across the province in the 1960s: school boards were receiving more and more support from the provincial government but still spending a larger proportion of their own funds keeping up with salary increases. The aggregate spending of Nova Scotian boards would inflate from $35,536,000 in 1960 to $112,402,000 by 1970.[294] Where teachers' pay made up 60.69 per cent of this spending in 1960, it accounted for 63.07 per cent in 1965, and then 67.78 per cent in 1970.[295] The province's part in educational finance enlarged over the same period from 49.09 per cent to 52.72 per cent.[296] But school boards' parsimony was not only done to their benefit. Because upward wage pressures were kept restrained by contentious negotiations at the board level, and because disputes were generally compartmentalized to a small locality, the province did not find it necessary to use command-and-control tactics as long as it could occasionally manage outbreaks of dissatisfaction via the Foundation Program. But this was not to last.

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[293] "Executive Deliberations 1970," 24-26 June 1970, 2011-062/013, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 16.
[294] Ibid.
[295] Table 9, "NSTU Submission to the Walker Commission Report on Public Education Finance," 24 November 1980, 2011-062/005-24, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[296] Table 8, "NSTU Submission to the Walker Commission Report on Public Education Finance," 24 November 1980, 2011-062/005-24, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

"By the end of the 60's… the Foundation Program suffered from a fatal defect: it didn't work very well."[297] This is how the union chose to sum up that decade in a submission to the Walker Commission. While the NSTU surely meant that it failed to make substantive change to teachers' livelihoods and had too little power to do so, the Foundation Program's benefit to the provincial government was also breaking down by the end of the decade. At that time, prevailing economic conditions made the Department of Education more averse to spending, and it began espousing a more modest approach to the school system. At a leadership conference in 1968, the Deputy Minister of Education, Dr. H. M. Nason, delivered a speech stressing the rationalization of Nova Scotia's schools. Nason made particularly clear the need to focus on proving the value of traditional expenditures, rather than suggesting new ones.

> We can think of many ways in which we would like to spend more money. Today it is not suggestions of this kind we need. The suggestions that are needed concern the more efficient use of the resources we already have, the elimination of waste and duplication of service, the concentration on essentials.[298]

Progressive Conservative Minister of Education, G. J. Doucet, would sharpen this talking point into a criticism of local-level irresponsibility in 1970. When asked at a March session of the House of Assembly about the anti-democratic consequences of centralized educational direction, the Minister explained:

> I do think in all seriousness, it is worth reflecting for a moment on this very point, that if extensions to educational programs, or of new educational programs were financed entirely by the Province - as indeed, Mr. Speaker, they were from '63 until the present day, to the extent that they were within the Foundation Program -

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[297] "Nova Scotia: Report of the Commission on Public Education Finance," c. 1981, 2011-062/005, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[298] "Leadership Conference," 25-27 August 1968, 2011-062-013-14, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 25.

> that there does result, by the nature of things, a good deal less restraint on the part of the other level of Government insofar as exercising prudence and care and making sure that the programs that are authorized, in fact, can be paid for.[299]

This rhetoric was not limited to Nova Scotia, and Fergusson recalled in the early 1980s that "toward the end of the sixties, some so-called education finance experts were drawing 'ohmigosh' graphs showing that if the present trends continued, the educational expenditures would be absorbing all of the provincial revenue of the provinces."[300] This atmosphere of monetary doubt was precisely the platform on which Liberal opposition leader Gerald Regan ran in the October 1970 election.[301] Drawing heavily on the difficulties with economic development projects like Deuterium and Clairtone, Regan was able to cast intense doubt on the economic intelligence of the Conservatives, in power since 1956.[302] With the close of the 1960s, and the narrow election of Regan, economic anxiety on the governmental level would be converted to unprecedented action on school grounds.

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[299] Nova Scotia, *Debates and Proceedings of the Nova Scotia House of Assembly,* 24 March 1970, 19700324.pdf (gov.ns.ca), 1556.
[300] Norman Fergusson, "Context of Educational Finance in Nova Scotia," October 1981, 2011-062/005-28, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 5.
[301] Duncan Fraser, "Nova Scotia," in *Canadian Annual Review for 1970,* ed. John Saywell, (University of Toronto Press: 1971), http://archive.org/details/canadianannualre0000unse_d9a5, 235-6.
[302] Clairtone Sound Corporation was a producer of high-fidelity sound equipment that was enticed to open a production plant in Nova Scotia by Premier Robert Stanfields' regional economic development strategy of the 1950s and 1960s. The company went bankrupt in 1971 and was liquidated by the province; Lachlan MacKinnon and Steven High, "Deindustrialization in Canada: New Perspectives," *Labour/Le Travail*, no. 91 (Spring 2023).
Meant to produce heavy water in support of the federal government's CANDU program, Deuterium of Canada opened a plant in Cape Breton in 1967. Delays wouldn't have it produce heavy water until nearly ten years later, and it was closed in the mid-1980s amid low demand; Sullivan Francis MacDonald, "The Glace Bay Heavy Water Plant - Cape Breton's Lost Nuclear Dream," *Historic Nova Scotia,* accessed 2 August 2024, https://historicnovascotia.ca/items/show/90.

In January 1970, the NSTU submitted to the Foundation Program Committee the necessity of a fifteen per cent salary increase; the resulting adjustment would be the last made under the Foundation Program.[303] True to form for this committee, the NSTU was not granted its recommendation, but the Minister accepted the body's proposals and submitted to the legislature an eleven per cent increase in the scale retroactive to January 1970, and a seven per cent increase for January 1971.[304] Like the previous revision, the specifics of the scale were left to negotiations at the local level. But this adjustment came with another string attached, a moratorium on incentive grants. Incentive grants had existed in the Foundation Program at least since the early 1960s, and in the words of President Florence Wall, "were financial grants enabling school boards to encourage their teachers to upgrade their qualifications and hopefully to improve learning in the classrooms."[305] These grants would typically pay for teachers' summer schooling or other initiatives leading to a license improvement, but also included sabbatical leave and conference grants. The central office of the NSTU quickly insisted that locals urge their school boards to continue to pay these grants, as they were written into some contracts with teachers on the board level. Still, the province had used their immunity to bargaining to effectively shift some small burden back onto the school boards, without incurring the type of dispute which may come about from a change in pay.

