MEMORANDUM OF AGREEMENT
“Agreement”

Between

BOARD OF EDUCATION for SCHOOL DISTRICT No. 62
(School District No. 62 Sooke)
“Employer”

And

CANADIAN UNION OF PUBLIC EMPLOYEES, Local 459
“Union”

The parties to this Memorandum of Agreement agree to recommend to their respective principals the ratification of a revised collective agreement incorporating the changes outlined below.

Continuing Provisions of the Current Collective Agreement

Except as provided by this Memorandum, the terms and conditions of the collective agreement between the Employer and the Union that expired on June 30, 2010 will be incorporated in their entirety into the revised collective agreement between the parties.

Effective Date

Unless otherwise specifically noted, all agreed changes to the collective agreement between the Employer and the Union shall take effect on the Parties duly ratifying this Agreement.

Changes to the Revised Collective Agreement

The July 1, 2006 – June 30, 2010 Collective Agreement will continue in force and effect until June 30, 2012 except as modified by the following:


Appendix “C” – Local Memorandum of Agreement between the Board of Education for School District #62 Sooke and the Canadian Union of Public Employees Local 459, dated February 27, 2012 which sets out all other agreed changes to the Collective Agreement.

Ratification

This memorandum is subject to ratification by the Board of Education for School District # 62 Sooke, the BC Public School Employers’ Association and the membership of CUPE Local 459.

AGREED February 27, 2012

CUPE Local 459

[Signatures]

Board of Education for School District No. 62

[Signatures]
Appendix “A”

Letter of Understanding (LOU)
Between
BC Public School Employers’ Association
And
School Boards who are Signatories to this LOU
And
Support Staff Unions who are Signatories to this LOU

The following items will form the basis of a framework for settlement between Support Staff Unions and Boards of Education in the K-12 Public Education Sector. This framework in its entirety will be incorporated into memorandum of agreement achieved between Support Staff Unions and Boards of Education no later than February 29, 2012.

Term
July 1, 2010 to June 30, 2012

Wage Re-opener

This memorandum of agreement is being negotiated in accordance with the PSEC Mandate established by Government for the current round of collective bargaining.

The employer agrees that in the event that Government decides to modify the PSEC Mandate, as it applies to the entire Public Service and Public Sector, during the term of the collective agreement, the school district and the local support staff union will have the opportunity to renegotiate the total compensation for the balance of the term of the collective agreement.

This opportunity to renegotiate will relate to total compensation only and such negotiations will be governed by the revised PSEC Mandate. This renegotiation will not result in the early termination of the collective agreement.

The Support Staff Education and Adjustment Committee

1. The parties agree to continue and expand the scope of the Support Staff Education and Adjustment Committee (SSEAC) to include the following.
a) an examination and discussion of any impediments arising from and the options to facilitate the introduction of shared services

b) a focus on best practices to integrate skill development for support staff employees with district goals and student needs

c) a study of the potential for regionalization of wages and benefits

d) an investigation of benefit standardization for the purpose of additional efficiencies during the life of the collective agreement

e) recommendations to address issues associated with hours of work and service delivery

f) a review of practices in districts having modified school calendars and the resulting impact on support staff

g) skills enhancement for support staff

There will be a total of $550,000 allocated for the purposes set out above. The parties agree that work plans to address the above and any resulting recommendations will require mutual agreement.

2. The funds stipulated in Item 1 of the LOA – Class Organization Fund will be allocated in accordance with the following principles:

   a) The SSEAC will provide advice to the Ministry of Education regarding the allocations of the above funds to Boards of Education.

   b) This advice will include recommendations that be directed to expanding services for students. Examples of initiatives include enhancing incremental EA hours for initiatives such as consultations, collaborative planning meetings, student coverage and innovative practices for existing EA positions working more than 10 hours per week and less than 35 hours per week.

   c) Support staff local unions and Boards of Education will formulate a plan for the above funds.

   d) SSEAC will review such plans and provide input to the Ministry of Education.

Demographic, Classification and Wage Information

The employer will, subject to the availability of the data, provide the following information.
Every October 1st, the union will be provided with detailed bargaining unit demographic, earnings and job classification information for all reported bargaining unit members from the previous school year in Microsoft Excel spreadsheet format. This information will comprise the following data elements.

- School District employer
- Years of age (at the time of data submission)
- Gender
- Position code
- Current wage level
- Status (Permanent/Temporary/Casual)
- Annual hours of work
- Years of work experience with the current employer

BCPSEA will provide a Letter of Commitment regarding data as found in Attachment 1.

PEBT

The employer agrees to append the letter found in Attachment 2 to support staff collective agreements re: Public Education Benefits Trust for information purposes.

The parties agree that decisions of the Public Education Benefits Trust medical appeal panel are final and binding. The parties further agree that administrative review processes and the medical appeal panel will not be subject to the grievance procedure in each collective agreement.

Provincial Bargaining

At least six (6) months prior to the expiry of collective agreements between K-12 employers and support staff unions, representatives of employers and support staff unions shall meet to discuss the process of provincial bargaining for the next round of collective bargaining.

There will be a total of $200,000 allocated for the costs associated with provincial discussions related to bargaining.
Dated this 14th day of December, 2011.

The undersigned bargaining representatives agree to recommend this letter of understanding to their respective principals.

CUPE & Support Staff Unions

[Signatures]

BC Public School Employers' Association & Boards of Education

[Signatures]
Bill Pegler  
K-12 Coordinator  
Canadian Union of Public Employees (CUPE)

Letter of Commitment

BCPSEA agrees to coordinate the accumulation and distribution of demographic, classification and wage data, as specified in the Letter of Understanding dated December 14, 2011, to CUPE on behalf of Boards of Education. The data currently housed in the Employment Data and Analysis Systems (EDAS) will be the source of the requested information.

