

## Collective Agreement Considerations for Implementing Your 2013-2014 Locally Determined School Calendar

### Overview

The Ministry of Education recently released a new School Calendar Regulation providing guiding parameters for section 87.01 (7) of the *School Act*. All BC school districts will have to set and submit to the Ministry their 2013-2014 district school calendar(s) no later than March 31, 2013. The process undertaken by each school district in establishing the proposed calendar(s) includes a requirement for consultation with both union locals and parents. Parameters on how that consultation takes place, within a timeline starting no later than February 28, 2013, are detailed in the new regulation.

It is critical that school districts review their collective agreements prior to beginning the new calendar development process, and verify the proposed calendar(s) is in compliance with the requirements of the district's collective agreements once the consultation process has been completed. While the *School Act* and the new School Calendar Regulation provide school districts with expanded latitude in establishing their calendar(s), all of the applicable provisions of the district's collective agreements must still be met. A district that establishes a school calendar and applies it to employees beyond the parameters or restraints of their collective agreements may be at risk in any grievance and arbitration process that might arise.

When reviewing your collective agreements (for both teachers and support staff), it is important to consider all sections of each agreement for possible limitations or considerations. As there is considerable variation between school districts as to the content of the agreements, and the extent of any possible conflicts will vary depending upon your proposed calendar, it is not possible for BCPSEA to provide definitive information in advance of the process. There are, however, specific areas of the collective agreement that should be reviewed closely. These include:

- **Collective agreement for teachers**
  - Section A – The Collective Bargaining Relationship  
Legislative Change
  - Section B – Salary and Economic Benefits
    - Teachers Teaching On Call Pay and Benefits
    - Optional Twelve Month Pay
    - Pay Periods
    - Positions of Special Responsibility
    - Part Month Payments and Deductions

- Section C – Employment Rights  
Seniority
- Section D – Working Conditions  
Alternate School Calendar  
Preparation Time  
Regular Work Year for Employees  
Hours of Work  
Regular Staff Meetings
- Section F – Professional Rights  
Parent–Teacher Conference Days
- Letters of Understanding
- **Collective agreement(s) for support staff**
  - Labour Management Consultation
  - Layoff, Bumping & Recall
  - Promotions and Staff Changes
  - Hours of Work
  - Overtime
  - Schedule of Hours of Work
  - Letters of Understanding

Please note that BCPSEA recommends school districts review all sections of their collective agreements for possible conflicts or considerations. The above sections are highlighted for special emphasis.

Should your school district wish to adopt a calendar under the new regulation that is not in compliance with the provisions of the collective agreement(s) **and** you believe there is a possibility to negotiate a mid-contract modification with your local union(s) to accommodate the proposed calendar, please contact your BCPSEA liaison at any time for discussion.

## Questions

Please contact your BCPSEA liaison for further information or discussion.