The recommended increases in salary were not sufficient to quell unrest among many of Nova Scotia's teachers, who brought their anger to the 1970 annual council.

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[303] "Economic Handbook 1974-75," September 1975, 2011-062/007-01, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[304] "Executive Conference," 22-23 June 1973, 2011-062/013, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[305] Ibid.

Eight resolutions on salary were heard at this council. One from Queens County demanded a twenty per cent salary increase and, failing such a raise, proposed to initiate a province-wide resignation campaign.[306] Queens also repeated the call for provincial bargaining and resolutions similar to this one were introduced by two other locals. These teachers were likely aware that Quebec, Prince Edward Island, and New Brunswick had all imitated provincial-level bargaining by this point. The most palpable display of dissatisfaction, however, was the loudening call for the right to strike. The previous year, the Executive had tabled a motion from the Pictou North local which would have had the NSTU attempt to acquire the right to strike from the government. This year, the delegates moved to approve the right to strike "as a means of achieving desired ends" and requested that "the incoming executive make a study of the procedures for use of strike action as an acceptable sanction."[307]

The response from the union's leadership was not decisive, but was quite unsupportive. At the 1970 council the union's solicitor, Merlin Nunn, addressed the delegates about the illegality of the strike right. Later, at that year's Leadership Conference, Economic Welfare Coordinator Murray Fahie also attempted to dissuade local leaders from supporting the right to strike. Fahie asked the local leadership whether the majority of the union had accepted striking as "an acceptable sanction for professional teachers," despite the decision of council six months prior. Fahie also warned of the implications of striking, such as: "jail terms, fines, loss of rights,

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[306] "Resolutions for council," 1970, MG20 Vol 742 item 12, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[307] M.J. Fahie, "The Right to Strike." In "Nova Scotia Teachers Union Leadership Conference," 11-12 September 1970, 2011-062/013, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

injunctions" and also the "possible infiltration into the organization by other labour organizations as a result of court action or as a result of government repealing the *Teaching Profession Act* and putting teachers under the Trade Union Act."[308] Fahie's choice of words in this address evidence an intense ideological opposition to trade union strategy and insecurity about the NSTU's popularity. After all, had teachers been written into the Trade Union Act, the option would have existed to oust the NSTU as teachers' sole bargaining agent. But Fahie's concerns were lost on many of the local leaders, who had either been involved in local militancy in the past decade or who were completely disillusioned with the current, less antagonistic, modes of negotiating.

Those who weren't convinced by the pro-strike delegates at the meetings of 1970 needn't wait long for another, possibly radicalizing, development in education. The 1971 annual council was more than a semicentennial celebration of the NSTU's 1921 re-organization, since the meeting was held just one month after the Provincial Government announced a troubling new policy. Cost sharing for the upcoming school year, said the government, was not to exceed an 8 per cent increase over 1970.[309] This would, of course, have ramifications for teachers' salaries. School boards would be even less likely to move to the recommended pay scale or to increase pay above it, but this restriction could also jeopardized educational programming, and thus teachers' jobs.

The union's response was fast and public. President Barteaux and recently-appointed executive secretary Norman Fergusson appeared on radio and TV to warn

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[308] Ibid.
[309] "Minutes of the 50th Annual Council of the Nova Scotia Teachers Union," 13-16 April 1971, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

Nova Scotians of the dangers to education posed by these budget restraints. Regional meetings were held with the press, and the NSTU's primary publication, *The Teacher* was headlined: "CRISIS IN EDUCATION: SITUATION CRITICAL IN MANY PARTS OF PROVINCE."[310] Among the 8 per cent guideline's issues was that boards had already committed to their 1970-71 programs, so any deficits incurred by increased costs in the next year would have to be removed from the 1971-72 education budget.[311] Teachers were, justifiably, concerned about the possibility of lay-offs, despite provincial assurances that they wouldn't be necessary. This atmosphere of uncertainty could have contributed to what appears to have been a softened stance on striking from the union leadership at the 1971 annual council. The committee appointed at the previous council to study striking doesn't appear to have been convinced that the NSTU would be able to obtain the right to strike, but conceded that legal liability could be reduced if strike procedures were developed "coincidentally" as a strike happened.[312] While this report could not be labelled outright approval, the tacit acceptance of strike measures is a departure from the previous year, and implies that the union's leadership would not be able to stop a strike if one were to occur.

The executive was certainly more willing to bend toward the sanctioning of job action by the early 1970s, and while no provincial action was taken, the Spring of 1972 was likely the NSTU's most militant period on record. Consistent with its budgetary

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[310] This issue, recounted in Fergusson's *The Story*, was likely published on from 5 April 1971. "Landmarks & Challenges," March 2002, https://nstu.blob.core.windows.net/nstuwebsite/images/Documents/Full_History.pdf, 19.
[311] Fergusson, *The Story*, 171.
[312] "Strike Study." In "Minutes of the 50th Annual Council of the Nova Scotia Teachers Union," 13-16 April 1971, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

restraints announced early in 1971, the province offered teachers a deal to which they would take great offense. On a December 17 phone call, the Minister of Education offered salary increases not in excess of five percent for one, two, or three years.[313] The offer met with rejection by eighty-five per cent of the membership, and this result was communicated to the minister in January or early February 1972.[314] Though the union suggested the two parties meet on 7 or 8 February to discuss their options, they were ignored. The Minister chose instead to announce a five per cent guideline for all publicly-paid employees, retroactively rendering December's phone call a formality.[315] By the next week, the executive had approved numerous sanction options for locals, and the province was soon racked with job action and protest.[316] Over the following month, teachers temporarily withdrew their services, closed schools, or walked out in Sydney, Glace Bay, New Waterford, Sheet Harbour, Liverpool, Musquodoboit, Cape Breton Municipal, Hants East, Northside-Victoria, and Dominion.[317] Elsewhere, walkouts and work-to-rule procedures were initiated. Despite the outpouring of militancy, these actions were not sufficient to reverse the government's decision outright, though a one-time, $400 increment on basic salaries and increases to certain fringe benefits was included in a