Original signed on December 14, 2011 by:

"Jacquie Griffiths"  
Jacquie Griffiths  
Associate Executive Director  
BCPSEA
Attachment 2

Memorandum: To All Member School Districts and Support Staff Unions

Settlors Statement on Accepted Policy and Practices of the PEBT

The Public Education Benefits Trust Fund (PEBT) was created in June 2002 and is sponsored by both the British Columbia Public School Employers’ Association (BCPSEA) and the Canadian Union of Public Employees (CUPE). The program is governed by a Board of Trustees representing both School Districts and Support Staff workers in the K-12 sector. Currently, there are 59 school districts, 67 union locals, and over 20,000 plan members participating in the trust.

The Settlors to the PEBT are BCPSEA and CUPE. The PEBT holds a Settlors meeting annually where the Settlors are provided with an annual report and update from the Board. The Settlors also have an opportunity to raise issues and give input to the Board.

The PEBT sponsors a confidential Joint Early Intervention Service (JEIS) as an integral part of the disability program to assist plan members in their return to work. The program is supported by Unions, School Districts and the PEBT and is provided through funding from the provincial government for the “Core” LTD.

The PEBT is now entering its eighth year and members are more familiar with the plan and its operations. However, the PEBT Board has asked the Settlors to remind their respective constituents of the importance of following the policies and practices applied by the PEBT in providing the various benefits.

The Settlors recognize the value and importance of the PEBT in the K-12 Public Education Sector. The Settlors also recognize and support following the policies and procedures of the PEBT (outlined at www.PEBT.ca). The Settlors agree to work with and encourage their respective parties to adhere to the policies and procedures of the PEBT.

For further clarification please contact your BCPSEA or CUPE representative.
LETTER OF AGREEMENT

BETWEEN:

BCPSEA

AND

K-12 SUPPORT STAFF UNIONS

AND

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BC AS REPRESENTED BY THE MINISTRY OF EDUCATION

RE: CLASS ORGANIZATION FUND: Support Staff Priorities

WHEREAS:

The Ministry intends to establish and maintain additional funding for the purpose of addressing high priority challenges to student learning arising from the organization of classes within schools in the province; and

The K-12 support staff unions have since 2006 raised concerns in bargaining regarding the issues of unpaid Education Assistant work, lack of stable EA hours, bell to bell EA scheduling and lack of livable earnings for EAs, and

The Support Staff Education & Adjustment Committee (SSEAC) is a joint committee of K-12 Support Staff Unions and the BC Public School Employers' Association.

THEREFORE:

The parties hereby agree as follows:

1. Funding will be allocated as follows:
   - $7.5 million for year one, for the school year commencing September, 2012, and
• $7.5 million per year for each year thereafter.

2. The SSEAC will provide advice to the Ministry of Education regarding the allocations of the above funds to Boards of Education.

3. In the event of a dispute arising from the interpretation, application or alleged violation of this agreement there will be a meeting of the parties, and failing agreement, the parties will submit the concern to a mutually agreed arbitrator.

4. It is a fundamental term of this Agreement that the Ministry will take all steps necessary to implement this Agreement including through introducing legislation to ensure its continuing validity. This Agreement is subject to the necessary legislative authorities existing, which will make it effective and remain in effect.

Original signed on December 14, 2011 by:

"Hugh Finlayson" ____________________________ "Terry Allen" ____________________________
BCPSEA Support Staff Unions

"Rick Davis" ____________________________
Ministry of Education
Appendix “C”

Local Memorandum of Agreement

The parties agree to the following changes to the July 1, 2006 – June 30, 2010 local Collective Agreement between the Board of Education for School District No. 62 (School District No. 62 Sooke) & CUPE Local 459.

Each signed off item is attached for reference.

<table>
<thead>
<tr>
<th>Article</th>
<th>Item</th>
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</thead>
<tbody>
<tr>
<td>Hskping</td>
<td>Change terminology from “Teaching Assistant(s)” to “Education Assistant(s)” throughout.</td>
</tr>
<tr>
<td>New Article</td>
<td>Wherever the phrase “Board of School Trustees” is use in any document between the parties it has the same meaning as the phrase “Board of Education”.</td>
</tr>
<tr>
<td>9.04</td>
<td>Minutes of Meeting – add “prior to the next scheduled meeting and be attached to the agenda” and delete last sentence.</td>
</tr>
<tr>
<td>10.09</td>
<td>Leave for Union and Public Duties – add the words “Band Council”</td>
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</tbody>
</table>
27.01  Job Evaluation Manual – in bulleted section add a bullet reading: "on the School District 62 website"

29.04  District Health and Safety- change “teaching assistants” to “Education Assistants”

LOU #1  Renew

LOU #2  Renew – change “Annual Capital Allowance budget” to “Annual Facilities Grant (AFG)”

LOU #3  Renew

LOU #4  Renew

LOU# 5  Delete

LOU #6  Renew

LOU # 7  Delete

LOU # 8  Renew – except delete #7 of the LOU.

LOU # 9  Renew

LOU # 10  Delete

LOU # 11  Renew

LOU #12  Renew
LOU #13  In paragraph 2 remove “2011”. In paragraph 3 remove “2010”.
Delete the final two paragraphs. Renew as amended.

LOU # 14 Delete, and remove article 16.03(d) from the Collective Agreement.
Renumber the remainder of article 16.

Appendix A Leave in Agreement

Appendix B Leave in Agreement.

Agreed February 27, 2012.

CUPE Local 459

[Signatures]

Board of Education for School District No. 62 Sooke

[Signatures]