

Making History: from Resilience to Resistance

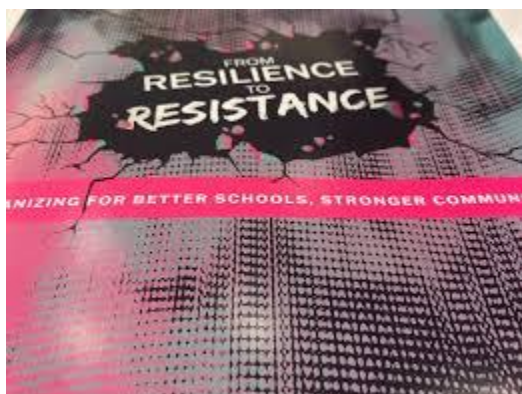
The labour movement and OSSTF made history in November 2022, and it is prescient to reflect on the context and outcomes of those events, as well as the ongoing challenges for unions, our members, and for all Ontarians. I write from the perspective of firstly an ARM member, and long time OSSTF member, as well as from over a decade of experience as the London and District Labour Council President, and as an Ontario Federation of Labour Executive Board member. Also, my Masters of Education thesis titled *Global/Local Interconnections: Grassroots Activism for Public Education in Ontario* explored the coalitions that were formed, and the strategies deployed to fight the Harris government attacks on public education and education workers during the two Conservative government terms from 1995-2003. I note in that research, the importance of the Days of Action,



In 1997, OSSTF members across the province walk off their jobs to protest the provincial government's Bill 160. After 10 days of protest, the government backed off on some changes and the public's concern for public education was raised.

and the 1997 political protest by education unions, during which schools across the province were shut down for two weeks in what was essentially an illegal strike. With regard to recent historic events in Ontario that I will address in this article, it is my view that only bold mass mobilizations can provide the pressure needed to confront the current Conservative government, which demonstrably has contempt for unions, and the democratic process. The resounding victory of CUPE education sector leaders and workers, and public and private sector unions to challenge Bill 28 and to force the rapid rescinding of that Bill by the Ford government, are a case in point. The OSSTF CPAC conference "From Resilience to Resistance", that took place in late November

2022, offered a significant opportunity to revisit that victory and to strategize about next actions for OSSTF, and the labour movement.



The overall context for the historic events of November 2022 includes the many ways in which the Ford government undermined unions and labour rights during the pandemic. It would take more space to document all of those elements than in this article, but pertinent to our understanding is Bill 124, which was an attack on the collective

bargaining rights of all public sector workers and limited wage increases to a paltry one percent. Wages in the public sector have not increased with the cost of living for decades and adding insult to injury, corporate and bank profits have skyrocketed, particularly during the pandemic. Also, Bill 195, which was called “an act of betrayal for frontline workers” by CUPE, allowed employers to contravene collective bargaining agreements, and to force workers to endure terrible working conditions. As a glaring example, healthcare sector workers could be required to work in multiple workplaces, which was a discernible health and safety risk, have working hours extended, and be refused holidays. Recall that in many healthcare settings, including hospitals, workers did not have proper PPE. Tragically, there were thousands of deaths in long term care homes and not only did the Ford government fail abjectly to prevent those deaths, but they also passed legislation preventing families from suing the mostly private, for profit homes where those deaths occurred.

In education, teachers had to contend with constantly shifting working conditions; so-called hybrid teaching models which meant that teachers could be required to teach in class, and provide live virtual instruction simultaneously, as well as maintaining online google classrooms with materials posted and paper copies for those students who could not access the online venues. Then there was the roller coaster of various quadmester models which in TVDSB changed each quad for the school year 2020-2021; and there were abrupt and chaotic shifts from in class to online classes, imposed by the Minister of Education at a moment’s notice.

