

Arbitrary rules = arbitrary discipline

While reviewing the results of a recent arbitration involving a different employment sector, I was reminded about how vigilant unions must be against employers arbitrarily introducing rules and policies into the workplace and then later disciplining employees for breaching them. In this particular case, the rule was not written down nor had the employer advised the affected employee that a breach of it would result in discipline.

It's been a few years since the *VESTA News* published an article on this topic so I thought it was time for a refresher.

Few cases have withstood the test of time like the *KVP* decision (*Re Lumber & Sawmill Workers' Union, Local 2537, and KVP Co, Ltd.* (1965) 16 LAC 73 (Robinson)).

An employee of the *KVP Co. Ltd.* was terminated because his wages had been garnisheed and this was contrary to a company rule which said that any employee who had their wages garnisheed more than once would be discharged.

The Labour Relations Board reinstated the employee after finding that the rule was unreasonable and inconsistent with the collective agreement.

Forty years later, arbitrators still refer to the requirements set out by the Board in *KVP* regarding unilaterally introduced rules.

While an employer has the right to make some workplace rules, the rules must meet the following requirements:

- They must not be inconsistent with the collective agreement;
- They must not be unreasonable;
- They must be clear and unequivocal;
- They must be brought to the attention of the employee affected before the employer can act on it;
- The employee concerned must have been notified that a breach of such a rule could result in her/his termination if the rule is used as a foundation for termination; and
- Such rules should have been consistently enforced by the employer from the time it was introduced.

The *KVP* decision also set out three guidelines for arbitration boards in addressing the effect of such a rule as it relates to the grievance.

If the breach of the rule is the foundation for the discipline/discharge, the rule is not binding upon the arbitration board because a determination of "just cause" for the discipline/discharge will require the arbitration board to examine the reasonableness and ultimate validity of the rule itself.

Further, an arbitration board may not uphold discipline for the breach of a rule if the rule is found to impair or diminish the rights of the employee under the collective agreement.

Often employers introduce extensive policies and procedures into the workplace. In some cases, these policies comply with *KVP* and assist employees to perform the duties of their jobs. In other cases, policies or rules are not clear and the employer uses a scattergun approach to discipline some employees for breaches of the rules.

Staff Reps play a critical role early in identifying such rules or policies which do not comply with the *KVP* requirements.

Once the union raises its concerns about a rule or policy, the onus is on the employer to ensure that its rule is *not in conflict with the collective agreement, is reasonable, is clear and unambiguous, and has been consistently enforced.*

This matters for teachers.

Arbitrary rules, even if you think they don't apply to you, lead to arbitrary discipline and a climate of unfairness in the workplace. The *KVP* decision is a major part of the reason why *VESTA* always suggests that members ask for directions *in writing* – so that these directions are given absolutely clearly and are apparent to all teachers at a worksite. (Also, please let *VESTA* know.)

Glen Hansman
President

Workplace rules must not be inconsistent with the collective agreement or School Act.

They must not be unreasonable.

They must be clear and unequivocal - so ask for it in writing! This could be done as a memo, for example, or by recording the direction in Staff Committee or Staff Meeting minutes.

They must be brought to the attention of the employee affected before the employer can act on it.

The employee(s) concerned must have been notified that a breach of such a rule could result in her/his termination if the rule is used as a foundation for termination.

TALK IT OVER AT A VESTA MEETING

Are rules and expectations at your worksite consistent and clear for everyone?

How are these communicated?

Harassment training Q&A

WHERE DID THIS HARASSMENT AWARENESS TRAINING COME FROM?

The awareness training is a requirement of the Collective Agreement, which both the Vancouver Board of Education and the Vancouver Teachers' Federation are party to. Both the VBE and VTF are committed to ensuring harassment-free workplaces, and both are responsible for implementing the training as per **Article 7.K.5.**:

The employer, in consultation with the Union, shall be responsible for developing and implementing an ongoing harassment and sexual harassment awareness program for all employees. Where a program currently exists and meets the criteria listed in this Agreement, such a program shall be deemed to satisfy the provisions of this Article. This awareness program shall initially be for all employees and shall be scheduled at least once annually for all new employees to attend.

WHAT IS THE CONTENT OF THE TRAINING?

The content is also specified in Article 7.K.5., which states that the training shall include but not be limited to:

- (i) the definitions of harassment and sexual harassment as outlined in this Agreement;
- (ii) understanding situations that are not harassment or sexual harassment, including the exercise of an employer's managerial and/or supervisory rights and responsibilities;
- (iii) developing an awareness of behaviour that is illegal and/or inappropriate;
- (iv) outlining strategies to prevent harassment and sexual harassment;
- (v) a review of the resolution of harassment and sexual harassment as outlined in this Agreement;
- (vi) understanding malicious complaints and the consequences of such;
- (vii) outlining any Board policy for dealing with harassment and sexual harassment;

(viii) outlining laws dealing with harassment and sexual harassment which apply to employees in B.C.

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Keep abreast of the current labour disputes around the province by visiting:

www.bcfed.ca/bcfed_news/current_disputes



Please respect the unions' picket lines in labour disputes, and do not patronize the businesses involved until the dispute is settled.

WHO HAS TO ATTEND THE TRAINING?

The training is for "all employees," meaning "all teachers" and other "employees" in the Collective Agreement (e.g. psychologists, speech-language pathologists, area counsellors, consultants, etc.). Principals have also been invited to attend. The plan is for all *current* employees to receive the awareness training before the end of 2008. After that, the intention is for all *new* employees to receive the training early into their employment with the VBE.

WHO IS PROVIDING THE TRAINING?

A team of teachers, administrators, and management are providing the training. VESTA and VSTA advertised in the fall for members to put their names forward as possible trainers, and a number of people stepped forward. Your teacher colleagues providing the training are looking forward to meeting everyone during this process – which will be a challenging task in such a large district with such a diverse teaching population. All of the trainers have volunteered for these roles, and we appreciate the work they have put into this.

