

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.

The 2011-2013 Provincial Collective Agreement

The 2011-2013 Provincial Collective Agreement (PCA) is almost finalized. The only outstanding issue remaining is the incorporation of the language related to the new Provincial Extended Health Benefit Plan. This should be complete within the next few weeks. The most recent version of the PCA was sent to each district along with its interfacing schedule. Once finalized, a copy of the new PCA will be distributed to districts and posted to the BCPSEA website. If you would like a copy, please contact candicew@bcpsea.bc.ca.

Application of New PCA Language

All new language agreed to during the last round of provincial bargaining is in effect for this school year. This new language has an effective date of July 1, 2011 (the effective date of the collective agreement).

Please refer to your district's interfacing schedule to determine how the new leaves interface with your local language.

BCPSEA has advised the BC Teachers' Federation (BCTF) that the new collective agreement provisions are to be implemented retroactively unless the results would be "absurd, impractical, unintended or unfair." If employees come to you with claims for retroactive leaves, please let your BCPSEA liaison know and they will work with you to determine their merits on a case by case basis.

Interfacing Update

On Friday, September 21, BCPSEA sent schedules to each district outlining the interfacing of the new provincial articles with existing local language. This was a preliminary document in draft form. We requested feedback on the document, especially on the interfacing of the new provincial articles and how they apply to existing local language, including whether any local language that should be interfaced was missed or whether you have suggestions for revising the interfacing proposed. BCPSEA would like to obtain district feedback before confirming the interfaced language with the BCTF. To date we have received feedback from 19 districts. BCPSEA met with the BCTF yesterday to discuss the feedback received to date. Once we receive feedback from both the district staff and the local we will move forward with the creation of the district working document. We encourage those who have yet to provide feedback to do so as soon as possible.

Application of the New Provincial Article G.7 TTOCs Conducting Union Business

The new Article G.7 allows TTOCs to conduct union business during the work week. The article states that the TTOC is to be paid by the Board as per the collective agreement and then fully reimbursed by the BCTF. BCTF's practice is to reimburse the TTOC at the scale rate for every day worked. The BCTF will be asking school districts to pay the scale rate for these TTOCs; the district will be fully reimbursed for the rate paid. It is BCPSEA's position that TTOCs are paid according to the collective agreement as per Article G.7.1. If you are in a situation where your local is requesting payment on scale for TTOCs conducting union business and your district is not prepared to do so, please contact your BCPSEA liaison.

Application of the New Provincial Article G.4 Bereavement Leave

The new provincial Article G.4 Bereavement Leave allows for five days of paid leave to be granted in each case of death of a member of the employee's immediate family. The days do not need to be taken consecutively, but do need to be related to the death. For example, two days may be granted immediately following the death, and three days may be granted the following week to prepare for and attend the funeral. Up to two additional days of paid leave should be granted when additional time is required to travel outside of the local community. This is at the discretion of the employer and shall not be unreasonably denied. Travel requests should be addressed on a case by case basis.

Discussions with BCTF: Pro Growth and Evaluation; Provincial–Local Split of Issues

Last week BCPSEA sent an email to districts with an update on the discussions with the BCTF on professional growth, evaluation, and the provincial–local split of issues with respect to post and fill and layoff/recall. These discussions were to take place with the assistance of a mutually agreed upon facilitator and conclude by October 30, 2012. The parties agreed on the appointment of Mark Brown as facilitator and commenced discussions with his assistance on October 2.

At this first meeting the BCTF set out the precondition that they were not prepared to continue with discussions on professional growth unless two additional paid release days were provided for each individual teacher. BCPSEA took the view that the program should be designed first and then the funds necessary to support the program would be quantified.

Brown responded that given the BCTF precondition, it was his view that the currently scheduled facilitation dates should be adjourned "to allow the parties to revisit the matter themselves" and invited the parties to contact him if they "consider it worthwhile to reconvene the facilitation process."

BCPSEA is disappointed that the BCTF has taken the position that they will not continue discussions unless their precondition is met. No further discussions are scheduled at this time.