

## MEMORANDUM

To: Principals, Vice Principals and Education Assistants  
 From: SD79 and CUPE local 5101  
 Date: June 6, 2018  
 Re: EA deployment

In an attempt to resolve Grievance 18-01 (Policy), an ad hoc committee was formed consisting of 4 members from the employer, including 2 principals, and 4 members from the union, including 3 EAs, as well as an independent facilitator.

The committee meetings (4 in total) led by a facilitator, began in mid-May. The mandate was to build a better understanding on both sides of the issue related to the Employer's desire to have Education Assistants (EAs) assigned to schools rather than assigned to defined students or duties.

We are happy to report that the Committee was able to work together collaboratively and create a model that addresses both the needs of the employer and of the union.

It was recognized that the employer needs flexibility in the schools in order to create "best fit" for students and EAs and that students cannot be sent home. It was also recognized that EAs want to be a regular part of a school team and have their voice heard. We agreed that it is important to work together as a team and all support each other. We are hopeful that the process of implementing a new model, which includes guidelines, will create improved communication at sites with EAs and create a better learning/working environment for all.

We have attached the Letter of Agreement that was reached between both parties. As you will see, this agreement is on a "trial" basis and can be revisited. It will likely continue to evolve as we move forward with this new model of EA deployment. We have done our best to address the needs and concerns brought forward by both parties, and will monitor situations should any arise.

There will be an opportunity for EAs to ask questions of the employer and the union at the Pre-Assignment meeting from 4:00 – 5:00 pm, Wednesday, June 27<sup>th</sup> at Quamichan Campus.

SD79: \_\_\_\_\_

CUPE \_\_\_\_\_

Committee	
Employer	CUPE
Tim Ylagan, District Principal, Support Services	Tara Brooks, President
Vanessa Lysne, Human Resources Officer	Nancy Fee, Vice President, EA
Craig MacLeod, Principal	Annette Dawes, EA
Venessa MacDowell, VP or Karen Petersen, Principal	Makiko Johnston, EA

## LETTER OF AGREEMENT

BETWEEN:

**THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 79 (COWICHAN VALLEY)  
(Hereinafter referred to as the "Employer")**

AND:

**CANADIAN UNION OF PUBLIC EMPLOYEES  
LOCAL 5101  
(Hereinafter referred to as the "Union")**

WHEREAS the Union has served notice of grievance 18-01 on behalf of the Education Assistants that *the Employer violated Article 15 (a) and Article 35 of the current Collective Agreement (and any other articles that may apply) by not honouring chosen positions from the June 2017 assignment meeting and as a result seniority is being ignored.*

AND WHEREAS the Employer has stated their intent to move towards school-based assignments for Education Assistants for the 2018/2019 school year.

AND WHEREAS at Step 3 of the grievance process the Employer and Union formed a Committee to review and make recommendations on a process to allocate Education Assistants for the 2018/2019 school year.

AND WHEREAS the Employer and Union agree that by implementing the recommendations of the Committee that grievance 18-01 will be concluded.

IT IS AGREED:

1. This agreement will be effective for the 2018/2019 school year with the understanding that the issues will be discussed again in bargaining.
2. The deployment of Education Assistants will be site based and fluid throughout the year based on Education Assistant shortages, changing needs of students and site requirements.
3. The site Administrative Officers will hold a meeting with existing Education Assistants in June prior to the Assignment Meeting to discuss potential site requirements for the following September.
4. All Education Assistants will have bumping rights for the 2018/2019 Assignment Meeting.
5. Positions will change from the previous numbering system to a School-Position format (i.e. DRK-BHV). Where multiple positions occur within the same location and job description, Education Assistants will fill those positions by seniority and qualifications until the school allotment is complete.

6. In the event of the elimination of a position before September 30<sup>th</sup>, the most senior Education Assistant assigned to the site and job classification will have first rights to exercise their bumping rights. If the most senior Education Assistant does not choose to exercise their bumping rights the next senior person will be provided the option until a position has been eliminated from the site. He or she can take up to 24 hours to make their decision. The person vacating the position will receive 15 working days to claim a position as per Article 17 of the Collective Agreement.
7. A consultation form will be provided to Administrative Officers and Education Assistants in order to standardize the process across all sites. The Administrative Officers will use the forms to assist in deploying EAs on-site. The EA consultation form is an opportunity for EAs to list details regarding strengths and preferences. Administrative Officers will meet with the EA team in September regarding on-site deployment.
8. When deploying Education Assistants the Administrative Officers will consider the following:
  - a. Student needs
  - b. School context (intervention history, student dynamics, school climate, supports, etc.)
  - c. Job descriptions
  - d. Education Assistants' seniority, strengths, qualifications and input
9. Education Assistants that are changing sites will be encouraged to contact the Administrative Officer of the new site in June to inquire about the needs of the site for September.
10. This agreement is on a without prejudice and without precedent basis.

Dated this   6   day of June, 2018.

  
\_\_\_\_\_  
**THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 79 (COWICHAN VALLEY)**

Dated this   6   day of June, 2018.

  
\_\_\_\_\_  
**CANADIAN UNION OF PUBLIC EMPLOYEES  
LOCAL 5101**

**EA Consultation Form 2018/2019**

Education Assistant Name: \_\_\_\_\_ Seniority # \_\_\_\_\_

Although positions are dynamic throughout the year, your qualifications, preferences and experience will be considered in the building of supports based on student(s) and school needs.

Job description claimed at the Assignment meeting (BHVR, PC, SPC etc): \_\_\_\_\_

Qualifications included in the site position you claimed (swimming, ASL etc), please list:

\_\_\_\_\_

Some site deployment considerations in no particular order:

- experience
- seniority will be a consideration
- the right 'fit' (school philosophy/program needs)
- school team
- qualifications/certification/training
- expertise

Any assets you may have:

- \_\_\_\_\_
- \_\_\_\_\_

Do you have a grade area preference?

- \_\_\_\_\_
- \_\_\_\_\_

What areas are you least interested in?

- \_\_\_\_\_
- \_\_\_\_\_

Any other thoughts/ideas you think I should be aware regarding how you could best be deployed (areas of interest, strengths, passions, recent training, pertinent job experience, other?)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Thank you for your input!

*Please return to me by \_\_\_\_\_ You are welcome to book a meeting time to discuss specifics in person.*

Administrator: \_\_\_\_\_ School: \_\_\_\_\_