

October 9, 2008

Dear Association President:

Re: Student Teachers and the Brandon University Faculty Association Strike

As you are aware the Brandon University Faculty Association is currently on strike. This situation puts our members in a difficult position, as many are poised to accept faculty students into their classrooms for their teaching practicum.

Given that we have been fielding a number of questions from Association Presidents and our members about how they should approach this issue, we wish to provide you with information about our members' rights and responsibilities in this situation. Firstly, please make it clear to members that although they cannot refuse to accept student teachers into their classrooms—and in fact are required to do so by legislation—they have the right to refuse to perform any function normally performed by the faculty advisor. Faculty advisor functions may include, but are not limited to, supervising the program, evaluating the student teacher, and communicating directly with the University.

Cooperating teachers normally restrict themselves to welcoming the student to the classroom, giving the student opportunities to instruct, and coaching the student when they instruct. Principals normally restrict themselves to arranging for students to work with cooperating teachers. Generally speaking, any other duties are the responsibility of the Faculty advisor.

Our members have certain rights under *The Labour Relations Act*. Firstly, any teacher or school administrator who refuses to perform the work of another employer (Brandon University) whose employees (BUFA) are on a legal strike would not be in breach of the Association's collective agreement or any term or condition of their employment. However, this right can only be exercised by the member on his or her own.

It is important to note, that neither the Association nor the Society can tell members that they should not do any of the activities normally undertaken by a Faculty advisor. However, **should any of our members decide to exercise their rights under section 15 of *The Labour Relations Act*, they can not be disciplined or have other action taken against them by their employer or anyone acting on behalf of the employer for refusing to perform any of the duties or responsibilities of an employee who is lawfully on strike.** If such action is taken against our members in these circumstances, an employer or anyone acting on the employer's behalf, may be charged with committing an unfair labour practice.

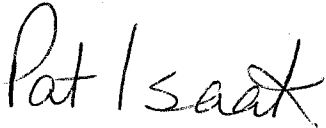
In the meantime, all of our members have the right to participate in a lawful picket line activities as long as they do so on their own time.

If members are in doubt as to whether a duty they are being asked to perform is normally done by faculty members or if they are unsure of their rights under *The Labour Relations Act*, please ask them to call Diane Beresford at the Society for advice.

The Society has also written to Dean Storie and we enclose a copy of our letter to him for your information. You will note that the Society has suggested that the practicum be postponed until it can be properly supervised by appropriate faculty staff. As soon as we have a response from him, we will keep you advised.

It is never easy when a sister union is on strike. We need to take care we do not undermine their efforts, but at the same time we must ensure that neither the Society nor our Associations participate in action that is contrary to *The Labour Relations Act*.
If you have any questions, please do not hesitate to call me.

Yours in solidarity,

A handwritten signature in cursive script that reads "Pat Isaak". The letters are connected and fluid, with a prominent loop on the 'P' and a long tail on the 'k'.

Pat Isaak

/jw