

# *teacher* COLLECTIVE AGREEMENT

*administration bulletin*

BRITISH COLUMBIA  
PUBLIC SCHOOL EMPLOYERS'  
ASSOCIATION

**10** March 13, 2007

By E-mail: 2 Pages

## In this Issue

- **Porting Seniority (C.2.2) and Sick leave (G.1.1)**
  - **Initiating the Verification Process – Spring 2007**
  - **Verification Forms**
  - **Completing the forms**

## Porting Seniority (C.2.2) and Sick Leave (G.1.1)

As we reported in TCAA Bulletin No. 9, Irene Holden has clarified the administration of both article C.2.2 and G.1.1. It is the responsibility of school districts to provide an appropriate form to eligible employees and to make all reasonable efforts to verify the requested information. It is the responsibility of the employee to ensure that they initiate such requests within a specified 90 day period:

- To port sick leave, the employee must have the verification form in the hands of their previous district(s) within 90 days of becoming employed as a TOC, a term or a temporary teacher in the new district.
- To port seniority the form must be with the previous district(s) within 90 days of the employee achieving continuing contract status in the new district.

## Initiating the Verification Process — Spring 2007

While the Holden time limits will work in the future, we are well beyond the 90 day limits for employees eligible to port seniority and/or sick leave in this school year. Moreover, there is an urgent need for seniority lists to be finalized prior to seasonal decision making with respect to layoffs, transfers, and other processes in which seniority is a significant consideration, if not the driving factor.

Accordingly, we are asking boards to expedite this process and to seek the local's help in getting the message out. The message is: "If a teacher believes s/he has seniority or sick leave to be ported from a previous BC school district, s/he needs to initiate the verification process immediately." For this year only, we suggest you:

- take steps to identify who you can reasonably expect to be eligible to port;
- provide them with the appropriate forms; and
- permit them to use district fax facilities to send the forms to their previous districts.

It may be helpful to ask individual teachers for an indication as to the amount of seniority they expect to be able to port. This will give you an idea of the potential implications for your seniority list if there is a delay in receiving the verification from other districts. We also suggest you set a date to follow up on requests, if you have not received the completed verification form.

## Verification Forms

We have amended the draft verification forms to reflect the feedback received during and following our March 7 conference calls. Please use the attached template forms to implement the porting provisions

of Article C.2.2 and G.1.1 for this school year. We will review the efficacy of these forms following the initial verification process this spring.

The forms continue to reflect our advice that employees on leave of absence from another school district are not eligible to port either seniority or sick credits. The BCTF disagrees with this directive. However, in light of our members' negative response to potentially expanding the application of Article C.2.2 and G.1.1 in such a way, we are maintaining our view that employees on leave are not covered by either of these articles.

### **Completing the Forms**

The initiating school district should ensure that staff record the date the forms are provided to the employee by having the employee sign the verification form and keeping a copy for the district's files.

The verifying school district should record the date it receives the request for verification and should take all necessary steps to verify the information, and return the completed form to the new school district as soon as possible. In future years, should the verifying district receive the request after the 90 day deadline, the district should indicate this in the appropriate place on the form and return the form without verifying any seniority or sick leave.

Once a teacher has requested that a block of seniority and/or sick leave credits be ported to another district, the credit transfer must be recorded and the accumulated credits appropriately reduced to ensure that they are only transferred once.

### **Questions**

If questions arise with respect to an employee's eligibility to port, or with respect to a determination as to how much seniority or sick time is available to be ported, please contact your BCPSEA liaison for assistance. These are new provisions and there may be questions of application that need to be worked out with the BCTF. As these are provisions which will affect all districts in the province, consistency of application is very important.

### ***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.*

Attachments: (2)

- Verification of Accumulated Seniority Credit Form
- Verification of Accumulated Sick Leave Credit form