

Content of BCTF FAQ: Implementation of MoA

BCPSEA is aware that the BC Teachers' Federation (BCTF) distributed to their locals a "Frequently Asked Questions" (FAQ) document dated April 13, 2017 relating to the implementation of the Memorandum of Agreement (MoA). BCPSEA does not agree with all of the answers provided in the BCTF FAQ and, as a result, we are preparing a follow up memo for districts to clarify where our positions differ.

LOU 17 MoA Dispute Resolution Process: Provincial Parties

The provincial parties are scheduled to meet on May 15 and 18 to discuss a number of matters in dispute relating to the implementation of the LOU 17 MoA. BCPSEA will update districts on the outcome of these discussions.

LOU 17 MoA Implementation: Process and Ancillary Language Implementation Timelines

Unless noted below, districts are required to implement their restored process and ancillary language effective **September 1, 2017** as per paragraph 10 of the LoU17 MoA.

The provincial parties have discussed the application of paragraph 10 and have agreed that the following school districts will be captured by paragraph 10(B) of the LoU17 MoA, which provides that these school districts are required to implement their restored process and ancillary language as **soon as practicable but no later than January 31, 2018**:

- 19 (Revelstoke)
- 20 (Kootenay-Columbia)
- 35 (Langley)
- 39 (Vancouver)
- 43 (Coquitlam)
- 44 (North Vancouver)
- 48 (Sea to Sky)
- 57 (Prince George)
- 58 (Nicola-Similkameen)
- 62 (Sooke)
- 63 (Saanich)
- 67 (Okanagan Skaha)
- 75 (Mission)
- 78 (Fraser-Cascade)
- 91 (Nechako Lakes)
- 93 (CSF).

May 1, 2017 Salary and Allowance Increases

Further to [@issue No. 2017-04](#) dated January 26, 2017, there is an Economic Stability Dividend (ESD) of 0.35% that will apply to all teacher salary grids and allowances outlined in Article B.1.2 effective May 1, 2017.

Please note the provincial allowances as of May 1, 2017:

- Teacher Provincial Mileage rate per Article B.10.1 will increase to **\$0.53** (note that local superior provisions may apply)
- LOU No. 5 Remote Recruitment & Retention Allowance will increase to **\$2,418.31**.

Support staff will receive a 1.35% increase (ESD plus a 1% general wage increase) also effective May 1, 2017.

The [Allowance Calculation Template \(May 2017\)](#) which accompanied the [@issue No. 2017-04](#) may also be of assistance to districts.

Time Free from Work for Voting in the Upcoming Provincial Election

The general voting day for the upcoming provincial election is Tuesday, May 9, 2017. The polls will be open from 8:00 am to 8:00 pm Pacific Time.

Where an employee's work schedule on election day does not allow for four consecutive hours free from employment while the polls are open (i.e. 8:00am – 8:00pm), then the *Elections Act* states that employers must provide the employee with the necessary time free from work duties to vote, without loss of pay. It should be noted that the hours allowed for this purpose are those designated by the employer, so that the employer can comply with the statutory requirements with as little disruption as possible to its operations.

Within the limits of the collective agreement, it is up to the employer to determine when any necessary time is to be taken off work to vote. Time off may be at the beginning or end of an employee's shift, or may be unnecessary if normal working hours already provide the necessary time free from employment (such as if the employee's shift starts at or after 12:00 pm or ends at or before 4:00 pm).

It should be noted, however, that individuals who work in such remote locations that they cannot reasonably expect to reach any voting place during voting hours are not entitled to the time off.

For the purpose of applying this provision in your district, following is the relevant section (section 74) of the *Elections Act*:

- (1) An employee who is entitled to vote in an election or who, on registration, will be entitled to vote in the election is entitled to have 4 consecutive hours free from employment during voting hours for general voting.
- (2) If an individual's hours of employment do not allow for the consecutive hours referred to in subsection (1), the individual's employer must allow the individual time off from employment to provide those hours.
- (3) The employer may set time off required by subsection (2) as best suits the convenience of the employer.

- (4) An employer must not
 - (a) without reasonable justification, fail to grant to an employee sufficient time off as required by subsection (2), or
 - (b) make a deduction in pay for the time off or exact any penalty from the employee for the time off.
- (5) The following are not entitled to time off under this section:
 - (a) election officials and individuals employed or retained by the chief electoral officer or a district electoral officer to work on general voting day;
 - (b) individuals who, by reason of employment, are in such remote locations that they would be unable to reasonably reach any voting place during voting hours.

Questions

If you have any questions, please contact your BCPSEA liaison.