

LETTER OF UNDERSTANDING

between

THE WINNIPEG SCHOOL DIVISION
(the "Division")

- and -

**THE WINNIPEG ASSOCIATION OF NON-TEACHING
EMPLOYEES**
(the "Association")

Re: Breaks for Educational Assistants

The parties agree that the Division will utilize the following principles and protocol in considering application of administering breaks for educational assistants:

1. All Educational Assistants, while working on school premises, shall be entitled to their breaks in accordance with the Collective Agreement;
2. Educational Assistants who customarily work off school premises and are required to be in charge of students, or Educational Assistants who although they customarily work on school premises, are required to take students on outings, shall be provided with the breaks in accordance with the Collective Agreement unless it is impractical to do so. In such cases, persons who are required to take their breaks while supervising students, shall be considered to be working and shall be paid for the break time, either by way of banking their time, or payment of wages, at the option of the Educational Assistant. If the Educational Assistant has been provided the opportunity to take their break(s) but chooses not to take their break, they will not be compensated for said time, nor will they be allowed to bank said time;
3. In the event that an Educational Assistant is unable to take their break and chooses to bank time, the Educational Assistant may request equivalent time off at a time mutually agreeable to the parties and the Division shall not unreasonably withhold agreement. Said time shall not be taken attached to the break periods (winter, spring and summer). If there is no mutually agreed time where the Educational Assistant may take time off, then said time shall be paid out to the Educational Assistant;
4. Where the Educational Assistant has not been able to take their entitled break(s), same shall be recorded by way of written record which shall be available to the Division and to the affected Educational Assistant. The Division will maintain a record of all banked time available to the Educational Assistant, and any amounts paid or payable;
5. All banked time earned by the Educational Assistant within the school year must be taken on or before May 31st of that school year. Any time not taken by this date shall be paid out to the employee prior to June 30th of the current school year.

Dated this 27th day of June, 2014

Pauline Clarke

THE WINNIPEG SCHOOL DIVISION

Barbara Morrison

THE WINNIPEG ASSOCIATION OF NON-TEACHING EMPLOYEES

BANKED TIME PROCESS

HOURS NOT ELIGIBLE FOR BANKING - BUSSING

- Anytime an EA's bussing time goes over their scheduled time (traffic, accident, breakdown etc.), they need to report that time to the clerk in the office that looks after the attendance of staff, **DAILY**.
- If the extra bus time becomes repetitive they also need to advise their Designate (Department Head, SERT or Principal) so they can contact Transportation.
- All bus time is paid out biweekly and cannot be banked.
- Any extra time an EA spends on the bus needs to be reported daily on the white time sheet as EXDU (Bus).
- If an EA is filling in when another EA is away by doing their bussing, as long as they have the same classification on the time sheet it can be reported on the preprinted time sheet as EXDU.
- If an EA is filling in when another EA is away by doing their bussing and they do not have that classification on the time sheet (eg. They are an EA C 5.00 and the bus time is an EA D .50) they would fill out a blue EA Timesheet for the bus time.

HOURS ELIGIBLE FOR BANKING - BREAKS.

- When an EA is physically unable to take their breaks because they are engaged at work experience, field trips, camp etc. they may bank the break time missed with **prior** approval by the Designate.
- If an EA "chooses" not to take their break(s), it cannot be banked.
- Banked time is to be recorded on the banked time sheets daily NOT as a lump sum.
- Only intervals of 15 minutes or greater are considered banked time.
- All time taken off must be mutually agreed upon by the Designate and employee.

TAKING TIME OFF USING YOUR BANKED TIME

- For less than 2 hours :
 - o Record on Banked time sheet as time taken.
- For ½ day or full day:
 - o Record on Banked time sheet as time taken.
 - o Fill in a short leave
 - o Enter in AESOP
- **NO SUB** is provided for Banked Time taken.

TAKING PAY WITH BANKED TIME ON A NO CLASS DAY

- All EA's must be reported as NOCL or EAAD on the preprinted time sheet on a no class day.
- To have an EA paid out their equivalent banked time on a no class day:
 - o The EA must advise the clerk who looks after staff attendance that they wish to use their bank time to be paid for the NOCL prior to the day.
 - o The clerk would then send a memo to Susan Dranez in Payroll specifying:
 - Employee Name
 - Employee Number
 - Pay period
 - Amount of hours to be paid out.
 - Principal must sign the memo
 - Keep a copy for the school records
 - o *This process may change for next year.*

AS OF JUNE 1

- Copy of all banked time sheets to be sent to Human Resources
- Where there is time still owed a copy ALSO is to be sent to Susan Dranez, Payroll so the hours can be paid out appropriately.
- Copy should be kept at the school.

AFTER JUNE 1

- Any extra time worked, bussing or breaks missed, should be reported everyday on the preprinted time sheet.

_____ SCHOOL
REQUEST TO BANK TIME - EDUCATIONAL ASSISTANT

Name:

Room #

Supervising Teacher:

Date	Time	Reason	Time Banked (minutes)	Time Taken (minutes)	Balance (minutes)	Staff Initials	Initial of Dept. Head

Please note: When taking banked time, said time shall not be taken attached to the break periods.

Employee Signature: _____

Principal's Signature: _____