

Teacher Collective Agreement Implementation Update

1. Holden Process

We are still awaiting a reply from Irene Holden regarding the implementation issues that were referred to her by the parties in October. You will recall that these issues included:

Signing Incentive Eligibility

- Employees on SIP and LTD
- Retired or resigned employees
- Teachers on call (TOCs) on pregnancy leave under employment standards
- Union leave beyond the full-time officer and TOCs on union leave
- Amalgamated districts with employees on leave (in addition to the local president).

Seniority and Sick Leave

- Effect of a break in service
- Portability from more than one district.

Preparation Time

- Effect of the language on scheduling.

12 Month Pay Plan

- Status of 12 month pay plans established prior to provincial language.

We have been advised that some districts have received forms requesting information with respect to the seniority and/or sick leave credits of former employees, and that some districts are requesting such information. At this time, this information should neither be requested, nor provided as the application of these two articles is still very unclear.

With respect to the other outstanding matters, we are continuing to advise districts that they should not make any changes in these areas until Ms. Holden and the parties have resolved the issues. We will advise you as soon as we receive more information from Ms. Holden.

2. Ready Process

Category 5+

We are also still awaiting an award regarding the issue of implementation of Category 5+ from the Vince Ready award. Until then, we are also advising districts that they should maintain the status quo in this area.

3. On-Scale Placement Part-Time and TOCs

We have also received a number of questions regarding the implications of the Ready award regarding placement on scale for a part-time teacher who also works as a TOC.

Our response is that work in a continuing or temporary part-time assignment should neither help nor hinder the TOC scale calculation.

Examples:

A part-time teacher has an assignment of all day Monday, Tuesday and Wednesday morning:

1. **The part-time teacher** TOC's Thurs, Fri; is not called to TOC on the following Wed (**available for an afternoon call-out only**); TOC's Thurs and Fri. She is paid on scale for the four days she TOC'd.
2. **The part-time teacher** TOC's Thurs, Fri; is called and turns down TOC work on the following Wed **afternoon**; TOC's Thurs and Fri. She is not paid on scale because her refusal "breaks" the consecutive TOC work.
3. **The part-time teacher** TOC's Thurs, Fri; the following Wed **afternoon**, Thurs and Fri. She is paid on scale for the 4.5 days she TOC'd.

4. Formalization of Middle School Agreements

Please remember the Letter of Intent which requires the formalization of middle school agreements in districts where a middle school has been operating without a formal agreement. This Letter of Intent requires the local and the district to codify the terms under which the middle school program has been operating in a Letter of Understanding no later than March 1, 2007. If the parties are unable to agree to the terms for such a formalization, any outstanding issues may be referred to expedited arbitration. *Teacher Collective Agreement Administration Bulletin* No. 5, issued on November 24, 2006, addressed this issue in detail and included both a checklist and a template Letter of Understanding for this purpose.

If you are a district that needs to formalize your middle school provisions, please contact your district liaison and commence this process as soon as possible.

Questions

Please direct any questions to your BCPSEA district liaison or:

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