

December 3, 2016
Check against delivery

Good day.

Our government has to take action to respond to the safety risks posed by the NSTU's strike action directives for union members.

Sent to teachers and principals earlier this week, the directives ask all union members to dramatically limit their supervision of students.

We reviewed the NSTU directives carefully, consulted with staff from all school boards and can only conclude that the safety risks posed by the NSTU's recommended course of action must be mitigated. We also believe the actions would be in violation of the Education Act.

We only arrived at these conclusions after consulting all school boards, seeking advice from internal and external legal counsel, and carefully reviewing the obligations of teachers, principals and other union members under the Education Act.

It is also important to understand that the provisions of the Education Act take precedence over collective bargaining and contractual rights. This is clear in the act.

The act states schools should be a safe and productive learning environment for students. It is also clear that principals and teachers have a legal obligation to make it so.

The legal duty to help keep students safe is unconditional – it does not start 20 minutes before school starts, or take a break for lunch, or lapse 20 minutes after classes end at the end of the day.

This obligation, to look after children and try to keep them safe, is also at the very core of the NSTU's code of ethics.

Under the teachers' own ethical guidelines, members "should assume responsibility for the safety and welfare of pupils, especially under conditions of emergency."

It is clear, after communicating with school board officials across Nova Scotia, that the job actions proposed by the NSTU could indeed put our schools in an emergency situation.

More than 43,000 students are supervised at lunch. Many of these children could end up stranded in schoolyards, or unsupervised in classrooms, after arriving on buses more than 20 minutes before classes begin.

We were warned that educational assistants may not be there to meet students with special needs as they arrive by bus. If only one student is stranded by the NSTU's withdrawal of services, that would be one too many.

Without teachers in place, who would know which students have food allergies? Which students have health problems? Which students need special help.

This is an acknowledgement, and a profound one, of the important, crucial role our teachers play in keeping our children safe, in educating our young, in preparing them for careers and for citizenship.

As Minister of Education and Early Childhood Development, I want to reach out to educators now in acknowledging this.

As teachers, you play such an important role that we cannot safely keep the schools open without you working with the passion and commitment you bring to work every day.

I know teachers care deeply about our children and their safety. I need to ensure that they continue to have the ability to put children first.

For that reason, we are taking two important steps. Our goal in taking these steps is to keep students safe.

First, we will close the schools to students starting on Monday morning. Teachers and other staff will be expected to show up for work. To be clear, we are not locking the union out.

Secondly, we will introduce legislation that will get students back in school as quickly as possible.

The Teachers' Professional Agreement Act will adopt the tentative agreement reached by the union and the government on Sept. 2, 2016 - as an NSTU contract extending until the end of July, 2019.

The safety of our students is paramount in all of this. We are confident that we are taking the right steps to ensure our schools continue to operate as safe and productive places of learning.

Thank you.