WHEN AND WHERE WILL THE TRAINING OCCUR?

For the initial 2008 round for current employees, the training will occur at secondary school sites, with elementary schools asked to go to the training occurring at the secondary school in their family of schools. If you are not sure which one is yours, look at page 20-21 in the Ready Reference. The training will occur after school, and is approximately 1.5 hours in length. This is in keeping with the practice around the province for the implementation of the language in Article 7.K.5. Principals will be coordinating at the school level.

WERE YOU DISCIPLINED BY THE COLLEGE OF TEACHERS PRIOR TO 2007 JULY 1?

Legislation passed by the provincial government last spring requires the BC College of Teachers to establish an online registry of college discipline. This registry will include the names of college members and a record of reprimands, suspensions, and terminations imposed by the college. The legislation took effect 2007 July 1.

The college has filed a petition in the BC Supreme Court for a determination regarding whether or not the registry is retroactive. In particular, the college has asked the court whether the registry must include:

- discipline imposed by the college prior to 2007 July 1
- discipline where the college previously ordered that the teacher's name not be publicized
- discipline of teachers who ceased to be members of the college prior to 2007 July 1

If any of these issues affect you, please communicate your concerns to the BCTF legal department by telephone 871-2283 or by emailing gbrown@bctf.ca prior to 2008 February 20.

Please note that the new online discipline registry applies to discipline by the BC College of Teachers only and will not include any employer discipline.

Joint Pilot Project on Teacher Inquiry

VESTA is one of three successful applicants for the joint BCTF/Local Teacher Inquiry pilot project. This will engage a group of teachers in teacher inquiry, which is a model of professional learning that promotes relevant and teacher-driven professional learning in a collaborative setting.

The focus of the research group is Inclusion in Vancouver elementary classrooms with respect to Special Needs, ESL, Aboriginal or Social Justice issues.

The teacher inquiry group will meet several times this year after receiving training by BCTF facilitator Jane Turner. The Teacher Inquiry group will no doubt generate some interesting research.

Thank you also to Associate Superintendent Val Overgaard for her support of this project. Much appreciated!

Lorna MacDonald
VESTA Pro-D Chair

VESTA news

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VESTA BURSARY RECIPIENT

Here is a photograph Paul has provided for the VESTA News, regarding his winning the recent bursary for a child of a member of VESTA. I hope you will accept his thanks and appreciation of this unexpected and very welcome financial support. Paul is currently a doctoral student in Engineering at UBC and will be defending his thesis this school year. He is a

well known tri-athlete in Vancouver and incurs many expenses related to competition at a national and international level. Paul has dedicated himself to his studies and his athletic endeavors with little financial support and the usual associated debt. All accomplished with a great deal of hard work. You can see I am very proud of him, and was truly happy to have this opportunity for him win this bursary.

Terry Krochak, MacCorkindale



NEW TEACHING TOOL for Social Studies and Health & Career Education

Free for download at:

www.stophomelessness.ca/teachers.html

GOODBYE PERSONAL PLANNING

Full implementation of the new Health & Career Education IRP (which replaces Personal Planning) and new Social Studies IRP occurs this fall, after two "phase-in" years. The PLOs in these IRPs are quite different than their predecessors.

Now would be a good time for your Staff Committee to discuss (as per Article 11.D.2.f.) what learning resources will be needed to implement the new PLOs.



LETTER FROM A MEMBER Climate of Responsibility

Grade 7 classes can greatly influence a school climate. Students in their final year of elementary education are often filled with confidence and seem to be encouraged to greater self-expression. The many ceremonies leading to graduation create a highly visible and active student group. School service positions, filled by willing and able Grade 7 volunteers, prepare them for high school and the life beyond. Of course, there can be a flip side.

The above assets can also be accompanied with liabilities: verbosity, belligerence, exaggerated behaviour. If you are in a school that has Grade 7, what does your school's Grade 7 population look like?

Currently our school's Grade 7 students are a polite, active, engaged and level-headed group that are a pleasure to interact with. Their designated leaders present positive behaviour as an example to others. Buddying with one of three Grade 7 classes this year, I am consistently pleased with their behaviour and effort around our group activities. They're genuine and nurturing "teachers" with the primary students. I marvel at this positive situation given that last year's buddy program needed student redirection too frequently (sometimes to the point of teacher voice loss) and was often very trying on teachers' patience.

This year's Grade 7 students benefited from Kitchener's Social Responsibility focus in their primary years. Each month Kitchener staff and students focused on a value emphasized with daily announcements, reinforced at monthly assemblies and supplemented with classroom lessons. Having taught many of the current Grade 7 students in Grades 3 or 4 I can recall their responses and participation with the Social Responsibility practice then. They learned, reflected and practiced Courtesy, Cooperation, Caring, Kindness, Thankfulness, Respect and Responsibility. Did it make a difference?



I know that temperament is an enormous factor in education. Faced with a classroom of equanimity-minded students, classroom relations can be positive, and forward-moving. Do these temperaments lend themselves more to the lessons of Social Responsibility? Behaviourists have argued about the innate qualities of human beings. Social Responsibility lessons seem to heighten students' inner qualities. They embrace classroom lessons that specifically reflect their best qualities.

I do remember being consistently astounded with their responses to questions like "How are you courteous on your sports team or group activity?", "How do you show caring to our community?" and "What act of kindness have you seen others perform?" The

responses received were indicative of their genuine grasp of lessons.

Temperament combined with curriculum creates climate. These emphatic Social Responsibility lessons found a willing audience several years ago. [This included me as I fully embraced these lessons of humanity.] Grade 7 students are walking the walk at Kitchener, as is evident in their daily attitude, hallway behaviour and school relations.

