



Freedom of Expression

Freedom of expression is a fundamental right, but not one which is without limits. The courts have established that the Employer has a right to expect fairness, integrity and loyalty from its employees. Teachers in turn can expect to be able to freely express their opinions on matters within their professional expertise.

It is recognized that teachers are professionals and their opinions on pedagogical and educational issues are valued. It therefore follows that teachers may publicly express their opinions in accordance with the following guidelines without fear of reprimand or discipline from the Employer:

- Teachers are free to publicly express their opinions on pedagogical issues and general classroom management. These opinions must be based on facts and expressed in a constructive and objective manner.
- Teachers may not act in ways or speak in words that would discredit or bring disrepute to the education system. This would be viewed as going further than what freedom of expression would allow and teachers could be advised to cease.
- Teachers must accept that they cannot rely on the fact that they may be speaking as parents or in any other capacity, and thus go beyond what they, as teachers, might be allowed to declare or do.
- Teachers must exercise caution when solicited to join a parental group that wishes to lobby the Employer on school closures, for example. Courts have stated that teachers cannot be protected by saying that they are acting as parents rather than teachers. However, nothing in labour relations would prevent teachers from expressing their concerns and worries to their Employer within the framework provided and in accordance with established procedures. For example, the local branch or liaison committee may become a mechanism for teachers to express their opinion on matters which are common to all the branch membership. Individually or through the branch or any other mechanism, the expression of concerns or of criticism towards a management decision is generally done privately between the teachers and management. If a teacher or a group of teachers wish to express discontent to the Employer in relation to a policy, this can be done by asking to meet with the district administration. In addition, if the subject being discussed is relevant to the Collective Agreement, there are procedures and mechanisms provided such as the provincial Employee/Employer Relations Committee, the local liaison committees or through a staff member at the NBTF.

Before contemplating any action or for more information on this matter, we would advise that you contact the NBTF.

