

## **Update: Agreement on Internal Trade and BC College of Teachers Bylaw Changes**

On October 29, 2009, the provincial legislature enacted the *Labour Mobility Act* (Bill 9 when originally introduced to the legislature on March 12, 2009, but enacted as Bill 11), which confirms our province's participation in further additions to the federal Agreement on Internal Trade (AIT). The AIT (originally signed in 1995) focuses on the elimination of trade, labour, and investment barriers between the Canadian provinces. TILMA, which was signed by BC and Alberta in 2006 and implemented in BC on April 1, 2008, is somewhat similar, but is limited to specific agreements between the two provinces (including teacher certification).

In order to meet the new requirements of the AIT, the BC College of Teachers (BCCT) has adopted some significant changes to their bylaws regarding teacher eligibility for membership. The bylaw changes include the creation of a Basic level of certification (in addition to the current Professional Certificate of Qualification). District human resource departments will need to be aware of the following, as both the AIT and BCCT bylaws changes have now been approved:

- The new BCCT Basic Certificate of Qualification will meet the requirements of the AIT and will allow all individuals with an unrestricted teaching certificate from another province (including those who did not and still do not meet the standards required for a BCCT Professional Certificate) to now be certified in BC beginning January 1, 2010.
- Unlike the Trade, Investment and Labour Mobility Act (TILMA), the AIT does not require provinces to standardize requirements for the granting of teaching certificates. Substantive differences in the qualifications for teaching certification will remain between provinces. It is only about the common recognition of certification.
- The new Basic certificate may be issued to individuals who hold a valid Canadian certificate and who do not meet the requirements for a BCCT Professional Certificate, therefore these teachers' teaching/educational background may not include a four year or more degree, university course work in their teaching area(s), and/or previously required education course content areas.
- All BCCT requirements regarding criminal records checks, reference letters, and transcripts remain in place. Applicants for certification who do not meet the standards of fitness or do not "satisfy the council that the person is of good moral character and is otherwise fit and proper to be granted a certificate of qualification" will still be denied. The BCCT may also deny certification if language proficiency or recent teaching experience (currency) requirements have not been met.
- Individuals who have a restricted teaching certificate from another province may also be denied certification in BC.

- The Basic Certificate of Qualification does not have an expiry date; it is not a temporary or term certification. There is no requirement for holders of a Basic certificate to upgrade in order to maintain certification and/or employment.
- Under the current collective agreement, holders of a TQS category 2 or 3 rating will be paid no lower than a category 4 level (they may also be paid at a higher rate depending upon their assigned TQS category). There is no longer provision in the collective agreement for them to be paid at a lower rate of pay (i.e., at the old level 2 or 3). The TQS category assigned to a Basic certificate holder will depend on their years of university.
- Hiring process considerations for school districts:
  - Human resources departments will want to more closely review the educational and experience background of candidates, especially when the individual holds the new Basic certificate. Introduction of the AIT and the Basic certificate may, however, increase the availability of candidates for districts to consider.
  - When individuals are issued a Basic certificate by the BCCT, they will also be provided a letter outlining deficiencies to be completed should they choose to pursue BC professional certification (there is, however, no requirement for them to do so). Human resources departments may wish to request a copy of that letter from applicants so that they can review the specific deficiencies.

Further information on the AIT can be found at <http://www.ic.gc.ca/eic/site/ait-aci.nsf/eng/home> and for the TILMA at <http://www.tilma.ca/>. The BCCT website at <http://www.bcct.ca/> contains information on both their bylaw changes and the AIT.

You may also wish to contact Janet Stewart, Director of Make a Future – Careers in BC Education, to discuss human resources implications coming out of both agreements. She may be contacted at 604 730 0739 or [janets@makeafuture.ca](mailto:janets@makeafuture.ca).