The tone they present each day is one of respect, caring, kindness and responsibility: values taught at nine, values now extended to all at thirteen.

James Harcott
Kitchener School

ESL Section Special Event: February 21

VESTA OFFICE, 4-5 p.m.

Discussion of VESTA Resource Teacher policies and concerns.

GUEST: Catherine Remedios, VSB Director of Instruction

RSVP with Vilma by phoning 604-873-8378 or vilmam@vesta.ca

VESTA News welcomes letters, articles, and other submissions from members.

Please email your thoughts to jack@vesta.ca

Are you a former teacher or student of Queen Alexandra Elementary? Celebrate the school's 100th Anniversary on Friday, May 30th from 4-8pm. They would love to see you! Please register by email at QA100@vsb.bc.ca

VESTA Resolutions to the 2008 BCTF A

VESTA sends about 40 members each year to the BCTF Annual General Meeting, where all the major decisions in the Federation are made.

Here are the resolutions our delegates will be bringing forward on behalf of the VESTA membership:

SCHOOL UNION REP TRAINING

That 10.J.10.(a) be amended by replacing "upon request, the Stikine local be permitted to" with "locals may".

Supporting statement:

This change would clarify the application of the procedures related a School Union Representative Trainings (SURT) It also allows all locals to benefit from an existing right that accounts for local priorities and needs.

LOCAL PRESIDENT RELEASE GRANT

That subject to Procedure 10.J.02 and 10.J.04, the BCTF provide annual support to each local through a grant that provides the salary and benefits for one full-time local president.

Supporting statement:

Current formula for grant structures does not currently provide any funding to large locals and directs small locals to spend % of members' dues to pay for president release. This resolution does not reduce or remove funding from small and amalgamated locals, but creates an equal distribution among locals and allows funding from dues to support local activity.

TOBACCO, PORNOGRAPHY, AND BCTF INVESTMENTS

1) That the BCTF representatives on the Teachers' Pension Board of Trustees oppose investment of pension funds in corporations that earn revenue from the production or sale of tobacco products or pornography; and, that they immediately endeavour to have the pension fund divest itself of current holdings in companies who earn revenue from the sale of tobacco products or pornography.

2) That the AGM recommend to the BCTF Executive Committee that 13.A.10.9.6. be amended to include a new (i) which reads as follows: "The corporations must not derive their revenues from pornography."

Supporting statement (for both):

The Texas teachers' retirement fund recently banned investments in companies that profit from pornography. We certainly should be doing the same.

CANADIAN TEACHERS' FEDERATION

That:

(a) the BCTF give notice to withdraw from the Canadian Teachers' Federation and,

concomitantly, that the BCTF work with other teachers' unions within the Canadian Labour Congress to establish a representative teacher organization;

(b) all related policies and procedures in Section 6 of the Members' Guide be rescinded; and,

(c) the BCTF seek its own membership in Education International, independent of the Canadian Teachers' Federation.

Supporting statement:

See last month's issue of VESTA News for supporting statement.

INCLUSION AND PARTICIPATION

That all BCTF Annual General and Representative Assembly meetings have:

(a) at least one microphone that is easily accessible to people with disabilities and

(b) a system in place that allows people with disabilities to speak without having to make their way to a microphone.

Supporting statement

It is in the interest of this body to increase participation and access to our democratic processes for all members. This is already policy at the BC Federation of Labour.

CHANGING OUR PRACTICES IN RECOGNITION OF VIOLENCE AGAINST WOMEN

That December 6 be a day of reflection within the BCTF and that no Federation or Local meetings be scheduled except for gatherings to:

(a) commemorate the memory of women who died because of violence against women, and to

(b) develop strategies to stop such violence,

and that such meetings coordinate with community organized events about Violence Against Women.

Supporting statement

December 6 is the National Day of Remembrance and Action on Violence Against Women in Canada. December 6, 1989 was the day that Marc Lépine murdered 14 women and injured 10 more at the École Polytechnique in Montreal. His rallying cry was that he was "fighting feminists." Marc Lépine has come to symbolize the issue of violence against women in Canada. His actions horrified the nation, but little has changed to make women safe in our society. Today in Canada over 60 women a year are killed by their spouses, women are 8 times more likely to experience spousal abuse; 8 out of 10 victims of harassment are women; 9 out of 10 aggressors are men. These are just some of the grim statistics. Canada must respond more directly to the issues of sexism in our society. A single day of reflection is not much but it is a positive contribution to an enormous problem. This motion is submitted in the memory of the 14

women who died because they went to school.

INDEPENDENT SCHOOLS

That the BCTF Committee for Action on Social Justice develop recommendations for changes to the Independent Schools Act that assure the following:

(a) the schools adhere to the BC curriculum

(b) respect the U.N. Charter on the Rights of Women and Children

(c) that inspections are yearly, unscheduled, and conducted by educators who are not aligned with Independent Schools.

(d) That no government funds be provided to Independent Schools.

Supporting statement

The BCTF needs to ensure that the standards of the Human Rights Code, BC curriculum, and the Charter of Rights are upheld in all publicly funded schools. If this is not the case the government funding should be withheld. The Committee for Action on Social Justice has done a great deal of work around these issues and is the right body to make recommendations.

SEX DISCRIMINATION AND RECOGNITION OF INDIAN STATUS

That the BCTF donate \$50,000 to the defense fund being organized to fight the Canadian government's appeal of the Supreme Court ruling *Mclvor v Canada (re: Bill C-31)* and that the money come from the contingency fund.

