

2.1.19 Extension of Right to Return to Bargaining Unit

1. In accordance with Article 5.5.1 of the Collective Agreement, the FSA supports and defends the right of Bargaining Unit members who accept excluded Management positions on a short-term basis of no more than two years to automatically return to their former Bargaining Unit positions.
2. Members may request an extension of their right to return to their former bargaining unit position by providing a request with the details of their extended management position to the FSA. Requests for extension must allow for at least two Board meetings between the request and the expiration of their existing right to allow adequate time for the Board to consider the request.
3. When a request to extend this right is received, the FSA will consult with the Institute to determine if it would agree to vary Article 5.5.1 so as to extend the Employee's right to return to their former position in the bargaining unit. If the Institute would agree, the FSA will then consult with Tech Reps in the manager's area and more broadly with the members in that area as appropriate to determine whether the extension has the support of FSA members.
4. The president, or designate, will bring a motion to the Board to enter into an agreement with BCIT to extend the Employee's right to return to the bargaining unit for a period of no more than two years. The president will report on the results of the FSA consultation with the Tech Reps and members in the managers' area as well as on any other issues or interests of the Association or the Institute that may affect the Board's decision.
5. Prior to communicating a favourable decision to the Employee, the FSA will conclude a written agreement with the Institute, setting out the Employee's right to return to their former bargaining unit position until the agreed upon date.
6. A member in a short-term management position may request only a single two-year extension of their right to return to the bargaining unit. An extension of this right will not be granted if they have been in management for more than 48 of the previous 54 months. At the expiry of the employees' right to return to the bargaining unit, the former member can either return to their former position or give up their right to do so under Article 5.5.1.
7. In the event of an unfavourable decision or failure to reach an agreement with BCIT the FSA will communicate this to the former member in writing.

Revision History

Date	Revision (Brief description)
March 2016	Minor grammatical edits.
December 2014	Formatted into branded policy template. No content change
September 19, 2012	Policy revised to reflect recommendation in confidential memo to the Board at June 2012 meeting.
January 18, 2012	Wording revisions to clarify the process for members on management leave.
Note January 2012	This policy is in place to allow the FSA to provide members wanting to move into management with the opportunity to learn and determine if they are suitable for management. Discussions with former members indicate that it takes 3-4 years to become comfortable in the position and this policy allows our members to develop and advance.