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Proposed Provincial Collective Agreement Between the BC Public School Employers' Association and the BC Teachers' Federation

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As previously advised, on June 30, 2006, the BC Public School Employers' Association (BCPSEA) and the BC Teachers' Federation (BCTF) achieved a tentative Provincial Collective Agreement (PCA), the first negotiated agreement between the parties since provincial bargaining was introduced in 1994. The final settlement package includes the items set out in the executive summary below; a more complete explanation follows the executive summary.

Executive Summary

- Term: Five years
- Compensation:
 - Wage increases of 2.5%, 2.5%, 2.5%, 2.5%, 2%
 - One-time early settlement incentive of \$3,700 per FTE^[1]
 - One-time Professional Resource Allowance of \$300
 - 1.5% for further harmonization of the top steps of the salary grid on July 2008 (add 3% to grid maximums)
 - In specified remote districts, an annual allowance of \$2,200 for new and returning teachers and 3% to grid maximums on July 2008
 - Allowance of 2% for eligible employees to offset SIP premiums^[2]
 - Fiscal Dividend (same as Support Staff Framework Agreement)
 - July 2006 payment of \$20 million to Teacher Pension Plan (Inflation Adjustment Account)
- Article B.9 Pay Periods: Minimum of twice a month pay periods and new 12 month pay option
- Article B.10 Reimbursement for Mileage and Insurance:
 - July 2006 — 47 cents/kilometre, annual increase of 1 cent/kilometre
 - 5 cents/kilometre for unpaved roads
 - Premium upgrades for use of private vehicles for business travel
- Article B.__ Reimbursement of Deductible for Personal Property Loss up to \$600
- Article B.11 Increase Extended Health Benefits lifetime limit to unlimited in all school districts
- Article C.2 Seniority: Ability to port up to 10 years' seniority upon obtaining a continuing contract in a new district
- Article D.8 Preparation Time: Increase elementary preparation time to a base level of 90 minutes per week

- Article D.11 Middle Schools
 - default to secondary instructional day and prep unless otherwise agreed;
 - new process for resolution of differences when implementing middle schools
- Article D. Alternate School Calendar
 - Process for implementing alternate calendar
 - Expedited arbitration if unable to agree on 4 day week/9 day fortnight terms[j3]
- Article G.1 Portability of Sick Leave: Teachers port up to 60 days to new district
- Article G. Compassionate Care Leave: Standard provision consistent with the *Employment Standards Act*
- Letter of Intent Middle Schools: Process to record current practices if not formalized[j4].
- Letter of Commitment: Re Employment Equity – Aboriginal Teachers
Recruitment and retention initiative to address the under-representation of Aboriginal teachers
- Letter of Understanding (LoU): Relaxed Mid-contract Modification process for collective agreement updates meeting the specific criteria
- LoU Teacher Supply and Demand: committee funding to address supply in unspecified districts/locations[j5] (\$3.5 million)
- LoU Benefits Review: Committee to review benefit plans, savings go to improvements
- LoU re amalgamated districts: extend salary protection granted in June 25, 2002 LoU

The Agreement in More Detail

Article A.1 Term, Continuation and Renegotiation

The article is amended to reflect a new term from July 1, 2006 to June 30, 2011.

Article B.1 Salary

July 1, 2006:	2.5%
July 1, 2007:	2.5%
July 1, 2008:	2.5%
July 1, 2009:	2.5%
June 30, 2010:	2%

The increases will apply to Teacher on Call (TOC) daily rates and allowances for Positions of Special Responsibility, First Aid, One-room Schools, Isolation, Moving/Relocation and Recruitment & Retention (see also the LoU re 2008 Salary Harmonization for further salary increases).

Article B. Salary Indemnity Plan (SIP) Allowance

Employees eligible for SIP will receive an allowance equal to 2 % of salary and the BCTF will not alter eligibility criteria. A related LoU sets out a new committee to review the BCTF Rehabilitation Program.

Article B.9 Pay Periods

B.9 will provide for **twice monthly pay and a 12 month pay option** in districts where these currently do not exist. With respect to twice monthly pay, the timing and amount of payment are to be determined locally but the mid month payment shall not be less than 40 % of monthly salary.

