



## Frequently Asked Questions About Teachers' Contracts

The following are general answers to questions involving teachers' employment contracts. For further, or more detailed, information contact a Teacher Welfare Services Staff Officer at MTS by calling 888-7961 in Winnipeg or 1-800-262-8803. Indicate that you need information and/or advice about employment issues.

### Who can offer me a job?

A legitimate offer of employment can be made only by a Superintendent on behalf of the Board of Trustees. In larger Divisions this power may be delegated to a Personnel Officer. Although principals, consultants and board members may take part in the interview and/or selection process, the official offer of employment must come from the Board Office.

### When will I receive my contract for signing?

According to the Public Schools Act the school division is obligated to provide you with a contract to sign within two weeks of an offer of employment being made to you. When a verbal offer is made you should ask when you will receive your contract. You should follow up with the school division if you do not receive your contract in a timely manner.

### What is the difference between General Contract and a Limited Contract?

A General Contract is a regular contract between a teacher and a school board which offers ongoing employment. If you have no prior teaching experience in Manitoba you are protected by the provisions of Section 92 of the PSA regarding termination of employment—on the first day of your second year. A Limited Contract offers employment of a specific period of time and states the termination date on the contract. There is no guarantee of ongoing employment following the termination date.

### What is the difference between a contract and a collective agreement?

A contract is the agreement between you and a school board which confirms your employment with that board. A collective agreement is the collection of clauses governing salary and working conditions which has been negotiated by the local teacher association and the board from each jurisdiction. In Manitoba, each school division bargains with its own teachers. In industrial and trade related language, the collective agreement is usually referred to as the contract, causing some confusion. Teachers presently have both a contract and a collective agreement.

### What if I get a better offer after I have verbally accepted a job?

When you verbally accept a job offer, you have entered into a contract with the employer. A verbal acceptance of a teaching position is binding on

you, just as a job offer is binding on the employer. You have the option of approaching the employer and asking to be released from your agreement, as an employer may be willing to accommodate such a request provided there is sufficient time and availability for you to be replaced.

### Can my assignment be changed from what I was offered?

The needs of a school or division can change in the time between when you sign your contract and the beginning of a new school year. Your contract is with the Division and so you can be assigned to any school in that Division. Your teaching assignment should take into consideration your training and background, but your assignment may differ from what was discussed at the time of signing.

### Do I have to accept a temporary contract in my first year with an employer?

If you have had no previous teaching experience in Manitoba, there is no risk to an employer in signing you to a permanent contract, as the first year is considered probationary and you will have no due process rights until the beginning of your second year on that contract. The purpose of a temporary or term contract is to cover a specific absence for a specific period of time which is not to exceed one year. Accepting a temporary contract means that you may not be able to accumulate sick leave or seniority while on it, even if you continue with that

employer for another year. When a choice is available, an employer that offers a permanent contract is preferable to one that doesn't.

### Do I have to sign an oath of confidentiality?

Yes, if your employer requests. According to the Personal Health Information Act your employer is obliged to ensure the confidentiality of information about students. The Manitoba Teachers' Society and the Manitoba School Boards Association have agreed to a confidentiality document that is appropriate for teachers to sign. A copy of this agreement can be viewed on the MTS website.

### What about providing criminal record and child abuse registry checks with my application?

Criminal Records and Child Abuse Registry checks provide prospective employers with information about your gender, age and marital status to which they are not entitled in the selection process according to Manitoba Human Rights legislation. These documents should be requested from you at the time a job offer is made but not before.

### Do I have to agree to do extracurricular duties or to coach?

Many collective agreements have provisions governing extracurricular duties, so you need to check. In any case, a teacher should be wary of unreasonable expectations for voluntary

work that can interfere with a successful year in the classroom.

### Are professional development opportunities the same in all divisions?

No. Professional development opportunities vary greatly from division to division. Contact the local Association office to find out what happens in a specific division. The contacts are listed on the MTS website [www.mbteach.org](http://www.mbteach.org).

### How can I find out how much a school division pays its teachers?

Every public school division in Manitoba has its own collective agreement with The Manitoba Teachers' Society local teachers' association. You can find how much a school division is currently paying by looking in that collective agreement. The collective agreement not only contains the teachers' salary scale, but also includes provisions on benefits and working conditions which are as important as salary when evaluating a potential employer.

### Where can I get a copy of a collective agreement?

Individual collective agreements for all teacher associations in the province can be viewed and printed off the MTS website [www.mbteach.org](http://www.mbteach.org).

**January 2014 — Teacher Welfare Department**  
This brochure can also be found at the MTS website at [www.mbteach.org](http://www.mbteach.org) under **MTS Library/Brochures/The Teaching Profession**

# Yes, there is a clause.

## Getting to know your employment contract