

## **PLEASE POST IN STAFF ROOMS**

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### **April 2011 - No 6**

#### ***Congratulations***

At our recent Information and Election Meeting we had six positions available for Directorship and want to congratulate the following members who were elected by their colleagues to join our Board:

- ❖ Charlene Barva, Psychologist
- ❖ April Byers, Psychologist
- ❖ Larry Frandle, Chef Instructor
- ❖ Fred Fuchs, Industrial Hygiene Technologist
- ❖ Dorothy Hall, Behaviour Support Worker
- ❖ Sherry Vaskovics, Waiver/Accounting Clerk

We would also like to extend a BIG THANK YOU to all the other members who let their names stand for Director positions and to Wanda Stevenson, Almas Rajwani-Rawji, Daniel McLaughlin and Maxwell Girvan for their hard work and the significant contributions they made while serving on the Board.

#### ***Sub Replacements for Support Staff***

The decision to replace support staff on sick leave lies with the Principal. A Principal may choose to replace support staff on any day of their absence. If the Principal chooses to bring in a substitute during an employee's absence, the school is responsible for the first four days of the replacement cost and the centralized sub budget is responsible for the cost of the replacement starting on the fifth day.

#### ***Letters of Expectations***

Letters of Expectations are becoming of increasing concern to the Staff Association. Whereas written reprimands or other disciplinary actions must state how long they will remain on an employee's personnel file (1 to 3 years), Letters of Expectations are never removed from the file. It is therefore imperative if you receive such a letter and you believe it has been unjustly provided, that you call the Staff Association office for support in addressing the issue. You are also entitled to write a rebuttal letter and have it attached to the Letter of Expectations in your file.

#### ***Salary Administration/TELUS/Payroll Arbitration***

In November 2008, the Staff Association lodged a policy grievance as well as three individual grievances on behalf of three members located at one school, all concerning payment of wage issues. The grievances alleged a number of violations of Article 1 - Purpose and Article 8 - Salary Administration as well as violations of the Employment Standards Code. The latter included failure to pay wages earned within 10 days of the pay period end, pay slips that did not comply with the Code because they did not isolate information for the current pay period and recovery of money from wages without written authorization of the employee.

The four grievances went to arbitration and an arbitration hearing was held in front of Les Wallace, Arbitrator, on October 26 - 28<sup>th</sup>, 2009. The decision was rendered on March 16<sup>th</sup>, 2011 and Les Wallace has ruled in favour of the Staff Association. Mr. Wallace declared violations of both the Staff Association Collective Agreement and the three relevant sections of the Employment Standards Code (sections 8, 12 and 14). Mr. Wallace has also retained jurisdiction for one year with respect to the unilateral deduction of

## ***Salary Administration/TELUS/Payroll Arbitration Continued***

wages and non compliant pay statements. This essentially means that if any of our members have wages deducted without written consent or if a member receives pay statements that do not comply with the Employment Standards Code, these can be reported by the Staff Association to Mr. Wallace for relief. Pay statements must set out regular and overtime hours of work; wage rate and overtime rate; earnings paid - - showing separately each component of the earnings for the pay period; deductions from earnings and reasons for each deduction and time off instead of overtime pay provided and taken. Additionally, general damages in the amounts of \$500 to \$1,000 were awarded to the three individual grievors.

This is a very significant decision as it acknowledges all of the violations heaped upon our members since TELUS was awarded the contract to administer the CBE payroll and gives the Staff Association potential ammunition going forward. The damages awarded are very rare in these kinds of decisions and provide further confirmation that the violations are indeed serious in nature. This decision is also highly significant in that it signals to the Calgary Board of Education that they must continue to improve the payroll system and work with TELUS to ensure that accurate and timely payment of wages for all Calgary Board of Education employees is of the utmost importance.

The Staff Association wishes to thank all of our members for your persistence in addressing salary administration issues, for the many phone calls to the Staff Association to outline your concerns and for your patience in helping us to address them. Please continue to call the Staff Association office if you have any concerns regarding payment of wages as we have a window of one year to bring those forward to Les Wallace, Arbitrator.



### ***The SA Board of Directors would be happy to organize a "Meet & Greet!"***

*We would welcome the opportunity to meet with any interested group and would be more than pleased to help organize such an event. Please contact Jean Minifie at the Staff Association at 403.242.7555 ext. 1.*

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If you have a question for Staff Association that you would like to have answered in our next FYI, please submit your question to Dawn Scott via e-mail at [dascott@staffassociation.ca](mailto:dascott@staffassociation.ca). Please reference "FYI Question" on the subject line.