Just one infamous example of these sudden and ill planned shifts was on January 4, 2021, when the Ministry of Education dictated in an announcement during the holidays, that teachers were required to teach in online virtual google

classrooms. Minister Lecce stated that teachers were fully trained – which was not true. Like thousands of other teachers, I was informed about this expectation at a virtual staff meeting early that day, and leaped on the first PD session I could at 11:30 am that morning, attended by hundreds of panicked secondary and elementary teachers – note that we were supposed to take attendance that day with our classes. I subsequently called a Vice Principal at my school, and asked what the protocols were in this unprecedented situation – of course there weren't any in place for this situation. She confirmed that it was totally untenable, and that they were fielding hundreds of calls from parents and students unsure about what was happening or how to proceed. She suggested that I post an announcement on the google classrooms and record present any students communicating on that venue or by email – in other words our best attempts to mitigate the logistical disaster of the Ministry of Education.

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It was the single most stressful experience of my entire career as I grappled with how I was supposed to teach without expertise in virtual instruction. A kind colleague who was then teaching only virtually assisted me with a quick but effective lesson about the technicalities of the virtual classroom and I had enough knowledge to go forward the next day with a live google classroom session. My grade twelve students were most receptive and supportive of the challenges for me and for them, but clearly it was an unacceptable situation and symbolic of the haphazard and chaotic approach of the Minister of Education imposed on teachers and education workers during the entire pandemic. Recall that the Ministry mandated Boards to design pandemic models but didn't develop those models – it meant that teachers had to shift from semester models for courses, to teaching a course in 11-12 days in the so-called quad model and we initially had about five days to do what was essentially curriculum triage in September 2020.

This account is, of course, only a slice of the multiple elements of the stressful working conditions for all education workers during a historic pandemic with

mass trauma and mental health effects for which the public education system was not adequately resourced to handle. CUPE workers had endured chronic understaffing and low wages for decades, as well as increased incidents of violence. In TVDSB and other Boards, CUPE educational assistants were required to be in school settings with students in Developmental programs for most of the pandemic, with their teacher colleagues, and there were obvious health and safety risks.

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OSSTF/FEESO fully supports securing a fair deal for CUPE's (OSBCU-CSCSO) Education Worker Members.

Our focus remains on our negotiations and making progress at the bargaining table for our Education Worker and Teacher Members. We are not in a position to take job action.

We call on the Ford government to invest in public education and negotiate a fair deal that respects the needs of frontline education workers, students, and their families.

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Key to an understanding of the remarkable outcomes in the CUPE fight with the Ford Government was the work done by OSBCU, the Ontario School Board Council of Unions, part of CUPE, in the months prior to the stand off. There were many local and regional sessions to educate members and to gain momentum for the upcoming confrontation with the Government. It was deep organizing at its best, and it was vital for the record strike mandate vote in early October, with 96.5% of members voting in favour of a strike and an 83% member participation. Further, union leaders had been clear that the probability of back to work

legislation was high, and there were strong indications that members would defy it.

In late October, OFL and the Justice for Workers campaign called for solidarity actions across the province, to symbolically “paint the province purple” with



posters and ribbons. These actions began with smaller numbers but grew steadily and were part of the building of both member confidence and public support. The Ontario Parent Network organized powerfully to build broad support and to counter the Education Minister’s narrative. The overall messaging by CUPE was extremely effective with the slogan “education workers are standing up for our kids, our communities and the future of education”.

The fact that over half of CUPE workers could not support their families, and were often working a second job, and going to food banks, galvanized public opinion in their favour.

The ultimate spark that lit the subsequent wildfire in the labour movement was Bill 28, which was an unprecedented piece of legislation and, as it turned out, a huge miscalculation by the Ford Government. It imposed a contract and working conditions on CUPE workers, which decimated collective bargaining rights. It contravened the Ontario Labour Relations Act and the Human Rights code; it criminalized strike activity; and it used the infamous “notwithstanding clause” of the Canadian Charter of Rights and Freedoms to prevent challenges to the Bill, and also by extension, core rights to freedom of association and freedom of expression. To top off the clear threats to union rights and democratic norms, the union fines per day were increased to \$500,000 and the individual member fines doubled from \$2,000 to \$4,000 each day of strike action.

