

Post and Fill

May 2023

Agenda

9:00 Welcome and Acknowledgment

Canvassing questions from participants – wishes
STP timelines and process

Break 10:15 – 10:40

Staffing impacts on School Organization
Organizing your school

Lunch 12:15 – 1:15

Class Size and Composition / Jackson Arbitration
Best Efforts
Related Collective Agreement Provisions
Questions

Spring Transfer 2022 Timeline

Complete:

March 15

- Deadline for vacate cards

March 31

- Notification to return from leave Sept 2023 (March 31)
- Deadline for applications for 1+ year leave (March 31)

Spring Transfer Timelines ct'd

Prior to June 1

- Employees informed in writing of transfer due to surplus staffing

May 31

- Deadline to submit retirement notice for ERIP eligibility

May 31 – June 6

- Spring Transfer Period 1 – all continuing and temporary vacancies

June 7 onward

- Interviews and offers for continuing positions
- Temporary assignments may be used for continuing placement

June 15

- Placement of unassigned Category C employees begins

Spring Transfer Timelines ct'd

June 20-26

- Spring Transfer Period #2 – all continuing and temporary vacancies

June 27 onward

- Interviews and offers for continuing positions
- Temporary postings may be held for continuing placements

August 16-22

- Summer Posting period

August 23 onward

- Interviews and offers for continuing positions
- Temporary postings may be held for continuing placements

Vacate vs posting

Vacate (E.21.11-12) Card submitted to district means:

- Your position is considered vacant for school organization
- You are guaranteed not to be placed back into your previous school
- You cannot post back into your previous assignment

Posting (E.21)

- Any member has right to apply to any position (unless you've already applied & accepted one for that year)
- You do not need to give up your position in order to apply for other jobs

Surplus vs layoff

Surplus - more frequent (E.26)

- Reflects slight decrease in enrolment or geographical movement within the district
- No change to pay / benefits
- Notice in May, apply for postings as “C” candidate
- Continued entitlement to FTE but not at current worksite
- If not successful in postings, HR will place
- 2 year protection from being surplus again

