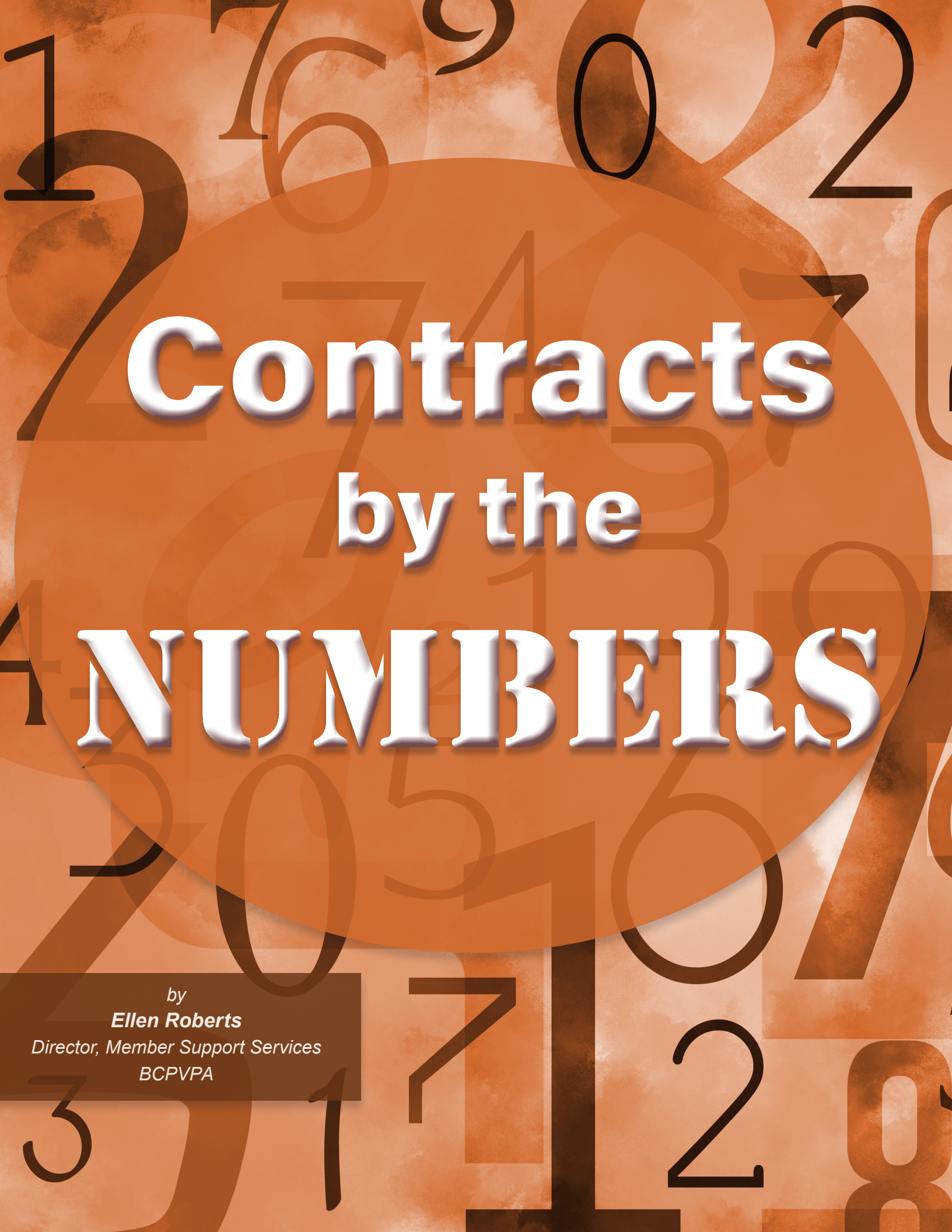




Contracts by the NUMBERS

by

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When we talk about the **numbers** associated with our contracts (employment agreements), it is likely that most people jump to the page outlining their salaries and some of the benefits they will be entitled to in their employment. There is nothing wrong with ensuring that Principal and Vice-Principal salaries and benefits are fair, reasonable, and consistent, but there are other '**numbers**' in these contracts that are important, as they also impact conditions of employment. Not all members' contracts look the same, but there are common elements and clauses among them. This article will identify some of the key *number-related* pieces that are worthy of our members' attention.

QUERY:

Does my contract have an expiry date?
If so, when is it?

Contract Term / Contract Renewal Process

Particularly true in the case of newly-appointed Principals and Vice Principals, a member's contract may be for a set term of, for example, 2 or 3 years, or it may be a 'continuing' contract that does not specify a term or have an expiry date. Each 'term' contract should indicate the date by which the contract will be renewed, and the date the member will be informed if the employer does not intend to renew the contract. In the latter case, the member should also be informed of the reason that the contract will not be renewed. On occasion, an employer will inform a member well in advance of the required date so that the member has the maximum time to consider their options.

QUERY:

When is the next date that my contract or my Chapter's contract will be reviewed?

Contract Review

The contract may indicate the frequency with which the contract may or will be reviewed.

QUERY:

According to my contract, when will I be notified that I am being transferred?

