



The Barbados Secondary Teachers' Union

PRESS RELEASE RE: TRANSFER OF TEACHERS FROM AND TO THE ALEXANDRA SCHOOL

The Barbados Secondary Teachers' Union (BSTU) will be meeting with the Ministry of Education and Human Resource Development (MEHRD) at 5:00 pm this evening (January 2nd, 2013) in its attempt to achieve an Industrial Relations solution to the unprecedented transfer of teachers from and to the Alexandra School. Further, in upholding Industrial Relations best practice and in an attempt to speedily resolve this situation, all agents of the employer must meet with the BSTU in short order.

The Union however reserves its right to seek and pursue redress at the level of a Judicial Review if it so determines.

First, we want to state that two of our members at Alexandra who have received letters of transfer cannot be transferred without their consent since they fall under the Memorandum of Understanding (MOU) negotiated by the BSTU since the early 1980's. They have not been allowed the option of consent and will therefore be returning to the Alexandra School on Monday 7th January, 2013.

Further, two Shop Stewards at that school have also received letters of transfer. Shop Stewards cannot be moved in this way since Barbados is signatory to and has ratified ILO Convention no 135 which speaks to this issue -

the Convention concerning Protection and Facilities to be Afforded to Workers' Representatives in the Undertaking. Further custom and practice and all the Protocols since 1998 confirms our position. The David Giles issue at Cable and Wireless also set a precedent in this regard. One Shop Steward is already covered under the MOU but the other teacher too will therefore report to Alexandra School on Monday next week.

The Issue

1. The letters of transfer issued by the Personnel Administration Division were, according to what the Chief Personnel Officer told the BSTU President on 31st December, 2012, done following receipt of those recommendations from the Ministry of Education. The Union is aware that there had been some meetings recently between officials of the Ministry of Education and persons in the Personnel Administration Division.

There is no denying the right in law for the Governor General, acting on the advice of the Public Service Commission, to effect the transfer of public officers. However, that function has to be discharged reasonably, fairly and in accordance with what constitutes best practice in administration, something that would include Government's commitment as model employer under Protocol VI to best practice in industrial relations. The discharge thus requires propriety in the giving of that advice. Under 5 (2) of the Public Service Act, there is a specific injunction upon each Service Commission that it shall in carrying out its functions "ensure transparency, fairness and justice; and shall regard the proper management of the Public Service including the development of the human resources, as its primary goal."

It is the BSTU's contention that the decision to transfer teachers wholesale must be seen as an act which falls within the ambit of the second part of the above clause, namely the development of human

resources. There can be no development of anyone by simply switching places or sending them to other schools. This is especially reprehensible in this particular case as the action forms part of an exercise to attempt to resolve an untenable labour management situation, a situation allowed to become untenable by the failure on the part of the very Ministry of Education, and those beyond, to discipline the Principal of the Alexandra School.

If these exchanges are allowed to be effected, then it is obvious that there will be serious and irreparable adverse effects for many students. Any claim by the MEHRD of acting out of a consideration for the welfare of the children must therefore be seen for the lame excuse it has been with an examination of the following potential problems inherent in the transfers. Please note that our list is not exhaustive but the resulting consequences for students, especially examination students, is pellucidly clear. It is our understanding that...

a) ...the whole manner in which these transfers have been done is unprecedented in its scale, the types of persons involved i.e. the positions of special responsibility that a significant number of them hold, the inhumane method of communication by which they were made aware of their transfers, since many of them found out through the newspapers of their impending fate.

b)...almost the entire Management Team of the school, including the Guidance Counselor, has been removed .. the implications of this for continuity, a smooth transition process and continuation of the school culture and climate that defines each individual school will be lost. Who in Management will be left to guide and advise? This has the potential to create even greater upheaval and instability.

c) ...the effect of the transfers will be to have created an entirely new school in the middle of the school year and in the school term in which consolidation for external CXC examinations takes place. **This is also the term in which, well before its completion, all CXC CSEC and CAPE school-based assessments are due!**

d) ...teachers at their respective schools would, in this term, be in the process of supervising, marking and submitting marks/grades for all school based assessments of their students. Many problems will arise as a result of this:

(i) SBA's started with one teacher will now have to be completed with another with no previous knowledge of the particular SBA's or students capabilities.. the implications of this are obvious

(ii) There are some subjects that, because of the nature of the subject itself, the SBA is "written" by the teachers, that is, the title and tasks to be completed must be actively composed by the teacher based on the content completed during the prescribed time-frame. Such subjects are Information Technology and Electronic Document Preparation and Management. The movement of those teachers therefore creates serious problems for the students at both schools involved in the transfer. One teacher being transferred in this area has approximately 75 students in IT and over 25 in EDPM, all of whom stand to be adversely affected by the transfer.