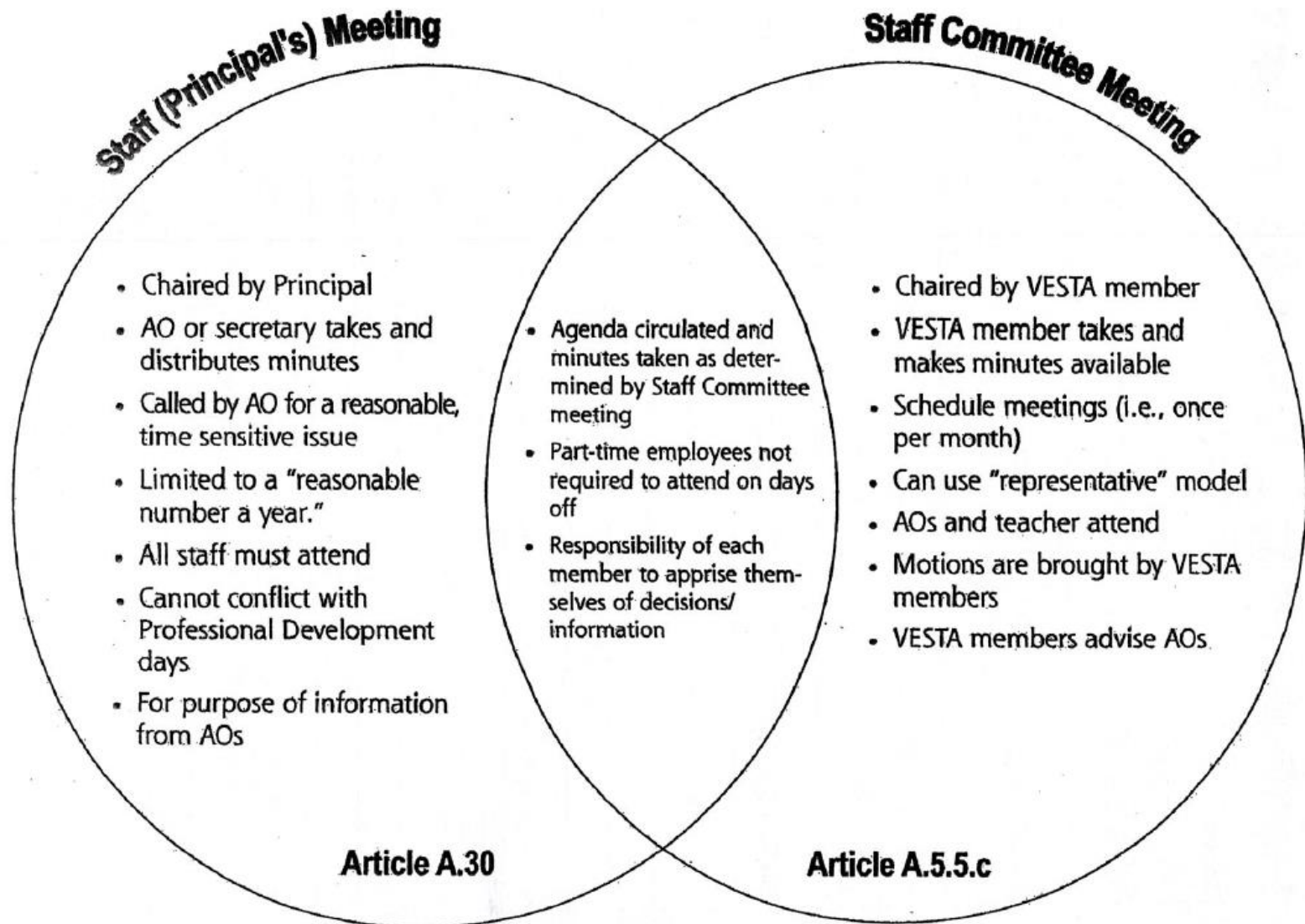
Layoff - less frequent, months of notice (C.22)

- No longer an employee of the district
- Onus on member to find work through posting

School Organization Meeting Timelines

- **Staff Meetings**
- **VEAES Meeting**
- **Staff Committee Meeting**
- **Making Recommendations**

Staff Meeting vs. Staff Committee



Staff Committee Provisions

A.5.5.c.

- “Staff Committee ...shall operate without derogating from the duties and authority vested in the P/VP pursuant to School Act, School Act Regulations, Labour Relations, Code, subject to provisions of the CA, the policies of the Board”
- Provide advice to P/VP and consider the following matters in relation to the operation of the school
 - Adequate physical requirements
 - Suitable instructional assignment
 - Adequate supply of learning materials
 - Time to plan, organize and work with individual students, colleagues and parents
 - Student evaluation
 - Assess the teaching and learning conditions and make recommendations for improvement
 - Study and make recommendations on school regulations and routines
 - Conduct studies on school philosophy

Staff Committee Provisions

A.5.5.c.

- Participate in planning and scheduling of professional and staff development activities
- Contribute to school curricula planning and evaluation
- Be involved with the timetabling and organization of the school
- Consult and be involved in school staffing and to conduct studies of the utilization of staff, including auxiliary staff, and to make recommendations to AO
- Explore any other matters of concern to the members of the school staff
- In order to assist with the above, to establish any or all of the following committees
 - Interviewing Committee
 - Professional Development Committee
 - Timetable and Staffing Committee
 - Finance Committee

Meeting Timelines: School Organization

Staff Meeting

- Principals receive Staffing Allotment form HR in May.
- Principals meet with VESTA Reps and Staff to share staffing numbers.