Supporting statement

On June 7, 2007, in *Mclvor v. Canada*, the British Columbia Supreme Court ruled that the federal government must remove sex discrimination from the determination of Indian status and restore equal Indian status to First Nations women and their descendants. This is a ground-breaking judgment that may affect the Indian status up to 200,000 Aboriginal women and their descendants. In this historic court victory. Sharon Mclvor, a First Nations woman from Merritt, BC successfully challenged the continuing preferential treatment given to males and those whose Indian status is traced from male ancestors as a violation of section 15, the equality guarantee of the Charter. The federal government has appealed this ruling, and the issue will probably not be resolved until it is decided by the Supreme Court of Canada. Until now, Sharon Mclvor's legal challenge has been supported financially by the Court Challenges Program. But since Stephen Harper cancelled the Court Challenges Program in 2006, Sharon Mclvor now faces the federal government's appeal, with no resources of her own, on a very uneven playing field. Getting this case to the Supreme Court of Canada will cost a minimum of \$200,000. This means that we have to raise a dollar for every Aboriginal woman or man who has been denied Indian status because of sex discrimination against a

mother or a grandmother. As teachers we need to help Sharon Mclvor in her challenge to the continuing sex discrimination in the Indian Act. If her challenge is successful, it will help many First Nations women and their descendants to gain their rightful status.

LOANS TO SINGLE PARENTS

That the BCTF lobby Vancouver City Savings Credit Union to (a) create a \$10,000,000 trust account to be used as collateral for loans to single parents attending schools or programmes to better their families' financial security and offer these loans at prime interest rate or lower.

Supporting statement

This resolution specifically names VanCity because the BCTF is a member of VanCity. The recent experience of a VESTA member leads us to believe that VanCity could do much more to assist single parents who are working to improve their economic situation through improving their qualifications. A trust fund such as proposed in this resolution would enable VanCity to secure loans at more reasonable interest rates.

TIPPING HOTEL STAFF

That the BCTF include gratuity for cleaning staff when paying hotel bills.

Supporting statement

Since it is customary for the BCTF to include the gratuity on food service bills when lunches and dinners are paid by the Federation, it should also be customary to cover the gratuity when they pay hotel bills. Cleaning staff also work for tips, like restaurant service people, and should be treated the same when the Federation pays bills.

EMERGENCY COMMUNICATION DEVICES

That all worksites/areas with BCTF members be equipped with emergency communication devices (i.e. intercoms, phones).

Supporting statement

Security and emergency situations occur frequently at our worksites. Various districts have come up with Code Red/Yellow protocols yet too many schools have no internal communication devices. Also, many schools have no external speakers to let students and staff outside know about the emergency situation. With many schools undergoing renovations, this would be an ideal time to include communication devices.

SAFETY LIGHTING

That all school sites have appropriate lighting outside the buildings for employee safety after dark so that employees are able to enter and exit their buildings and get to their transportation in a safe, well lit, manner.

Supporting statement

Many teachers are arriving at work or leaving at the end of the day when it is dark. This is especially noticeable in the winter season. Teachers need to be able to enter and exit their

buildings and transportation manner.

ACOUSTICS

That the ANS (for Institute) classroom acoustics be implemented is being built and

That the BC BC Government ANSI standards acoustics be school construction classroom re

5 YEAR ESL

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Research and that academic learning can't years. In this 80% of our in (K-12) are ass The current ca does not addr ESL students

IN-SERVICE TEACHERS

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N TO ADDRESS LEARNING

TF Executive
in consultation with
op a teaching and

learning action plan that
addresses working and learning
conditions including provincial,
district and other externally
mandated testing and class size
and class composition, and that
such a plan include a continuum
of strategies that may include
withdrawal of service.

Supporting Statement:

At the Fall Rep Assembly 2007,
when we debated the Teaching and
Learning Action Plan, there was an
overwhelming need for class size
and class composition issues and a
wider range of externally mandated
testing to be included in the action.
This meets the needs of the greatest
number of teachers around the
province. This connects Board
policies and legislation to our
working and learning conditions.

REPRESENTATION

**That a new "a" be inserted in
policy 25.F.44 as follows:**

**(a) That the BCTF
through its
representatives assert
itself as the voice of
public school teachers
in British Columbia and
speak on behalf of
public school teachers
in all areas that address
the professional social
and economic interests
of teachers.**

**And that the remainder of the
section be renumbered
accordingly.**

Supporting statement:

The above addition to policy 25.F.44
is intended to state the principle of
representation of teachers to
parents, governance bodies (e.g.
School Boards, the government) by
the BCTF through its democratically
elected representatives or their
appointees. While many members
who are involved in Federation
activities understand this principle,
the movers of this resolution were
unable to find a clear articulation of
this principle in the Members' Guide.

APPROPRIATE PARTICIPATION

**That the BCTF and its members
participate in congresses,
forums, meetings and
conferences that address the
professional social and economic
interests of teachers only
pursuant to policy 25.F.44.**

Supporting statement:

The Code of Ethics #10 states: "the
teacher, as an individual or as a
member of a group of teachers, does
not make unauthorized
representations to outside bodies in
the name of the Federation or its
locals." This, as well as existing
policy around representation needs
further application to the increasing
number of requests for teachers'
participation in public forums. We
have a democratic process to elect
classroom teachers to speak out,
and we need to clarify policy 25.F.44
to reflect the current demands for
representation.

*(Supporting statements have been
edited for the VESTA News due to
space considerations.)*



Broken Window?