Bill 28 It contravened the Ontario Labour Relations Act and the Human Rights code; it criminalized strike activity; and it used the infamous “notwithstanding clause”.

To ensure that everyone understood their intent to prevent union fightback, not to mention a fair, democratic process, the Conservative government scheduled

Legislature sessions at 5:00 am, in order to speed up the passing of Bill 28. Not only that, but they demonstrated totally disrespectful and inappropriate behaviour during the process, mocking the opposition, and laughing and congratulating one another with gusto. However, their glee would not last long, as the labour movement responded with remarkable solidarity and unanticipated actions. In an OFL emergency meeting on November 1 to get a detailed legal analysis of Bill 28, and to discuss escalating actions, it was agreed that a general strike was definitely on the table. An OFL campaign 'Hands off Workers Rights'



was announced, and a mass rally called for November 1 at the Ministry of Labour in Toronto. It drew nearly 4,000 people, and had public and private sector union participation, as well as union retirees, and hundreds of community participants. The rally crowd also marched to Queen's Park, where there were chants for the Minister of Education and the Premier to resign.

Despite the attempt to intimidate CUPE leaders and members, on November 4, workers defied the Ford Government, and set up impressive picket lines across the province. The lines were bolstered by multiple unions, labour councils, retirees, students, parents, and community members in a remarkable show of broad support. Upwards of 10,000 people protested at Queen's Park, and public support swelled for CUPE workers. Notably, the Ontario Public Services Employees Union had communicated with its 8,000 members in the education sector, urging them to walk out in solidarity with CUPE. OPSEU leaders were absolutely unequivocal: "Your union will have your back. You will not have to pay any fines. And you will have the full force of the union behind you should your employer attempt to enact any discipline." At picket lines in London, the mood was jubilant, as the two NDP MPPs, Teresa Armstrong, and Peggy Sattler, opened up their offices to support the CUPE efforts; hundreds of union and community members flocked to the CUPE lines; CUPE members were thanked for taking a courageous stand; and constantly honking horns were music to the ears of everyone on those picket lines. It was a clear signal to the Ford Government that their attempt to silence and to intimidate CUPE members and leaders, was not

going to fly, and that the broader public, including many parents with kids in school, were supporting the CUPE education workers.

The next day, on November 5, the OFL Provincial Executive Board convened an emergency meeting, which lasted over three hours, and involved intense discussion about the need for a united and militant response to the dangers of Bill 28. Notably, there were both public and private sector union leaders in the meeting, including those whose unions had endorsed the Ford Government during the provincial election campaign. The meeting resulted in a unanimous vote for a mass protest at Queen's Park on November 12, and a general strike on November 14 – notably this was a historic landmark for the Ontario labour movement, and there was a mood of militance. The writing was on the wall for unions: we had to confront the Ford Government's flagrant abuse of power and the threat not just to labour rights but core human and democratic rights in Ontario and Canada. That day, and the next, I was part of an OFL strike planning committee, which began to sketch out the steps leading into a province wide mass mobilization.

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It was historic by any measure in Canada, and not surprisingly stressful for those of us who have been involved in planning various forms of political protest over decades and knew the potential pitfalls. We understood how high the stakes were for the labour movement and were mindful that there was limited time to launch a massive fightback. Comparatively, the Days of Action in Ontario had been planned and organized in months, not days.

