

# LETTER OF UNDERSTANDING NO. 1

BETWEEN

THE BRITISH COLUMBIA TEACHERS' FEDERATION

AND

THE BRITISH COLUMBIA PUBLIC SCHOOL EMPLOYERS' ASSOCIATION

## Re: Designation of Provincial and Local Matters

1. Pursuant to the Public Education Labour Relations Act (PELRA), the provincial and the local parties agree to the designation of provincial and local matters as follows:
  - a. Those matters contained within Appendix 1 shall be designated as provincial matters.
  - b. Those matters contained within Appendix 2 shall be designated as local matters.
  - c. **Items with asterisks in Appendix 1 shall be designated as local matters except as related to those elements of the Article that are covered by PELRA section 7(4).**

**All parties agree that the designation of provincial and local matters above shall take effect immediately in the next round of Collective Bargaining**

2. Provincial parties' roles will be pursuant to PELRA.
3. Referral of impasse items to the provincial table will be pursuant to PELRA
4. Timing and conclusion of local matters negotiations:
  - a. Local negotiations will conclude at a time determined by mutual agreement of the ~~provincial~~ **local** parties.
  - b. ~~Outstanding local matters may not be referred to the provincial table subsequent to the exchange of proposals by the provincial parties at the provincial table.~~
  - c. ~~Where no agreement is reached, local negotiations will conclude at the time a new Provincial Collective Agreement is ratified.~~
5. Local and provincial ratification processes:
  - a. Agreements on local matters shall be ratified by the local parties ~~subject to verification by the provincial parties that the matters in question are local matters (Appendix 2).~~
  - b. Agreements on provincial matters shall be ratified by the provincial parties.
6. Effective date of local matters items:

- a. Agreements ratified by the school district and local union shall be effective upon the ratification of the ~~new Provincial Collective Agreement unless the timelines are altered by mutual agreement of the~~ **local agreement as per 5. above and timelines agreed to by the** provincial parties.

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For BCTF

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For BCPSEA

<b>Appendix 1 PROVINCIAL MATTERS</b>
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## **Appendix 1 – Provincial Matters**

### **Housekeeping – Form Issues**

1. Common provincial provisions
2. Common provincial terminology
3. Cover Page of Agreement
4. Interpretation of Teacher Contracts and School Act

### **Section A – The Collective Bargaining Relationship**

1. Term and Renegotiation, Re-opening Agreement During Term, Bridging, Strikes, Renewal, Retroactivity
2. Legislative Change
3. Recognition of the Union \*
4. Membership Requirement
5. ~~Exclusions from the Bargaining Unit~~
6. ~~Contracting Out and Work of the Bargaining Unit~~
7. Deduction of BCTF Dues and Professional Fees
8. President's/Officer Release
9. ~~Management Rights and Responsibilities~~
10. Pro-D Chairperson/Coordinator Release
11. Release for Local, BCTF, CTF, Teacher Regulation Branch and Education International Business
12. Leave for Contract Negotiations \*
13. ~~School Staff and District Committees~~
14. Access to Information \*
15. ~~Copy of Agreement and melding/interfacing~~
16. ~~Grievance, Arbitration, and Expedited Arbitration Procedure and Troubleshooter, Appeal Process for Teachers~~

## **Section B – Salary and Economic Benefits**

1. Determination of Salary \*
  1. *Placement on Scale*
  2. *Salary Review*
  3. *Bonus for Education Courses, Reimbursement for Non-Credit Courses*
  4. *Classification of Salary for Letters of Permission*
  5. *New Positions, Reclassification*
  6. *Experience Recognition, including Trades, Technical and Work Experience*
2. Salary Scale \*
  1. *Category Addition*
  2. *Category Elimination*
3. Payment of Salary
  1. *Increment Dates*
  2. *Withholding*
  3. *Error in Salary – Adjustments*
  4. *Part Month Payments and Deductions including Schedule*
  5. *Pay Periods including payment schedule*
4. Employees' Pay and Benefits including sick leave \*
  1. *Full time and continuing teachers*
  2. *Part Time and temporary or term teachers*
  3. *Teachers Teaching on Call*
  4. *Summer School and Continuing Education Payment*
  5. *Associated Professionals*
5. Positions of Special Responsibility and related Allowances \*
6. Teacher in Charge/Acting Administrators (Filling Temporarily Vacant Position) \*
7. Automobile/Travel Allowance \*
8. First Aid, First Aid Allowance and Training \*
9. Special Allowances: Moving/Relocation, Travel, Isolation, One Room School, Rural, Outer Island, Village Assignment, Pro-D Travel Allowance, Clothing, etc. \*
10. Establishment and funding of Classroom Supply Fund or Allowance, Housing and Housing Assistance \*
11. No Cuts in Salary and Benefits
12. Payment for Work Beyond Regular Work Year
  1. *Counsellors and Librarians Working Outside School Calendar*
  2. *Continuing Education Payments*
  3. *Summer School Payments*