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[313] Peter Nichols, Minister of Education to Boyd Barteaux, 17 December 1971, 2011-062/013, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[314] "Review of Salary Discussions." In "Minutes of the 51st Annual Council of the Nova Scotia Teachers Union," 14-17 March 1972, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[315] Ibid.
[316] "Minutes of the 51st Annual Council of the Nova Scotia Teachers Union," 14-17 March 1972, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[317] "Teacher Actions and Further Meetings with Minister." In "Minutes of the 51st Annual Council of the Nova Scotia Teachers Union," 14-17 March 1972, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

settlement between the union and the province.[318] For its part, the province almost certainly remembered this broad-based action when it came time to deliberate on teachers' right to strike.

At a meeting of local leaders in November 1971, there was a unanimous call for a Special council, to include an agenda of one item: the certification of the Nova Scotia Teachers' Union. At this November meeting, the NSTU was joined by Montreal labour lawyer Marc LaPointe for guidance on collective bargaining. LaPointe suggested that the NSTU "rock the boat more" to spur government action on salaries.[319] At the opening of the December Special council, President Barteaux addressed the crowd of over 200: "At the present time we do have the opportunity to think through the options. In other words, we can decide the future direction in which we desire to move. Some teachers' organizations were forced to accept outside direction – do not forget that our time is limited."[320]

But President Barteaux's urgency would prove anticlimactic, given that the bill wouldn't pass for several years. A result of its many amendments from the NSTU's draft, the Teachers' Collective Bargaining Act would not be enforced until 31 January 1975, and in a form much different than intended by the union. Originally conceived as an overhaul to the bargaining clauses of the NSTPA, the new policy was to be strengthened with language repurposed from Nova Scotia's Trade Union Act (TUA). Thus, the NSTU

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[318] "Report of President and Executive." In "Minutes of the 52nd Annual Council of the Nova Scotia Teachers Union," 20-23 March, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[319] "N.S. Teachers Becoming Militant," *The 4th Estate,* 25 November 1971, 1-18.
[320] Minutes of Special council, 17, 18, 19 December 1971, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

would not require trade union certification but would be granted all of its benefits including provincial-level bargaining. Furthermore, none of the professional aspects of the NSTPA would be compromised. Drafting of the law was certainly overdue in the minds of many teachers. At the aforementioned December 1971 special council, called for the purpose of approving the tenets of new legislation, NSTU President Boyd Barteaux observed:

> "For some years now the matter of negotiating salaries with the employers of teachers is one that has been becoming of less and less significance. Differentials above the Foundation Program have practically disappeared and many Professional or Group Agreements agree to pay the maximum shareable scale of salaries. There fore in this time of increasing centralization of educational decision-making it appears that adequate formal negotiating procedures should be established to "negotiate" salaries at the provincial level, and that the foundation program committee mechanism has become outdated."

But over its three-year development, this simple plan would become more complicated, and would involve the unsolicited opinions of the School Boards Association. By the time of the law's assent, the NSTU had achieved collective bargaining rights, but with unexpected costs.

At the aforementioned special council, the NSTU's solicitor presented fourteen proposals to edit the TPA and invited discussion on each one. These proposals ranged from tweaks in language already present in the TPA, to ground-up reconstructions of formal negotiating practice. Among the smaller points of order were preventative mediation practices and protections from the altering of conditions during the course of an agreement, both of which borrowed from the TUA.[321] The two most important points,

[321] Minutes of Special council, 17, 18, 19 December 1971, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

and the two newest for the union, would be proposals six and eleven: the codification of provincial-level bargaining, and the granting of the right to strike. Proposal six would deem the Minister of Education the employer of Nova Scotia's teachers for salaries, insurance, and conditions "of a general nature relating to teachers employed throughout the province."[322] Thus, the union would bargain directly with the provincial government for its wage schedules but would retain the right to bargain these concerns with school boards as well.[323] Since this had already become the de facto means of salary negotiation for the province, the relationship between the provincial government and the union would not undergo much shift as a result of this policy.

Proposal eleven promised to be more consequential for the union's relationship with both the province and school boards, as it sought recognition of the right to strike at both levels. Though the legally sanctioned strike right could drastically increase the NSTU's bargaining power, it was the only provision discussed at the meeting which didn't meet with general agreement. It was initially proposed that a strike be permitted by a majority vote, though the idea of splitting the union down the middle was on the minds of leadership. One attendee questioned whether an 80 per cent majority should be required to strike, and another posited the potential impact on write-out rates. The solicitor cautioned that strikes "should only be used as a last resort."[324] The union's leadership was demonstrably anxious about the connotations of striking. They perceived

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[322] *An Act Respecting Collective Bargaining for Teachers*, 27 November 1974, 23 Eliz II, c 32.
[323] "Materials Concerning Bill 63," Sept 1974, 2011-062/012-31, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 2.
[324] Minutes of Special council, 17, 18, 19 December 1971, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

risks both in their reputation as professionals and in the rank-and-files' confidence in their leadership.

Nevertheless, the law as drafted was accepted. After 1972's annual council approved the fourteen proposals, Premier Regan's government agreed to bring it before the legislature.[325] Despite initial optimism, President Mary Roach was concerned with the government's foot-dragging. "The state of negotiations with Government is very uncertain," reads the President and Executive's report to the 1973 council. "While our discussions this year commenced in a positive climate, and with promise of successful conclusion, the lack of progress in recent weeks is not satisfactory to us." These concerns would be justified the very next month when the School Boards Association, by the estimation of Cape Breton West's Allan Sullivan, telegrammed each honourable member declaring their desire to be heard on the law.[326] The decision of the government was to submit the Bill to the House Education Committee to receive this additional input.

