

Teacher Collective Agreement Implementation Update: Holden Process

Further to *Teacher Collective Agreement Administration Bulletin* No. 7 dated January 9, 2007, we have today received the decision of Irene Holden with respect to the implementation matters referred to her in October 2006 by the BC Teachers' Federation and the BC Public School Employers' Association:

- the one-time incentive payment
- portability of seniority
- portability of sick leave
- preparation time
- 12-month pay plans.

Attached please find Holden's award. Following is a brief summary.

▪ **One-time Incentive Payment:**

Holden determined that the following teachers are **not** eligible to receive the one-time incentive payment:

- Employees on LTD
- Employees on SIP which commenced prior to the 2005-2006 school year
- Employees who retired or resigned prior to June 30, 2006
- Employees on extended maternity leaves
- Teachers on call (TOCs) on maternity leave
- TOCs on union leave.

Holden determined that the following teachers **are** eligible to receive the one-time incentive payment:

- Employees on union leave
- Employees on union leave as full time union officials in the amalgamated districts.

▪ **Portability of Seniority**

Teachers can port up to 10 years of seniority from one school district to another despite a break in service. Teachers will be able to port seniority from multiple school districts. Joint committees will be established to deal with calculation and the rules governing seniority portability. A dispute

resolution mechanism will be implemented.

- **Portability of Sick Leave**

Teachers can port up to 60 days of sick leave when hired to a new district or when on exchange with another district. The mechanisms of sick leave portability will also be determined by a joint committee.

- **Preparation Time**

Minimum preparation time has been increased to 90 minutes by the framework agreement. The averaging provisions will apply in 2006-2007 for transition purposes only in districts where preparation time was increased by the framework agreement. Outstanding issues including the obligation to make up lost preparation time have been left to determination under arbitral proceedings currently underway in specific districts.

- **12-month Pay Plan**

Holden found that this language only applies to those districts that do not have such an option in their collective agreement.

Next Steps

Districts should not take any action at this time. We are currently reviewing the decision and will provide further information and interpretation in the near future.

Questions

If you have any questions, please contact your district liaison or Jacquie Griffiths (604.730.4514; jacquieg@bcpsea.bc.ca).

Attachment: Decision of Irene Holden, January 16, 2007