**Do NOT work in the room
until the Building Engineer
has cleaned up the glass
and made the room safe as
your worksite.**

**Take your class to any
space available, such as the
library or some other room,**

**even the staff room on an emergency basis, and
use it for as long as necessary.**

**Do not let your students in to the classroom
at the beginning of the day. Just take what you
can with you and change your day plan until
you can get back into your room.**

**Do not go back into your room until all the
glass is cleaned up. It may be an
inconvenience to pick up what you need and
teach elsewhere, but working in an unsafe
classroom is unacceptable.**

**Do not pick up any glass yourself. That is not
a teacher's responsibility and could potentially
put you in danger and place you in a very
unsafe situation.**

**Karin Bernauer
Health & Safety Chair**



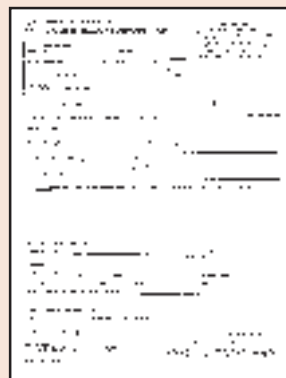
FOOOOORRRRE!!! VEPAA 3rd Annual Golf Tournament a Smash!

We couldn't have asked for a better day and what a way to get
together and have some fun! There were lots of food and
prizes and all for a good cause!

"Kidz 'N Sports" is dedicated to funding our VSB
elementary students who are unable to afford the costs of
summer athletic programs. Without your participation, we
couldn't have raised over \$2000 in 2007 and the VEPAA
(Vancouver Elementary Physical Activity Association) would
like to thank you for your support!

The 4th Annual VEPAA Golf Tournament is set for April 19th, 2008! To
register and for more information, contact Brian Ee with your foursome. See
you there!

**Brian Ee, Inner City Project Teacher, Grandview Elementary
Vice-President (VEPAA), bee@vsb.bc.ca**



Violent Incident Reports

**Members are doing a great job at filling out these forms.
Some points to remember:**

**1) Part II needs to be investigated by the Principal and a
Health & Safety rep (typically of the same employee group
as the employee involved)**

**2) After a week, speak to your Health & Safety rep and
ask to see the completed investigation form. You have a right to this information as
the relevant staff member attached to the report.**

**3) If your H&S rep is not aware of the Violent Incident Report then both of you
are encouraged to go to your principal and ask that the investigation occur.**

**4) Inform VESTA H&S (873-8378) if a Principal discourages the use of the form
or refuses to do the investigation.**

**5) If you are injured due to the violent incident, use your discretion as to your
course of action. A scratch or bruise should be brought to the attention of the
school's First Aid attendant and recorded in the First Aid log.**

**6) If you have received a bite or the injury has caused bleeding, fill out a WCB
(WorkSafe) Form 6A and visit your doctor or a walk-in clinic to document the injury.**

**We do everything we can to support the children in our classes, but we should
never accept unsafe working conditions. Filling out these forms not only ensures our
own health and safety but is often the best way to get help for students who need it.**

**Karin Bernauer
Health & Safety Chair**

THANK YOU, JAN COLEMAN!

VESTA would like to offer big thanks to **Jan Coleman** for her years of work on behalf of the membership on the Teachers' Salary Placement Committee – which looks at members' qualifications and experience for placement on the salary grid.

Vancouver Board of Education – Human Resources provided the following comments to acknowledge Jan's work on the Teachers' Salary Placement Committee . . .

What a pleasure to have worked with Jan Coleman in her role as VTF rep on the Teachers' Salary Placement Committee!

Jan's comprehensive knowledge and understanding of salary issues have been especially important and instructive for the work of the Committee.

Teachers' appeals of placement on the salary grid were greatly assisted by Jan's familiarity with qualifications and categories.

Always respectful, collaborative and cheerful, Jan strongly and firmly supported VTF members.

An advocate of timely resolution for salary issues, Jan served teachers' interests most responsibly and reliably.

It is with sincere regard and appreciation that Human Resources says THANK YOU to Jan for diligent and dedicated participation on the Committee – we are grateful for her time, energy and effort on the Committee . . . and she will be missed.

*We look forward to working with **Debbie Pawluk** and **Marvin Muress** as the VTF reps for the remainder of the 2007-2008 school year.*

Thank you to Norine Colvin (Brock) for sharing the letter to the right.

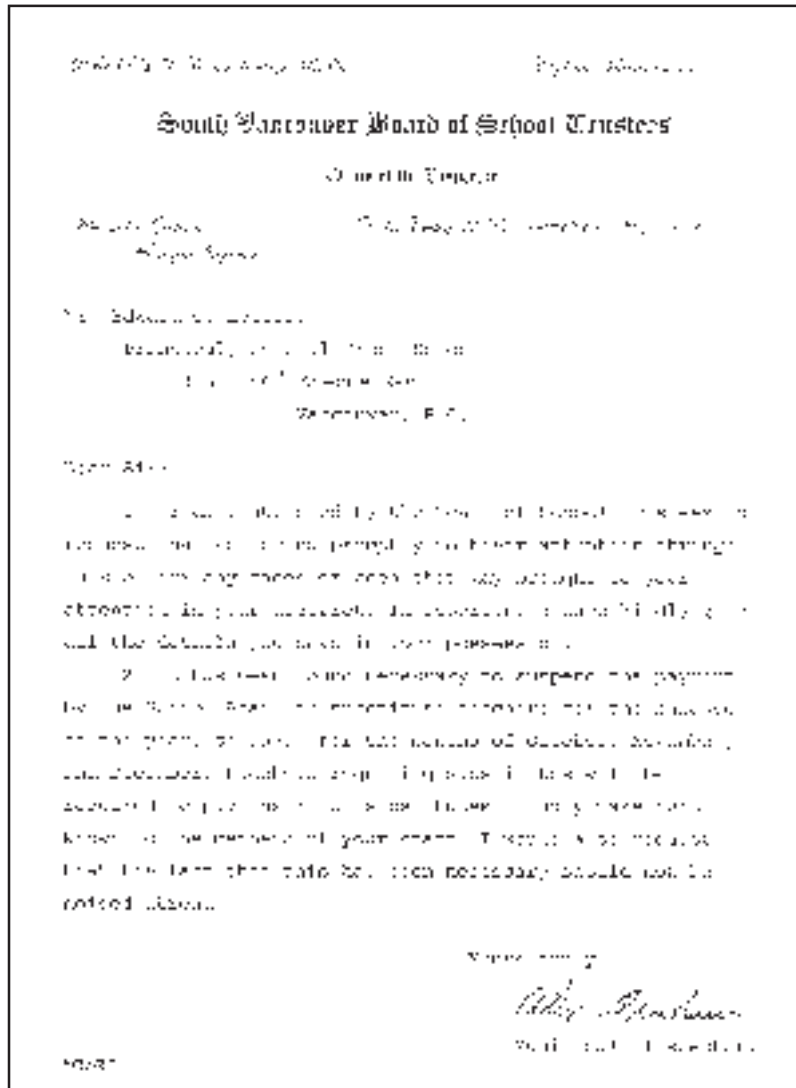
TRUSTEE ELECTION AD HOC COMMITTEE

School board trustee elections are this year.

