

Labour Relations Considerations for the Implementation of Full Day Kindergarten and Before/After School Care

The implementation of full day kindergarten as well as consideration of before and after school care is proceeding in all BC school districts for September 2010. While these exciting initiatives have captured the interest of both parents and educators, there are a number of potential labour relations and human resource implications. Districts will want to consider the following both as they prepare their Ministry full day kindergarten proposals (due November 1) and as they implement new programs.

There are employment implications to this important provincial initiative. As part of the BCPSEA Sustainable Workforce initiatives, the *Make a Future* team will be taking the lead on labour market issues related to early learning. On the labour relations and terms and conditions of employment front, your BCPSEA labour relations liaison will be providing assistance.

Following are some issues and frequently asked questions that have arisen to date.

1. Will BCPSEA, through Make a Future, support districts in the recruitment of additional kindergarten teachers?

Yes. Where districts require resources and/or assistance, Make a Future will provide direct support to school districts needing to recruit additional kindergarten and primary program teachers. Discussions have also already begun with the Ministry of Education on how Make a Future can support the implementation process at the district and provincial levels. Please contact Janet Stewart, the BCPSEA Make A Future coordinator, for specific information and support.

Make a Future can also assist with support staff needs. Districts that have before and after school programs staffed through the district, supervision assistants or early childhood educators may contact Make a Future to discuss their needs and how Make a Future can assist.

2. Are other positions affected by the implementation of full day kindergarten?

Other positions that may be indirectly affected are in student support services. What student support will be available to kindergarten teachers in terms of learning assistance, speech and language, special education and assessment will need to be examined. CUPE support positions, such as playground supervision, custodial, hot lunch supervisors and classroom support, may also be affected.

3. What should I consider in preparation for the transition of current teachers to full day kindergarten positions and for the recruitment of new kindergarten and primary program teachers?

All provisions of your current district teacher collective agreement will apply in this situation. You will want to review your post and fill, surplus declaration and teacher transfer language in preparation for the process. It may be necessary for districts to declare current kindergarten teachers “surplus” from their positions before posting any new jobs. Consideration may also have to be given to the assignment of surplus teachers and/or teachers on layoff with minimal qualifications to these new vacancies. Local collective agreement provisions will need to be reviewed in every case.

4. Some districts may have qualifications previously in place for kindergarten teachers. Others will be relying on their current practice in conjunction with the collective agreement in filling vacancies. The Ministry has indicated the Primary Program will be revised and include curriculum and pedagogy guidelines that are play-based and developmentally appropriate. The current Prescribed Learning Outcomes will not be expanded. How can districts work to staff the new full day programs with teachers who have appropriate qualifications?

It is advisable to involve the local in this discussion. Districts may wish to consider a mid-contract modification or letter of understanding to address significant local implementation issues, including continuity of staffing. Contact your BCPSEA labour relations liaison for assistance in reviewing your local collective agreement provisions and discussion of any potential mid-contract modifications or letters of understanding.

5. What communication with the local teachers’ association and individual teachers would be appropriate?

While most districts have no collective agreement language requiring consultation before the posting of the new kindergarten jobs, it may be advisable to meet with both teacher association representatives and affected teachers before the implementation of your plan. The sharing of information up front will hopefully smooth the implementation and transition processes.

There may be language related to a kindergarten teacher with alternative hours of work related to providing two half-day kindergartens. This needs to be reviewed to determine if modifications are needed when pursuing the full day model. Lunch breaks that are often offset, for example, may no longer be the applicable model. Language regarding extra parent meetings and staggered entry may also need review where it is in the collective agreement or policy.

6. Are we required to provide in-service to teachers moving into full day kindergarten assignments?

No, districts are not required to supply in-service to teachers (new or existing) moving into full day kindergarten assignments. The Prescribed Learning Outcomes (PLOs) for the kindergarten program will remain the same, as will qualification requirements. The longer day provides an opportunity for enrichment of the existing program, not the inclusion of additional learning objectives. Districts may, however, want to consider the sharing of “best

practice” examples and instructional strategies with teachers well in advance of implementation.

School districts and other partners are encouraged to use the *Making Linkages* resource to facilitate dialogue between primary teachers, early childhood educators and other early years professionals about the importance of early learning and the continuum of development in and transition to the primary schooling years. Kindergarten teachers are encouraged to use the resource as children transition into kindergarten.

For more information, visit http://www.bced.gov.bc.ca/early_learning/making_linkages.htm

School districts and educators may also want to use the British Columbia Early Learning Framework which sets forth the learning goals for children 0-5. Similar to the *Making Linkages* document, this document can also support transition and serve as a tool for reflection on the full day program and children’s learning.

7. Can kindergarten teachers be required to stay in the classroom over lunch time to supervise their students?

Most teachers in BC school districts have the right to a duty free lunch time. Although there is reasonable flexibility in terms of scheduling, teachers must be provided a duty free lunch period of no less than 30 minutes (and the same length of time as other teachers at the same school).

Districts will have to provide additional lunch time supervision for kindergarten students as they see fit. Issues related to hot lunch programs may arise. Nutrition break periods may be appropriate teaching opportunities for students. Some districts have encouraged student peer helpers to assist younger students with the lunch routine that would minimally involve staff.

8. Who can districts use to run before school and after school care programs?

It is unlikely districts will utilize teachers to run before school and after school child care programs, as an individual teacher’s work assignment could not be expanded above full time to cover the additional hours. It is far more likely districts will utilize existing or new Education Assistants and/or Noon Hour Supervisors in this role (if they choose to provide the service directly). Districts could also consider having independent child care contractors or other community partners provide the service. Districts should review existing contracts with service providers that currently operate before school and after school programs and day care.

9. What labour relations issues should the district consider when establishing before and after school care programs?

Many districts that already have before and after school care programs and preschools do so in conjunction with private service providers. Contracts with those service providers should be reviewed prior to discussion of expansion or change to service delivery.

Districts should review their support staff collective agreement language regarding post and fill, the addition of hours to employees, split assignments, general job descriptions and hours of work. Although there are very few existing examples of before and after school care

programs, implementation of new programs still needs to be within the provisions of your local collective agreements. If this is new you may have to consider a letter of understanding, much like what is in practice for some StrongStart BC programs, to address issues in service delivery that are unworkable under the current terms and conditions. This could include minimum call out, four hour minimum, split shifts and other issues. These letters would have to have BCPSEA Board approval.

10. Are we required to establish a district policy governing early learning programs?

There is no current requirement for districts to establish an overarching policy or regulations for early learning programs. However, it may be advantageous for a number of reasons, to establish district policy and/or regulations governing programs for early learners as well as supplemental community partner programs such as child care. Consistency and quality of the program are among the major considerations.

11. Do Ministry of Healthy Living and Sport policies and regulations regarding child care apply to school districts?

Yes. Current provincial policies and regulations regarding the provision of child care apply to school districts. While there may be some future revisions to legislation, districts will want to ensure they can comply with both current and anticipated requirements.

12. Who do I contact for further information?

It may be necessary for school districts to consult with their BCPSEA labour relations liaison, Make a Future, the Ministry of Education, or regional health authorities responsible for child care licensing depending on their specific questions or concerns.

Questions

For further information or discussion, please contact your BCPSEA labour relations liaison.