

BCTF/School District No. 68 (Nanaimo-Ladysmith): Job Share or Part Time Work?

Teachers who posted into part-time positions available as a result of the duty to accommodate claimed that their positions were "job shares." At issue was eligibility for benefits. The threshold for job share teachers is 0.4 fte, while the threshold for part-time teachers is 0.5 fte. The collective agreement language describing job shares reads:

"Two teachers employed by the Board may jointly request a specified job-sharing assignment in respect of a single full-time position. Providing the Superintendent or designate, in consultation with the school(s) Administrative Officer(s) and teacher applicants, is satisfied a job-sharing proposal is educationally sound, the Board shall not unreasonably refuse a job-sharing request."

The Union said the Employer had posted the assignments as job shares and suggested that "job share" means sharing the same classroom, preparation, instruction of students, and marking.

While the Employer had used the words "job share" in some postings to alert applicants that they would be sharing a class with another teacher or accommodating a teacher on partial medical leave, the Employer contended that there is only one type of job-sharing assignment – one where two or more teachers apply with respect to a single position.

Arbitrator Paul Love dismissed the grievance saying, "a job-share under the collective agreement requires the application in writing of two teachers, who have an entitlement to a position, who wish to share a position." He also encouraged the Employer to use some other language in postings to alert applicants to the nature of the vacancy.

BCPSEA Reference No. A-14-2005

Questions

If you have any questions concerning this decision, please contact your BCPSEA liaison. If you want a copy of the complete award, please contact Lynda Kuit at lyndak@bcpsea.bc.ca and identify the reference number found at the end of the summary.