

SETTLEMENT AGREEMENT
Between
SCHOOL DISTRICT NO. 36 (SURREY)
and
SURREY TEACHERS' ASSOCIATION (STA)

Grievance 1516-021: Failure to Shortlist Candidates on the Basis of Seniority

The parties acknowledge the following:

1. The union filed its grievance alleging that the district was not shortlisting applicants in Round 1 & 2 positions based on seniority and qualifications.
2. The union provided 11 examples that it felt demonstrated the ignoring of more senior, qualified applicants.
3. The district reviewed these examples and is of the view that in each instance all senior qualified, and available applicants were considered.
4. The union did not agree with the findings of the district's review.
5. Both parties acknowledged that more comprehensive information on all applicants considered for postings was necessary for the union to reasonably assess whether it had a grievance to pursue on the issue of whether senior, qualified applicants were being considered.

The parties agree on the following terms and conditions to fully resolve the above noted grievance:

1. The district will:
 - a. Continue to shortlist applicants based on seniority and qualifications pursuant to Article E.28.6.a of the Collective Agreement.
 - b. Review qualifications of applicants based on one of the following, as applicable:
 - i. Qualifications Handbook – for positions listed in the Job Description Handbook; or,
 - ii. Threshold Qualifications – for positions not included in the Job Description Handbook; or,
 - iii. Minimal qualifications outlined in the job posting.
 - c. Qualified applicants will be shortlisted in order of seniority. All those shortlisted will be offered interviews.

d. Upon a written request from the union, make reasonable efforts to provide the following information to the union within 5 working days:

i. List of all applicants for the posting in order of their seniority which also identifies all shortlisted candidates.

ii. Identifying the reason why senior applicants were not interviewed – i.e.:

1. Not qualified - including identifying area not qualified.

2. Not eligible due to accepting another position.

3. Declined interview:

a. did not respond to offer of interview; or,

b. responded declining interview.

iii. Identifying the reason why senior shortlisted applicants were not awarded the position – i.e.:

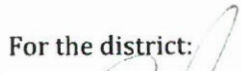
1. Offered & declined position.

2. Offered position & did not respond within timeline.

3. Offered to a junior and more suitable shortlisted applicant.


2. This settlement agreement is without prejudice and will not be referred to beyond the application of this agreement.

For the district:


Chris Stanger - District Principal

February 22, 2018

For the STA:


Joanna Cerazy
Grievance Officer - STA

February 22, 2018