Call a VEAES meeting(s)

- discuss methods of organizing
 - that are fair and equitable for all employees (i.e., seniority, rotation) and meet class size and composition language.
- Discuss teacher preferences
- Try to determine a way to distribute assignments, prep schedules and any timetabling that affects teachers' scheduling.
- **Always respect professional autonomy.**



Preparing for organization

- Gathering information on staffing
- Consider staffing in the context of your school community
- Staff Committee language

Issues arising from Timelines

- Temporary positions lagging behind continuing
- “rolling” nature of postings
- Lack of timelines around offering positions

Values to consider

- Seniority
- Workload
- Fairness
- Complexity of students
- Beginning teachers
- Desirability of Postings

School Organization: A Closer Look

- **Who is Included?**
- **Consolidation of Time**
- **Surplus**
- **School Based/District Assignments**
- **Procedures for Increasing and Decreasing Time**
- **Staffing Entitlement**
- **Sample Organization (SOA)**

Overarching Concepts

- Employment Standards Act Protections
 - Maternity Leave
 - Medical Leave
- Posting leaves of one year or longer (E.21)
- School based and district staffing (E.23)
- Class Size and Composition (Restored Language)
- Transfer due to surplus staffing (E.26)
- Filling of District Positions (E.27)
- Professional Autonomy (F.20)
- Staff Committee (A.5.5.c)

Factors for FTE - Organization

- Increase and decrease in FTE*
- Returns from leave (partial and full)
- Surplusing
- Dual track schools / staffing
- Consolidations

School Organization: Who to include?

Who to organize into your school organization

- Teachers who have posted into continuing positions in your school
- Teachers who are on leaves for less than one year
- Teachers on Maternity Leave with continuing contracts
- Teachers on Parental Leave returning in less than one year
- Teachers who have reduced their time not exceeding one year

Who is excluded from your school organization?

- TTOCs covering extended leaves
- Teachers on temporary contracts who have converted to continuing status
- Teachers who are on Personal Leave for one year or longer
- Teachers on Health Leave for more than one year*
- Any teachers who submitted a commit to transfer card (vacate card) prior to March 15th

Consolidation of Time

- Upon the request of the member to the Union, there may be a possibility to consolidate their entire FTE at one worksite. Conditions for agreement include:
- Time is available at the worksite.
- All other increases of time have been granted at that site, including increases for members who have not been full time in the past.
- The Board and the Union agree to a without prejudice agreement.
- You should contact the VEAES office to make this request.

E.26 Transfer Because of Surplus Staffing

Who is determined surplus to the site?

- Extra staffing beyond allocation beginning with the person(s) with least seniority.
- A teacher working at multiple sites who is declared surplus at one site will no longer have a position at any site. They will be considered surplus for their entire assignment.
- A more senior teacher could voluntarily accept being declared surplus and that would affect (or negate) the impact of surplus staffing on the least senior teacher(s) at the site.
- Note: A teacher who is declared surplus participates in Spring Transfer as a Category “C”

Surplus: Example 1

Example 1 (no one to surplus)

18.6 FTE staffing to school with 18.0 FTE teachers to organize

18.6 FTE

-18.0 FTE

0.6 FTE which is used to fulfill any request to increase time at the school or to generate a posting

Surplus: Example 2

Example 2 (surplus situation)

17.4 FTE allocated to school with 18.0 FTE teachers to organize

17.4 FTE

-18.0 FTE

(0.6) FTE means there is a surplus amount of teachers at the school

Surplus: Example 2

17.4 FTE
-18.0 FTE
(0.6) FTE

Three Scenarios:	Results:
<p>1. Teacher A 1.0 FTE (next lowest) Teacher B 0.8 FTE (lowest seniority)</p>	<p>Teacher B is declared surplus with 0.2 FTE available to be used to fulfill a request to increase time or generate a posting</p>
<p>2. Teacher A 1.0 FTE (next lowest) Teacher B 0.2 FTE (next lowest) Teacher C 0.2 FTE (lowest seniority)</p>	<p>Teacher A, B and C are declared surplus with 0.8 FTE available to be used to fulfill a request to increase time or generate a posting</p>
<p>3. Teacher A 1.0 FTE (next lowest) Teacher B 0.6 FTE (lowest seniority)</p>	<p>Only teacher B is declared surplus and no extra staffing allocation exists</p>

Procedures for Increasing Time

Teachers who decreased for **less than** one year automatically increase back – their decrease should have been posted temporarily. (As per C.20.3.a and C.20.3.b)

Requests to increase will be considered if the time is available at the school site and if the increase in time will not cause a surplus.

