

Essential Services

UPDATE



2011-05

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By E-mail: 2 Pages

Preparing for Start of School

We have received a number of questions this week regarding preparation for the school year. In this *Essential Services Update* we will cover concerns including BC Teachers' Federation (BCTF) members' participation in first-day meetings; activities prior to the start of school; and the responsibilities of a Teacher In Charge (TIC).

For ease of reference, we have put this bulletin in the form of frequently asked questions.

Q: We normally conduct a three hour meeting with staff on the first day of school and cover a wide variety of topics such as school and district goals, district information sharing, collection of fees, assignment of lockers, and safety information. Assuming that the BCTF members are legally on strike at that time, can we continue these meetings as usual?

A: School Districts may decide to continue their first-day meetings to provide information on topics such as these to their excluded/management staff and their unionized support staff. However, teachers may decide not to attend the entire meeting depending on the items under discussion. The Labour Relations Board (LRB) decision B132/2011 has identified a number of meetings that BCTF members need not attend including staff meetings, meetings called by school district management and school-based meetings called by a vice-principal or principal (unless the meetings are related to an emergency). However, the LRB has also ordered that class/program composition and formation at the beginning of the school year may include meetings of teachers with the principal for the sole purpose of organizing the class/program composition and formation. The LRB has also ordered that teachers shall participate in the normal manner in activities concerning statutory class size procedures.

BCPSEA anticipates that BCTF members will attend a very brief (e.g. less than an hour) first-day meeting (or the relevant portion of a meeting) where the administrator is providing information about how class/program composition and formation for the beginning of the year will proceed. BCTF has advised that it will not object to administrators providing written critical safety information (e.g., student custody issues, critical response team requirements, new emergency response protocols) to teachers at this class/program composition and formation meeting. We suggest that administrators discuss the nature and timing of these meetings with their local teachers' union representative.

Q: We have some non-instructional days scheduled in our calendar this week. Are the BCTF members entitled to refuse to attend meetings and/or refuse to perform certain duties on those days?

A: Teachers are not entitled to refuse to attend meetings and/or refuse to perform certain duties until they are legally on strike. One of the requirements of the *Labour Relations Code* is that a union must give 72-hour strike notice in writing and 72 hours must have elapsed before its members can legally take strike action. The BCTF has not yet given strike notice. We anticipate that they will give strike notice to take effect on September 6, 2011 if they determine, as BCTF President Susan Lambert has stated in the media, that insufficient progress is being made in bargaining.

Q: Will Teachers in Charge (TIC) be required to do supervision of students?

A: Yes, where there are no principals or vice-principals at a school, TICs must continue their normal duties. This includes all of their regular TIC duties even though some of those duties are being withdrawn by other teachers (i.e., when acting as a TIC they must continue to perform supervision).

For further information, please see visit the [Essential Services page](#) of our website to view a brief video series about what to expect during Phase 1 job action.

If you have any questions regarding essential services, please contact:

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