The situation was obviously stressful too for union leaders, who were in the difficult position of having to quickly call virtual meetings with local leadership and members, to gain their support for a general strike by consent or voting, and to organize massive mobilizations. Many union leaders called emergency zoom meetings that weekend, since time was short, and challenges were multiple. CUPE held a mass conference call for all its provincial locals, including those not in

the education sector, to discuss the urgency for walking off the job, and locals in the municipal and post-secondary sectors made commitments to strike. By mid day on Sunday, November 6, UNIFOR publicly shared a letter they had sent to the Premier, with an implicit message that its locals could be engaging in wild cat strikes to fight Bill 28. OSSTF President Karen Littlewood (below left) had a zoom



meeting with District leaders across the province, and town halls were planned for OSSTF members to hear about Bill 28 and to vote on the proposed actions. The Canadian Federation of Students in Ontario was calling for its locals to join CUPE picket lines, and non-unionized workers were also organizing with the intent to stage workplace walkouts. BCTF, the British Columbia Teachers' Federation, voted to donate one million dollars to support the CUPE strike. The OFL and CUPE announced a joint union leaders' press conference on Monday for 10:00 am to declare the upcoming general strike. News of

the labour movement's plan had already been featured on social media, and by Sunday evening, the Toronto Star broke the story that unions in Ontario would be launching a general strike on November 14. On Monday morning, the CUPE picket lines were packed, and excitement was building. The momentum was palpable.

Then came the sudden reversal by the Ford Government that had seemed impervious to widespread criticisms of Bill 28, which included many civil society organizations and Federal government leaders, or to the spectre of a general strike. At a hastily called press conference at 9:00 am in the morning of November 7, the Premier announced in a notably conciliatory tone that Bill 28 would be repealed "in its entirety" with the proviso that CUPE education workers end their strike. The union leaders' press conference was pushed back to 11:00 am, as they grappled with the unexpected announcement and were in discussion about how to proceed. CUPE leaders understandably didn't trust the Premier to follow through with the rescinding of Bill 28, and decided to demand that it be

submitted to them in writing – a wise move on their part. So, the union press conference was delayed until almost noon, but with the Government's commitment to repeal the Bill in writing, an impressive number of union leaders, including OSSTF President Karen Littlewood, convened onstage with CUPE leaders. It was a historic moment for the labour movement and a shining example of what can be accomplished with collective union power and solidarity. Debate will no doubt continue on the decision of CUPE leadership to call off the strike, and whether that resulted in less gains than could have been achieved, but ultimately, the victory for the entire labour movement has given us much inspiration, and from my perspective, there is still momentum based on that success.

The sudden reversal by the Ford Government

A historic moment for the labour movement

Collective union power and solidarity

Following these historic events, the timing of the OSSTF CPAC conference in late November, was fortuitous, and aptly titled "From Resilience to Resistance". Clearly, as we were considering the next strategies and actions for OSSTF and the labour movement, it was an energizing and well organized event. I will highlight some key moments and 'take aways' from the conference, noting firstly that it was wonderful to be there in person, and to have those irreplaceable face to face conversations which cannot happen in online. There were several people that I reconnected with, having not seen them for two or three years. The ways in which the pandemic has curtailed our collective ability as unions to mobilize is a topic for further research, but the conference also was a means of regrouping, and rebuilding our capacities on the ground. The workshop facilitated by Chris Samuel aptly titled: *What are we to Do?* was excellent and worthy of detailed focus because the labour movement and OSSTF continue to be called to develop effective strategies and actions that defend not just unions, but all workers and communities. A first group activity was to identify the campaigns and political struggles that had meaning for us, including past or present campaigns. This led to lively conversation about a range of campaigns, strategies and outcomes. Chris

introduced the term “repertoires of contention” to refer to the specific tactics that have been used historically to conduct effective campaigns. He noted that often, tactics which combine creative actions and use humour and/satire can be extremely effective. There was ensuing discussion of what tactics members thought they could carry out, as well as how to think about ways in which we might expand our repertoires. Another main term introduced in the workshop was the “field of opportunity structure”. In other words, what opportunities and constraints exist in current contexts for the formation of actions and tactics. In the concrete planning, Chris explained some key concepts for the process:

- 1. Assessment of the current context**
- 2. Setting goals for the overall plan**
- 3. Developing tactics based on context and evidence**
- 4. Forming a road map to accomplish goals**
- 5. Considering the “field of opportunity structure”**
- 6. Reviewing tactics and forming new tactics**