4. *Salary – Payment for Additional Days*
5. *Not Regular School Days*
13. Payment of Teacher Regulation Branch Fees
14. Benefits – General Information, Benefits Management Committee
15. Benefits – Coverage
16. Employment Insurance/all EI rebates
17. Continuation of Benefits
18. Retirement Benefits and Bonuses
19. Wellness Programs, Employee and Family Assistance Program
20. Personal Property loss, theft, vandalism and Insurance
21. Benefits – RRSP

### **Section C – Employment Rights**

1. Employment on Continuing Contract
  1. *Appointment on Continuing Contract*
  2. *Employment Rights – Temporary Teachers converting to continuing*
  3. *Probationary period*
- ~~2. Dismissal and Discipline for Misconduct~~
  - ~~1. ***Conduct of a Teacher (Outside School)***~~
- ~~3. Dismissal Based on Performance~~
- ~~4. The Processes of Evaluation of Teachers' Teaching Performance~~
5. Part-Time Teachers' Employment Rights \*
  1. *Sick Leave and Benefits*
  2. *Part Time Teaching Plan*
- ~~6. Teacher on Call Hiring Practices~~
- ~~7. Seniority~~
- ~~8. Severance Pay~~
9. Retraining, Board *Initiated or Directed Upgrading, Employee Initiated Upgrading* \*

### **Section D – Working Conditions**

1. Teacher Workload \*
  1. *Class Size*
  2. *Class Composition*

2. Inclusion \*
  1. *School Based Team*
  2. *Urgent Intervention Process or similar*
3. Professional Teaching Staff Formulas \*
  1. *Non-Enrolling Teacher Ratios and Caseloads*
  2. *Enrolling Teacher Caseload*
  3. *Advisory Committees*
4. Hours of Work
  1. *Duration of School Day*
  2. *Instructional Time*
  3. *Alternate Calendars*
5. Preparation Time
6. Regular Work Year for Teachers, School Calendar, Staggered Part Day Entries \*
7. Closure of Schools for Health or Safety Reasons
8. Inclement Weather \*
9. Supervision Duties
10. Availability of Teacher on Call
11. Teacher on Call Working Conditions
12. Mentorship Program, Beginning Teacher Program, Student Teachers, Beginning Teacher Orientation \*
13. Child Care for Work Beyond Regular Hours, Day Care
14. Home Education, Suspended Students, Hospital/Homebound Teachers
15. Non-traditional Worksites, e.g. \*
  1. *Distributed Learning*
  2. *Adult Education*
  3. *Storefront Schools*
  4. *Satellite School Programs*
16. Technological Change, Adjustment Plan \*
17. Hearing and Medical Checks, Medical Examinations, Tests, Screening for TB
18. Teacher Reports on Students, Anecdotal Reports for Elementary Students, Parent Teacher Conference Days \*

**Section E – Personnel Practices**

1. ~~Definition of Teachers \*~~

- ~~2. Selection of Administrative Officers (Note: See Addendum A)~~
- ~~3. Non-sexist Environment \*~~
- ~~4. Harassment, Sexual Harassment \*~~
- ~~5. Falsely Accused Employee Assistance \*~~
- ~~6. Violence Prevention \*~~
- ~~7. Criminal Record Checks \*~~
- ~~8. Resignation and Retirement \*~~