- **Note: If there are layoffs, no increases in time can be granted using this mechanism. (Article C.20.3.c)**
- If a teacher wishes to increase their time, and there is not time available at their school they can continue to participate in the post and fill process and/or submit a vacate card up to 7 days after the staffing is provided

Procedures for Decreasing Time

- *C.20.3.a. An employee with a previous or current continuing full-time appointment to the staff of the District may, without prejudice to that appointment, request a part-time assignment, specifying the fraction of time requested, and the length of time, not to exceed one (1) year, for which the part-time assignment is requested. The Board shall not unreasonably refuse such a request.*
- A request to reduce time may be made at any time during the year and shall not be unreasonably denied. However, the ability to increase FTE will be in accordance with the process for increasing time.

Meeting Timelines: School Organization

Staff Meeting

- Principals receive Staffing Allotment form HR (April 28, 2023)
- Principals meet with VEAES & Staff to share staffing (May 1, 2023)

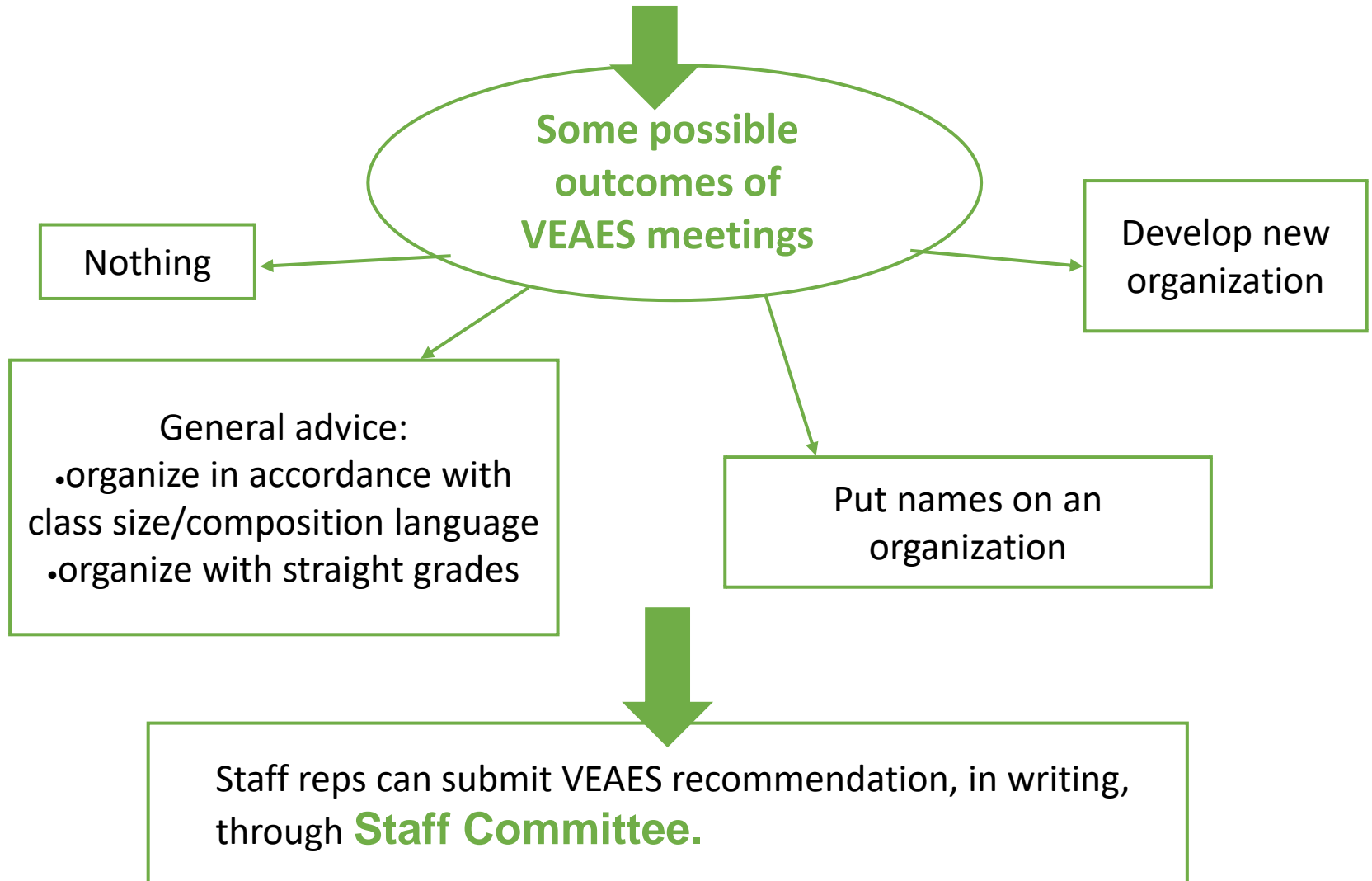


Call a VEAES meeting(s)

- discuss methods of organizing
 - that are fair and equitable for all employees (i.e., seniority, rotation) and meet class size and composition language.
- Discuss teacher preferences
- Try to determine a way to distribute assignments, prep schedules and any timetabling that affects teachers' scheduling.
- **Always respect professional autonomy.**



Recommendations



Example Recommendations

- That where possible, the school be organized with straight grade classes
- No grade $\frac{3}{4}$ split classes
- That there be no reduction in T-Lib/ESL/LAC time
- That teachers be placed in preferred assignments by seniority

- These recommendations should come to Staff Committee in the form of a motion.

Useful stems are:

- “THAT VEAES members recommend . . .”
 - “THAT the following organization be adopted . . .”
 - “THAT the following principals guide the organization of the school . . .”
- As per Article A.5.5.c.iii(d), the principal needs to give reasons if they disagree with the motion and this will be recorded in the minutes.

Additional Prep Time

- 2022-2025 provincial negotiations resulted in 10 minutes of additional prep time for Elementary teachers
- VSB position is that the decisions on how prep is provided will belong at the school level – no district directive
- Prep must be provided in meaningful blocks, may impact timetable

Staffing Entitlement

Admin	2.0000
Principal	1.0000
Vice Principal	0.3500
Admin - Teaching Portion	0.6500
Admin - CEF	
Subtotal	2.0000
District	
District Class [Sp Ed/Gifted]	
District Class PREP	
Band/Strings	
District Indigenous	
District TTOC	
District Other1	0.4000
District Other2	
Subtotal	0.4000
CEF-Remedy	
FTE	
TTOC	
Subtotal	0.0000

Elementary 2018-2019 - Entitlement Data

School-Based Non-Enrolling	3.6703
Non-Enrolling Teacher	
Incremental Headcount - Primary	0.4866
Incremental Headcount - Intern.	0.5075
Sp. Ed. (Integrated)	0.3429
Indigenous	0.0000
ELL	1.9333
International	0.0000
Subtotal	3.2703
Adjustment	
CEF	
Other	
Subtotal w/ Adjustments	3.2703
Admin Resource	0.6500
SUBTOTAL NOT INCL. ADMIN	2.6203

Staffing Entitlement (2)

School-Based Enrolling	D	15.0500
Kindergarten-Full Day		1.9500
Primary		5.6364
Intermediate		5.6667
Subtotal	E	13.2531
Class Round-Up		0.2469
Subtotal		13.5000
Class Adjustment Factor		-0.5000
Total Classroom Teacher		13.0000
Add-In		
CEF		1.0000
Subtotal Classroom Teacher		14.0000
Admin Classroom		0.0000
SUBTOTAL NOT INCL. ADMIN		14.0000
Reg Ed PREP	F	0.9750
Library PREP		
CEF PREP		0.0750
PREP Adjustment (Reg Ed)		
Subtotal PREP		1.0500
Admin PREP		0.0000
SUBTOTAL PREP NOT INCL. ADMIN		1.0500
Total Incl. Reg Ed PREP and Adj		15.0500
ENROLLING NOT INCL. ADMIN		15.0500