Representatives for the School Boards Association presented to the Committee in July 1973 and argued that the legislation as it stood was detrimental to boards, parents, and children. They took "strong exception" to the inclusion of superintendents, principals, and vice-principals in the bargaining unit, argued that bi-level bargaining denied parents "their right to participate in decisions," and claimed that strike action was

[325] "Materials Concerning Bill 63," Sept 1974, 2011-062/012-31, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 1.
[326] Nova Scotia, *Debates and Proceedings of the Nova Scotia House of Assembly*, 6 April 1973. https://0-nsleg--edeposit-gov-ns-ca.legcat.gov.ns.ca/deposit/HansardDeposit/50-04/19730406.pdf, 1902.

"demoralizing to teachers, children and the community in general."[327] They also questioned whether teachers supported the legislation at all. By the time the law was returned to the house, it had been revised extensively. Bill 184, the Committee decided, would be split in two: amendments to the NSTPA, Bill 64, were separated from the negotiation clauses now referred to as the Teachers' Collective Bargaining Act, Bill 63 (TCBA).[328] The changes were not only nominal; the new legislation contained expanded penalty provisions, removed Chief Education Officers from the bargaining unit, introduced a thirty-day cooling-off period before striking was permitted, and limited the scope of local negotiations so that salaries were now solely the purview of the Province.[329]

These changes did not cause the NSTU to reverse course, and "despite some reluctance," the leadership gave their blessing in order to have the two new laws passed.[330] But the union, despite believing the matter concluded, was forced to contend with school board rhetoric once more when Bills 63 and 64 were referred to the Law Amendments Committee. The School Boards Association, supported by the Union of Municipalities, continued in their opposition to administrative personnel bargaining and was successful in the removal of superintendents from the bargaining unit, but was unable to affect the same change for principals and vice-principals.[331] Instead, principals

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[327] "Submission to Standing Committee of the House on Education," 12 July 1973, 2011-062/012 Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[328] "Materials Concerning Bill 63," Sept 1974, 2011-062/012-31, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives, 2.
[329] Ibid.
[330] Ibid.
[331] Nova Scotia, *Debates and Proceedings of the Nova Scotia House of Assembly,* 24 June 1974, https://0-nsleg--edeposit-gov-ns-ca.legcat.gov.ns.ca/deposit/HansardDeposit/51-01/19740624.pdf, 833.

and vice-principals were made responsible for the safe dismissal of students and the maintenance of school grounds upon declaration of a strike.[332] One member did leave the door open to the possibility of principals' removal, suggesting:

> Whatever we decide on need not remain that way forever, if for example, honourable members agree with the compromise and approve it… that principals should be excluded, then I would think the government of the day would be wise to make such a change. It's just that we feel at the present this is the best compromise for today.[333]

The NSTU accepted this further amendment to the law, after threatening "decisive action" should the bargaining unit be revised any further. The province's compromise allowed the Bill to pass within about twenty minutes on 25 November 1974, hearing just one "nay."[334]

The finalized TCBA can be credited with formalizing provincial bargaining and finally legalizing strikes for the province's teachers. But there were a number of restrictions to temper these victories, especially upon the right to strike. The Act was a minefield of punitive measures meant to coerce the union into very rigid bargaining timelines at the risk of fines. Additionally, the TCBA defined a strike very broadly as "all or any cessation of work by teachers in a dispute between the union and a school board or

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[332] *An Act Respecting Collective Bargaining for Teachers,* 27 November 1974, 23 Eliz II, c 32.
[333] Nova Scotia, *Debates and Proceedings of the Nova Scotia House of Assembly*, 24 June 1974, https://0-nsleg--edeposit-gov-ns-ca.legcat.gov.ns.ca/deposit/HansardDeposit/51-01/19740624.pdf, 834.
[334] Nova Scotia, *Debates and Proceedings of the Nova Scotia House of Assembly*, 25 November 1974, https://0-nsleg--edeposit-gov-ns-ca.legcat.gov.ns.ca/deposit/HansardDeposit/51-01/19741125.pdf, 1543; The notion of removing principals from the bargaining unit eventually came into effect with 2018's Bill 72.

between teachers and a school board."[335] Thus, striking at the local level was entirely banned and the same seemed to apply to the pink-letter method. Locals were no longer able to take antagonistic measures of their own, meaning that the ultimate show of union power could only be legally undertaken if an issue was worthy of provincewide participation. Rather than a local being allowed to strike individually over a wage concern, the union would now need to decide whether one local was worth disruptions in every region.[336] Given that all the union's militant action had take place at the local level, and given the recency of 1972's mass protests, the provincial unit knowingly signed away their most potent weapon in local disputes.

Substituted for strikes at the local level was compulsory arbitration, though no specific mechanism for enforcement was prescribed, severely weighting negotiations in the favour of boards. [337] Meanwhile, strikes at the provincial level could come about only within six months of the conclusion of conciliation, and yet a period of thirty days must elapse between a strike vote and the cessation of work.[338] Even further, a forty-eight hour notification period prior to the beginning of a strike was made mandatory. The forty-eight-hour period before a strike could begin must have been particularly worrying for the union. In June of that year, the Regan government had set a dangerous tone by

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[335] *An Act Respecting Collective Bargaining for Teachers*, 27 November 1974, 23 Eliz II, c 32.
[336] When provincial strike action was taken in 2017, it was in response to the McNeil government's imposition of Bill 75, which legislated teachers into a four-year collective agreement.
[337] The lack of a provision carrying out arbitration awards would become a highly litigious issue immediately after the law's passing.
[338] *An Act Respecting Collective Bargaining for* Teachers, 27 November 1974, 23 Eliz II, c 32. These clauses were copied from the Nova Scotia *Trade Union Act.*

legislating striking nurses back to work on the second day of their 1000-strong strike.[339] The union had finally achieved collective bargaining, but again their specialized legislation was special only its naming and industry-specific housekeeping additions.

