

SETTLEMENT AGREEMENT

BETWEEN:

BRITISH COLUMBIA PUBLIC SCHOOL EMPLOYERS' ASSOCIATION /
BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 54 (BULKLEY VALLEY)
("Employer")

AND:

BRITISH COLUMBIA TEACHERS' FEDERATION /
BULKLEY VALLEY TEACHERS' UNION
("Union")

(Collectively, the "Parties")

School Calendar Grievance

BCTF File No. 54-2023-0001; Local File No. 54-2022-07; CLASS 23-54-000094

Whereas:

- A. The Board of Education has the statutory obligation to prepare a school calendar in accordance with the *School Act* and School Calendar Regulation which require certain consultation obligations.
- B. The Parties' Collective Agreement provides as follows:
 - D.28.6 On or before May 30th of each school year, a School Calendar for the next school year shall be drafted by the Superintendent, and the President of the BVTU, pursuant to Regulation 8 and forwarded to the Board.
 - F.22.1 The number of Professional Development days shall be determined by this Agreement. The dates will be determined annually by June 15th for the following year by the Board and the Pro-D Committee.
- C. The Union filed a grievance of general application on December 15, 2022 (the "Grievance");
- D. The Parties participated in a mediation with Cathy Knapp on October 24, 2023; and

- E. The Parties wish to fully and finally resolve the Grievance, without the need for arbitration by entering into this Settlement Agreement.

NOW THEREFORE, the Parties agree as follows:

1. Prior to providing the Board with a draft school calendar for its consideration and approval as the proposed school calendar for the purposes of section 5 of the School Calendar Regulation, the Superintendent, or designate, will consult with the President of the BVTU and the Pro-D committee concerning its development. A record of that consultation, including any feedback provided by the union, will be forwarded to the Board in advance of the Board preparing a proposed calendar for public consultation. This consultation meets the Board's obligations under Articles D.28.6 and F.22.1.
2. Nothing in this Settlement Agreement limits the right of the BVTU to provide comments to the Board on the proposed school calendar pursuant to s. 5 of the School Calendar Regulation.
3. The consultation set out in paragraph 1 above, takes effect commencing with the school calendar for the 2025-2026 school year. For the sake of clarity, the next opportunity for consultation in paragraph 1 above is anticipated to be in the fall of 2024.
4. This Settlement Agreement does not prevent the Union from grieving that a school calendar established in the future schedules work in a manner that is contrary to the Collective Agreement and does not bar the Union from grieving a future school calendar based on scheduling features that are present in the 2024-2025 school calendar.
5. This Settlement Agreement is without prejudice or precedent to the respective positions of the BVTU and School District No. 54 (Bulkley Valley) on any other matter not encompassed in the Grievance, and is without prejudice or precedent to any other local and school district (on any matter), and is without prejudice or precedent to the BCTF and BCPSEA (on any matter), and shall not be referred to or relied on by any party in any other matter or process (with the exception of any proceeding regarding the enforcement of this Settlement Agreement or any matter arising with respect to paragraph 7 below).
6. The parties will review this Settlement Agreement should the statutory process for school calendar approval be substantively amended such that the terms of this Settlement Agreement are no longer consistent with statutory requirements and processes.
7. Arbitrator Cathy Knapp retains jurisdiction to deal with any issues arising out of the interpretation, application and implementation of this Settlement Agreement.

8. This Settlement Agreement fully and finally resolves the Grievance.

Signed by:

School District No. 54 (Bulkley Valley)

Bulkley Valley Teachers' Union

Mike McDiarmid
Authorized Signatory (Print Name)

Tanya Davidson
Authorized Signatory (Print Name)

[Signature]
Signature

[Signature]
Signature

Nov. 20/23
Date

November 20, 2023
Date

BC Public School
Employers' Association

British Columbia Teachers' Federation

Stephanie Low
Authorized Signatory (Print Name)

Clint Johnston
Authorized Signatory (Print Name)

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Signature

[Signature]
Signature

November 20, 2023
Date

November 20, 2023
Date