Total School Based Teaching	18.3203
Total School Based Teaching NOT incl. Admin Teaching Time	17.6703
Total District and Inner City	0.4000
Total Support Staff	0.0000
Grand Total (incl. Admin & Support)	<u>20.0703</u>

SOA FTE Comparison	
Reg Ed FTE Total	14.0000
District Class FTE	0.0000

Admin Assigned per Teaching Summary	2.0000
Teaching Summary Principal (Office)	1.0000
Teaching Summary Vice Principal (Office)	0.3500
Teaching Summary Admin Prep	0.0000
Teaching Summary Admin Resource	0.6500
Teaching Summary Admin Classroom	0.0000
Teaching Summary Admin CEF	0.0000

School Based/District Assignments

- School Based/District Program assignments will be posted/ advertised by the individual schools – few remain
- District assignments do not “belong” to the school for purpose of internal re-organization. Teachers move if program moves
- If you are unclear if the district staff at your school have school based rights, contact VEAES.
- All teachers have right to access post and fill process

School Based/District Assignments

4. All district programs are defined as school based **except** for the following:

- Provincial Resource Programs (Set BC)
- G.F. Strong Centre School Programs
- B.C. Children's Hospital School Programs
- Sunny Hill School Program
- Peak House
- Canuck Place
- Vancouver Learning Network
- Alderwood Program
- Home Learners Program
- Low Incidence Programs – Life Skills
- Social Emotional Learning Centre
- Special Remedial Classes
- Social Development Classes
- District Literacy Specialists
- ExSEL, LSP, CORE, TIER

*Excerpted only elementary programs for this slide

Overview:
**Changes in the Post and
Fill Language E.21**

**Collective Agreement
Since 2019**

Article E.21

- Category Bands
- Vacate Process
- Job Shares
- Interview Committees

Article E.21 – Category Bands

E.21.4. Other than for Clause 3.b. above, applicants will be interviewed and offered positions in the following order:

Category A Principals / Vice Principals returning to teaching, those returning from VTF, BCTF and CTF leave, subject to the provisions of Article G.21.30.f



CATEGORY B REMOVED

Category C Employees with continuing contracts with or without an assignment

Category D Employees on the recall list.

Category E Employees on temporary contracts who are recommended for retention in the District by their Principal/Vice Principal/ Supervisor.

Category F Employees hired by the Board.

Article E.21- Vacate Process

- **E.21.11** An employee who commits to a transfer shall inform Employee Services the Human Resources Division in writing by March 15 of each school year. Their position will then be considered vacant for the purpose of posting.
- **E.21.12** An employee committed to a transfer as referred to in Article E.21.4 **shall not be permitted**, in the same school year, to apply back to their previous worksite.
- **E.21.16** After June 15 of each school year, all placements will be made and individuals informed of such by the Employee Services. For individuals who do not have an assignment, the provisions of Clause 4 above shall apply.

Article E.21- Job Shares

- E.21.8. Employees who wish to transfer as a job-share team for a 1.0 FTE position shall be permitted to apply and transfer as a team on a 50/50 or 40/60 basis with each employee working full days. The Board will review a job-share by March 15 to determine continuation for the following school year.

Article E.21- Interview Committees

- E.21.13. Interviews will be conducted by the administrator(s).
- E.21.14. Offers made will be accepted or rejected within twenty-four (24) hours. An employee who has accepted a position shall not be eligible to participate in this process until the subsequent school year without the agreement of the Associate Superintendent – Employee Services or designate.
- E.21.15. The Board will endeavour to inform all applicants who were interviewed within one (1) working day of the position having been filled. All applicants shall be so informed within two (2) working days. A Principal / Vice Principal shall, upon request, provide verbal reasons for their decision to any unsuccessful applicants.

