

teacher COLLECTIVE AGREEMENT

administration bulletin

BRITISH COLUMBIA
PUBLIC SCHOOL EMPLOYERS'
ASSOCIATION

05 November 24, 2006

By E-mail: 2 Pages plus attachment

In This Issue:

- Letter of Intent — Formalization of Middle School Provisions

Codifying Your Middle School Program(s)

As you are aware, many districts have had an operational middle school program or programs which do not fit within the provisions of the collective agreement on such matters as the instructional day, preparation time, etc. As part of the recently negotiated agreement, the BCTF and BCPSEA have agreed that in those districts, the local parties must formalize the existing program(s) by codifying the established practices and incorporating the terms into the collective agreement. This task must be completed no later than March 1, 2007. If the parties are unable to agree on the applicable terms, the matter will be referred to expedited arbitration.

While different districts have approached the Middle School concept differently, there are some standard areas which normally do require amendments to the collective agreement. To assist districts in this task, BCPSEA has developed both a checklist of considerations and a template Letter of Understanding for your use. The suggested checklist is set out below, and the template LOU is attached.

Checklist: Formalization of Middle Schools

- 1. Do not change existing practices without contacting BCPSEA!**
- 2. Meet with your Middle School Principal(s)**
 - Identify any practices which are not consistent with your collective agreement
 - (examples may be the instructional day, preparation time, common planning time, leadership positions, allowances)
 - Draft amended provisions to reflect these practices
 - Identify any matters which may be in dispute with the local
 - What is the practice?
 - Has it been consistent?
 - What does the local want if they disagree with the practice?
 - When did the practice change?
- 3. Contact BCPSEA**
 - Review the draft language
 - Discuss any outstanding issues: what does the employer want, what does the local want, how long has the matter been in dispute? Is there middle ground?
- 4. Meet with the local to agree on the necessary amended provisions which reflect the practice**
 - Liaise with BCPSEA if problems arise and before committing to alternate language.

5. When agreement is reached

- Formalize the agreed language in a Letter of Understanding
- Include four signature lines: the Local, the Board, BCTF and BCPSEA
- After securing the local signatures, forward to BCPSEA.

6. If agreement is not reached

- Liaise with BCPSEA
- Refer to Expedited Arbitration by March 7, 2007.

Please note that this process is for established Middle School programs which have not previously been formalized in collective agreement language. It is not the process to be used when a district wishes to implement a new middle school program — in such cases, the new provincial Article D.11 shall apply and we suggest you contact your BCPSEA liaison for assistance. In addition, this is not the process to use if you wish to negotiate changes to your current Middle School provisions. Those changes should be dealt with under the normal Mid-contract Modification process.

Questions

Please direct any questions to your BCPSEA district liaison.

Distribution of this Bulletin

Please ensure that this bulletin is circulated to all administrative staff in both the district office and schools who must rely on the collective agreement in the performance of their duties.

Attachment: Template Letter of Understanding