

FREQUENTLY ASKED QUESTIONS

Reporting to work

In the event of a general strike on behalf of the New Brunswick Teacher Federation, the following positions will be considered on strike and will not report to work. (Should you have any questions or require clarification, please contact the Human Resources branch in your school district.)

Subject Mentors

Distance Education Teachers

QLA Teachers

Notebook Teachers

In the event of a general strike on behalf of the New Brunswick Teacher Federation, the following positions and leaves will not be impacted. (Should you have any questions or require clarification, please contact the Human Resources branch in your school district.)

Teachers seconded to district office. These positions must approved positions.

Teachers on educational leave under Article 37

Teachers on deferred salary leave

Teachers on an approved secondment to the Department of Education

Teachers on long-term sick leave

Teachers on an approved secondment outside of government (e.g. university)

Teachers receiving WHSCC benefits

Teachers on approved pre-retirement leaves (approval must have been granted prior to April 5, 2005)

Teachers currently receiving 30 days maternity leave under Article 33(A)

Salary Payment and Benefits

SALARY PAYMENTS

Striking employees are entitled to receive salaries up to and including the last day worked prior to the effective date of the strike. Teachers are paid up to and including payday, any time missed as a result of strike activity will be deducted during the following pay period.

Salary advances

Salary advances for employees in a bargaining unit that has declared a strike will not be approved.

PRODUCTION OF RECORDS OF EMPLOYMENT

When a non-designated employee has had, or is anticipated to have, seven (7) consecutive calendar days without work due to the strike, the Employer must provide the employee with a Record of Employment (ROE) as soon as possible.

Teachers Pension Plan

Any period that employees are on strike will be treated as non-pensionable service. There will be no contributions made and time will not be credited at retirement.

Questions concerning Payroll

Should you have any questions concerning your pay or benefits please contact the Human Resources Branch in your school district directly.

School trips

In the event of a general strike or work-to-rule, the Department of Education recommends that all school trips be cancelled or, if possible, postponed.

Preparation periods

Can a school modify a teacher's prep period in order to accommodate the 60-minute duty-free lunch?

Yes, preparation periods can be rescheduled; however you cannot reduce the total amount of preparation time that a teacher has been receiving since the commencement of the school year.

60-minute duty-free lunch

Do the 60-minutes of duty-free lunch have to be consecutive minutes? YES

Can a school modify a teacher's prep period in order to accommodate the 60-minute duty-free lunch?

Yes, preparation periods can be rescheduled; however you cannot reduce the total amount of preparation time that a teacher has been receiving since the commencement of the school year.

Can a teacher do what he/she wants during the 60-minute duty-free lunch? Yes, a teacher may do as he/she pleases and may still work with the drama club; provide extra academic help to students, etc, as long as it is voluntary.

Withdrawal of supervision by teachers

Can a teacher refuse to supervise students?

Withdrawal of supervision by teachers during periods other than the 60-minute duty-free lunch period will be deemed to be strike action and should be reported immediately to the Labour Relations Strike Centre at OHR.

As required by the Education Act, supervision cannot be delegated to non-teaching staff.

Seconded Employees

Will the status of seconded employees change in the event of a strike? Seconded employees who occupy a non-bargaining position (supervisor) on the *approved* Plan of Establishment will continue to report to work. All other seconded employees will be considered on strike unless pre-approved by the Department of Education.

Casual Temporary workers

Without employee status: There are no contractual obligations to continue to pay employees with less than six months of service. This would include long-term supply teachers, Kindergarten Support Workers, and all others who do not have employee status under a collective agreement (i.e. six continuous months of service).

The Superintendent has the discretion to maintain casual employment during a strike if those services are still required (i.e. the work is not student based).

With status: Casuals with employee status are represented by their respective collective agreements and will continue to report to work in the event of a strike. This is a contractual obligation.

(note: for additional information, please refer to the attached contingency plan)

District exams

Will there be district exams? See attached contingency plan.

Advanced Student Placement / International Baccalaureat (IB) Exams

What will happen with Advanced Student Placement and IB exams in the event of strike action? See attached contingency plan.

School Closures

In the event of a general strike, will schools be closed? Schools will be closed to teachers / administrators in the event of a general strike (and/or in the affected areas of a rotating strike).

Alternative Learning Centres

What services will be provided by Alternative Learning Centres in the event of a general strike?

Alternative Learning Centres will be closed to all students regardless of when they attend.

What services will be provided by Alternative Learning Centres in the event of work-to-rule?

Alternative Learning Centres will continue to operate. Provision of some services could be affected.

Tutors (paid/employed by a school district)

What will happen to tutoring services in the event of a general strike?

Services will not be offered.

What will happen to tutoring services in the event of a work-to-rule?

Level of service provided will depend on the specifics of each situation (Superintendent's discretion).

Kindergarten Support Workers

What is the status of the Kindergarten Support Workers in the event of a general strike?

Kindergarten Support Workers will be asked to remain at home and will not be paid.

What is the status of the Kindergarten Support Workers in the event of work-to-rule?

Kindergarten Support workers will continue to report to work.

What is the status of the Kindergarten Support Workers in the event of a rotating strike?

Kindergarten Support Workers will remain at home in the affected areas and will not be compensated.

Please note that if districts choose to allow Kindergarten Support Workers to report to work, they will not be reimbursed for salaries expensed during any NBTF strike action.

School District & Provincial Committee Meetings

Can teachers still attend in-services, workshops, intensive-french workshops and curriculum support days? It is the expectation of the Department of Education that teachers continue to honour these commitments when they are scheduled during their regular workday. This would be considered their work assignment for that particular day.

Note 1: Events scheduled outside the workday could be seen as voluntary and would be optional with regards to teacher attendance.

Note 2: With regards to curriculum support days, if planning time has been given to the presenters within their normal working day, these events should still take place. If presenters are doing the planning on their own time, curriculum support days may be cancelled/rescheduled.

Note 3: Can mentors provide curriculum support during the school day? If it is part of their portfolio, mentors will continue to provide curriculum support.

Can schools still hold staff meetings during work-to-rule action? Yes.

Are teachers required to participate in PSSC meetings during work-to-rule? Yes.

Do teachers still have to participate in school team meetings? Teachers will attend regular team meetings unless a special meeting is called to discuss a special case.

Substitute Teachers

Are we required to give substitute teachers a 60-minute duty-free lunch? Substitute teachers who are not under contract with the NBTF will not be required to be given a 60-minute duty-free lunch. Substitute teachers who are under contract must be provided 60-minutes of duty free lunch.

TWCF and Hiring of casuals to do playground supervision

Can casuals be hired to assist in playground supervision during work-to-rule action? The TWCF fund can be used to hire casuals (once they have been screened) to assist in playground supervision, however, schools which did not previously have these arrangements in place should not hire casuals for playground supervision during work-to-rule action by the NBTF).