In the Matter of a Mediation under the *Labour Relations Code*

Between:

British Columbia Public School Employers' Association/
Board of Education in School District No. 36 (Surrey)

(the "Employer" or "School District")

And:

British Columbia Teachers' Federation/The Surrey Teachers' Association

(the "Association")

Re: Section 54 Notice – Integration Support Teachers ("ISTs")

WHEREAS:

A. On October 28, 2021, the School District issued without prejudice notice to the Association pursuant to Section 54 of the *Labour Relations Code* (the *"Code*") of British Columbia regarding the prospect of making certain IST assignments school-based rather than District-based (the "Proposed Change");

B. The Parties met on January 5, 2022, January 19, 2022, February 9, 2022 and February 17, 2022 to discuss an adjustment plan regarding the Proposed Change and exchange proposals, but were unable to achieve an agreement regarding the Proposed Change;

C. On February 24, 2022, Trevor Sones was appointed as mediator pursuant to Section 54(2.1) to assist the Parties in developing an adjustment plan regarding the Proposed Change; and

D. With the assistance Trevor Sones, the Parties have agreed an adjustment plan on the terms and conditions set out below.

Now therefore, the Parties agree as follows:

1. This agreement satisfies the Employer's obligations under section 54 of the *Code*.

2. Beginning with the 2022-2023 school year, the Employer will make 1.0 FTE IST assignments school-based at sites where the Employer anticipates that the entitlement based on 1701 enrollment figures for the school year consists of:

    I. Over 1.0 FTE; and

    II. Includes an additional part-time assignment equal to or greater than 0.3 FTE.

    (the "IST School-Based Assignments")

3. An IST assignment of less than 1.0 FTE or where the School District does not have sufficient confidence that a 1.0 assignment will be continuing will remain District-based.

4. The processes set out in Sections 5 through 8 of this Agreement will apply to the transfer process for the 2022-2023 school year.

5. An IST who meets the following criteria is entitled to a reassignment into an IST School-Based Assignment in the teacher's current school:

    I. The IST has been in a continuing 1.0 FTE IST assignment since September 5, 2017; and

    II. The IST has been in a continuing IST assignment of 1.0 FTE at the same school since September 8, 2020.

6. An IST who is entitled to reassignment into an IST School-Based Assignment pursuant to section 5 must advise the Employer on or before April 1, 2022 if they wish to remain in a District-based IST assignment.

7. All IST School-Based Assignments not filled pursuant to section 5 will be posted in round #2 pursuant to Article E.26.5 of the Collective Agreement, except that the IST School-Based Assignments will not be available for any internal reassignment for staffing for the 2022-2023 school year.

8. The Employer will provide school-based administrators support with criteria, interview questions and references questions in relation to IST School-Based Assignments.

9. An IST who is reassigned pursuant to paragraph 5 or posts into an IST school-based assignment will have all the rights and entitlements of school-based teachers under the Collective Agreement.

10. Continuing District-based ISTs continue to have all of the rights and entitlements of District-based teachers under the Collective Agreement.

11. The terms and conditions of this Agreement are without prejudice and without precedent in relation to any issues/matters in the School District and any other school district in the Province of British Columbia and without prejudice and without precedent to the Provincial parties on any issues/matters. The terms of this Agreement will not be referred to by the Parties in any other matter or proceeding, except to enforce the terms of this Agreement.

School District No. 36 (Surrey)	The Surrey Teachers' Association
Brian Norris	Jatinder Bir
Authorized Signatory (Print Name)	Authorized Signatory (Print Name)
[redacted]	[redacted]
Signature	Signature
March 8, 2022	March 8, 2022
Date	Date