

HUMAN RESOURCES COMMITTEE - PUBLIC MINUTES
Tuesday, December 3, 2019 8:45 a.m. – 9:30 a.m.

In Attendance: Trustee Brown, Trustee Donahue, Associate Superintendent Kim Martin, Renee Willock (WVTA), Cathie Ratz (WVAA), Steve Rauh (WVAA), Monica Scoles (DPAC), Stephanie Mascoe (HR), Megan Lau (HR), Samarra Bohonis (HR)

Regrets: Bruce Scott (WVMEA)

The meeting commenced at 8:45 a.m. and was chaired by Trustee Brown.

1. Provincial Teacher Bargaining (Kim Martin)

The BCTF and BCPSEA held fifty-one (51) days of bargaining. Very few issues were resolved between the Parties so BCPSEA applied for mediation on June 18, 2019. Mediator David Schaub was appointed the same day to assist the parties in reaching a renewed Collective Agreement.

Mediator Schaub met with the parties for sixteen (16) days between July 2, 2019 and September 27, 2019. No agreement was reached.

On September 27, 2019, BCPSEA requested that the mediator provide a report to the Associate Chair of the Labour Relations Board. Each party made submissions to the mediator outlining what they believed would be acceptable for a renewed collective agreement.

November 1, 2019 the mediator provided his report to the parties which included recommendations for a renewed collective agreement. The recommendation was essentially a roll over of the current collective agreements with 2% wage increases in each year; some enhanced leave provisions for teachers; an ability to port seniority of up to 20 years between districts; and \$25.6M in “Service Improvement Allocation” to be discussed and allocated by the parties.

The BCTF rejected the recommendations. The BCTF is seeking to enhance teacher working conditions around class size and composition in all school districts. The BCTF is also seeking compensation increases outside the provincial mandate.

The BCTF has not taken a strike vote so no strike action is imminent. The next large BCTF meeting occurs at the end of January 2020.

The mediator remains engaged and future bargaining dates may be set.

2. **Recruitment** (Stephanie Mascoe)

Teachers

We currently have nine (9) postings (elementary and secondary) that are either open or in progress. The vacancies are due mainly to medical or maternity leaves.

Although we are pleased with the quality of candidates applying to the vacancies, there continues to be a trend of fewer applicants for each posting.

We are also pleased to report that we have been able to attract some teachers back to West Vancouver. These teachers originally left the district to work in other metro districts but have recently returned to teach in West Vancouver. This is a positive sign and one we want to build on.

The university career fairs commence early in the new year. This year, we will be attending career fairs in Eastern Canada to attract teachers to West Vancouver. Last week, we held another successful Mix and Mingle for the university students who graduate in December 2019. We have offered and recruited a few already. We will continue to host more of these informal sessions as the feedback is very positive. Lastly, we are encouraging all schools to take on university practicum students as a great resource for future West Vancouver teachers. It provides us with an opportunity to assess skill in the teaching environment and to determine if they are a good fit for our schools.

Support Staff

There are very few open vacancies in support staff. We continue to post for a painter in the facilities department. Unfortunately, there has not been much interest in the position. The facilities department is reviewing the need for a red seal painter.

We have a new position in Information Technology, the IT Operations Assistant, which will be a customer based first response person. The posting just closed and we will review candidates this week.

We have attended CDI college in Richmond and the Vancouver Career College in Burnaby to talk to potential Education Assistant candidates. We bring a successful EA to the sessions to talk about working life in west Vancouver. Two additional visits are scheduled for Capilano University and Langara.

Exempt Employees

We are pleased to welcome Shayle Duffield as Manager of Accounting. Shayle has spent the past six years working for the Bowen Island Municipality, progressing from Senior Accountant to Deputy Finance Officer and Human Resources Coordinator. Prior to that she worked as a self-employed accountant and bookkeeper for a variety of organizations around the lower mainland.

Jennifer Towers will be joining the leadership team as Secondary Vice Principal at Rockridge Secondary School. Jennifer has been with the West Vancouver School District since 2000, as science teacher, and over the last five years as IB MYP Coordinator at Rockridge Secondary.