As this was the first major overhaul of teachers' bargaining mechanisms for nearly two decades, and as the TCBA had not yet been tested in court, neither board nor local were certain of its strength. Unfamiliar with, but certainly unafraid of the new legislation, the first order of business for school boards in 1975 was to ascertain the power of the new law via confrontation. Characteristically for negotiations under the NSTPA, this late dispute was dramatic, vexing, and drawn-out.

School boards' opportunity to trial the new act came in the form of a correspondence from the Pictou local, which had signed a one-year contract in July 1973. The contracts reached between individual locals and boards would likely have been expiring on vastly different dates and, in this case, the NSTPA was usurped by the TCBA in the middle of negotiations. It seems that the two parties were negotiating a new contract in the early months of 1975, when in March, the Pictou local requested that negotiations under the NSTPA be terminated and that the TCBA be substituted.[340] The two parties met at least once in April, followed by a request from the union on 9 May to meet again on "any night during the week of May 12th to 16th and May 22nd."[341] A

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[339] Judith MacLean, "The Nurses Strike 1975." In Clive Gilson, ed., *Strikes in Nova Scotia, 1970-1985* (Hantsport, N.S: Lancelot Press, 1986): 43.
[340] "Evidence Submitted to Labor Relations Board Province of Nova Scotia: In Respect of Certain Complaints of the Nova Scotia Teachers Union Against the Board of School Commissioners of the Town of Pictou," 15 September 1975, 2011-062/006-30, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[341] Ken Johnston to D. R. English, 9 May 1975, 2011-062/006-30, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.

meeting was eventually held on 2 June, whereupon the board was presented with the NSTU's proposals. The locals' requests included increases to sabbatical leave pay, portable sick leave, an extra month of maternity leave, a greater number of professional development grants, a class-size cap of 25, and numerous other amendments.[342] But upon presentation of these demands, the Pictou Board of School Commissioners became non-responsive.

This tactic was well known to the NSTU by this period, and to increase the pressure on the board to negotiate, the next letter was sent by NSTU Executive Assistant Ron MacPherson. "The Nova Scotia Teachers union hereby expresses to you its concern regarding lack of progress in negotiations between the board and the Union," wrote MacPherson on 12 June. "Unless we receive a reply to our proposals," the Executive Assistant continued, "it will be necessary to seek other means to conclude and agreement."[343] MacPherson went on to demand that the board acknowledge the proposals by 30 June. When the board responded on 20 June, however, they took an offensive posture. Pictou Clerk and Treasurer, D. R. English, replied that the board had really been waiting for the union to suggest meeting dates, and that they had not seen fit to respond to NSTU proposals since the union had failed to supply "any rationale behind [their] proposals."[344] To the union's displeasure, English suggested subsequent meeting dates in mid-late July. MacPherson's subsequent reply accused the board of hypocrisy for "waiting patiently" to hear from the union and then suggesting meeting dates more than a

[342] "Evidence Submitted to Labor Relations Board Province of Nova Scotia," Nova Scotia Archives.
[343] Ron MacPherson to D.R. English, 12 June 1975
[344] English to MacPherson, 20 June 1975.

month away. Irked, English suggested the NSTU was "under the impression that the Board members… have no commitments other than to meet with the Pictou local of N.S.T.U… surely you are not that naive."[345]

The NSTU's next response wouldn't come until 11 July. Too late, according to the board. Due to vacations and other commitments, English explained, the board now would not be available to meet until the last day of the month.[346] MacPherson made clear that this date would interfere with a vacation, but the Executive Assistant agreed to meet on 31 July nonetheless.[347] Ahead of the meeting, the board drafted a number of their own proposals, which contained among them mechanisms to grieve against the union, and rejections of the NSTU's proposals on class sizes, preparation time, and sabbatical pay. They agreed to extend maternity leave to 60 days, but only assuming the teacher had accumulated 60 sick leave days.[348] After initiating bargaining under the TCBA in March, both parties were finally prepared to discuss their demands on 31 July. According to English's testimony to the Labour Relations Board, this meeting would last just twenty minutes.

> On July 3lst, 1975 a meeting between the Board of School Commissioners of the Town of Pictou and the Negotiating Committee of the Pictou Local of the Nova Scotia Teacher's Union was held… After approximately twenty minutes the Chairman adjourned the meeting and subsequently left the Office. After waiting a few moments I stated to the Committee Members still in attendance that I had duties to carry out in my position as Town Clerkand [sic] I would appreciate it if they would leave the Office. Most of those in attendance left my office with the exception of Mr. MacPherson who persisted in carrying on an argument with me.

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[345] English to MacPherson 27 June 1075.
[346] English to MacPherson 14 July; This letter is dated June 14th in error.
[347] Macpherson to English 11 July 1975.
[348] "Board of School Commissioners of the Town of Pictou Proposals for Consideration of Nova Scotia Teacher's Union," July 1975, 2011-062/006-30.

> I kindly asked him to leave several more times, however, when these attempts proved futile, I was consequently forced to physically remove him.[349]

It was this altercation which led to the alleged damage to English's door noted at the earlier. MacPherson's recounting differs, telling of an incident even less civil than described above.

> At a negotiating meeting held on July 31 in the office of the Secretary of the Board, (Mr. Dan English) I was threatened by Mr. English to leave his office or he would use 'physical force' to remove me. At the same meeting, and subsequent to Mr. English's threat, I was personally insulted by derogatory comments from Mr. English. During that afternoon as I and the Teachers Committee were leaving Mr. English's office, I was pushed out the door by Mr. English, who also attempted to slam the door of his office in my face… I charge that Mr. English's threats, his insults, and his physical assault of me represented a deliberate attempt to intimidate me and prevented me from carrying out certain responsibilities I have as the chief negotiator for the Teachers Committee.

