

Article A.7: Leave for Provincial Contract Negotiations

❖ Overview

This article sets out the terms under which leaves are granted for provincial bargaining purposes.

❖ Article A.7: Leave for Provincial Contract Negotiations

- 1. The employer shall grant a leave of absence without pay to an employee designated by the BCTF for the purpose of preparing for, participating in or conducting negotiations as a member of the provincial bargaining team of the BCTF.*
- 2. To facilitate the administration of this clause, when leave without pay is granted, the employer shall maintain salary and benefits for the employee and the BCTF shall reimburse the employer for the salary costs.*
- 3. Any other leaves of absence granted for provincial bargaining activities shall be granted on the basis that the salary and benefits of the employees continue and the BCTF shall reimburse the employer for the salary costs of any teacher employed to replace a teacher granted leave.*
- 4. Any leaves of absence granted for local bargaining activities shall be granted in accordance with the Previous Local Agreement.*

❖ Explanation

- A.7.1** *1. The employer shall grant a leave of absence without pay to an employee designated by the BCTF for the purpose of preparing for, participating in or conducting negotiations as a member of the provincial bargaining team of the BCTF.*

This clause provides that boards must grant a leave of absence to an employee who the BCTF has selected as a member of its provincial bargaining team. The leave is without pay and is to prepare for, participate in, or conduct negotiations.

- A.7.2** *2. To facilitate the administration of this clause, when leave without pay is granted, the employer shall maintain salary and benefits for the employee and the BCTF shall reimburse the employer for the salary costs.*

This clause provides that a teacher on leave without pay for the purpose of provincial bargaining will continue to receive salary and benefits as though the teacher is actively employed by his/her school board(s). The BCTF is to compensate the school board for the salary costs, and the board should bill the BCTF accordingly.

Although the article does not provide for reimbursement of benefit costs, the BCPSEA board of directors resolved that such costs are properly a provincial expense and the burden should not fall on an individual board. Accordingly, an affected board should bill BCPSEA monthly for the actual cost of the board's contribution to benefits for a teacher in its district while that teacher is a member of the BCTF's provincial bargaining team.

- A.7.3** 3. *Any other leaves of absence granted for provincial bargaining activities shall be granted on the basis that the salary and benefits of the employees continue and the BCTF shall reimburse the employer for the salary costs of any teacher employed to replace a teacher granted leave.*

A.7.3 provides that teachers granted leave for other provincial bargaining activities will continue to receive normal salary and benefits, and the BCTF shall only be billed for the salary cost of the replacement teacher. If there is no replacement teacher, there is no cost to the BCTF.

- A.7.4** 4. *Any leaves of absence granted for local bargaining activities shall be granted in accordance with the Previous Local Agreement.*

A.7.4 is self-explanatory. Teachers who are members of the local's bargaining team for the purpose of conducting negotiations on local matters shall be granted leave pursuant to provisions in the Previous Local Agreement.

Local matters bargaining should not be confused with mid-contract discussions that lead to mid-contract modifications on provincial matters, nor with discussions pursuant to Letter of Understanding No. 8 Re: Updating the Provincial Collective Agreement Mid-Contract Modification Process. Such discussions do not fall within this clause. The delineation as to what is a provincial matter and what is a local matter can be found in Appendix 1 and Appendix 2 of Letter of Understanding No. 1 Re: Designation of Provincial and Local Matters.

❖ Implementation

This article is the sole reference to be used for leaves of absence for provincial bargaining purposes and supersedes any articles in the Previous Local Agreement that deal with leaves of absence for unspecified union purposes.