

# LRB / Section 88

# BCTF Section 88 complaint

- ▶ Inconsistent and Haphazard application of health and safety plans
- ▶ Ministry H&S Guidelines for K-12 Settings
- ▶ District Plans
  - ▶ Not all in compliance with ministry plan
  - ▶ Many districts say “not enforceable”
- ▶ Administrator “autonomy”
- ▶ Poor communication
  - ▶ VCH issues
  - ▶ District issues
  - ▶ Inability to hold in person meetings
- ▶ Slow and ineffective resolution process
  - ▶ Created for injury / accident, not pandemic situation

# LRB Decision

- ▶ Supports for the functioning of the Steering Committee,
- ▶ Appointment of a coordinator,
- ▶ Troubleshooter process.

# Steering Committee

- ▶ Provincial committee with stakeholder representation
- ▶ In operation since the spring
- ▶ Ineffective in many ways
  - ▶ No evidence of advice being taken / applied
  - ▶ Inconsistent processes
  - ▶ “consultation”

# LRB decision on Steering Committee

- ▶ LRB Recommendations
  - ▶ SC meet and review terms of reference
- ▶ Prior to implementation of any changes, SC advice will be sought
- ▶ If urgent changes required, SC advice to be sought
- ▶ Continue to meet on regular basis
  - ▶ real or perceived inconsistencies in interpretation or application of guidelines
- ▶ Refer disputes to coordinator

# Ministry Coordinator

- ▶ MoE to designate an individual to coordinate input from Steering Committee
- ▶ Assist with matters referred by the Steering Committee
- ▶ provide regular communication with school districts on changed Guidelines or recommendations for best practices;
- ▶ review school district plans for consistency with Guidelines and, where appropriate, may seek input from stakeholders
- ▶ work with WorkSafe BC, the Ministry of Health, and Health Authorities to provide clarity and consistency in the application of the Guidelines

# Workplace Processes and Troubleshooter

- ▶ Expectation that workplace parties will continue to use existing processes for addressing challenges, including
  - ▶ health and safety committees,
  - ▶ labour-management committees,
  - ▶ grievance-arbitration,
  - ▶ investigations conducted by WorkSafe
- ▶ Some challenges that may not easily fit into one of these existing processes or there is an expeditious need for a process for clarifying issues and identifying solutions for them.

# Troubleshooter

- ▶ Effective Monday, November 16th, 2020, LRB will make neutrals available to troubleshoot issues on an expedited basis, including evenings or weekends where necessary;
- ▶ Available, on request, to:
  - ▶ BCTF and its locals,
  - ▶ support staff unions
  - ▶ BCPSEA
  - ▶ School boards
- ▶ Parties responsible for reviewing and identifying the issues before being referred to the troubleshooter

# Role of Troubleshooter

- ▶ To assist the Parties to discuss and resolve issues on:
  - ▶ implementation of the Guidelines
  - ▶ related health and safety issues
  - ▶ other pressing COVID-19 related issues that arise
- ▶ The role of a troubleshooter
  - ▶ informal and collaborative approach
  - ▶ fact-find and to make non-binding recommendations.
  - ▶ directing Parties to an existing process on an expedited basis
- ▶ The Board will track the nature of the disputes referred through the troubleshooter process and provide interim reports to the Parties.
- ▶ The Board may make recommendations to address recurring issues coming before the troubleshooters or to establish an independent troubleshooter mechanism;
- ▶ The Board will review the troubleshooter process after three months and make any further recommendations as necessary.

# Key Summary

- ▶ School and district processes still need to be used
- ▶ Possible resolution for matters not effectively addressed in these fora
- ▶ Ability to collect and identify trends or recurrent issues
- ▶ Providing teeth to processes
- ▶ Still need to:
  - ▶ Contact AO and JOHS with issues
  - ▶ Follow processes including VESTA H&S committee and District H&S Committee
  - ▶ Expect safe working conditions

# Other COVID related BCTF decisions

- ▶ COVID grants to locals (VESTA = 1/2 day H&S rep release day + September H&S training)
- ▶ Principal, vice-principal or other reassigned management staff be present at every school site when students are in attendance and communicate with parents / guardians about H&S protocols and illness
- ▶ Call for a hybrid learning model that requires discrete teaching assignments for in-class and remote programming.
- ▶ BCTF to support locals on the collection and analysis of accommodation requests, approvals, and denials
- ▶ That Collective Agreement provisions will be enforced, except in situations where explicit agreement exists between the parties with regards to protective procedures or controls

# Education Funding

- ▶ Lobby government to extend the funding for adult education to protect it from any negative enrolment impacts related to the COVID-19 pandemic.
- ▶ Call on the Ministry of Education to share with locals and provincial partner groups all K-12 education COVID-19 expenditures, including but not limited to the provincial and federal grants.
- ▶ Demand provision of face shields, remote learning for all students, dedicated staffing for remote learning
- ▶ Support for locals in advocating for comprehensive installation of ventilation and other health and safety protections as part of the regular maintenance budget in all school districts and to be completed as soon as possible.
- ▶ Call on Elections BC and government to suspend the use of public schools as polling stations in the next BC election.