Now is the time to start setting priorities and making plans for VESTA's actions around these elections.

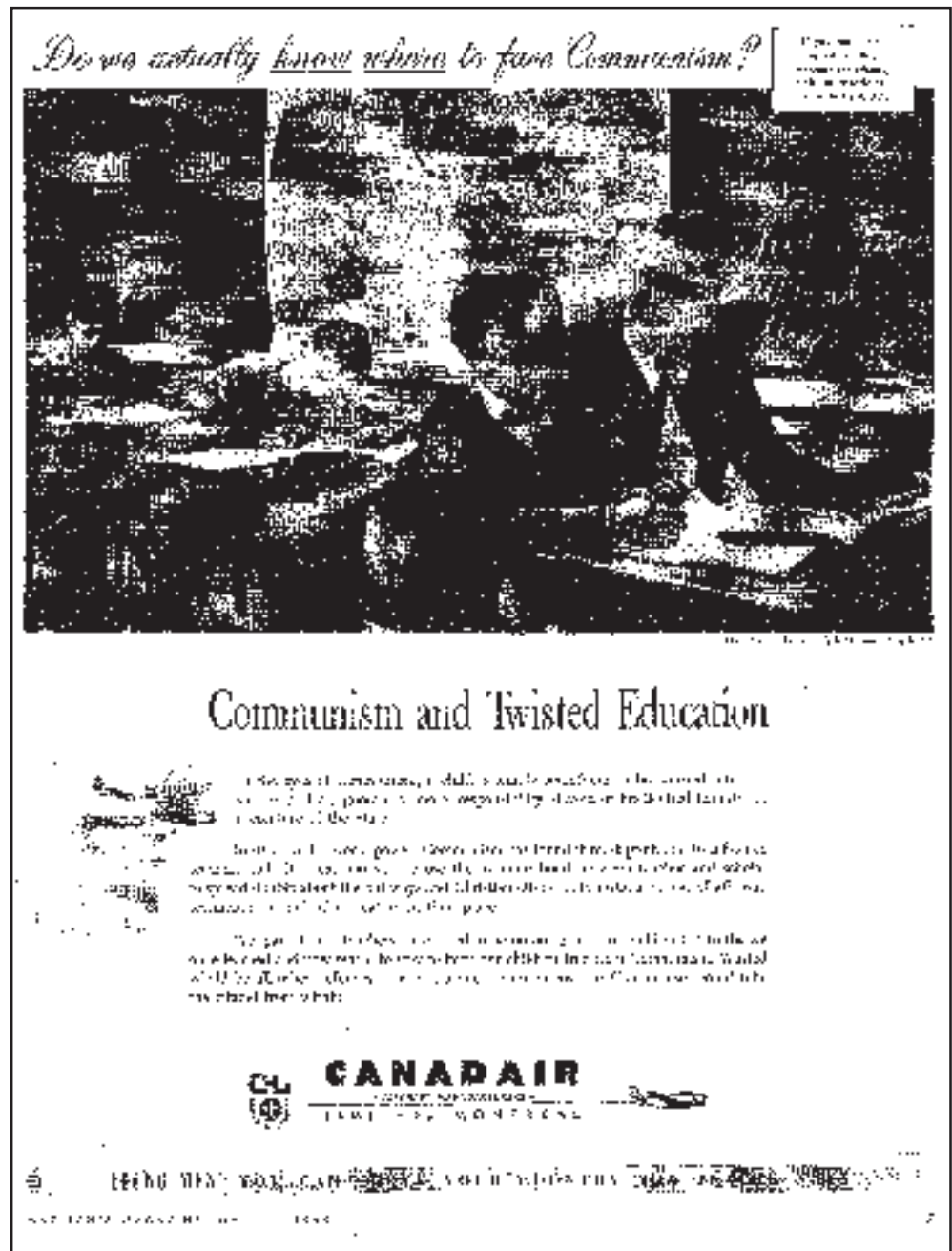
If you have thoughts and energies you would like to put into planning now, please attend the meeting of this ad hoc committee on February 25 at the VESTA Office, 4 p.m.

Back when teachers had to pay for their own TOCs . . .



What could they be talking about?

Not the FSA, we hope! This is a real ad from Maclean's from 1955, found in a stack of old magazines in Glen's family cottage.



Sustainability Committee:

**February 20
VESTA OFFICE, 4-5 p.m.**

The Sustainability Committee is planning an Earth Day celebration at the end of April to showcase the work that Vancouver schools are doing to promote better environmental practices. Any interested member is welcome to attend.

RSVP with Vilma by phoning 604-873-8378 or vilmam@vesta.ca

ARE YOUR WORK HOURS CORRECT ON SEMS?

TOCs have reported showing up at school at a time given by SEMS, only to find that the actual bell times and lunch hour of the school is different. Please check to make sure your school's SEMS schedule is correct.



VESTA acknowledges the joint traditional territory of the Musqueam, Tseil Waututh, Squamish, and Sto:lo Nations.

A Rough Guide to VESTA Governance

VESTA has a proud history of maintaining an emphasis on member participation and decision-making.

Be a part of that by attending meetings, discussing issues with your colleagues, voting, and offering to be a VESTA delegate to BCTF events or a VESTA representative to other external bodies.

VESTA Member
Has vote and voice at school-based VESTA meetings and Staff Committee meetings, Annual General Meeting, General Meetings, and any general-membership vote. Has voice at any VESTA meeting listed to the right.

Can be elected as Staff Rep, Staff Committee Chair, BCTF AGM delegate, BC Fed delegate, position on the VESTA Executive, position on BCTF Executive, or member of any VESTA Standing Committee or Section.

Can be appointed by Executive to represent VESTA at VSB committees or meetings, or at other external organizations.

Annual General Meeting
Every attending member entitled to vote
 - Sets budget
 - Sets by-laws and policy
 - Elects Executive Committee
Held in May of each year

General Meeting
Every attending member entitled to vote
 - Sets policy and by-laws
 - Makes recommendations to BCTF governing bodies
 - Elects delegates to BCTF AGM and BC Fed Convention
 - Shares information
Held every couple of months, or as needed

Staff Rep Assembly
Staff Reps plus proportional number of school reps attending entitled to vote. Number of school reps depends on size of school staff
 - Sets policy
 - Forum for school concerns
 - Makes recommendations to VESTA General Meetings, BCTF governing bodies
 - Provides information to be reported back at schools
Held monthly

Executive Committee
President and Vice-Presidents, Local Reps to BCTF, Members-at-Large, Adult Education President, Past-President, and Standing Committee Chairs entitled to vote. Section Chairs in attendance, with voice but without vote.
 - Addresses emerging issues
 - Sets policy
 - Makes recommendations to VESTA General Meetings and Staff Rep Assemblies, BCTF governing bodies
 - Receives recommendations from VESTA Standing Committees and Sections
 - Appoints members to VSB committees, and other external organizations
 - Appoints and directs Grievance and Finance Committees
Held twice monthly, with additional meetings as required.

President & Vice-Presidents (The In-House Table Officers)
 - Address emerging issues
 - Carry out General Meeting, Staff Rep Assembly, and Executive Committee decisions
 - Protect VTF Collective Agreement and implement VESTA policy
 - Oversee grievances, personnel issues, and Rehabilitation Committee through VSB/VESTA Rehabilitation Committee
 - Handle member rehabilitation
 - Member communications
 - Liaise with VSTA and other BCTF locals
 - Represent VESTA officially in dealings with VSB trustees, VSB management, BCTF Executive, media, Vancouver District Labour Council, Vancouver District Parents Advisory Committee, other VSB employee groups, and other external organizations
Full-time at VESTA office

Decisions made by bodies lower down in the columns to the right can be superceded by decisions made by bodies higher up in the columns, or by a subsequent meeting of the same body.

Similarly, BCTF policy may supersede VESTA policy in most circumstances.

Note: The VESTA Adult Educators Sub-Local exists as a committee attached to the VESTA Executive Committee. Adult educators are always welcome to participate in all other VESTA and BCTF structures.

Vancouver Teachers' Federation Governance

VTF General Meeting
Every attending VESTA or VSTA member has vote.
 - Concerned exclusively with local bargaining and local Collective Agreement matters.
Meets when necessary

VTF Executive
Combined VESTA and VSTA Executives.
 - Concerned exclusively with local bargaining and local Collective Agreement matters.
 - Makes recommendations to VTF General Meeting
Meets when necessary

BCTF Governance

BCTF Annual General Meeting
Every BCTF Executive member and delegates from BCTF locals have vote. Retired BCTF members also have vote on pension-related matters. Number of delegates depends on size of local.
 - Sovereign body of the BCTF, which sets policy and procedures for entire federation
 - Considers recommendations sent from local General Meetings province-wide and from BCTF Executive Committee
 - Sets membership fees, SIP rate
 - Sets by-laws and constitution
 - Hears reports on various federation and member-driven initiatives
 - Elects BCTF Executive Committee
Held in March of each year

BCTF Representative Assembly
Elected Local Reps to the BCTF have vote. Local presidents attend without vote.
 - Addresses emerging provincial issues, recommendations from locals and BCTF Executive Committee, and unfinished business from BCTF AGM
 - Sets policy and procedures for entire federation
 - Has budgetary control
 - Advises or directs the BCTF Executive Committee
Meets 3 times per year, plus in summer if necessary.

BCTF Executive Committee
BCTF President, Vice-Presidents, and Members-at-Large have vote.
 - Addresses emerging provincial issues
 - Sets policy
 - Liaises with locals provincially
 - Makes recommendations to BCTF General Meeting and Rep Assembly
Meets once a month, with additional meetings as necessary

BCTF President
 - Addresses emerging provincial issues
 - Officially represents BCTF in dealings with government, media, and other external organizations
 - Other duties
Full-time at BCTF office

From my notebook...

Within the last week my green VESTA notebook has been busy! It has traveled with me to three general meetings, two on Vancouver Island and, in between, to our own VESTA meeting. I was invited as BCTF Executive Committee representative to bring greetings to and talk about the FSA campaign with members of the Mount Arrowsmith Teachers' Association and the Alberni District Teachers' Union. The members of both those locals share our concerns about:

- the proliferation of standardized tests,
- the intrusion of FSA into our instructional time,
- the true cost of the impact of FSA, particularly the eFSA, on a whole school's educational programming,
- the denial of our professional autonomy and
- the deliberate devaluing of the difficult, ongoing work of assessing, evaluating and reporting to parents that teachers already do very well.

