

Information for parents during BCTF strike action

Parents, students, teachers and administrators all want to see a negotiated settlement reached with the BCTF leadership. Unfortunately, negotiations sometimes require that the parties use the available labour relations tools, such as strikes and lockouts, to help reach an agreement. This information clarifies what the union's strike and the employers' response to the strike might mean to parents and students.

Background:

April 23 – the B.C. Teachers' Federation (BCTF) leadership directed its members to begin stage 1 strike action which meant not doing certain work, including communicating with management, supervising students outside of class time, and not being at the school an hour before or an hour after the end of instructional time except for voluntary activities.

May 15 – the employers' bargaining agent, the BC Public School Employers' Association (BCPSEA), advised the BCTF leadership that in response to its stage 1 strike action BCPSEA would implement a reduction in pay for the reduction of work currently happening in schools. BCPSEA also advised that there would be a further reduction should the BCTF leadership initiate their stage 2 rotating strikes. The BCTF leadership were advised that there would be no reductions in pay if they halted their stage 1 strike action and did not initiate their stage 2 rotating strikes.

May 20 – the BCTF leadership announced that it would initiate its stage 2 strike plan, which calls for rotating strikes to close schools starting the week of May 26.

May 26 to 29 – BCTF rotating strikes.

In addition to the information below, parents and teachers can access more information on bargaining positions and strike impacts on the BCPSEA website at <http://www.bcpsea.bc.ca/> or on the Ministry of Education website at <http://www.newsroom.gov.bc.ca/2014/02/teacher-bargaining-information.html>

Q: What is going on? Is this a strike or a lockout?

BOTH. The BCTF leadership started stage 1 strike activities in April and will begin stage 2 rotating strikes starting May 26, closing every school across the province for one day in that week.

In response to the BCTF leadership's stage 1 strike action, BCPSEA, representing school boards in bargaining with the union, has issued a partial lock out that includes a pay reduction to reflect the work that is not being performed by BCTF members in compliance with their stage 1 strike.

Unlike the BCTF's rotating strikes, BCPSEA's partial lockout does not mean locking the doors or lost instructional time. BCPSEA's response to the BCTF's strike is designed to avoid direct impacts to student safety and instructional time while reflecting the labour relations principle of reduced pay for reduced work.

Q: What are you telling teachers not to do as part of the partial lockout?

Consistent with the many duties that the BCTF leadership directed teachers not to perform as part of their stage 1 strike action, BCPSEA has formally outlined the time and duties they are not being paid to do as follows:

BCTF leadership directed that during stage 1 job action teachers will not:	In response to stage 1 strike action BCPSEA outlined that teachers will not:
1. Be at a worksite prior to one hour before commencement of instructional time and one hour after the end of instructional time, other than for pre-arranged voluntary activities.	1. Start work at the school more than 45 minutes before the start of their classes and not to continue to work for more than 45 minutes after their classes end.
2. Provide principals or administrators with any routine printed, written, or electronic communication.	2. Engage in meetings with administrators and/or respond to routine communications from administrators.
3. Receive any printed, written, or electronic communication from an administrator.	3. Evaluate educational programs (this does not include marking or report cards).
4. Undertake any mandated supervision of students outside of regularly scheduled classes, except as set out by an essential services order.	4. Attend a range of routine organizational meetings.
5. Attend any meetings with management other than meetings of the worksite Joint Health and Safety Committee.	5. Engage in professional development outside the instructional day.
	6. Substitute other duties in place of the work listed above.

Q: Can my child still get assistance from his/her teacher during lunch hour or after school?

While teachers already have the right to a duty free lunch, there remains ample time to provide assistance to students before or after school, or during non-instructional blocks. It is also important to remember that the vast majority of direct student assistance is actually provided to students in class.

For employment insurance purposes, the accepted length of a teacher’s workday is 9.1 hours, of which approximately 5 hours is instructional time. The partial lock out reduces the workday to 8.1 hours, which still leaves teachers approximately 3 hours in which to assist students and attend to other non-instructional duties such as marking and lesson planning.

Q: Is my child safe if teachers aren’t performing student supervision during school hours? What about emergencies?

YES. Teachers will be available in the event of any emergency or disaster situation. In the event of a dispute between BCPSEA and BCTF leadership as to whether an emergency or disaster situation exists, the teachers will perform the work in question.

Schools have taken action to ensure students are not put at risk by the BCTF leadership’s withdrawal of student supervision. In many districts this has meant cancelling recess. In other cases, school administrators have taken on those duties.

Q: Does the partial lockout prevent or ban teachers from talking to parents about their child’s progress or performance (e.g. IEP meetings, etc.)?

NO. Nothing in the partial lockout order prevents individual teachers from discussing student needs or concerns with parents, students, their colleagues or school administrators.

Q: Does this partial lockout ban or prevent teachers from participating in extracurricular activities such as graduation ceremonies, awards ceremonies, sports events and year-end celebrations?

NO. Extracurricular activities are not considered paid work and teachers do this of their own choice. Teachers are welcome to continue their involvement with any extracurricular or volunteer activities of their choice.

