



Stronger Together

September 11, 2020

VESTA Weekly

Topics Worth Talking about! Please read and discuss with your colleagues

Option 4 – Transitional Learning and Teacher Workload

The Vancouver School District has opted to offer a Transitional Option to parents. The Federal funding of \$242 million to support BC's Restart Plan is available to districts and can – and should! - be used to increase staffing levels in schools. VESTA has been advocating with the district and at the provincial level through the BCTF to repeatedly affirm that teachers CANNOT ethically or safely teach both in-class and remote components of the two discrete programs. While we support the district decision to maintain funding within schools, we know that the additional federal funding will support the protection of school based staffing and ALSO provide additional support in the form of contract teachers and TTOCs staffing to support those students whose families chose Option 4 for the return to school.

Your VESTA reps are working with VSB Senior Management, the Superintendent and Trustees to assert teachers' concerns with this model and discussions about the expending of that funding are underway. Teacher workload has ballooned out of control during COVID and the additional suggestion of remote assignments on top of in-class is unreasonable, especially when other options are available, and have been presented by the union. See below for information on "Work Now, Grieve Later".

Consultation \neq Consent

You will have heard, and you will likely continue to hear about the efforts of your colleagues and your union through the summer, participating in consultation with the district and government. First of all, we'd like to acknowledge and appreciate the tireless work of BCTF Advisory Committee and Provincial Specialist Association members through the summer providing feedback, instruction and pressure in service of all members and a safe and equitable return to school.

As we well know, consultation is not consent. Participation in those meetings has been a key part of our strategy to educate the Provincial Health Office and the Ministry of Education (alas!) about the lived realities of teachers and schools, and why a full return and the learning cohort model are not acceptable models for an educational setting. We have taken every opportunity to provide your feedback on the untenable workload and unsafe conditions many of us experienced in June. While we see some small acknowledgments in the Provincial and District Restart Plans, there remains a significant disconnect between the rhetoric we're hearing in the media and ministry announcements and the reality teachers experience on the ground.

In short, just because VESTA and the BCTF had an opportunity for consultation and feedback does not mean that teachers agree with the plans. We are aware of some mixed messaging here in Vancouver from school admin teams, and we wanted to take the time to confirm that at no point was VESTA in support of the District Restart Plan or the hybrid model contemplated by Option 4. If you are uncertain about information you are receiving about any aspect of the District or Provincial Plan, please contact your school based Staff Rep or your Health and Safety Reps.

Health and Safety Reminders

This past week and in the weeks ahead, a significant concern for all teachers will be the appropriate and sufficient implementation of the District Health and Safety Plan. VESTA has heard from many members that there are concerns with the consistency and application of the Health and Safety plan. In order for us to continue to advocate for safer working conditions, including reduced density, teachers need to follow Worksafe processes when they encounter any Health and Safety issues at their worksite.

By now, all staff should have received an orientation on the [VSB COVID-19 Health and Safety Protocols](#) from their administrator (TTOCs will receive their orientation on their first call-out). These protocols (along with those from [Worksafe, the BC government and the BCCDC](#)) are the guidelines for Health and Safety procedures put into place at your school. For example, there are detailed requirements around health assessments, mask wearing, learning groups and physical distancing.

If you have any safety concerns, see your administrator who is responsible for finding an immediate solution. You should also inform your Health and Safety Rep so they can follow up if necessary through a site based Health and Safety Committee meeting. Your VESTA H&S rep can also advocate for you and seek support and information from the VESTA Office on your behalf.

Unsafe work is when performing a task creates an undue hazard: something that is unwarranted, excessive or disproportionate. If you have not yet done so, elect two VESTA Health and Safety reps at a VESTA meeting, and one of them should attend site based H&S committee meetings.

Remember for any worksite injury or violent incident to fill out a [6A form](#). The Worksafe BC process for refusal of unsafe work (a task that puts you as a worker at risk) is outlined on the VESTA website [here](#) and [here](#).

Thanks for doing this important work!

Work Now Grieve Later

This is a concept established in Labour Law that requires workers to follow the direction of their supervisor. It is meant to ensure that the grievance process is the mechanism for resolving problems in the workplace and that the employer maintains the right to direct their employees.

If your principal or vice principal directs you to do work that you feel is not within your contract, our advice has always been that you should ask if they are directing you to do the work and ask for the direction in writing, to avoid any misunderstandings and to document the direction, and then to contact your union. While the grievance process is underway, the employee should follow the direction of the employer. The exception to this workplace rule is the refusal of unsafe work. If an employer directs an employee to undertake work that creates an undue hazard, the employee needs to report the unsafe work to the principal who is required to investigate the hazard.

Any member can file a Step 1 grievance at the worksite if your Collective Agreement rights have been violated. Grievances are appropriate when your established rights are not upheld or are otherwise withheld. Grievances are not a tool to gain rights that we do not already have established through our Collective Agreement or other statute. Please contact your Staff Rep if you have questions about grievances or the concept of “Work now, grieve later”.

Accommodations

During COVID-19, the process for accessing a medical leave or accommodation continues as usual. Members who have medical issues can email leaves@vsb.bc.ca to request an accommodation or a leave. The email should be accompanied by a doctor's note or indicate that an appointment is upcoming and will be provided shortly.

While the board continues to say that there is no remote work available associated with the transition option for students, VESTA continues to advocate that the work be done by teachers other than classroom teachers, and more specifically by teachers whose medical conditions demonstrate that they are in need of an accommodation first and foremost.

It is important to cc allison@vesta.ca as the board has recently been willing to discuss accommodations of specific members if the union has been cc'd on the request. For the union to advocate for accommodations it is important to know the extent of the requests in the district as well as the specific situations for individual members.

Normally we ask that you do not email us on your vsb email, but for this purpose members should email leaves with their vsb email and can cc Allison. Note that if the email is addressed to leaves the union will not normally respond. For more information about accommodations or leaves please email allison@vesta.ca

You can find out about the BCTF Health and Wellness Program [here](#).

VESTA Collective Agreement DID YOU KNOW?

Article C.2. provides for the porting of seniority from other BC public school districts. The amount of seniority a teacher can port was increased from 10 to 20 years in the most recent round of bargaining.

Article C.2.2 requires that the porting process be initiated within 90 days of receiving a continuing appointment in the new school district. Make sure you are able to access this right and submit the VSB district verification form as soon as possible after achieving your continuing contract. The same time frame and process applies to the porting of up to 60 days of sick leave, which can be found in Article G.1.

Reminders:

Please elect your VESTA School Union Rep Teams as soon as possible and forward contact information to the VESTA office. Your School Union Rep Team includes your Staff Rep(s), Health and Safety Reps, Staff Committee Chair and Professional Issues Chair.

The VESTA Website has copies of important Health and Safety documents and resources, as well as an archive of all VESTA communications regarding COVID and the Restart plan, including the [powerpoint](#) presentation from Tuesday's information session.

The BCTF will be hosting weekly livestream updates and/or townhall information sessions throughout the fall on COVID related matters. Please check your email for dates and links.

Upcoming events:

VESTA EC – September 15, 4PM

VESTA General Meeting and Staff Rep Assembly – September 22, 4PM

TTOC Committee Meeting - September 24, 4PM



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VESTA

The Vancouver Elementary School Teachers' Association is the union representing elementary teachers and adult educators working in public schools in Vancouver.