

Collective Bargaining Update

Notice to Bargain and Bargaining Plans

Many school districts will now start to receive requests to set dates for bargaining. If notice to bargaining is received, the district will want to respond to indicate dates the district will be available, or indicate that the district would like to meet to discuss future dates and agendas for those meetings. Please note: [All districts are required to have a teacher bargaining plan approved by the Public Sector Employers' Council \(PSEC\) Secretariat plan prior to tabling opening proposals.](#) Where you have an approved bargaining plan in place, by mutual agreement you may start bargaining on a date earlier than March 1.

Estoppel

BCPSEA and the BCTF have agreed that [the deadline for serving notice to end a past practice that would give rise to an estoppel is April 30, 2019.](#) All notices must be served by that date. To ensure each notice is served correctly to the certified bargaining agents, BCPSEA will be serving all Provincial Matter estoppels to BCTF at the Provincial Table.

If the school district is considering giving notice, please review the 2019 Estoppel Toolkit (attached) to determine if the provision of such notice is appropriate.

If the circumstances warrant giving notice, please complete the Estoppel Worksheet (attached) and forward to Rosalie Cress at rosaliec@bcpsea.bc.ca. **Submission of an estoppel worksheet must be received by BCPSEA as soon as possible and no later than March 15, 2019.**

❖ Who serves notice and where is it discussed?

Provincial Matters

- a. Where a school district intends to change a practice on a Provincial Matter through the serving of estoppel notice, such notice will be served by BCPSEA to the BCTF at the provincial bargaining table. School districts will advise their local union that such notice is being served provincially.
- b. As the authority to bargain Provincial Matters is held by the provincial parties, any negotiations on the subject matter of such notice on Provincial Matters will occur at the provincial bargaining table unless the provincial parties agree to delegate such negotiations to the local parties.

Local Matters

- a. Where a school district intends to end a practice on a Local Matter through the serving of estoppel notice, such notice will be served by the school district to the local union at the local bargaining table, [copied to the provincial parties \(both BCPSEA and BCTF\).](#)

- b. As the authority to bargain Local Matters is held by the local parties, any negotiations on the subject matter of such notice on Local Matters will occur at the local bargaining table unless the local parties agree to refer such negotiations to the provincial parties.

BCPSEA will work with school districts throughout the process, including responding to union-served notices. It is important to remember that if any language is negotiated to resolve an issue of concern with a notice, it will be subject to the PSEC Sustainable Services Mandate and the BCPSEA bargaining objectives. Any agreements on provincial matters will require signatures from both the local and provincial parties.

Questions

If you have any questions please contact your BCPSEA labour relations liaison.

Attachments:

Estoppel Toolkit

Estoppel Worksheet