There is nothing in the current order that prevents teachers from attending or participating in any voluntary events or activities. If teachers refuse to attend, they do so by their own choice or the encouragement of their union.

Q: Does it matter whether or not the extracurricular activities take place during the school day (e.g. at lunch), within 45 minutes for the start or end of the school day, or later in the day (e.g. in the late afternoon or evening)?

NO. Teachers are welcome to continue their involvement with all extracurricular and other volunteer activities regardless of the time of the day.

Q: Are teachers prevented from being on school property earlier than 45 minutes before the start of the school day or later than 45 minutes after the end of the school day?

NO. Teachers are welcome to be on the school property at any time for the purpose of supporting student extracurricular programs or other volunteer activities. The 45 minute limitation applies to teacher attendance for the purpose of paid work at the school.

By defining the length of time for which teachers will be paid, BCPSEA is reducing their usual work day and duties to reflect the duties that the BCTF leadership have already withdrawn as part of their stage 1 strike. The accepted teacher work day is just over 9 hours per day, which is now reduced in both length and required duties. The resulting 10 per cent loss of pay is directly related to this partial lockout from usual required work and time at the work site.

Just as the BCTF’s stage 1 job action does not apply to extracurricular activities, the partial lock out does not apply to any extracurricular or volunteer activities.

Q: Are teachers locked out from any part of the student instructional day?

NO. Teachers are still required to complete all usual instructional duties and school day services to students. Refusal to complete any such duties may constitute an expansion of their strike and result in a further loss of pay.

However, the BCTF’s rotating strikes will significantly impact student instruction and learning by completely closing schools.

Q: Why is the union telling teachers they may not participate in extracurricular or other volunteer activities because of the BCPSEA lockout of that is not the case?

It is our opinion that BCTF leadership is mischaracterizing both the intent and the effect of the partial lock-out in order to avoid the financial pressure being put on the union membership. By inflaming parents and worrying students, we believe the union is attempting to put pressure on BCPSEA to lift its response so that the BCTF strike can continue with no loss of income to striking union members. At no time did the BCTF leadership ask BCPSEA for clarification of the lockout order, nor have they responded to the additional information that BCPSEA has since supplied to them.

Q: What about the impact on final exams?

Unless they are interrupted by the BCTF's rotating strikes, all final exams are expected to proceed.

Q: Will provincial exams be marked?

YES. Marking will go ahead. Unless they are interrupted by the BCTF's rotating strikes, the marking of grade 12 exams are expected to proceed as normal. Marks for the grade 10 English and grade 11 Social Studies provincial exams may be delayed. The ministry is looking at options to minimize that possibility and every effort will be made to ensure students are able to appropriately transition to the next grade.

Q: Does the lockout from "evaluating education programs" mean that teachers are not to do marking of student work, complete student evaluations, submit marks, supervise exams, or complete report cards at year end?

NO. Teachers are still required to complete all usual evaluation of student work including year-end exams, submission of marks, and completion of report cards, as well as other year-end student reports. The direction on "evaluating education programs" applies to work such as provincial curriculum evaluation and development, district curriculum writing and reviews, the evaluation of programs at either the district or provincial level, and new program development.

Q: Will BCPSEA's partial lock result in schools closing a few days early?

Yes, but in contrast to the BCTF's rotating strikes, BCPSEA's orders does not cut short class time for students. For high school students, June 25 and 26 are the two days at the very end of the school year where final exams are completed and there are no scheduled classes. Since the high school students are already out of school, the partial lock out directs secondary school teachers not to come into work on those days.

Students in elementary and middle schools start their summer break on June 27. Since June 27 is simply an administrative day for all teachers across the K-12 system, they will be directed not to attend work that day.

Q: Will there be picket lines at my school?

YES. When a legal strike or lockout is in progress, picketing is permissible as a peaceful means by which employees can increase the pressure on their employer to agree to terms and conditions of employment favourable to them.

Support staff working at schools are allowed to respect the picket line.

Q: Can parents cross them?

It is your decision. The purpose of the picket line is to persuade persons not to do work for, or do business with, the employer. A picket line, however, cannot be used to forcibly prevent persons from entering an employer's premises.

Q: Will the principals and vice principals be in the school on a rotating strike day?

YES. Unless they are called to perform other duties in the school district, principals and vice principals will be at work in their schools on strike days.

Q: Will my common site daycare be able to operate during the BCTF leadership's rotating strikes?

Common site means a service is operating on school grounds, such as a daycare. Factors such as whether the daycare operates out of a stand alone building or whether it is staffed by unionized employees will determine if it can operate during the strike action. Please check with your provider to confirm whether they will be impacted by the BCTF leadership's rotating strikes.

Q: Does the BCTF leadership's rotating strikes affect the Strong Start program at my school?

Strong Starts are community drop-in programs that may operate in or on school property. Check with your local school to determine if it will be open on one of the BCTF's rotating strike days.

Q: How does the partial lockout impact summer school?

The partial lockout does not impact summer school. The only way summer school would be affected is if the union continues its rotating strikes.

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