Internal postings / increases

- **E.21.2** When the Board becomes aware that a position will be vacant for longer than three (3) consecutive months in a school year it shall immediately post the position internally for seven (7) calendar days. The Board may repost positions internally. Hard-to-fill positions may initially be posted internally and externally. Each posting shall describe the term, general nature and location of the assignment(s) and shall include the process and deadline for application.
- **E.21.11.** An employee who has been notified by the site-based administration that they are unable to increase their FTE at their worksite can commit to a transfer by informing Employee Services in writing one week (seven [7] calendar days) after staffing allotments have been determined for each site.

Staff Committee Again!

Just because we aren't on interview committees doesn't mean we aren't involved in every aspect of the post and fill process at the school!

- School organization
- Timelines
- Co-writing postings
- Shortlisting

VEAES receives all shortlisting and successful candidate forms – please be active in process!

Creating Inviting Postings

Remember: you're writing the posting so your colleagues can make good decisions about where to apply!

School Profile

- What is the community like?
- Are parents active?
- Is there a seismic upgrading / swing space ahead?
- Are there any school programs that teachers might like to know?

Creating Inviting Postings 2

Position Details

- Be as general as possible, as things can change (early primary, late intermediate, resource team)
- Respect professional autonomy
- No reference to required practice, pedagogy, field trips, extracurricular, etc.
- Include job shares if applicable
- Just because your school does things a certain way, doesn't mean all new applicants will

Class Size and Composition

- **Class Size Limits**
- **Class Composition**
- **Jackson Arbitration**
 - **Best Efforts**

Class Size Limits

Grade Level/Class	Class Size Maximum	Best Effort Floor***
Kindergarten	20	15
K-1	N/A	N/A
Grades 1-3	22	17
Grades 1-3 (split class)	22	17
Grades 1-3 (multi-age)	22	17
Grade $\frac{3}{4}$ (more 3s)	22	17
Grade $\frac{3}{4}$ (more 4s)	24	19
Grade 3/4/5 (more 3s)	22	17
Grade 3/4/5 (more 4/5s)	24	19
Grades 4-7 (Intermediate)	30	24
Grades 4-7 (split)	28	22
Special Education	15	
Flex Factor** (Article 9.B.14)	+2	

*Class sizes maximums shall be reduced by 1 student for one or two students with special needs and by a further 1 student, if in very exceptional circumstances, a third student with special needs is added.

**Class size maximums can be exceeded by up to 2 (flex factor) after school has been in session for 20 teaching days due to an influx of pupils new to the school (however, composition ratios still prevail)

***The Board is not obligated to add additional divisions to meet class size and composition language if class sizes decrease below the Best Effort Floor

Class Composition

- **Maximums:**
 - Maximum 2 students per class with a Ministry Special Needs designation
 - Under very exceptional circumstances, there may be a 3rd student with a designation*
- **Combinations of Ministry designations:**
 - 1 severe and 1 less severe category designation
 - 2 less severe category designations

Class Comp: Our restored language

- Combinations of Ministry designations:
 - 1 severe and 1 less severe category designation
 - 2 less severe category designations

Severe (A, B, C, G, and H)

- A – Physically Dependent/Multiple Needs**
- B – Deaf and Blind**
- C – Moderate to Profound Intellectual Disabilities**
- G – Autism Spectrum Disorder**
- H – Intensive Behaviour/Mental Illness**

Less Severe (D, E, F, K and Q)

- D – Physical Disability or Chronic Health Impairment**
- E – Visual Impairment**
- F – Deaf or Hard of Hearing**
- K – Mild Intellectual**
- Q – Learning Disabilities**

Who is not included?
(for class
composition
numbers)

