

**In the Matter of an Arbitration under
the *Labour Relations Code***

Between

British Columbia Public School Employers' Association/Board of Education of School District #33
(Chilliwack)

Employer

And:

British Columbia Teachers' Federation/Chilliwack Teachers' Association

Union

Section 88 – Case No. 71447/17L

Settlement Agreement

- 1 The Union filed local grievances (33-2017-10; 33-2017-12; 33-2018-02) and Provincial grievance (99-2017-0004), alleging breaches of the Chilliwack collective agreement, including Article D.27 of the collective agreement, and the minimum staffing ratios required by the Collective Agreement in the 2017/2018 school year.
- 2 The Parties agree to fully and finally resolve the local grievances, and the Provincial grievance to the extent it relates to alleged breaches of the collective agreement in the Chilliwack School District.
- 3 This agreement has been reached on a without prejudice basis, and will not be referred in any other proceeding, other than to enforce its terms.
- 4 The minimum number of teacher librarians ("TL") in Chilliwack required by the Collective Agreement for the 2020/2021 school year will be increased by at least 1.5 FTE positions.
- 5 This will be achieved by way of the following process:
 - a. The Employer will canvass existing TLs within the School District to determine their interest and ability to increase their TL FTE for the 2020/2021 School Year. All TLs whose FTE is increased at this step will be guaranteed at least that increased FTE for the entire 2020/2021 School Year. This step will be completed by May 15, 2020.


- b. If, after the existing TL increases occur, there is a portion of FTE remaining from the 1.5 FTE, the Employer will post the remaining FTE by no later than August 31, 2020.
 - c. If, after the 1701 data has been verified by the Ministry of Education, the TL FTE filled in the District are less than 1.5 FTE above the minimum number of teacher librarian FTE in Chilliwack required under the Collective Agreement for the 2020/2021 school year, the Employer will increase TL FTE in the District so that the District has complied with paragraph 4 of this Agreement on an annualized basis.
- 6 The Employer will allocate at least 4.5 FTE to increase non-enrolling teacher (i.e. RT, LA, TL, Counsellors) FTE at the following schools: Bernard Elementary, AD Rundle Middle, Central Elementary, Chilliwack Middle, McCammon Elementary, Robertson Elementary, Vedder Elementary and Watson Elementary.
- 7 This increase will be done through the following process:
 - a) Non-enrolling teachers at these eight schools will be canvassed to increase their non-enrolling FTE. This step will be completed by May 15, 2020.
 - b) If, after these increases occur, there is a portion of FTE remaining from the 4.5 FTE, that portion of FTE shall be posted as Family of Schools Resource Teacher FTE, to provide workload and learning support to the families of schools identified above. Such FTE will be posted by no later than August 31, 2020.
 - c) Qualified internal applicants will be given priority.
- 8 Where the FTE under this Agreement remains unfilled at April 15, 2022, the local parties will meet to discuss alternatives to utilizing the FTE in another way. Following these discussions, if the parties cannot reach an agreement Arbitrator Glougie remains seized to make a final decision regarding how the FTE will be deployed.
- 9 The non-enrolling teacher FTE distributed under paragraph 6 and 7 of this agreement will not count towards the non-enrolling ratios and will not be considered as part of the normal spring staffing allocation.
- 10 The Employer will provide information regarding the allocation of FTEs under this Agreement, including a list of the names of the non-enrolling teachers at each of the eight schools and their FTE allocations, on the following dates:
 - a. May 15, 2020;
 - b. November 15, 2020, or within two weeks of receiving the funded FTE enrolment numbers as reported by the Ministry of Education, whichever is sooner;

- c. May 15, 2021; and,
 - d. unless the FTE staffing obligations under this Agreement have been fulfilled by the Employer by that date, November 15, 2021, or within two weeks of receiving the funded FTE enrolment numbers as reported by the Ministry of Education, whichever is sooner.
- 11 Arbitrator Jennifer Glougie shall remain seized to resolve any disputes arising from the implementation and enforcement of this Agreement.

Dated this 23rd day of January, 2020.




Carole Gordon, BCTF



Rosalie Cress, BCPSEA



Ed Klettke, Chilliwack TA



Tamara Ilersich, School District No. 33