# Impact on Students

- ▶ Request a meeting with the BC Representative for Children & Youth to discuss impacts of the pandemic on children and learning in K-12 public schools.
- ▶ Request a meeting with the BC Commissioner for Human Rights to discuss impacts of the pandemic on children and learning in K-12 public schools.
- ▶ Lobby government to ensure there is adequate and equitable access to the internet and technology for students and staff
- ▶ Lobby government to provide educators with additional non-instructional days to explore integrating trauma informed practices into their teaching.
- ▶ Call on government to undertake and make public the results of a survey of student experiences in schools since the reopening in September, and that this survey be available in multiple languages and formats.
- ▶ Call on the Ministry of Education to investigate, in collaboration with the partner groups, steering committee, and work groups, the impacts on students' education resulting from delivery changes and increased student absenteeism due to the COVID-19 pandemic, including but not limited to:
  - ▶ access to education for students with disabilities.
  - ▶ altered timetabling—specifically quarter and octet systems.
  - ▶ graduating students' access to and transition to post-secondary.
  - ▶ inequities experienced by vulnerable students.
  - ▶ continued standardized testing during the pandemic

# Contact Tracing

- ▶ Call on government and the Provincial Health Office to provide a public and transparent reporting of COVID-19 cases in BC public education
- ▶ Assert that the current practice of contact tracing in schools is insufficient, and that additional steps need to be taken to:
  - ▶ include teachers in identifying close contacts.
  - ▶ ensure effective communication networks are in place in schools to capture itinerant, district, and TTOC staff.
  - ▶ improve timelines between initial confirmation of cases and communication with school communities.
  - ▶ increase transparency regarding the criteria for close contacts.
  - ▶ ensure equitable and consistent access to medical services, rapid COVID-19 testing, and information.
  - ▶ ensure additional information be provided to members and the public where there is evidence or suspicion of in-school transmission connecting confirmed cases.
- ▶ Explore options, including a grant for local release time, to work on strategies for identifying and investigating the causes of negative effects of pandemic measures on student learning, and making recommendations for possible solutions.

# Assessment and Reporting

- ▶ Investigate the workload impact of assessment and reporting requirements on our members during the pandemic and report to a future Executive Committee meeting
- ▶ Seek dates with the new government as soon as possible after the election to establish consistent expectations for K-12 reporting during COVID-19, including parameters for students whose families chose a transitional or remote learning opportunity, and that the expectations consider:
  - ▶ increased non-curricular expectations on teachers to prioritize social emotional learning and health and safety.
  - ▶ the asynchronous entry for students in all classrooms.
  - ▶ the limits on curricular options created by the pandemic.
  - ▶ the increased workload overall during COVID-19.
  - ▶ the ethical challenges of evaluating students during a pandemic when higher absenteeism, additional stressors, and inequality are factors.

# Other decisions

- ▶ Remind the Ministry of Education of the responsibility to provide simultaneous distribution of both French and English versions of updated COVID-19 related
- ▶ Call on the Ministry of Education to clarify that its existing requirements for collaboration and consultation between school districts and locals in district COVID-19 plans includes transitional remote learning programs and COVID-19 expenditures.
- ▶ Request MOE initiate a comprehensive review of the K-12 Restart Plan to assess and report on the efficacy of its stated objectives including health and safety protocols, the equitable and inclusive access to learning, and to make required changes to the Plan in consultation with stakeholders.
- ▶ Call on the Ministry of Education and the Ministry of Health to jointly investigate the impact of teaching during the COVID-19 pandemic on the physical and mental health and wellness of people working in schools, and to address any revealed negative impacts in consultation with stakeholders

# Request to Staff Reps

- ▶ Advocacy underway at district and provincial levels
- ▶ Both VESTA and BCTF have taken positions and are working on improvements
  - ▶ Assessment and reporting
  - ▶ Workload
  - ▶ TTOC shortage
  - ▶ Reassignment of non-enrolling teachers
  - ▶ Provision of health and safety in the workplace
  - ▶ Cohort concerns
- ▶ Emails may take a few days to receive a response
- ▶ Be careful on social media
- ▶ Please only share confirmed or accurate information

# District Health and Safety

- ▶ No school transmissions in Vancouver schools as far as the district is aware
- ▶ Cleaning in all K-12 sites should be consistent
- ▶ Sites with Adults only (SET BC, Ed Centre, DLS @ Garibaldi, Adult Ed) have different parameters but same K-12 cleaning standards
- ▶ MERV-13 air filters procured for  $\frac{3}{4}$  of schools and installation has begun, all schools currently meet standards, increased air intake in June and ongoing
- ▶ Lockdown and other drills can be staggered and can involve discussion rather than action
- ▶ Classes with high density being considered with replacement desks, removal of additional furniture (survey?)