(iii) some teachers are being transferred from a Fifth form school to Sixth Form schools and may well have to teach at the CAPE level for the first time. They have not been exposed to the syllabus, Text books or any subject –specific training etc which may accompany teaching in subject areas at this level, especially in the execution of SBA requirements. They are taking up these duties with no prior warning or preparation and no prior exposure to the

supervision and marking of SBA's, especially at this most crucial part of this exercise, that is the completion and correction of the students' projects.

(iv) the time frame for completion of all work related to SBA's is a very tight one with some schools setting their cutoff date for the total completion of this exercise at the end of March to meet the Ministry's deadline of 15th April !!! To properly meet this deadline in the projected circumstances is questionable.

(e) ...the manner in which the transfers have been done have made no provision for a proper hand-over process. Teachers are leaving one environment and being thrown into an entirely new one without having the opportunity to interact with the person whom they are replacing . In eight instances Heads of Department are being transferred from their schools to others and so persons looking to head new Departments do not have the opportunity to liaise with the Heads that they are replacing ... and in the middle of the school year!!

(f) ...in one instance the only Technical Drawing teacher at the school is being replaced by someone who is qualified to teach subjects that are NOT taught at Alexandra eg Autotronics! The TD teacher does NOT teach Autotronics? Where does that leave the TD and Autotronics students?

(g) ...a teacher qualified to teach Physics is being brought to teach Chemistry and Integrated Science. Another teacher with a Degree in Chemistry and who does not teach Biology is being transferred to teach Biology and be Head of the Biology Department at another school.

(h) ...one French teacher is being transferred to a school where French is being phased out and the teacher replacing her teaches Spanish only!! What is to happen to both students and teacher? Further, students doing language Orals and Aurals must have the teachers who have taught them during the 4th and 5th form years read those exams for them. How will this be facilitated with a move of language teachers at this stage and also those exams are the earliest on the CXC timetable.

(i) ...a geography teacher is being transferred to teach Social Studies at one school which already has two other Geography teachers and none with the required qualifications to teach Social Studies. The Social Studies teacher who only has CXC Geography is being transferred to teach Geography to CXC level!! Further, the Geography teacher also teaches Computer Awareness which her replacement has never taught and she is responsible for the registration of ALL students at her school taking external examinations, something that her replacement does not do.

(j) ...the transfers will cause Alexandra not to have ANY male teachers in the P.E. Department, this in a mixed school environment with an excellent Cricket team. This is sports term with the obvious implications !!!! One teacher being transferred to this Department will be required to teach Physical Education to CXC level, something the teacher has never done before and has to start four months before the examinations start.

(k) ...one Alexandra Biology teacher is being replaced by another who teaches Agricultural Science as well. The Biology teacher does not teach Agricultural Science since it is not done at Alexandra and so the teacher going to Alexandra will have no classes in that area while her replacement will not be able fulfill the Agricultural Science component of the timetable at the new school.

(l) ...In relation to the Art Department, both Art teachers are being transferred, one of whom is the Head of Department. Both persons being brought from other schools are Heads of Department.

Will one of those teachers have their position of special responsibility removed from them and be essentially “demoted”?

(m) ...another Senior Teacher received a letter of transfer that makes no reference to her position as Senior Teacher. Is she being “demoted” as well?

(n) ...many of the teachers being transferred are also actively involved in extra-curricular and co-curricular activities at their schools. These activities range from Chess, Literary and Debating Society, Junior Minister Debates and one male Science teacher who is time-tabled to teach Hockey at his school is being replaced by a female who has never played the game.

(o) ...many teachers have expressed dismay at the impact of the transfers on their professional goals and aspirations as there are serious implications involved as this relates to Seniority in the schools to which they have been transferred.

(p) ...the personal component cannot also be ignored as many teachers are now being relocated to schools far from their homes and previous workplaces. Some of them have children attending schools near to their previous workplaces and some at the schools at which they work. The impact on this is obvious. There has been no time to arrange for transfers for their children where this is possible and two have children slated to sit their 11-plus this year and who will have great difficulty in moving those children now to schools closer to their new projected workplaces.

(q) ...MOST OF THE TEACHERS INVOLVED IN THE TRANSFER FROM ALEXANDRA AND THE OTHER SCHOOLS HAVE BEEN AT THEIR SCHOOLS FOR TWENTY YEARS AND OVER. The implications for the teachers and their respective schools are obvious.

2. Furthermore, there has been neither “fairness” nor “justice” as outlined in the same section 5 (2) of the Public Service Act in the attempt to effect any of the transfers. As has been mentioned some persons have had their rights breached – for example, those that fall under the MOU and those that are Shop Stewards.