P – Gifted
R – Mild to Moderate
Behaviour

Ministry of Education Special Needs Categories

<p>Low Incidence A relatively low incidence of students compared to the general school population</p>	Level 1 – \$44,850	A	Physically Dependent
		B	Deafblind
	Level 2 – \$22,280	C	Moderate to Profound Intellectual Disability
		D	Physical Disability or Chronic Health
		F	Deaf or Hard of Hearing
	Level 3 – \$10,750	G	Autism Spectrum Disorder
H		Intensive Behaviour Interventions/Serious Mental Illness	
<p>High Incidence A higher prevalence of students in these categories.</p>	No supplemental funding. Basic allocation provided for all students.	K	Mild Intellectual Disability
		P	Gifted
		Q	Learning Disability
		R	Moderate Behaviour Support/Mental Illness

Jackson Arbitration

- Arose from disputes regarding application of restored language to current Ministry categories
- Many local agreements have no CSCC language
- Applies to those of us who use Ministry categories in our collective agreements
- Focused on category definitions and which categories “count” towards CSCC language
- Does not impact supplementary funding

Jackson Arbitration

- Some Gs and Qs are included in class size and composition language, and some are not, based on the Jackson Arbitration which states that the restored provisions only apply to students who would have been included in the 1995 Ministry Manual.
 - Creation of OG and G categories
 - Redefining category Q
 - Impacting all CA language referring to Ministry categories (ours)

Why this is so confusing

- Collective Agreement language does not correspond with Ministry categories, which have changed over the years.
- Former “high incidence” categories are now H, K, P, Q, and R.
- Former “low incidence” categories are now A, B, C, D, E, F, G.

Jackson Arbitration

- Your administrator should give you a list of which students with designations are counted towards class size and composition, and which are not
- This information is also available in MyEd
- The definitions of “included” G and Q designations only apply to the collective agreement language for class size and composition and for remedy calculations
- Settlement under discussion to review all G designations in Vancouver

Why this is so confusing

- Collective Agreement language does not reflect Ministry categories “severe / less severe” – “high / low frequency”
- Some designations receive ministry funding and some “count” towards class composition & remedy, and some are both, but they’re not necessarily the same.
 - i.e. all G students receive ministry funding, only OG students “count” for CSCC
 - i.e. some Q students might count for composition maximums as “less severe” but no Q students receive ministry funding

Jackson Arbitration

- Your administrator should give you a list of which students with designations are counted towards class size and composition, and which are not
- This information is also available in MyEd
- The definitions of “included” G and Q designations only apply to the collective agreement language for class size and composition and for remedy calculations
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Non-enrolling District Ratios

Position	District Ratio
Teacher Librarian	1:702 students
Counsellors	1:535 students
Learning Assistance	1:504 students
Special Ed Resource	1:232 students
ESL / ELL	1:64.7 students

- These are minimum district averages and include elementary and secondary
- Teacher Psychologists and Speech and Language Pathologists do not have district ratios
- Prep time provided by TL's can be included in the ratios
- Resource provided by VPs should not be included in the ratios
- The employer can combine non-enrolling teacher categories for posting positions

Best Efforts

Use of space

- The parties recognize that not every available space within a school can reasonably be taken from other uses and adapted for additional classrooms
- Re-examination of spaces on a school by school basis whether additional portables can be utilized or any additional spaces can be repurposed
 - Prep spaces (music rooms, computer labs etc...)
 - Daycare, preschool, out of school care spaces
 - Rooms used for additional support for students (sensory rooms, counselling rooms etc...)

For classes with 30 students and 5 IEPs

1) Elementary (full time)

$$(V) = (180 \text{ minutes}) \times (P) \times (S1 + S2)$$

$$V = 180 \times 1.0 \times (2 + 2)$$

$$V = 180 \times 1.0 \times 4$$

$$V = 720 \text{ minutes per month or 12 hours}$$

- To calculate the monetary value the parties agreed to use Kindergarten Student Instructional hours. The Kindergarten Student Instructional hours for the 2020–21 school year was 853 hours.
- The FTE cost is calculated using the provincial average salary plus 25% for benefits. In the 2020–21 school year the amount was \$101,974.

$$\text{\$} = (\text{value in hours}) / 853 \times \$101,974$$

$$\text{\$} = 12 / 853 \times 101,974$$

$$\text{\$} = \$1435 \text{ (rounded to nearest \$)}$$

Thank You!

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