# School Exposures

- ▶ Self-monitoring letter
  - ▶ Self-isolation letter
  - ▶ Class isolation letter
  - ▶ School closure
- 
- ▶ Infectious period is 10 days from first onset of symptoms
  - ▶ Return to school can happen after: 10 days from first onset, reduction in symptoms, no fever for 3 days.
  - ▶ 14 days refers to exposure window - if I'm exposed and 14 days later no symptoms, then I'm in the clear
  - ▶ "Trust the system" no ability to request info on diagnosis status or timelines or when return date was provided
  - ▶ DBH says no note required to return. Not in the orders

- ▶ Cross Cohort concerns - recess and lunch, teacher reassignment
- ▶ Anyone working cross cohort needs to maintain distancing 2m while working with students in that cohort
- ▶ District position is that classrooms with sinks don't need hand sanitizer. We disagree. They currently won't give it and if you bring your own, you're not supposed to share with students
- ▶ Plexiglass continuing to be denied, district position is that it will not be provided for between students or in situations where 2m between teacher and students is required

# Remedy

- ▶ We think used up remedy from 2019/2020 except for (postings that were not filled)
  - ▶ Britannia
  - ▶ Elsie Roy
  - ▶ Oppenheimer
  - ▶ Crosstown
  - ▶ Seymour
  - ▶ Queen Victoria
  - ▶ Osler
  - ▶ Cook

The background features abstract, overlapping geometric shapes in various shades of green, ranging from light lime to dark forest green. These shapes are primarily located on the left and right sides of the frame, leaving a large white central area. The shapes are layered, creating a sense of depth and movement.

Discipline

# Vancouver Collective Agreement

## Evaluation - C.22.1-5

- ▶ “coaching tool” for administrators to observe and provide feedback to teachers
- ▶ Set criteria about instruction, assessment / reporting, communication with parents, classroom management, ongoing learning, differentiation of instruction
- ▶ Satisfactory or Less than Satisfactory Performance

## Discipline - C.22.6

- ▶ Discipline or Dismissal for Reasons other than Less than Satisfactory Performance

# Discipline

- ▶ Investigation initiated by VSB Labour Relations / Human Resources
- ▶ Investigation may include
  - ▶ Students
  - ▶ SSSWs / Supervision Aides
  - ▶ Administrators
  - ▶ Teachers\*
- ▶ Meeting held at the Board with VESTA representation
- ▶ Opportunity for member to respond to allegations / concerns
- ▶ Outcome determined by Board
- ▶ Subject to Grievance Process

# Possible Disciplinary Outcomes

- ▶ Letter of Expectation
  - ▶ Resides in school file only, if even
  - ▶ General statements to ensure understanding of expectations
- ▶ Letter of Discipline
  - ▶ Resides in district personnel file for 5 years
  - ▶ Specific statement about individual's actions and responses in the discipline meeting
  - ▶ Copied to the Provincial Conduct Unit at the BC Teachers' Council
- ▶ Suspension
  - ▶ Without pay
  - ▶ Can be appealed to VSB trustees
- ▶ Dismissal

# Examples of matters that can result in disciplinary investigations

- ▶ Theft of time (misuse of sick leave, pro-d days etc.)
- ▶ Inappropriate interactions with students
- ▶ Insubordination
- ▶ Failure to follow procedures
- ▶ Supervision of students
- ▶ Lateness
- ▶ Substance use at school

# Concept of “progressive discipline”

- ▶ allows for discipline to become increasingly severe with recidivism
- ▶ Being overgeneralized by VSB
- ▶ Topic of discussion at Joint VSB Unions Meetings
- ▶ VESTA pushing back through grievances and direct communication with district
- ▶ Need for trauma informed practice
- ▶ VESTA has concerns about oversight

# BC Teachers' Council

- ▶ Provincial body with oversight
- ▶ Professional Conduct Unit
  - ▶ Reviews disciplines conducted by School Districts
  - ▶ May initiate their own investigation
  - ▶ Connected to Professional Standards for BC Educators