MATA and ADTU members have the same commitment, passion and willingness to support each other as VESTA members expressed at our recent meeting. But we have one thing no other local, small or big, has – the courageous and determined example of Mary McDermott. Mary walked to the microphone and was acknowledged with a standing ovation from VESTA members. She had come to thank VESTA members for their support over the last year and to remind all of us of our responsibility to each other, our students and our teaching as we deal with FSA, eFSA and any other issues before us.

In recent conversations with colleagues, often around issues of inclusion, I have noticed how eager they are to talk about what they are reading. One colleague has just finished Portia Iversen's book, *Strange Son: Two Mothers, Two Sons, and the Quest to Unlock the Hidden World of Autism* (Riverhead Books, Penguin Group, 2006). It records the journeys of two mothers from two continents as they deal with finding assistance for their autistic sons. One, a single parent in India, Soma Mukhopadhyay, taught her son, Tito, to communicate using a self-developed technique labeled rapid prompting method. The other, Portia Iversen, a well connected, forthright Californian mother with a supportive family structure, relentlessly sought out understanding and action from the medical/scientific community. Their coming together is a powerful story of making change for children within the autism spectrum.

A second colleague brought to my attention a recent Globe and Mail article by Tralee Pearce on child development and temper tantrums. The article titled "Red-flag meltdowns" connects five types of tantrums in preschoolers to potential psychiatric disorders in young children. The five descriptors developed by Dr. Andrew Belden, Washington University School of Medicine, are: aggressive, self-destructive, frequent, extended and unable to calm one's self. This topic might specifically interest primary teachers. A book connected to temper tantrum behaviour in young children is "The Explosive Child" by Ross Greene, Harvard Medical School.

Presently, I am reading Oliver Sack's newest work, *Musicophilia: Tales of Music and the Brain* (Knopf, 2007). Sacks explores the role of music in medical conditions, learning and creativity. Teachers will find support for the use of music as a way to reach out to students with autism, with Williams Syndrome, with memory problems. Many teachers, especially those concerned about difficult behaviour, those teaching Music and those teaching students for whom English is a second language, will recognize in Sacks' writing how important the Fine Arts, including Music, are to all our students.

But what are you, as a teacher, reading? Poetry? Fiction?? Non-fiction??? Recreational? Professional?? Escapist??? We need to hear from each other. Let Jack MacDermot jack@vesta.ca know what book is grabbing your attention right now. Share your ideas with colleagues through a short note for the VESTA news.

Look at it as another way of making interesting connections in this large and busy organization.

Patricia Gudlaugson

Have You Read This Report Card?

First Call recently released their BC Campaign 2000 – 2007 – Child Poverty Report Card. The report contains some very illuminating statistics, but what is most alarming is that it states that B.C. has had the highest child poverty rate in Canada for four years in a row, and that the rate is increasing. This year, the rate of children living in poverty is 20.9 %, or 1 in 5 children, which is alarming and ironic given that the B.C. economy is doing so well. This shocking statistic includes children in our classrooms.

I found this report a useful teaching tool because we had just finished a short unit on poverty in my Grade 7 class. I believe students gained some powerful insights about the issue and learned that as responsible citizens we can try to make a difference. Students identified with many of the issues and came to understand that there are many stereotypes and negative views of people who live in poverty. They learned that even though families have one or two members who work, they are still living in poverty because of the limitations of the minimum wage in B.C. They also learned that education is an important tool to use to avoid and help eliminate child poverty in B.C.

The BCTF has a useful lesson aid and website devoted to poverty. The BC Campaign 2007 Report Card is available at www.firstcallbc.org/documents/childpoverty07.pdf

Lorna MacDonald
VESTA Pro D Chair

GRIEVANCE UPDATE: ERIP WIN FOR MEMBERS WITH DISABILITIES

Since 1995, the VSB has offered an Early Retirement Incentive Plan that allows those considering retirement to do so as early as 55 years of age with a monetary bonus. In order to qualify, the member must meet certain criteria, including a maximum of one year of leave in the previous 4 years. It came to the attention of the Vancouver Teachers Federation in 1995 that this criteria was being used to discriminate against members with disabilities who had taken medical leave.

Nearly 13 years later, in January 2008, after two attempts at arbitration and two separate grievance processes, the VTF accepted an offer from the VSB. The agreement states that: "The Board, in calculating eligibility for the ERIP, will not count absences from work due to disability (within the meaning of the British Columbia Human Rights Code) in determining whether an employee has satisfied the active service requirement for eligibility for the payment"

This is a significant victory for Vancouver teachers, for human rights, and for the VTF. It means that members may no longer be discriminated against due to disability for the purposes of the ERIP.

If you believe that this resolve may affect you, or have questions about applying, please contact jody@vesta.ca

REMEMBERING KAREN BAILEY

Many VESTA members, active and retired, will remember our colleague Karen Bailey. Karen was a creative, conscientious classroom teacher. After many successful years in East Side classrooms, Karen turned her attention to becoming a teacher/librarian. Karen was an involved VESTA member who did not hesitate to take part in debate on behalf of students and colleagues. Karen retired in June 1999 and passed away 2008 January 5.

Staff Rep Assembly: February 19

TUPPER SECONDARY SCHOOL
CAFETERIA

Voting is by proportional representation. Make sure your school, adult education centre, itinerant section, or other worksite is represented in the decision-making.

DATES TO WATCH OUT FOR

FEBRUARY

12: Staff Rep Union Training,
Maritime Labour Centre, 8:30-
3:00

19: Staff Rep Assembly,
Tupper, 4-6

20: Sustainability
Committee, 4-5

21: ESL Section
Special Event, 4-5

21: Health & Safety
Committee, 4-5

21: Technology Section, 4-5

25: Status of Women
Committee, 4-5

25: Trustee Election
Ad Hoc Committee, 4-5

27: TOC Committee,
4-5:30

ALL EVENTS AT VESTA OFFICE
UNLESS NOTED