Also, it is assumed that the transfer of teachers coincides with the transfer of the Principal and must be seen in that context. A reason for the transfer of the Principal may be implied from the antecedents of his conduct and the resulting actions, including the School Inspection Report and that of the Commission of Inquiry. However, The Ministry of Education, having made the recommendations, will have to provide the reasons for the other transfers since any reasonable grounds are not immediately implicit and none have been provided to either the teachers or the Union.

Indeed, the absence of any such reason allows the interpretation that the transfers are motivated by a desire to break the BSTU as a trade union. First, the Minister of Education has been at times less than complimentary to the BSTU and reacted angrily at the Union’s effective declining of his invitation to take part in a meeting early in 2012 which he had called to try to resolve the impasse. Secondly, Karen Best is currently Deputy Chief Education Officer with responsibility for schools. As the President of the BUT she distanced herself and her trade union when the BSTU requested support for its position against the actions of Mr Broomes as Principal. It is difficult to separate those two officials from the decision making process in the Ministry of Education.

The third person holding high office in the Ministry of Education is the Chief Education Officer. It was his duty under the Education Act to see that the recommendations of the inspection report were implemented. There is little evidence, if any, of an attempt to discharge those statutory duties and no

reasonable basis to justify their abandonment. There is no evidence of official disapproval of his actions, let alone reprimand. All this encourages the belief that he was part of the shield to protect Mr Broomes, a shield now extended to inflict injury in reprisal.

The BSTU is satisfied, notwithstanding the absence of explanation from the Ministry, that the decision is nothing more than one of vindictiveness made by people without a close personal knowledge of the operations of the secondary school and intended to show that if teachers object to administrators they can be moved willy nilly. This is to discourage such action in the future. We are also of the view that the exercise of the power of transfer is being applied unreasonably and unfairly - with the exception of the case of Mr Broomes.

3. The Ministry of Education stands condemned for a breach of its own policy in respect of transfers. The revised edition of "Personnel Management in the Teaching Service" by Mr Michael Luke, Senior Personnel Officer, and published by the Ministry of Education in 2000 contains, as is stated in the opening paragraph, information which "has been compiled from various administrative policy decisions made by the Government". The booklet contains the following at section 13.4 on page 11:

"It has been agreed by the Ministry that teachers should be given adequate notice in relation to transfers and that such transfers should not be seen as punitive. There are occasions however when short notices may be unavoidable on the basis of the particular situation."

It is the Union's view that the transfers cannot be properly "seen" as anything other than punitive, and that the particular situation cannot justify any shortness of notice.

4. The BSTU also queries the administrative soundness and the previously expressed "concern for the students" of this country by the MEHRD. When a school administrator, by the findings of a Commission of Inquiry, has been found to be unsuitable to head one educational institution and is recommended by the Commission of Inquiry for transfer to another section of the Public Service. How can the MEHRD ignore those recommendations and proceed to inflict the Principal on a new Board of Management, Management Team, teachers, support staff, children and parents of another innocent and unsuspecting school environment? The reason for, and transparency of, such an action is called into question when this action is juxtaposed against such claims of concern and caring.

5. If the Government as the "model employer" is able to accomplish a mass transfer of workers and mask it as a means of resolving an industrial relations difficulty, when in fact it is motivated by an intention to punish and to achieve union busting, then its success would have serious implications for industrial relations in the private sector. They would have succeeded in taking this country back to pre 1935 in terms of workers' rights in this country. This speaks volumes for workers in the Public Sector and no Government could in the future have any moral or other grounds to seek to support or protect workers in defence of their rights if any private sector entity acted similarly. The precedent would automatically open the way for such engineering by the likes of the proprietors of the Royal Shop, notwithstanding the existence of the Employment Rights Act. It is the lot of the BSTU to fight against that type of thinking and the Union must not fail.

Actions taken thus far by the BSTU:

1. The Union has met with Alexandra teachers and others teachers in the system in receipt of transfer letters
2. The Union has written and asked for a meeting with the MEHRD. We had one aborted meeting which is scheduled to continue this evening at 5:00 p.m.
3. The has written to the Chief Personnel Officer asking for a meeting
4. The Union has written to the Prime Minister outlining our concerns
5. We have written to CTUSAB and copied to all its affiliates asking for an emergency Executive meeting
6. We have written to Education International and the Caribbean Union of Teachers asking them to write letters of support to key senior Government Officials

Finally, the Union is prepared to meet at a moment's notice the Public Service Commission or any other Government entity that can bring appropriate resolution to this matter once and for all.