### **Section F – Professional Rights**

- ~~1. Educational/Curriculum Change **including Process and** Committees~~
2. Professional Development Funding (Note: see also Addendum B) \*
  1. Professional Development Committee – as related to funding
3. Professional Days (Non-Instructional) \*
- ~~4. Tuition Costs~~
- ~~5. School Accreditation and Assessment~~
- ~~6. Professional Autonomy~~
- ~~7. Responsibilities – Duties of Teachers~~

### **Section G – Leaves of Absence**

1. Sick Leave, Sick Leave Portability, Travel for Medical Services Leave \*
2. Maternity and Parental Leave and Supplemental Employment Benefits Plan
3. Short Term Paternity Leave and Adoption Leave \*
4. Jury Duty and Appearances in Legal Proceedings \*
5. Educational Leave and Leave for Exams \*
6. Compassionate Leave \*
7. Bereavement/Funeral Leave, \*
8. Leave for Family Illness, Care of Dependent Child or Relative, Emergency Leave \*
9. Discretionary Leave, Short Term General Leave and Personal Leave \*
10. Leave for Elected Office and Leave for Community Services \*
11. Worker's Compensation Leave and Worker's Compensation Leave With Pay

12. Leave of Absence Incentive Plan \*
13. Religious Holidays \*
14. Leave to Attend Retirement Seminars \*
15. Leave for Communicable Disease \*
16. Leave for Conference Participation \*
17. Leave for Competitions \*
18. Leave for Teacher Exchange \*
19. Secondment and Leave for External Employment \*
20. Leave for University Convocations, Graduation \*
21. Leave for Special Circumstances including: Citizenship, Marriage \*
22. Leave for Blood, Tissue and Organ Donations, Leave for Bone Marrow, Cell Separation Program Participation \*
23. Miscellaneous Leaves with cost \*

**April 30, 2019 - Provincial Matters**



<b>Appendix 2 LOCAL MATTERS</b>
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## **Appendix 2 – Local Matters**

### **Housekeeping – Form Issues**

1. Glossary of Terms for local matters
2. Preamble, Introduction, Statement of Purpose

### **Section A – The Collective Bargaining Relationship**

1. Local Negotiation Procedures
2. Recognition of Union
3. Access to Worksite
4. Use of School Facilities
5. Bulletin Board
6. Internal Mail
7. Access to Information
8. Education Assistants, Aides, and Volunteers
9. Picket Line Protection, School Closures – Re: Picket Lines (Strikes)
10. Local Dues Deduction
11. Staff Representatives
12. Right to Representation, Due Process
13. Staff Orientation
14. Copy of Agreement **and melding / interfacing**
- 15. Exclusions from the Bargaining Unit**
- 16. Contracting Out and Work of the Bargaining Unit**
- 17. Management Rights and Responsibilities**
- 18. School Staff and District Committees**
- 19. Grievance, Arbitration, and Expedited Arbitration Procedure and Troubleshooter, Appeal Process for Teachers**

## **Section B – Salary and Economic Benefits**

1. Purchase Plans for Equipment / Computer
2. Payroll, Deductions to Teachers Investment Account, Investment of Payroll
3. Employee Donations for Income Tax Purposes

## **Section C – Employment Rights**

1. Layoff-Recall, Re-Engagement
2. Part-Time Teachers' Employment Rights
  1. Job Sharing
  2. Offer of Appointment to District
  3. Assignments
  4. Posting & Filling Vacant Positions
3. **Dismissal and Discipline for Misconduct**
  1. *Conduct of a Teacher (Outside School)*
4. **Dismissal Based on Performance**
5. **The Processes of Evaluation of Teachers' Teaching Performance**
6. **Teacher on Call Hiring Practices**
7. **Seniority**
8. **Severance Pay**

## **Section D – Working Conditions**

1. Extra-curricular Activities
2. Staff Meetings
3. Health and Safety
  1. District and School Health and Safety Committee
  2. Hazardous Materials
4. Student Medication and Medical Procedures
5. Local Involvement in Board Budget Process, **including** Committees – Finance Board Budget, School Funds
6. Teacher Involvement in Planning New Schools
7. Space and Facilities
8. Services to Teachers e.g. translation
9. Inner City Schools, Use of Inner City Schools Funds

