Between:

British Columbia Public School Employers' Association /
The Board of Education School District No. 73 (Kamloops/Thompson)

(the "Employer")

and:

British Columbia Teachers' Federation /
Kamloops Thompson Teachers' Association

(the "KTTA")

(– Board Initiated Transfer Grievance)

Settlement Agreement

Whereas on April 12, 2010 the KTTA filed a grievance on behalf of a teacher, related to a Board initiated transfer following being declared surplus from position (the "Grievance").

And Whereas the Parties wish to resolve the Grievance by agreeing to the following interpretation of Article E.20.3.e of the Collective Agreement as set out below.

Now Therefore the Employer and the KTTA agree as follows:

1. Article E.20.3.e of the Collective Agreement shall be interpreted as:

   A teacher declared surplus under the provisions of Article E.20.3.b shall have the surplus designation rescinded if the reasons for which the teacher was declared surplus no longer exist, which includes the subsequent lay-off of teachers at the school. This shall be subject to the needs of the school, the available positions at the school, and the experience and/or qualifications of the teacher.

   Where the rescindment of a surplus in a school where a layoff takes place does not occur, the reasons shall be provided in writing to the Teacher and the Association.

2. This agreement is made in respect of the interpretation and application of Article E.20.3.e of this Collective Agreement only and is without prejudice or precedence to the interpretation or application of any other provision of the Collective Agreement or any other local or provincial issue.

Dated this 14th day of November, 2012