The NSTU representative filed a complaint with the Labour Relations Board the very next day.

The NSTU's complaint accused the board of seeking to discontinue negotiations through intimidation, failing to make every reasonable effort to conclude an agreement, and of altering the terms of employment during the tenure of an agreement.[350] The latter of these two accusations was in relation to staffing changes which had taken place early in the negotiating period, including demotions and consolidations resulting from retirements in the system.[351] In defense of the board, English denied any intention of

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[349] English to K. H. Horne, Acting Chief Executive Officer Labour Relations Board, 27 Aug 1975, 2011-062/006-30.
[350] MacPherson to Labour Relations Board, 1 August 1975; MacPherson to Minister of Labour Walter Fitzgerald 1 August 1975.
[351] Two Principals at two schools were allegedly demoted to Vice Principal and the role of principal was consolidating the higher position into the "Principal of Elementary

delaying negotiations and claimed that the changes made to staffing were well within the rights of the board under the previous agreement.[352] The Labour Board's decisions on the three charges came down on 5 November 1975 with mixed results. They determined, on the charge of failure to negotiate, that "collective bargaining has not been carried on in a mature or professional fashion by either party… and that the Board of School Commissioners… [failed] to make every reasonable effort to conclude a collective agreement."[353] As such, the board was forced to negotiate immediately following the ruling. Because the restructuring of staff occurred prior to the TCBA's effective date, the board determined that there could have been no breach of the law.[354] The complaint of intimidation was dismissed in a separate decision.[355]

The final bout of negotiating under the NSTPA was acrid, as many in the past had been. As a final gift to the teachers, the old legislation had prevented a new contract from being struck for more than six months after the opening of negotiations. But this transition heralded more than a change in bargaining machinery. The mid-1970s would also mark the beginning of a new era of government intervention in labour relations. The provincial and federal governments had tended to restrain their interference in Nova Scotia's education, as school boards had tended to do an acceptable job of deflecting salary demands in the past. The TCBA was instituted, however, to bring this project under

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Schools" and "Principal of Secondary Schools" rather than hiring a principal for each school.

[352] English to Horne 27 August 1975.

[353] Nova Scotia Teachers Union v Board of School Commissioners, No. 2220 (Nova Scotia Labour Relations Board 5 November 1975).

[354] Nova Scotia Teachers Union v Board of School Commissioners, No. 2220.

[355] Nova Scotia Teachers Union v Board of School Commissioners, No. 2221 (Nova Scotia Labour Relations Board 5 November 1975).

the purview of Premier Regan's administration, who decided that it needed to proscribe wage bargaining and striking at any level but the provincial. The province thus moulded the TCBA into a form much more palatable for a government fearing public sector antagonism.

The NSTU of the early 1970s was quite reminiscent of the union two decades prior. The old and intense struggle for minor wage gains had met with a newly-austere Liberal government, and again union leadership had to contend with an eruption of dissatisfaction. The executive's commitment to local bargaining and tired conciliation practices had created a palpable rift in the union's ideology, necessitating a severe concession on the part of the leadership. Perhaps this was the disunity which President Fredericks had feared – an increasingly angry rank-and-file decoupled from a resistant executive. What was to come with the introduction of the TCBA was uncertain, though it was plain to see that the NSTU had lost control over its own legislation. If the trends of the 1960s were an indication, the three-party relationship of union, board, and government was spiralling toward something much more unilateral.

Chapter Five: Conclusion

By the mid-1970s, the NSTU represented virtually every teacher in the province, included a more specialized and highly-qualified membership, and had proven that its locals had the power to disrupt education when necessary. While the TCBA's gutting may prove their perception as a threat, but it is clear that their value in the eyes of the provincial government was not truly shifting. Some teachers' salaries would keep up with inflation in the 1950s and 1960s, but Nova Scotian teachers' would never be granted a broadly satisfactory wage during this period. **Figures 4 and 5** demonstrate that this trend would not change in the 1970s, and in fact teachers' economic position would only degrade by decade's end. Just as different teachers would not experience their economic position the same, the union's membership was divided and inconsistently represented. The central NSTU's commitment to decentralized educational finance would carry these local incongruities into the realm of bargaining, where few locals made gains before all wages were regressed to provincial minimums. Regression to the salary scale was, at first, the doing of school boards, but the Regan government's 1970s financial anxiety made provincial bargaining a convenient demand from the union. Both the *Teaching Profession Act* (NSTPA) and the *Teachers' Collective Bargaining Act* remain in force today, monuments to the increasing power of the provincial government in teachers' working lives.

Labour historians have long observed this increased willingness among governments to interrupt the collective bargaining process and to restrict workers' ability to bargain. Panitch and Swartz identified in the 1980s that the post-war compromise with labour, which instituted a more stringent and legalized negotiating framework, had been

dotted since the 1950s with exceptions.[356] In these instances, the state would temporarily declare illegal the actions of organized labour if they jeopardized the "welfare and security of the nation," a definition which would broaden with time. This bourgeoning phase of labour relations would be defined more by discretionary state intervention than the rule of law as written.[357] As the concessions made to labour in the immediate post-war period subsided, a greater number of unions turned toward extralegal strikes to affect change.[358] In fact, one-third of Canadian strikes in 1965 occurred extralegally.[359]

In response, the number of legislatively-forced settlements increased in the 1960s, before jumping again in the 1970s owing to stagflation-related unrest and increased public sector union participation.[360] Panitch and Swartz coined the new labour relations paradigm "permanent exceptionalism," and observed that it was characterized by "selective and ad-hoc suspension of the rights to bargain and strike for particular groups of workers for a specific period of time."[361] But this new era was not marked only by

