



CUPE BC K-12 Committee Report to Convention – May 2019

Due to submission deadlines, some items may have updates by the time we reach convention; in that case, updates will be verbally provided by the committee.

Provincial Job Evaluation Committee

The parties will continue and conclude the work of the provincial job evaluation steering committee during the tentative term of the 2019 – 2021 Provincial Framework Agreement. The work will include a review of the results from the phase one pilot and address the anomalies identified with the job evaluation (JE) tool, process, or benchmarks of the selected seven (7) trial districts. The pilot will be expanded to an additional ten (10) districts including at least two (2) non-CUPE Locals to validate the tool and benchmarks. When the K-12 committee has identified training requirements to support implementation of the JE plan, they will develop training resources as required in order to commence disbursing available funds by January 2, 2020. The provincial JE funds include \$900,000.00 of annual funds established under the 2014 – 2019 Provincial Framework Agreement and an additional \$3 million of ongoing annual funds commencing July 1, 2021.

Sexual Orientation and Gender Identity (SOGI)

The committee applauds all the work our locals have done to support SOGI education in our schools. Unfortunately, the anti-SOGI movement continues in school districts, including Chilliwack, where an anti-SOGI trustee candidate, Barry Neufeld, was re-elected. Complaints against Mr. Neufeld have been filed to the Human Rights Tribunal. More positive information about inclusion and tolerance in our public education sector can be found at www.sogieducation.org.

We must continue to focus on what unites all groups, regardless of religion, beliefs, and race for the safety of all and promote the acceptance of others.

MSP Premiums & Employer Health Tax

Some locals have language that clearly states that all benefit cost savings are to return to the members and for unions to negotiate provisions in place of the MSP premiums. This issue was not addressed at the provincial bargaining table because the majority of locals do not have the language in their collective agreements. With the implementation of the Employers Health Tax being phased in effective January 1, 2019, the costs may actually be higher to the employer. As we have experienced in the past, higher costs to the employer generally results in overall cuts to CUPE employee hours and positions.

The good news is that CUPE Local 441 has recently won an arbitration against School District 63 (Saanich). Arbitrator Michael Fleming granted the union's grievance and left it to the parties to discuss and resolve. The decision was based on language that was agreed to which dated back to 1968.

Violence in our Workplaces

The violence hazard's in schools locally and across the country continues, not just for Education Assistants (EA's) but for all education workers, from school secretaries to bus drivers.

The CUPE K-12 Presidents' Council applied to CUPE National for a cost sharing campaign and upon approval launched the Violence in the Work Place campaign that effectively enhanced the need for stricter prevention. The matter was tabled at provincial bargaining, which was based on the recommendations of the K-12 Presidents' Council Violence in the Workplace Task Force and unsafe workplaces that our members are continually attacked in. The Council negotiated the inclusion of WorkSafeBC refusing unsafe work and workers rights and responsibilities regulations in the tentative Provincial Frame Work Agreement. Locals are encouraged to negotiate effective *right to refuse unsafe work* language in local bargaining to ensure safe working conditions are enshrined in their collective agreements in the event legislation changes current WSBC regulations.

The solution has never been about denying any student their right to a public education, but rather to increase the number of EA's available to support classroom education,

individual student safety plans and to insist that employee safety plans are developed and amended, as required.

Our goals related to the safety for our members include lobbying WSBC to amend the presumptive clause for mental health injuries to include front line K–12 workers and that they force employers to post their violence prevention policies in all work sites.

Public Education Benefits Trust (PEBT)

Several of our trustees have retired or are planning to retire in the near future and a notice has been circulated for locals to submit members for consideration for any future trustee appointments. PEBT trustees are reviewing the applications.

Benefit improvement funds were negotiated at the provincial table to provide annual ongoing funding to enhance our standardized extended health plan to include considering an addiction treatment support program.

The PEBT has engaged a strategic advisor to gather stakeholder input on our joint early intervention service (JEIS) and long-term disability (LTD) programs. The information will be used to create the strategic JEIS/LTD plan for 2019 – 2022.