Chris noted that tactics need to change and evolve according to new contexts and ideally are based on re-visiting tactics and examining the existing strengths; networks; cultures and capacities of the union. Part of successful organizing is based on the ability to cultivate a diverse and flexible approach, ideally to establish creative actions, and to be able to pivot according to changes in context. So, as a relevant example, the OFL and leaders of unions understood that Bill 28 posed an existential and significant threat to unions and democracy, and therefore, the new context had to be met with tactics that were commensurate with the challenges. It was a monumental “pivot” and one that was clearly effective. It also means that we have a powerful tool and precedent in our labour movement “toolbox” for the ongoing challenges that we face.

It was a main message in President Karen Littlewood’s address to the conference, in which she spoke to the extraordinary feat of the labour movement and OSSTF calling for a general strike, and the Ford Government’s capitulation on Bill 28. She called on conference participants to continue to “organize, educate and agitate” and to be prepared for provincial mass mobilizations in future. She also noted the threats that have emerged from the Right regarding the rise of hate and the considerable co-ordination and efforts to get anti-equity candidates



The author of this article, ARM 11's PAC member, second from left, stands up for education.

elected in municipal elections across Ontario. I think on that point, it is important to point out that OSSTF District 11 through our endorsement process, and identification of anti-equity candidates was successful in ensuring that progressive Trustees were elected. The rise of the far right and the troubling incursions into

Boards of Education across Canada and in Ontario is, of course, the topic for the ARM event upcoming in May. I have spoken frequently about the dangers to public education, and threats to core principles of the labour movement with the deployment of the American play book here, including calls for books to be banned and other tactics based on the populist and destructive politics of the so called “anti-woke” movement. There were well organized and highly visible campaigns run by Trustee candidates purposively using the “anti-woke” slogan in Ontario’s municipal elections.

In another memorable moment of the conference, Marit Stiles, the now ONDP Leader, spoke articulately about the “generational attempt to privatize education” and the intent by the Ford Government to implement American style plans such as the voucher system. She emphasized the need for governments to work with unions, actively planning and collaborating together to find solutions to the myriad problems in public education resulting from decades of underfunding. She cited many examples of the Ford government’s flouting of democratic norms, including the now infamous Bill 23 which privileges developers and takes millions in revenue away from municipal government, while also affecting both the environment and food security. Marit stated:” We must not accept the new normal of the Ford government”. And she didn’t shy away from speaking about the disillusionment of voters and mistrust of government, as demonstrated in historic low voter turnout in both the provincial and municipal elections. These are matters for OSSTF and all unions, in that we must consider how to re-engage union members in the democratic process. As I said to many students over my career, democracy does not run on autopilot, and we need to participate in our communities and the political process, voting being only one of those means of participation.

We must not accept the new normal

Currently, there are many reasons to be optimistic about unions and our collective capacity to fight for better working conditions and better lives for everyone. In the UK, there have been mass sector strikes involving hundreds of

thousands of workers, including education workers. They are fighting under the banner of “Enough is Enough” and have had some historic victories in their struggles. In Ontario, the Ontario Federation of Labour has adopted a similar approach with our own Enough is Enough campaign which has multiple demands, including ending poverty wages; appealing Bill 124; enhanced funding for public education and public healthcare; opposing privatization; ensuring the affordability of basic goods and housing; and taxing the record profits of banks and corporations. Following the official provincial launch of the OFL Enough is Enough campaign on January 28, there are now upwards of six thousand participants across the province and major actions are being planned for May 1 and June 3 in several communities, including London. My hope is that recent historic events will inspire and motivate more people to join in the current efforts by OSSTF and an exciting broad coalition of unions, communities, and social justice organizations.



By Patti Dalton. ARM 11, Political Action Committee

Images: OSSTF Mobile Drive and OSSTF District 11