# Professional Standards for BC Educators

1. Educators value the success of all students. Educators care for students and act in their best interests
2. Educators act ethically and maintain the integrity, credibility and reputation of the profession
3. Educators understand and apply knowledge of student growth and development
4. Educators value the involvement and support of parents, guardians, families and communities in schools
5. Educators implement effective planning, instruction, assessment and reporting practices to create respectful, inclusive environments for student learning and development
6. Educators demonstrate a broad knowledge base and an understanding of areas they teach
7. Educators engage in professional learning
8. Educators contribute to the profession
9. Educators respect and value the history of the First Nations, Inuit and Metis in Canada and the impact of the past on the present and the future. Educators contribute towards the reconciliation and healing. Educators foster a deeper understanding of ways of knowing and being, histories and cultures of First Nations, Inuit and Metis

# Tips for Staff Reps

- ▶ Confidentiality is very important
- ▶ Advise members never to talk to a school or district Administrator without union representation
- ▶ Take notes
- ▶ Refer members to section C.22 of the Collective Agreement and notify the VESTA office
- ▶ If matters pursued by the Professional Conduct Unit, BCTF will assign a lawyer to support the member
- ▶ Difference between evaluation and discipline
- ▶ It's not a TV courtroom

# School Liaison Officer Review

# Quick review

- ▶ Global response by Black and Indigenous people, People of Colour (BIPOC or IBPOC) in response to racist Police Brutality
- ▶ Publicity in US but serious issues also at play in Canada
- ▶ Concerns raised by secondary students and families regarding the role of police in schools, including the School Liaison Officer program
- ▶ Initial program was very different from current model
- ▶ Questions being raised about the role and efficacy of uniformed, armed police in schools and the role
- ▶ Disproportionate numbers of IBPOC students and youth continue to be identified and incarcerated
- ▶ Students report feeling unsafe at school with police presence

# BCTF and VESTA positions

- ▶ June 4<sup>th</sup> statement against racism and police violence
- ▶ June VESTA Staff Rep Assembly carried a motion asking the board to suspend the SLO program until such a time that work has been done to address systemic racism in law enforcement
- ▶ June VESTA SRA also asked staff reps to discuss the attendance of SLO officers in school activities and bring a recommendation to Staff Committee to advise the principal of teachers' position
- ▶ BCTF undertaking a research project that explores the experiences of British Columbia Indigenous, Black, and People of Colour educators and students in relation to school liaison/school resource officers.
- ▶ BCTF doing an analysis of police and education budgets across BC.

# Events that followed:

- ▶ VSB trustees made a motion to review the SLO program
- ▶ Also defeated a motion to suspend the SLO program while review was underway
- ▶ Trustee Fraser Ballantyne made racist comments in the meeting, VESTA and other partner groups called for his resignation
- ▶ Trustee Ballantyne agreed not to attend or vote at Board meetings and to do some anti-racism work
- ▶ Update in late October - no progress at all has been made
- ▶ BIPOC community members denied right to present at Board meetings on this matter

# Motions from November 10 EC

- ▶ That VESTA continue to advocate for the progression of the Board's School Liaison Officer review, at every opportunity and that updates on the Board's progress regarding the review be provided regularly at [VESTA] Executive Committee meetings.
- ▶ That VESTA initiate an education campaign among members about the deleterious effects of School Liaison Officer programs with input from Social Justice and Solidarity and Communications Committees.
- ▶ That VESTA initiate a public education campaign about the negative effects of the School Liaison Officer program and provide information including possible parent options to withdraw consent for their children's participation.

For Teachers

For Parents

Member Portal

Professional Development

TeachBC

BCTF Online Museum



**BCTF** *Advantage*

[Home](#) > [Social Justice](#) > [Action Groups](#) > [Antiracism](#)

## Antiracism

The BCTF Antiracism action group works within the Committee for Action on Social Justice and provides professional support for teachers with the issues of racism. Our goal is not only to address but to eliminate all forms of racism from our schools and communities.



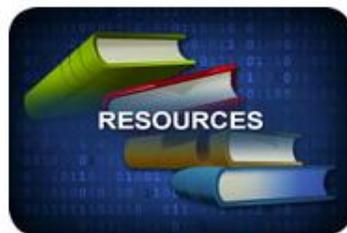
Dates, advocacy, actions



Lesson plans



Policies and regulations



Resources



Workshops



Poster resources



- About Us ▾
- Member Services ▾
- Committees ▾
- Sections
- Adult Educators
- Anti-Racism ▾**
- Covid-19 Communications for Members

- Publications ▾
- Forms/Documents ▾
- Calendar

Support for teachers talking about the VESTA VPD motion  
Anti-racism resources and supports for teachers  
Member Communication  
Resources

K-12 Collective Agreement

AE Collective Agreement

Events Calendar:

