

**Next General
Membership
Meeting**

SEE WEBSITE

**Meetings start at
10:00 am**

**Croatian
Cultural Centre, 3250
Commercial Drive,
Vancouver, BC
EXECUTIVE**

**WEB PAGE:
www.iuoe963.ca**

**BOARD
2019-2023**

**BUSINESS MANAGER:
Tim De Vivo**

**PRESIDENT:
Tim Chester**

**VICE-PRESIDENT:
Harjit S. Khangura**

**TREASURER:
Tim De Vivo**

**FINANCIAL
SECRETARY:
Chad Stuart**

**RECORDING
SECRETARY:
Paul Loeman**

**TRUSTEES:
Antoinette Cominetti
Herman Sheng
Harjit Khangura**

**AUDITORS:
Antoinette Cominetti
Livia Hisaoka
Yvette Menges**

**CONDUCTOR:
Analida Leung**

**GUARD:
Herman Sheng**

Volume 19, Number 89

January 2022

Change of Address/Contact Information

If your contact information has changed please make sure you notify the union office as soon as possible (ph. 604-876-6287). The local union uses the most up-to-date information in our database for communications.

Feel free to use the form below and **fax to: 604-876-5687**

PLEASE PRINT CLEARLY IN INK

IUOE Local 963 Please change the contact information accordingly:

Name: _____

Address: _____

Phone Number (Home): _____ **(Cell):** _____

Personal Email: _____



Vol. 19, No. 89

January 2022

Collective Bargaining Update

**The
Newsletter
For VSB
Operations Staff
Supervision Aides
Cafeteria Staff**

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Provincial Bargaining between the K-12 Presidents' Council (which includes all support staff unions in BC except Abbotsford) and the BC Public School Employers' Association ("BCPSEA") is set for early February in Richmond, B.C.

These bargaining sessions are scheduled to be in-person, however, the parties are very aware that public health orders could change these plans. Nine sessions are scheduled.

Local Bargaining: Member surveys have now been issued to those who have provided the union office with a personal email address (not VSB email).

If you have not provided the local union with a non-VSB email address and would like to participate in the bargaining survey you can still do so by sending an email to: tdevivo@iuoe963.ca

Local bargaining between the local union and VSB will occur after the conclusion of Provincial Bargaining.

Your local union Bargaining Committee is:

- Spokesperson– Tim De Vivo, Business Manager
- Tim Chester, President
- Harjit Khangura, Vice-President
- Antoinette Cominetti, Trustee/Auditor
- Paul Loeman, Recording Secretary
- Livia Hisaoka, Auditor

Web Page:
www.iuoe963.ca

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Letters of Expectation/Letters of Discipline– There is a Difference

Have you received a Letter of Expectation from your supervisor or school principal?

The local union has recently filed grievances regarding members' receiving direct communication from either an Operations supervisor (in the case of Operations members) or a school principal (in the case of Cafeteria or Supervision Aides) in the form of a *Letter of Expectation*. The local union is challenging whether these letters are, in fact, *Letters of Expectation* or, as we believe, are actually *Letters of Discipline*. There is a difference.

What is a Letter of Expectation? A simple definition was in an arbitration decision in 2003 by Arbitrator Joan Gordon [NCNU v HEABC]:

Letter of Expectation: Its purpose is to clarify expectations and counsel the employee, its tone is supportive, it assumes improved performance in the future, it does not serve as a foundation for future discipline.

What is a Letter of Discipline? In the same decision Arbitrator Gordon also provided guidance on the definition of a Letter of Discipline:

Letter of Discipline: Its purpose is to correct aberrant behaviour, it imposes a penalty for specific misconduct and warns of further discipline for continued misconduct, it forms part of the employee's disciplinary record, a grievance would have to be filed in order to respond effectively to it.

BC government website (BC Public Service) defines a Letter of Expectations as follows:

The purpose of a letter of expectation (LoE) is to provide guidance, communicate expectations and reduce future misunderstandings. The letter should be specific about accountabilities and responsibilities. A LoE is not disciplinary. It should not refer to the specifics of the situation, behaviour or activity. The letter should not be accusatory. Avoid using the word "you"; instead use language such as "employees are expected to."

The letter should,

**Be generic enough that anyone in the same role could receive it*

**Be future looking*

**Be proactive*

[continued next page]

LOE/LOD (continued from page 1)

*Be positive in tone

*Ensure there is no type of warning

*Contain no reference to past meetings

*Reference no other documents on file

These letters to members often use the word "expectation" in the opening or closing paragraph but then refer to many of the prohibited matters referenced above.

Here's an example:

"This letter is further to our discussion yesterday...in which I outline the **expectation** of your position as an employee of the Vancouver School Board."

This so-called Letter of Expectation then went on to list specific accusations, failed to be supportive and threatened future discipline, all of which should not be in a LoE.

Another recent example:

"This is further to our meeting of...where we discussed an incident that occurred on...between your self and...."

This so-called Letter of Expectation then referenced a specific alleged incident, concluding with "If there is any part of this letter, or these **expectations** that is not clear, please ask for further clarification."

Conclusion:

An employer has the legal right to issue Letters of Expectation, however, they must be consistent with arbitral law. In these cases cited above, it is clear the letters do not meet that simple test. They must be grieved.

Letters of Expectation are to be supportive and not to be used to document a specific incident. They are not a step in the disciplinary process. A properly written LoE does not go into a personnel file and is not grievable simply because it is supposed to be an informal, non-disciplinary communication.

If you receive a Letter of Expectation from your supervisor or school principal that does not meet the definition provided in this article please contact the union office as soon as possible so that it can be reviewed and grieved, if necessary.