3. Health & Safety / Wellness (Samarra Bohonis)

The annual flu clinic was held on November 22nd. We were able to secure three nurses this year which meant the wait times were virtually non-existent. We originally scheduled a date in October, but the vaccine was not available and we had to delay a month. Turn out was down slightly which may be due to the delayed date.

4. Legislation Review (Kim Martin)

With a change in government comes a change in legislation. Many of the changes were in place the last time we had an NDP government.

a. Human Rights

The Human Rights Commission has been re-established. The Commissioner is Kasari Govender. The Commissioner has broad powers to prevent or eliminate discriminatory practices.

The Human Rights tribunal time limits have been extended. The time limits for filing a complaint have been extended from 6 months to one year. This could prove difficult for employers who only become aware of a complaint a year later and find themselves in a position of having to investigate old facts.

b. Labour Relations Code

The Liberal government changed the Code to allow Employers to communicate with employees during union organizing campaigns. The new language in the Code restricts employer free speech during organizing campaigns.

Educational programs for students have been eliminated from the essential service language. However, there remains an ability to apply for some aspects of education to be protected under the “welfare of British Columbians” essential service language. A good example would be the assessment and reporting required for grade 12 students leaving public education for post-secondary.

Rules regarding expedited arbitration have been increased requiring an application in 15 days; conclusion of the arbitration within 90 days; a written decision from the arbitrator within 30 days; and, arbitral decisions of no more than 7 pages.

c. Employment Standards Act

The rule for unionized employers to “meet or exceed” the language of the Employment Standards Act has returned. There were lots of decisions and much litigation about this provision in the past. Lawyers will need to dust off the old case law to reapply it to today’s context.

Teachers, teacher aides, supervision aides are excluded from the provisions about pay days; hours of work; and overtime. The language of our collective agreements will prevail in these circumstances.

New leaves have been implemented for Critical Illness (up to 36 weeks of unpaid leave) and Domestic or Sexual Violence leave (10 days unpaid + 15 weeks unpaid for counselling, relocation, etc.)

Payroll records must now be kept for four (4) years instead of two (2) years.

Children under fourteen (14) years cannot be employed. Children 14-15 years of age require parental consent and are limited to “light work”.

d. WorkSafe BC

Government initiated an independent panel to review the workers compensation system. Ms. Patterson was appointed to conduct the review which included public consultation. However, in August 2019, forty-six (46) employer groups dropped out of the review process claiming that Mr. Patterson was biased. The government has not responded to the claims of bias.

Employers should anticipate significantly higher costs; potential criminal prosecutions; more penalties and higher penalties.

5. Professional Development

(Stephanie Mascoe & Kim Martin)

We hosted the October Professional Development Day for our WVMEA employees on October 25th. The feedback was very positive especially for keynote speaker Richard Stock. Dr. Stock is a Board Certified Behaviour Analyst and has taught in the Applied Behaviour Analysis – Autism department at Capilano University since its inception in 2009.

Through the follow up survey, people have asked for more sessions on mental well-being and stress. We will look for something appropriate for the May professional development day.

On the November 18th professional development day, we offered First Aid recertification. HR partnered with our Emergency Preparedness consultant, Jocelyn Hewson, and did a presentation to our custodial employees. Stephanie Mascoe also did a joint presentation with the WVMEA to review the new collective agreement. HR has been invited back to future custodial meetings to present about benefits.

We also held a session for secondary administrative assistants with legal counsel entitled: Parents, Documents and Privacy. The program was a success and counsel has agreed to return on the May professional day to provide the same program to elementary administrative assistants.

For the facilities employees, we are offering a series of lunch and learns. We held a session about bargaining and the new collective agreement; Samarra and Megan reviewed health and safety; and Diane Nelson reviewed the Academies and how the facilities role supports the programs we offer students. Superintendent Kennedy is scheduled to provide a session about the future of public education in the new year.

6. Long Term Disability Plan

(Kim Martin)

The Long Term Disability plan covering all exempt employees including principals and vice principals has been in place for thirty (30) years. There was no rate increase to the plan from 2004 through 2017.

There has been a substantial increase in claims which is resulting in a twenty-seven percent (27%) increase in monthly premiums. The increase is being communicated to affected employees by the Payroll & Benefits Manager.

The meeting concluded at 9:10 a.m.