The 12 month pay option will be a deferred pay program with specific amounts deducted from each pay period during the school year and paid out in July and August. To address additional employer costs attributed to the introduction and ongoing maintenance of this option, interest

shall be retained by the employer through the 2007-2008 school year; effective September 2008, the interest will be shared in agreed-upon proportions between the employer and the employee.

Article B.10 Reimbursement for Mileage and Insurance

The parties have negotiated a standard mileage rate for reimbursing employees who use their vehicles for school district-related purposes where such use is required by the employer. The rate has been established at \$0.47 per kilometre effective July 1, 2006, increasing by one cent in each of the subsequent three years. In addition, any established rate for required and approved travel on unpaved roads has been increased by five cents a kilometre; and employees will be reimbursed for additional Insurance Corporation of BC (ICBC) premiums when the employee's vehicle is required for business purposes.

The article recognizes some district-specific provisions regarding travel costs and notes that there may be a need to address additional situations similar to those listed. BCPSEA will be in contact with any districts that may be affected.

Article B. Reimbursement for Personal Property Loss

The parties have agreed to reimburse employees for personal property loss or damage as specifically set out in the article. For private vehicles the employee may be reimbursed to a maximum of \$600; for loss or damage to other personal materials, the reimbursement will be up to \$150.

Article B.11 Benefits

The Extended Health Benefit shall be increased to an unlimited lifetime maximum.

Article C.2 Seniority

The article provides seniority accumulation for term/temporary teachers and clarifies the calculation of TOC seniority (one day = a full day worked, ½ day = a half-day worked; 19 days = a month; 189 days = a year.) Any superior provisions remain in effect.

Employees hired after September 1, 2006 will be able to port up to ten years of seniority when they move to a new school district and achieve continuing contract status in their new district. It is anticipated that this provision, along with the ability to port sick leave, will assist both employers and employees in providing opportunities for movement.

Article D.8 Preparation Time

Elementary preparation time is established as a minimum of 90 minute per week. In 2006-2007, the preparation may be averaged over the school year. There are no other changes to the way preparation is currently provided.

Article D.11 Middle Schools

This article provides a process for addressing collective agreement changes necessary to accommodate the introduction of a Middle School program in a school or district. In the absence of an agreement with respect to the instructional day, the secondary instructional day and preparation time shall be the default provision. For any other changes the parties may refer the matter to expedited arbitration for binding resolution.

Article D. Alternate School Calendar

This article sets out a process for school districts to address necessary modifications to the collective agreement arising out of a decision to implement an alternate school calendar. Where the parties are unable to agree and the alternate calendar includes either a four-day week, a nine-day fortnight, or year-round schools, the article establishes an expedited arbitration process to resolve outstanding issues.

Article G.1 Portability of Sick Leave

Employees hired into a[s6] new school district after September 1, 2006, will be able to port up to 60 sick days from their previous district. It is anticipated that this provision along with the ability to port seniority will assist both employers and employees in providing opportunities for movement.

Article G. __ Compassionate Care Leave

This article will provide a standard provision for teachers who require leave to care for a family member who has a serious medical condition and is at risk of imminent death. The article is consistent with the requirements of the *Employment Standards Act*.

Letters of Understanding**Letter of Intent (LoI): Re Middle Schools**

Where a district currently has a Middle School Program but does not have a formal agreement in place, the Collective Agreement will be amended to incorporate the terms under which the Middle School Program has been operating. If there is a dispute with respect to what current practices are, such disputes will be resolved through expedited arbitration.

BCPSEA shall provide districts affected by this LoI with specific advice and a template LoU to record the required Mid-contract Modification.

Letter of Commitment: Re Employment Equity – Aboriginal Teachers

The parties will address the under-representation of Aboriginal teachers in school districts by jointly approaching the Human Rights Tribunal for approval of a program to attract and retain Aboriginal Teachers. The parties will work together to create a template to assist individual districts in the application process to the Human Rights Tribunal.

**Letter of Understanding: Re Updating the Provincial Collective Agreement
Mid-Contract Modification Process**

It has been agreed that neither BCPSEA nor the BCTF will reject any MCMs that have been agreed to by the local parties and are for the sole purpose of:

- Eliminating out of date references to terms, dates, or other matters;
- Updating of language that is no longer relevant or functional;
- Resolving internal inconsistencies and incongruities.

If there is a dispute about whether the proposed change falls within the above criteria, that dispute may be referred to Irene Holden for facilitation and resolution.

Letter of Understanding: Re Early Incentive Payment

A one-time early settlement incentive of \$3700 will be paid to each full-time employee and a prorated amount will be paid to employees working less than full-time based on the 2005-2006 school year. For this purpose, 183 days shall be considered full time for continuing and term teachers; 177 days will be the base for TOC calculations. No deduction will be made for time not worked during paid leave, Maternity/Parental leave, or WCB/SIP absences that have commenced in the last year.

In addition, a one-time Professional Resource Allowance of \$300 (prorated as above) will be paid in acknowledgement of past purchase of classroom resources and supplies from personal funds.

Letter of Understanding: Re 2008 Salary Harmonization

On July 1, 2008 there will be a further increase of 2.5%-3% to the Category 4, 5, 5+, and 6 maximums of the harmonized grid. All districts below the established level shall move to that level. In no case shall the increase be less than 2.5%. This LoU is not applicable to districts covered by the LoU re Teacher Supply and Demand.

Letter of Understanding: Re Teacher Supply and Demand Initiatives

This LoU sets out a number of initiatives to address teacher supply and demand concerns where they exist. The initiatives include:

- A 3% increase to Category 4, 5, 5+ and 6 maximums, effective July 1, 2008, in the following school districts:
 - 49 (Central Coast)
 - 50 (Haida Gwaii/Queen Charlotte)
 - 52 (Prince Rupert)
 - 59 (Peace River South)
 - 60 (Peace River North)
 - 81 (Fort Nelson)
 - 82 (Coast Mountain)
 - 85 (Vancouver Island North)
 - 87 (Stikine)
 - 91 (Nechako Lakes)
 - 92 (Nisga'a)
- Annual allowances of \$2,200 for teachers in the above districts
- \$3.5 M funding set aside to address recruitment/retention challenges in other areas (Public Education Recruitment and Retention Support Committee)

Letter of Understanding: Re Teacher Inflation Adjustment Account

On July 15, 2006, Government will make a one-time payment of \$20 million to the Inflation Adjustment Account of the Teacher Pension Plan.

Letter of Understanding: Re S. 27.4 Education Services Collective Agreement Act

This LoU applies only to amalgamated school districts and extends the "Rate of Pay Maintenance" provisions set out in a June 25, 2002 LoU.

Committees

During this negotiation, the parties have recognized that both the employer and the union have legitimate interests and needs, and that solutions to many issues are grounded in our ability to continue the dialogue which has successfully produced a negotiated collective agreement. To this end, a number of committees have been identified for the purpose of addressing outstanding issues. These committees are intended to build on the first steps the parties have taken in reaching a negotiated settlement to the provincial collective agreement.

Provincial Article Housekeeping Committee

This committee will "address the updating and consistency of terms in existing common Provincial Articles." The task is to be completed by September 30, 2006 and will provide a base for updating of the district-specific working documents.

Rehabilitation Committee

Three BCTF and three BCPSEA representatives will review and make recommendations with respect to the present BCTF Rehabilitation Program. This review will centre on the structure and referral components, employee participation level as well as the exchange of information with respect to their status and accommodation potential.

Public Education Recruitment and Retention Support Committee

The committee will review demographic and other data to establish criteria for the designation of school districts (or schools within a district) to be eligible for the Recruitment and Retention allowance established by the LoU on Teacher Supply and Demand Initiatives (\$3.5 million annual funding).

Benefits Review Committee

Three BCTF and three BCPSEA representatives will review teacher benefit plans throughout the province. If the parties agree to implement changes to any benefit plans, any ongoing savings shall be reinvested in improving teacher benefits. Funding of \$200,000 for actuarial or other services has been provided.[j7]

Ratification

A Representative Council to conduct ratification of the tentative PCA will be held on Thursday, July 6, 2006, at the Delta Vancouver Airport Hotel in Richmond commencing at 1:30 (registration opens at 12:30 pm). Please see the Representative Council notice of meeting and ratification process document and registration form distributed with this bulletin.

Questions

If you have any questions on the tentative PCA, please contact:

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