

Labour Relations Board Application: Foundation Skills Assessment (FSA) Campaign

Representatives from BCPSEA and the BC Teachers' Federation (BCTF) met at the Labour Relations Board (LRB) on an informal basis today to attempt to resolve the issues related to the BCPSEA Application before the LRB regarding the BCTF advice and direction to their members to refuse to perform work related to FSA. Unfortunately, the parties were not able to resolve the issues.

A formal hearing at the LRB will commence Monday morning, February 2, 2009. It is likely that the hearing will be expedited and we hope to have a decision from the LRB as early as Monday afternoon.

The BCTF has indicated that they will be providing evidence of situations where teachers have not been required to perform work related to FSA and where the work surrounding FSA has been directly assigned to principals. While that is not a defence for the BCTF's concerted action to refuse to perform work related to FSA, if your district is one of the districts identified by the BCTF we will be contacting you to verify the information.

Boards are obliged to ensure that the FSA, as an initiative of the Ministry of Education, proceeds as required. That is the purpose of the Application before the LRB.

The LRB has previously determined (2002) that the administration and supervision of tests is the nature of work normally performed by teachers. Specifically, the LRB stated:

“...supervising the FSA test is *prima facie* work which teachers are obligated to perform.”

Since that decision, and in spite of its longstanding opposition to FSA, neither the BCTF nor any of its locals have filed a grievance relating to the requirement of teachers to perform duties associated with the FSA. This work has consistently been performed by teachers over the last six years.

A Report from the BCPSEA Chair was distributed earlier today, which, among other matters, references a letter from the Minister of Education to BCTF President Irene Lanzinger concerning the FSA. A copy of the Report and letter are attached for your information.

Next Steps

As we have advised previously, school districts should proceed with their plans with respect to FSA. We will provide further updates as events unfold at the LRB. Please contact your BCPSEA labour relations liaison for discussion or assistance.

Attachment