Modified Calendar

The continuation of a provincial two week spring break, in addition to other modified school closures, results in a reduction of annual income for our school term education workers in our sector. The ongoing struggle with some employers to implement best practices is challenging when all other employee groups are salaried employees and do not experience any loss of pay. Through local collective bargaining that is taking place now, CUPE BC locals have the advantage to table standardized language that ensures CUPE term employees are fully remunerated for income loss due to school closures. CUPE National representatives and our K-12 coordinators are available to assist with language.

Funding Formula

In September 2018, CUPE BC submitted a funding formula review request to the Select Standing Committee on Finance and Government Services focused on restoring the level of services that our members provided prior to 16 years of BC Liberal Government cuts that will enhance K-12 public education in the province. Further, the Ministry of Education is currently conducting a K–12 funding review and invited CUPE BC representatives to sit on the inclusive education, financial management, adult continuing learning and online learning working groups. The recommendation concerns are with the prevalence model funding and funding for specific needs first. We support several education partner recommendations. The work will commence once our 57 CUPE K – 12 locals are briefed and properly consulted. Through this process, we must also lobby government to eliminate the legislative requirement that the Boards of Education must balance their budgets or face the threat of dismissal.

Custodial Survey

The custodial survey report is complete and a copy can be obtained at our table. Our focus going forward will be based on the information compiled from the survey and a campaign to lobby the provincial government to instruct Boards of Education to target funding to actual “brooms on the ground” and not custodial management positions.

The campaign must also include the restoration of day custodians to ensure that a safe, clean learning environment is maintained. The relationships with students and staff are paramount in restoring respect for our school districts infrastructure by providing the important services our custodians can provide when school is in session.

Thank you to the 1,127 custodians who completed the survey, your participation has made a difference and will serve us well into the future. We would also like to extend thanks to our CUPE K-12 researcher in BC, Sister Liz Blackwood, for all of her hard work.

Education Assistants (EAs)

EAs still face many challenges that include qualifications for EA training that can vary from a few months of an in-house program in some districts, to a two + year degree program in others. It is a constant struggle to get through a program to obtain a degree, followed by a practicum, to then only receive part-time wages, and often little to no

benefits. For example, CUPE Local 523 had an employer that hired uncertified EA students that were expected to perform unpaid work during their practicum hours. The local filed a grievance citing the PFA language that states “unpaid work is not permitted” and successfully secured full remuneration for the affected employee’s unpaid time. The employer also committed to only hire qualified EA’s in the future.

This is another example of the need for the Ministry of Education to develop and implement a standardized system of recognized credentials and qualifications to regulate the employment of Education Assistants. CUPE Local 561’s employer have recently created an unqualified EA classification that substantially reduced the hourly rate of pay and parachuted unqualified employees in positions to work with vulnerable students. The local has filed a grievance and referred the matter to arbitration. Language to address this violation will be tabled locally and if not successfully implemented will certainly revert to job action.

Strong Start

Creating workload overload issues that are not being addressed by administrators, as these students are not counted in the enrollment numbers, yet they still require the same amount of work and tracking from the school support staff. Funding for the programs has remained the same for 12 years since the creation of the programs. Locals are bargaining for additional hours of work and lobbying local and provincial governments to increase the Strong Start program funding to meet the needs of the employees and our clients.

Clerical Unreasonable Workloads

In most K–12 schools, historically the standard hours of work per week have been 35 hours for frontline clerical employees. Employers are now staffing based on student enrolment at each school. This formula simply does not address the hours required to provide clerical services to staff and students. This unacceptable staffing formula has resulted in the creation of several precarious positions and created unreasonable workloads. The CUPE clerical survey research document released in December 2014 labeled *Under Duress: the intensification of clerical work in BC schools* reflects the current status of our clerical staff. In light of ongoing changes to the methods of operation and reporting requirements the workloads have increased substantially and targeted funding formulas must be adjusted at the ministry level.

Respectfully submitted:

Amber Leonard, Chair
Marcel Marsolais, Co-Chair
Susanne Bonny
Tara Brooks
Dean Coates
Anita Early
Jillian May
Kristine Taggart
José van Berkel
Warren Williams
Karen Wong
Tracey Mathieson – Staff Advisor
Jeanne Marr – Staff Advisor
Janet Szliske – Communications Representative

May 2019

