

May 31, 2017

Update on implementation of teachers restored language

What has happened since the implementation agreement was reached and approved in March?

After the BCTF membership, the BC Public School Employers' Association, and the provincial government approved the March Agreement-in-Committee, the parties have been working hard to implement the restored collective agreement language.

In April, the Legislative Assembly was dissolved and the election campaign started. During that time, many locals have been extremely frustrated with how their school district has been proceeding with implementation. The uncertainty surrounding who would form government following the May 9 vote has continued to impede political direction to the employers.

On May 29, the BC NDP and the BC Greens announced that they would enter into a governing agreement, but Premier Christy Clark has insisted she will try to hold on to power. She has indicated she will stay on as Premier until she loses a confidence vote in the Legislative Assembly, which will likely happen sometime in June. The other two parties have committed to defeating the Clark government at the first opportunity.

Also on May 29, BCTF President Glen Hansman sent out a [news release](#) to all BC media outlets calling on all the parties, regardless of who ends up forming government, to move quickly to speed up the pace of implementation. In his comments, Glen stressed the need for the implementation process to speed up to ensure the new school year starts with the extra support and smaller classes that the collective agreement provides for. He specifically called out several school districts for some unhelpful and obstructionist behaviour.

What is the status of implementation?

The Federation's overall goal remains to have implementation complete for the first day of the new school year. That will mean smaller classes, more specialist teachers, and better supports for students with special needs right across the province. Those local collective agreements with school-based team language activate on the first day of the new school year.

The challenge is that some school districts are acting in unhelpful, slow, or even obstructionist ways. One of the biggest hurdles across the province is space. Inexplicably, not all districts

pushed hard for their needed share of funding to obtain portables or otherwise create more classrooms. For example, Surrey lowballed their ask for needed portables, which then had ramifications for other districts that asked for more.

By contrast, in Prince George, the school district decided early on to open a previously closed school and reconfigure catchment areas to accommodate the restored language. By going public with these contrasts, the Federation hopes to put pressure on the slow-moving or obstructionist school districts to respect the collective agreement and pick up the pace of implementation.

Here are some more examples of where implementation is going comparatively well:

- In districts like Langley and Powell River, the employers have been forthcoming with the required data.
- In the North, implementation has been going well in Peace River North, Peace River South, and Fort Nelson.
- In Vancouver Island North, the district has been providing the required data and was proactive in asking for more funding based on the district's needs once they realized that their first request wasn't enough.
- In Campbell River, the district has already taken several practical steps as outlined under the agreement's "best efforts." Those included reorganizing cross-boundary transfers and identifying all available classrooms at each school that could be filled.

Here are some examples of where there are challenges that need to be addressed:

- In Victoria and many other communities, school board trustees are not moving quickly enough to reopen closed schools or adjust catchment areas to accommodate more classrooms.
- In some school districts, including Surrey, the employer is using the restored ratios for non-enrolling teachers to make cuts to other important positions like learning support teachers.
- In the Central Okanagan, Vernon, and other communities, district leadership is trying to rewrite historic definitions of special needs designations to reduce the level of extra support needed.
- In most districts, management is withholding crucial data about student populations and their specific needs, making it difficult to know if they are in compliance with class-composition language.

- In Vancouver, management is not utilizing empty classrooms to achieve compliance with the local class-composition requirements.

What is the Federation doing to ensure successful implementation?

The BCTF continues to meet regularly with BCPSEA and Ministry of Education representatives to troubleshoot, enhance recruitment and retention strategies, and support local teachers' associations in their work. The BCTF's position is that the employers' association should be firmer with Boards of Education to ensure the speedy resolution of outstanding implementation issues.

The BCTF is also working with locals to move disputes forward through the process agreed to by the provincial parties and, if that does not resolve the dispute, then into the grievance process.

The Federation is also reaching out to the provincial media to put public pressure on school boards that are being obstructionist or slow. Part of the strategy to increase public pressure includes informing partner groups like the BC Federation of Labour, the BC School Trustees Association, the BC Confederation of Parent Advisory Councils, and other parent groups of the current state of implementation.

The Federation will launch a lobby effort to inform newly elected and returning MLAs, including the likely new Premier John Horgan, about the situation and need for quick action. BCTF representatives were pleased to hear that the BC NDP and BC Greens [proposal](#) for a governing partnership included commitments to restore funding to adult education and "fast track enhancement to K-12 education funding." The BCTF will seek a meeting with the new Minister of Education as soon as that person is appointed.

What should individual teachers do regarding their teaching assignments for September?

If a member has concerns about their district management's proposal for next year's class size, class composition, non-enrolling ratios, caseloads, or school-based team implementation, they should bring it to the attention of their staff rep or local union office.

How are disputes around implementation being resolved?

The Federation has been proactive in supporting our locals in filing grievances where there have been disagreements on the restored language.

Locals are working with the BCTF to identify any outstanding issues to send to the dispute resolution process agreed to after the ratification of the Memorandum of Agreement. This process consists of a four-party meeting that includes the specific school district and local association as well as the BCPSEA and BCTF. If a four-party meeting is not successful in resolving a dispute, the local can file a grievance.

The BCTF and BCPSEA are currently working on a joint list of arbitrators who will be employed to deal with any grievances that arise on implementation.

Both parties are also developing a list of arbitrators in the event that the issue of special needs designations and categories needs to go to arbitration. The first meeting between the BCTF, BCPSEA, and government to discuss designations is set for the end of June.

What will September look like?

In the vast majority of districts, postings are already out or in progress. In some districts, there have been delays for a variety of reasons: management has not shared data, districts have not pushed hard enough for extra funding, or management is incorrectly interpreting language related to designations, categories, caseloads, and specialist ratios.

Key to achieving improvements is the school-based team language that activates in most locals on the first day of school. Most of the local collective agreements stipulate that these teams have decision-making abilities to secure resources, support staff, and time with specialist teachers and associated professionals, such as speech language pathologists.

Soon, the BCTF will be rolling out a new workshop for staff reps and school-based team chairpersons so that they can learn how best to use the strength of the school-based team language to support students and teachers. There will also be extensive training for local union leaders at the Federation's Summer Leadership Conference.

Come September, members will be encouraged to engage with their staff reps if they have any concerns about how the collective agreement is being implemented in their schools.

The staff reps, school-based team chairs, health and safety reps, and staff committee chairs work as school union teams. Together they advocate for students and members, and enforce the collective agreement.