

**2011-07** December 15, 2011

By E-mail: 2 pages plus attachments

## Framework Agreement Reached With K-12 Public Education Support Staff Unions

We are pleased to advise that arising from positive and collaborative bargaining sessions, BCPSEA and representatives of the sector's support staff unions (covering approximately 30,000 employees) achieved a framework agreement (attached) under the net zero compensation mandate established by the provincial government.

As we have previously reported, BCPSEA and school district representatives have been meeting with representatives of the Canadian Union of Public Employees (CUPE) K-12 Presidents' Council Provincial Bargaining Committee (PBC) and representatives of the other support staff unions in the K-12 public education sector to engage in provincial discussions complementary to local district discussions under the delegated authority model for support staff bargaining in the K-12 public education sector.

The purpose of these discussions was to develop an agreement in principle that could then form part of any memorandum of settlement at the district level. The process is intended to be similar to the Framework Letter of Understanding achieved by BCPSEA and representatives of the sector's support staff unions in the 2006 round of negotiations.

Highlights of the two-part framework agreement reached on December 14 are as follows:

### 1. **Letter of Understanding** — Term July 1, 2010 – June 30, 2012

Continues and expands the scope of the Support Staff Education and Adjustment Committee (SSEAC), created under the 2006 framework agreement, to include:

- a) an examination and discussion of any impediments arising from and the options to facilitate the introduction of shared services
- b) a focus on best practices to integrate skill development for support staff employees with district goals and student needs
- c) a study of the potential for regionalization of wages and benefits
- d) an investigation of benefit standardization for the purpose of additional efficiencies during the life of the collective agreement
- e) recommendations to address issues associated with hours of work and service delivery
- f) a review of practices in districts having modified school calendars and the resulting impact on support staff
- g) skills enhancement for support staff.

At least six (6) months prior to the expiry of collective agreements between K-12 employers and support staff unions, representatives of employers and support staff unions shall meet to discuss the process of provincial bargaining for the next round of collective bargaining.

To support these policy discussions on issues of mutual interest to employers and support staff unions, the Ministry of Education will provide funds in the total amount of \$750,000.

- 2. Letter of Agreement** that confirms the commitment that \$7.5M/year of the \$165M Class Organization Fund (COF) announced by the Minister of Education in October 2011 to deal with complex classroom issues will be focused on education assistants, who are integral to the delivery of educational programs in our province's classrooms.

## Next Steps

The framework agreement will apply to boards of education and support staff unions that are signatories to the Letter of Understanding. While the framework agreement is not binding on districts and unions, these documents create a "framework agreement" for the K-12 public education sector.

It is now the responsibility of each school district and their respective local support staff union(s) to conclude local bargaining and ratify their collective agreements. Parties who conclude agreements by February 29, 2012 will be able to include the framework agreement in their local collective agreement and participate in the terms of the framework agreement. It should also be noted that following school district ratification, all school district collective agreements require ratification by the BCPSEA Board of Directors.

## Background

BCPSEA is the accredited bargaining agent for the province's 60 public boards of education and has adopted collective bargaining practices and procedures unique to the K-12 public education sector. With respect to support staff bargaining, when the BCPSEA constitution and bylaws were drafted, they sought, to the extent possible, to replicate the bargaining structure that had existed prior to the creation of the association. At the time it was generally believed that the existing system of collective bargaining for support staff was functional and effective.

The BCPSEA constitution and bylaws establish a "delegated authority" model for support staff bargaining. The bargaining agent, BCPSEA, delegates its bargaining authority through its bylaws to individual boards or groups of boards. The employers bargain directly with their respective union locals. The reference to groups of boards was designed to permit regional groupings of boards for bargaining purposes (such as the Okanagan Labour Relations Council and the Vancouver Island Labour Relations Council).

The role of BCPSEA under the delegated authority model is to provide assistance to boards of education in concluding collective agreements. This includes providing research, legal advice, coordination and, where requested, becoming involved directly in negotiations or dispute resolution.

## Questions

If you have any questions, please contact:

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