## **Section E – Personnel Practices**

1. Posting and Filling Vacant Position
  1. *Offer of Appointment to District*
  2. *Assignments*
  3. *Job Sharing*
  4. *Posting Procedures – Filling*
  5. *Posting & Filling Vacant Positions – School Reorganization*
  6. *Transfer: Board Initiated Transfers, Transfer related to Staff Reduction*
  7. *Creation of New Positions*
  8. *Job Description*
2. Definition of Positions and Assignments
3. Personnel Files
4. School Act Appeals
5. Input into Board Policy
6. No Discrimination
7. Anti-Racism
8. Gender Equity
9. Selection of Administrative Officers (Note: See Addendum A)
10. Parental Complaints, Public Complaints
- 11. Definition of Teachers \***
- 12. Selection of Administrative Officers (Note: See Addendum A)**
- 13. Non-sexist Environment \***
- 14. Harassment, Sexual Harassment \***
- 15. Falsely Accused Employee Assistance \***
- 16. Violence Prevention \***
- 17. Criminal Record Checks \***
- 18. Resignation and Retirement \***

## **Section F – Professional Rights**

1. Professional Development Committee as related to funding control (Note: see also Addendum B)
2. Committees
  1. *Professional Relations/Labour Management*

2. *Parent Advisory Council*
  3. *Joint Studies Committee*
  4. *Professional Development Committee (Note: see also Addendum B)*
  5. *Leave of Absence Committee*
3. Aboriginal Curriculum
  4. Women's Studies
  5. Fund Raising
  6. Reimbursement of Classroom Expenses
  - 8. Educational/Curriculum Change including Process and Committees**
  - 9. Tuition Costs**
  - 10. School Accreditation and Assessment**
  - 11. Professional Autonomy**
  - 12. Responsibilities – Duties of Teachers**

**Section G – Leaves of Absence**

1. Long Term Personal Leave
2. Extended Maternity/Parental Leave/Parenthood (or their equivalent)
3. Deferred Salary/Self Funded Leave Plans
4. Unpaid Leaves: unpaid leave not otherwise designated as a provincial matter in Appendix 1 (Provincial Matters) of the agreement, except for those elements of the clause that are provincial including: continuation of benefits, increment entitlement and matters related to pensions

**April 30, 2019 - Local Matters**

**Addendum A To  
Letter of Understanding No. 1  
Appendices 1 and 2**

**Concerning Selection of Administrative Officers**

“Selection of Administrative Officers” shall be designated as a local matter for negotiations in those districts where the Previous Local Matters Agreement contained language which dealt with this issue or its equivalent. For all other districts, “Selection of Administrative Officers” shall be deemed a provincial matter for negotiations.

The issue of Administrative Officers returning to the bargaining unit does not form part of this addendum to appendices 1 and 2.

For the purposes of paragraph one of this addendum, the parties acknowledge that language on the issue of “Selection of Administrative Officers” or its equivalent exists in the Previous Local Agreements for the following districts: Fernie, Nelson, Castlegar, Revelstoke, Vernon, Vancouver, Coquitlam, Nechako, Cowichan, Alberni and Stikine.

The parties further acknowledge that there may be language in other Previous Local Agreements on this same issue. Where that proves to be the case, “Selection of Administrative Officers” or its equivalent shall be deemed a local matter for negotiations.

Dated this 11 day of December, 1996

“Alice McQuade”  
President  
BC Teachers’ Federation

“K. Halliday”  
Chief Negotiator  
BC Public School Employers’ Association

**Addendum B To  
Letter of Understanding No. 1  
Appendices 1 and 2**

**Professional Development**

For the purposes of section 7 of part 3 of PELRA the parties agree as follows:

Professional Development:

Language concerning the date that funds for professional development are to be made available in a district, reference to a “fund” for professional development purposes and the continued entitled of an individual teacher to professional development funds and/or teacher-on-call time following a transfer shall be designated as local matters.

For BCTF:  
“R. Worley”

For BCPSEA:  
“K. Halliday”

Date: Original April 23, 1997  
Amended by *Education Services Collective Agreement Amendment Act, 2004*