



**News on
BARGAINING**



| PLEASE POST |

Date: March 30, 2023

To: All BCGEU Members at Guru Nanak Education Society of BC

Re: YOUR RIGHTS AND ENTITLEMENTS AS UNION MEMBERS, WAGE INCREASES & RETROACTIVE PAYMENTS

ਇਹ ਇਕ ਜ਼ਰੂਰੀ ਸੂਚਨਾ ਹੈ। ਕਿਰਪਾ ਕਰਕੇ ਕਿਸੇ ਤੋਂ ਇਸ ਦਾ ਅਨੁਵਾਦ ਕਰਵਾਉਣ ਬਾਰੇ ਵਿਚਾਰ ਕਰੋ।

Friends,

YOUR RIGHTS AND ENTITLEMENTS AS UNION MEMBERS

This bulletin is being sent to correct some misconceptions that your employer seems to hold about the union and your rights and entitlements under the new collective agreement.

In recent weeks, the teachers at Sikh Academy have received emails from Principal Rishi Singh seeking confirmation of their intention to return for the 2023-2024 school year. Some teachers responded, others did not. The employer then sent a follow-up email on March 26, 2023 wishing well anyone who didn't confirm their intent to return and informing them that the employer is actively hiring for the positions. That notification understandably created concern, stress, and anxiety for those teachers.

The union's position was that the employer's email was tantamount to dismissal without cause and advised the employer that if it did not rescind the email, the union would be filing grievances on behalf of every impacted member seeking that they be made whole in every respect. Principal Singh then sent a follow-up email on March 27 advising that teachers' employment is not in jeopardy. Unfortunately, he failed to fully clarify the confusion. We are writing to provide you with that clarity:

There is no requirement for any teacher or other employee to confirm their intention to continue employment with Sikh Academy. Under the new collective agreement, **all employees** who are not casual or teachers teaching on call **are regular continuing employees**. Your status as a regular full-time or regular part-time employee means it is assumed you will return each year unless the employee and/or employer decide otherwise. **Employment contracts are no longer necessary.** If you're asked to sign one, decline and notify your steward or bargaining committee.

The Ministry of Education and Child Care regulations require the employer to first attempt to hire certified teachers prior to utilizing Letter of Permission teachers. **Those requirements don't supersede the collective agreement in any other area, and only apply to teachers.**

The union and its members have the absolute legal right to communicate about workplace issues and their rights under the collective agreement. Any suggestion from the employer that members should not be communicating their concerns to the union is inappropriate and could be considered to be intimidation.

Contact one of your stewards or bargaining committee whenever you have a question or concern – that is your undeniable right as a union member.

WAGE INCREASES & RETROACTIVE PAYMENTS

Your employer is working with their bookkeeping team to implement the wage increases, retroactive payments, and dues deductions.

The employer has notified the union that the new wages will be in effect on the upcoming pay, and retroactive wage increases from September 2022 - March 2023 will be paid out over the remaining 7 pay periods in the school year. **Should you have any concerns that your pay has not been adjusted correctly, contact the employer in writing to inquire. If you are not satisfied with the response, contact the union.**

Your employer is required by the collective agreement and the law to **provide the following information on your pay statement:**

At Clause 40.4 of the collective agreement, it says in part:

40.4 Pay Periods

...

An Employee's pay statement **shall** include the following information: pay period covered by the statement, number of regular and overtime hours worked, number of hours taken in lieu of overtime, wage rate and overtime rate, earnings paid showing each component of the earnings separately (eg. wages, overtime, general holiday pay and vacation pay), amount of deductions from earnings and the reason for each deduction [emphasis added].

The **Employment Standards Act** legislates all employers in B.C. to provide the following information:

Wage Statements

27 (1) On every payday, an employer must give each employee a written wage statement for the pay period stating all of the following:

- (a) the employer's name and address;
- (b) the hours worked by the employee;
- (c) the employee's wage rate, whether paid hourly, on a salary basis or on a flat rate, piece rate, commission or other incentive basis;
- (d) the employee's overtime wage rate;
- (e) the hours worked by the employee at the overtime wage rate;
- (f) any money, allowance or other payment the employee is entitled to;
- (g) the amount of each deduction from the employee's wages and the purpose of each deduction;
- (h) if the employee is paid other than by the hour or by salary, how the wages were calculated for the work the employee is paid for;
- (i) the employee's gross and net wages;



- (j) how much money the employee has taken from the employee's time bank and how much remains.

Compliance with those requirements is not optional. If your pay statements do not include the information as required by the collective agreement and *Employment Standards Act*, please ask that your employer amend the pay statements to provide that information to allow you determine if you are being paid as per the collective agreement. If the employer does not respond or provide a response that you believe is not satisfactory contact a member of your bargaining committee.

If you know a BCGEU member who didn't receive this bulletin, please forward it to them. If you are a BCGEU member who didn't receive the bulletin directly, please update your email address with your Union by logging into the Member Portal [here](#).

In Solidarity,

Zoe Towle, Spokesperson, Negotiations Staff Representative

cc Joanna Lord, VP Component 7
Trina Whitsitt, Local 704 Chairperson
Shannon Murray, Executive Director, Staff for Comp 7
Richard Tones, Director, Negotiations
Brent Camilleri, Coordinator, Negotiations
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