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[356] Leo Panitch and Don Swartz, "From Free Collective Bargaining to Permanent Exceptionalism: The Economic Crisis and the Transformation of Industrial Relations in Canada." In Mark Thompson and Gene Swimmer, eds., *Conflict or Compromise: The Future of Public Sector Industrial Relations* (Montreal, Quebec: Institute for Research on Public Policy, 1984).
[357] See Leo Panitch and Donald Swartz, *From Consent to Coercion: The Assault on Trade Union Freedoms* (North York, Ont.: University of Toronto Press, 2009), 27.
[358] Leo Panitch and Donald Swartz, *From Consent to Coercion* (Aurora Ontario: Garamond Press, 2003), quoted in Stephanie Ross, "Social Unionism and Union Power in Public Sector Unions." In Stephanie Ross and Larry Savage, eds., *Public Sector Unions in the Age of Austerity*, Labour in Canada (Halifax, Nova Scotia: Fernwood Publishing, 2013), 61.
[359] Bryan Evans, "When the State is Your Boss," 21.
[360] Ibid. The number of times back-to-work legislation was enforced in Canada was sixteen between 1950 -1969 and 63 between 70 – 84. Leo Panitch and Donald Swartz, *From Consent to Coercion*.
[361] Leo Panitch and Don Swartz, "The Continuing Assault on Public Sector Unions." In Ross and Savage, eds., *Public Sector Unions*, 31-32.

back-to-work legislation, it was also marred by wage control programs. These restricted the possible gains to be made while bargaining, and then illegalized striking for the tenure of their already-coerced agreements. The Nova Scotia Teachers' Union was not stripped of its strike rights until 2017, but it would be impacted by numerous federally-mandated wage restraint programs far earlier. The first, in 1976, was a rollback of wage increases by 7 per cent at the behest of the federal Anti-Inflation Board; the second was a cap on salary increases instituted in 1983 which limited salaries to a 6 per cent increase.[362] Both of these interventions essentially dispensed with the union's bargaining rights. The first of these impositions was forcible, the second received the union's consent.

The trying time ahead was one for which the NSTU was ill-prepared, and detailed data is available for the 1970s and 1980s which demonstrates this weakness quantitatively. This period, infamous for inflationary pressures, would also be one in which the provincial government was less willing to offer concessions in the form of cost-of-living increases. The NSTU had already established its role as a wage-taker in the 1960s in negotiations with both boards and the province, and thus it seems that it was unable to protect its teachers from a steeply inclining consumer price index in the 1970s. The graphs which follow, **Figures 4 and 5**, are predicated on data collected from the NSTU's handbooks and collective agreements.

The first presents a view of the percent changes in both inflation and salaries for each year from 1972 through 1983. The base year for both graphs is 1970. **Figure 4**, it

[362] "President's Remarks to the 1977 Annual Council." In Minutes of the 56th Annual Council of the Nova Scotia Teachers Union, 15-18 March 1977, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.; Fergusson, *The Story*, 224.

must first be noted, features two distinct spikes. One impacts all salaries in 1976, and the other affects TCM and TC1 licenses in 1978. The second is most readily explained. As these two salaries were dwindling in number, their salary scales were combined with that of the TC2 license. Hence, whether one was a TCM, TC1, or TC2, payment would be reflective of the TC2 scale, which included experience increments up to three years of service. This consolidation is more easily recognizable in **Figure 5** where these three lines converge. The reason for the considerable spike in 1978 results from the fact that this consolidation represented a significant percent change in the salaries of TCM and TC1 teachers. The first spike, on the other hand, closely trails the adoption of the TCBA, and indeed significant salary increases were negotiated in this first provincial-level bargaining process. Negotiations concluded in December 1975 and resulted in a ten per cent pay raise made retroactive to August 1975, and an eighteen-point-six per cent increase arranged for January 1976.[363] A seven per cent increase scheduled for January 1977 was also agreed to, but it was eventually rolled back by the aforementioned federal Anti-Inflation Board.

Figure 4 contrasts the consistently positive slope of inflation from the stop-gap increases occasionally spared to teachers in this period. As such, the gap between salary increases and inflation narrowed while teachers waited for contracts to expire. The gains negotiated in 1975 were rather anomalous, almost certainly the result of the threat of striking by teachers and strikes which had materialized among nurses earlier that year.[364]

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[363] "Report of President and Executive 1976." In "55th Annual Council Minutes," 16-19 March, 1976, 2011-062/002, Nova Scotia Teachers' Union Fonds, Nova Scotia Archives.
[364] Duncan Fraser, "Nova Scotia," in *1975 Canadian Annual Review of Politics and Public Affairs*, ed. John T. Saywell (Toronto: University of Toronto Press, 1976), 164.

After these raises come into effect, there are no spikes of even half this magnitude, while inflation continued to trend upward between 1976 and 1981 without respite. Most salary increases in this period fell around the ten per cent mark, while inflation spent the vast majority of this time topping six per cent.

Greater consistency in raises would have been crucial in this period, as constant inflationary increases to CPI quickly began outpacing each salary level. Most noteworthy is the slope of CPI, which is very rarely ever outpaced by the increases in average salary for each license level. Much like the data shown in Chapter Three, the disparities between salaries level are unmistakable. While lower-licensed teachers begin taking pay cuts in real terms as early as 1973, the highest license wouldn't experience the same until the outset of the 1980s.

