

Without Prejudice

LETTER OF UNDERSTANDING # 9

BETWEEN

THE FORT MCMURRAY CATHOLIC BOARD OF EDUCATION
(Hereinafter called "the Employer")
Party of the first part

THE CANADIAN UNION OF PUBLIC EMPLOYEES LOCAL 2559
(Hereinafter called "the Union")
(Party of the second part)

Whereas the employer and the Union are party to a Collective Agreement establishing wages and working conditions in accordance with the Labour Relations Code of the Province of Alberta;

And whereas this agreement is binding and to remain in effect until **October 31, 2016**

And whereas changes to this agreement may be made by mutual agreement at any time as per article 1.2 of such agreement;

And whereas both parties are invoking article 1.2 to make such changes

NOW THIS AGREEMENT WITNESSED that in consideration of the premises, the parties hereto agree to make changes to the agreement as follows:

Delete Letter of Agreement # 9 – Placement between School Years and current article 16.3 and replace by the following new Article 16.3 – Placement between School Years as follows:

16.3 Placement between School Years for 2016-17

The placement procedure for 2016-17 School Year is based the concept of maintaining the education/workplace environment as stable and consistent with focus on minimizing staff changes. Keeping a stable and consistent environment as possible we believe should reduce anxiety and stress on employees, students and schools.

Due to loss of access to Good Shepherd and Father Beauregard schools for 2016-17 School Year the affected employees will be combined with Father Turcotte School staff but only for the 2016-17 School Year.

The employer will provide an updated Seniority List to the Union based upon 30 June, 2016 date.

Probationary employees who are within their sixty-five (65) working day period will have the number of accumulated working days stopped as of 3 May, 2016. Upon return to active employment, within their job classification, the working days will continue to accumulate until their probationary period requirements in accordance with Article 14.4 have been met.

The placement procedure between school year of permanent employees to funded Instructional Support Group positions will be as follows:

PROCEDURE

Step 1 - Funded Positions

On or before 19th of August, 2016 the employer shall:

- a. Determine which instructional support positions will be funded at the start of the next school year;
- b. Prepare a list of all funded positions for each schools/sites;
- c. For each funded position, the following information will be provided:
 - i) Classification (e.g. EA 1, EA2, EA 3 or EA 4 or combination thereof);
 - ii) Assignment as described on Schedule B (e.g. Behaviour 42, Literacy, ESL, etc...);
 - iii) Division defined in the following groups
 - (1) ECS;
 - (2) Elementary (Gr 1-6)
 - (3) Junior High (Gr 7-9);
 - (4) Senior High (Gr 10-12);
 - (5) High School (Gr 7 – 12); or
 - (6) All
 - iv) Any specialized qualifications/working conditions such as a specific medical procedure or sign language and/or working conditions such as participating in a swimming or home programming.

Step 2 – Assignment of positions

For each location and for each funded position, the employer will re-assign eligible employees, in order of seniority, to their position/assignment, based on their 2015-16 “position/assignment”.

- a) “Position/assignment” is defined as the Classification-Assignment-Division an eligible employee permanently occupied as of May 1st. “Position/assignment” does not refer to any specific children/student(s) or a specific grade level;
- b) Employees that do not wish to remain in their current position/assignment will not be assigned to a funded position and will be placed on the District Recall List

Eligible permanent employees not assigned to a funded position, in order of seniority, will first be offered a vacant funded position at their school/site for which they are qualified and have the required competencies.

Should no vacant position of same or higher classification be available, the employee may exercise their bumping rights within their school/site and bump the least senior employee in a funded position of the same, higher or lower classification for which the employee is qualified and has the required competencies.

This does not apply to eligible employees who elected to be placed on the District Recall list.

Step 3 - Posting of Vacant Funded Positions

No later than seven (7) working days following the completion of Step 2, a list of vacant funded positions will be posted electronically for a period of three (3) regular working days.

All permanent employees including those on the District Recall List may apply for any of the vacant positions for which they have the qualifications and competencies. Placement will occur in accordance with article 15.2;

Step 4 – District Recall List Placement

Once Step 3 has been completed, the remaining District vacant positions will be prepared and posted electronically;

In order of seniority, the employees will be offered placement in remaining positions for which they are qualified and have the required competencies.

A list of permanent employees remaining on the District Recall List will be provided to the Union by September 15th.

General

Employees employed in the Program Unit Funding (PUF) are classified based on special education codes. Given that PUF is normally provided only for one (1) school year, employees will be automatically re-classified as EA2 – PUF 47 at the end of the school year. Re-assignment within the PUF program will be made as the grant applications are processed and approved by Alberta Education.

It is understood that individual children/students shall not be attached or referred to in any specific position or employees as part of the placement procedure.

The employer will endeavour to inform employees of their planned assignment for the next school year once the placement procedure has been completed and before the end of the school. Both parties clearly understand that such information would only be preliminary and subject to change.

In circumstances where an employee works with an individual student, such placement shall normally not exceed two (2) consecutive school years. Such cases will be on a case-by-case basis depending on the student's needs.

Placement for the Child Care Services sub-group will be held separately, using the same procedure outlined in this Article.

Employees in the Aboriginal Learners and Journeyman/Technical Instructional Program are excluded from the Placement between School Years procedure.

The employee shall have the right to access union representation throughout the process.

SIGNED, SEALED AND DELIVERED
In the presence of:



WITNESS



WITNESS

FORT MCMURRAY CATHOLIC BOARD OF
EDUCATION


Per: 

SUPERINTENDENT

Per: 

SECRETARY-TREASURER

CANADIAN UNION OF PUBLIC EMPLOYEES,
LOCAL 2559

Per: 

PRESIDENT

Per: 

BARGAINING COMMITTEE
REPRESENTATIVE

SIGNED THIS 18 DAY OF August, 2016