



# The Alberta Teachers' Association

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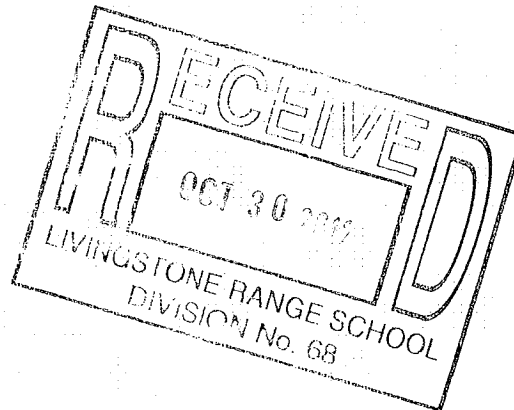
Dennis E Theobald  
Associate Executive Secretary

2012 10 26

FAXED  
*[Handwritten signature]*

via Fax—403-625-2424

Mr Jeff Perry  
Secretary-Treasurer  
Livingstone Range School  
Division No 68  
5202 5 Street E  
PO Box 69  
Claresholm AB T0L 0T0



Dear Mr Perry

## Re Posting of Proposals Bargaining Information

The Alberta Teachers' Association negotiating subcommittee's position is that the Livingstone Range School Division No 68 (the Division) unilateral public posting of collective bargaining materials during active negotiations impedes both parties' ability to conclude open, positive and productive solution-focused negotiations.

We have proposed the compromise of Joint Public Release Communications as a means of achieving transparency while addressing the negotiating subcommittee concerns. We believe this collaborative solution moves collective bargaining forward. This compromise is advanced in the spirit of Schlesinger, Vice-Chair's advice to bargaining parties in the recent Rocky View School Division No 41 decision, at paragraph 46:

- *Instead of adopting unilateral or rigid positions on these types of procedural points, parties should be sitting down with each other and identifying the concerns they have with each other's position. They should look for common ground that addresses the concerns of each side.*

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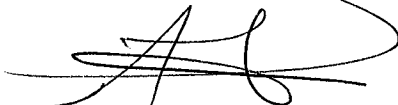
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- *Our decision should not be taken as a license for parties to unilaterally post the other side's bargaining proposals for public consumption. Whether such posting amounts to a breach of section 60 will depend on the facts of each case. Just like pushing a procedural bargaining demand to impasse might amount to bad faith bargaining, so too might a unilateral decision to post a bargaining proposal on the Internet. At the very least, it is an approach to the process of bargaining that carries with it significant risk of litigation.*

We remain open to achieving a mutually acceptable information sharing protocol that will support appropriate and timely communication of bargaining updates to the Division's stakeholders including the Division's dedicated and professional teachers.

We reiterate that we do not agree to the posting of bargaining documents. At this time, our intent is to continue negotiating in good faith in an attempt to resolve issues. If the Division proceeds to post any items beyond the initial proposal without our consent, the Association reserves the right to take legal action. In addition, we hereby give notice that under no circumstances should the Association's decision not to challenge the Division's unilateral posting of our initial proposal as consent for continued unilateral postings of bargaining materials.

Sincerely



Peter T Kalis  
Executive Staff Officer  
Teacher Welfare

PTK/bcf

cc K Power, Labour Relations Consultant, ASBA  
I Baxter, NSC Chair, Livingstone Range School Division No 68