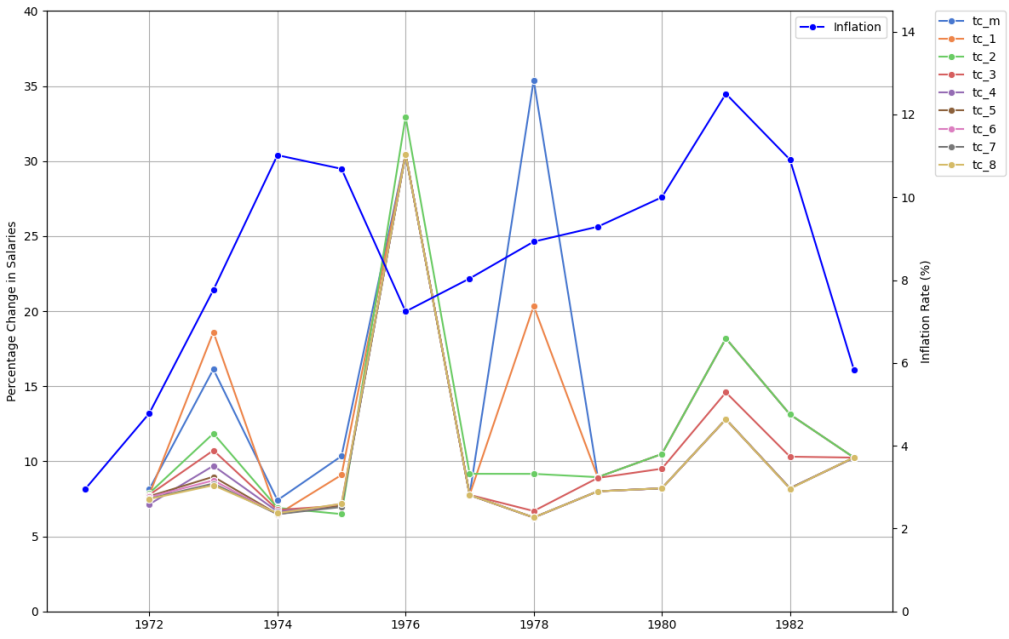

Figure 4: Percent Change in Salaries and Inflation, by Year[365]

[365] The salary data in this figure was collected from annual handbooks and provincial agreements; CPI data was collected from: "Consumer Price Index," Statistics Canada, 15 August 2024, https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=1810000501.

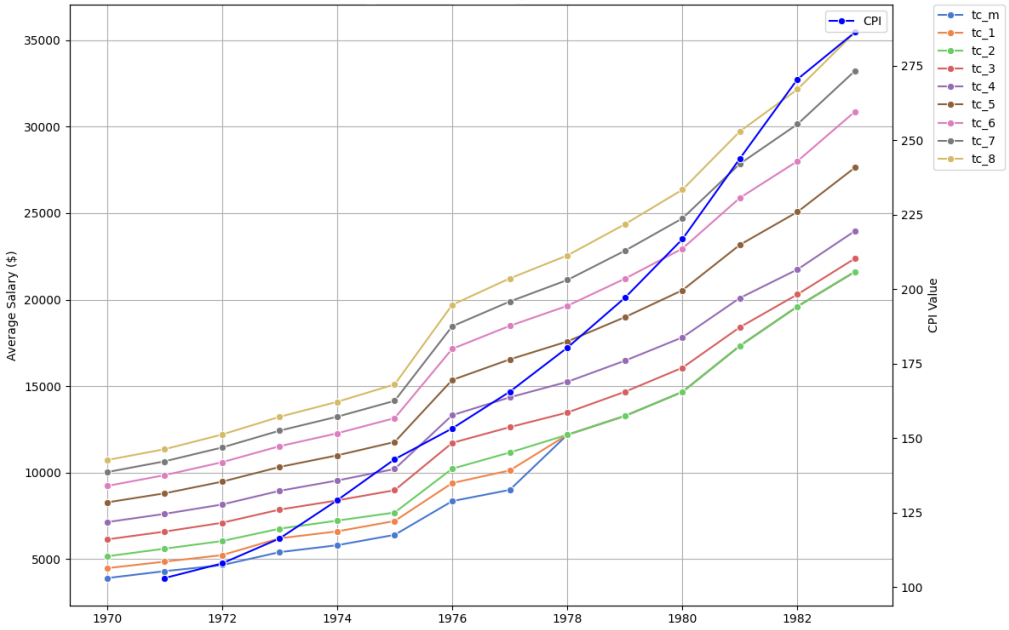

Figure 5: Average Salary by License and CPI[366]

The spike resulting from the 1975 pay increases is much more subdued in **Figure 5**, showcasing the fact that these negotiations exceeded cost of living increases for all but the bottom three salaries. Eventually, nearly every level of teacher would begin to take a real-terms pay reduction despite the introduction of provincial collective bargaining machinery.

The Nova Scotia Teachers' Union, at least in the mid-twentieth century, may not be able to purport a history of success. Teachers, however, may be able to recount a history of resilience and struggle. Even despite the confining nature of the central NSTU, teachers regularly sought local avenues to assert their value claims. It is unclear if teachers' unsettled position between classes will be resolved, but it is certain that the legislative and organizational imperatives developed from the 1940s through the 1980s

[366] Ibid.

have offered little in the way of solutions to the issue. Progress could, perhaps, come from union policies which look outward, rather than in. When the organization sought to increase teachers' respectability, it made teachers the issue. When teachers sought collective bargaining rights, the union agreed to consolidate these powers at its highest ranks, and then guarded them jealously. These missteps, as well as the constraints enforced by outside structures, have prevented a truly collective teachers' movement from forming.

First through the effort of boards, then the provincial government, the splintered NSTU was placated only to maintain depressed wages and discontent. The regime of the Teaching Profession Acts, which began in Nova Scotia in the 1950s, made little change to the local landscape but tied the central unit's hands politically and legislatively. While militancy on the board front spiralled toward upheaval, the union posed new challenges to the teachers in the form of professional attainment. Just as their professional act had not changed the material position of NSTU locals, professional discourse was not designed to mend the much deeper structural inequalities inherent to education. The central union was entirely unequipped to mend these disparities, but it had also not shown a high level of interest in doing so through collective force. Never in this time had the NSTU's leadership primed their most powerful weapon for which many had clamoured. This apprehension has only recently been dispensed with, and it has now been indisputably proven that the union can be prevented from a split even at its most militant. 2017's strike, the NSTU's most notable break with its own history, has opened a wide array of options for the occupation. For as little as is known about the NSTU's past, these developments indicate that history may not reflect the union's coming days.

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