Transfer process

Contracts generally indicate a date by which Principals and Vice-Principals will be notified that they are being transferred to a new work location for the following year. That notice is generally longer in districts that span large geographic areas, as members may be required to move to new communities. There are also emergent situations that may necessitate a transfer of a Principal or Vice-Principal where that notice is not possible. Language in the contract will often include a clause that indicates that exceptions may be made in the case of an emergency.

QUERY:

If I am reassigned, will my salary be 'red-circled' and – if so – for how long?

Re-Assignment

Re-assignment tends to occur in the spring for the following school year, although it may happen at any time. If a member is re-assigned to a lower position with a lower salary, notice and a rationale must be given as per the language in the contract. Look for language around 'red-circling' of the current higher salary for a set period of time, as is common in many districts. Similarly, administrators assigned to positions with higher salaries should find language indicating how their salary is affected moving forward.

QUERY:

Where am I in the cycle of evaluation?

Evaluation

Contracts may indicate the frequency of performance reviews / appraisals / evaluations that the Principal or Vice-Principal can expect in their term.

QUERY:

What notice must I give if I choose to terminate my contract?

QUERY:

If my employer terminates my contract, what severance will I be eligible to receive?

QUERY:

When must I notify the district of my intention to retire? Am I eligible to receive any kind of payout at retirement?

QUERY:

How many sick days do I currently have in my bank? If fewer than 120, will my district bridge me to LTD?

Termination without Cause

Termination without cause refers to bringing the current contract to an end, but not necessarily a termination of the Principal or Vice-Principal's employment altogether. Numbers come into play in terminations without cause in:

- The required notice period for the **Principal or Vice-Principal** to terminate their own contract (= resignation). There may be limited dates during the year when this may occur;
- The required notice period for the **employer** to terminate the employment agreement;
- The length of time the Principal's or Vice-Principal's salary may be 'red-circled' when they assume a teaching position;
- The length of severance available to the Principal or Vice-Principal if they do not return to a teaching position.

Termination for Cause

Terminations for cause do not occur often. They do not require notice by the employer, and employees terminated for cause are not eligible for severance. There are no particular 'numbers' involved as there is no notice or severance for employees terminated for cause.

Retirement

Like termination or resignation, employers stipulate in contracts both the time of year (month/date) and the number of days' or weeks' notice required for retirement. Adherence to this date is especially important for members who may be eligible for a retirement gratuity, or who are planning to take advantage of an Early Retirement Incentive (ERIP), which are available in some districts, as written notice is required for receipt of these benefits.

Sick Leave

Contracts stipulate the rate at which members accrue sick days – the number per month or year. Some districts have a maximum number of sick days an individual can have in their sick bank, whereas in other districts, members continue to accrue sick days their entire career. An employee can use a maximum of 120 sick days in a calendar year before going on LTD. Employees who do not have 120 sick days have a shortened elimination period of 117 calendar days to qualify for LTD.

Sick leave accrual has particular significance for members who are in new districts as a Principal or Vice-Principal and are without the sick bank they accrued as teachers. Employees who move into new administrative positions without a sick bank may be offered some days to start them off – sometimes one years' worth,



and up to 60 days. Employers may refer to these sick days as ‘ported’ from the previous district; this is not accurate, as the old district does not actually ‘give over’ any time to the new district. Rather, it is the new district acknowledging that the employee has accrued days, and choosing to honour them.

There are instances when members require more sick days than they have in their banks to carry them through a difficult time. Approximately 1/3 of school districts provide Short Term Disability (STD) benefits for their Principals and Vice-Principals. These members are able to access STD leave if/when they run out of sick days before they can qualify for LTD. In some districts without STD, employers state in contracts that they will ‘bridge’ the member through the 117-day elimination period when the employee can qualify for Long Term Disability (LTD) benefits. In still other districts, Principals and Vice-Principals have no coverage after they have exhausted their sick banks until they reach LTD. All members are eligible for LTD up to age 65, or 35 years of service.

QUERY:

What is the maternity leave benefit according to my contract?

Leave of Absence

Information regarding the application deadlines for personal leaves of absence – including educational leave and self-funded leaves, as well as the details on the length of various leaves – are outlined in contract or sometimes the accompanying appendices / employment plans. It is important to note that employees are eligible for some leaves through the Employment Standards Act (ESA) of BC or Canada, including maternity / paternity leaves, and compassionate care leaves. The ESA determines the length of the leave an employee is eligible for, and the employer determines if the leave is paid or unpaid, or if there is a top-up (Supplemental Unemployment Benefit (SUB) Plan) to EI benefits, such as with maternity leave.

QUERY:

How many vacation days am I entitled to each year? Can I also access discretionary days?

Vacation Time

Vacation entitlements vary greatly for members across the province. Some districts include the two-week winter and spring breaks; others do not. Some do not specify any numbers at all – days, weeks, or dates. For Principals and Vice-Principals in other districts, each specific vacation date is listed in the contract. Some districts offer one to five discretionary days for Principals and Vice-Principals to take, usually at the discretion of the Superintendent or supervisor.

QUERY:

What is my Pro-D funding allotment this year?

Professional Development

Most contracts or plans will specify the amount of funding available to individuals or Chapters each year for their professional development.

There are many numbers in an employment agreement. If questions arise about any numbers, BCPVPA encourages members to reach out to the Contract Chair of the Chapter, or directly to a Member Support Services Director in the BCPVPA office.

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