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GUIDE TO THE RIGHTS OF TEACHERS PLACED ON AVAILABILITY
This guide is intended for CEGEP teachers whose union is affiliated with the FNEEQ (CSN)

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Introduction

Introduction

This guide is designed to facilitate understanding of Article 5-4.00 of the 2010-2015 Collective Agreement for FNEEQ (CSN) teaching personnel pertaining to the rights of CEGEP teachers placed on availability. However, in no way shall it take precedence over this article of the collective agreement.

In addition to reviewing the roles of the Placement Office and Parity Placement Committee as well as the definitions of zone, sector and outside of zone situations, this guide also examines the two situations that typically lead to a teacher being placed on availability: a drop in enrolment and program closure.

It presents the various administrative documents relating to teaching load options in regular teaching, continuing education and summer courses, and also looks at such key topics as non-relocation, salary and benefits, moving expenses, retraining, relocation to secondary school and employability and termination of employment measures. Lastly, several sample letters are included at the end of this guide. To learn more, refer directly to the collective agreement, the official text enshrining your rights.

For further information and to ensure that your rights are being respected, it is always recommended that you contact a member of your local union's executive committee, whenever needed.

This document is posted on the FNEEQ Website: www.fneeq.qc.ca

Placed on availability (MED)? Follow the guide!

Placed on availability (MED)? Follow the guide!

Note: The collective agreement takes precedence over this document, which is neither an interpretation of that agreement nor does it claim to cover all possible situations. We recommend that you contact a member of the executive of your local union for more detailed explanations.

“MED” is the French-language acronym (for *mis en disponibilité*) that is commonly used in both French and English colleges to describe a tenured (permanent) teacher who is placed on availability.

How is a teacher placed on availability (MED)?

A teacher is usually placed on availability when there are more tenured professors than there are posts allocated to a given discipline¹ **(5-4.05)**². Placement on availability can also be the result of a decision to revise or close a program of studies **(5-4.02** and **5-4.03)**. Notification is given in May to a teacher who is to be placed on availability for the following academic year **(5-4.06 A)**. When a college decides to place teachers on availability³, in each discipline it must begin with the tenured teacher who has the least seniority or, seniority being equal, with the one who has the least experience or, experience being equal, with the one who has the fewest years of schooling **(5-4.06 A)**.

What is the Placement Office (Bureau de placement)?

The Placement Office is a province-wide employer-run service that performs, among other things, the operations required for the relocation of teachers placed on availability across the CEGEP system **(5-4.11)**. To that end, it prepares lists that include all posts and annual full-time replacement teaching loads that are available across the system by college, by discipline and by specialization, specifying the language of instruction and the union federation to which the local union is affiliated. It also prepares lists of teachers on availability by discipline and specialization, where applicable. These lists are compiled from information transmitted by the colleges. Each teacher on availability is sent the list of positions on three occasions: first in June, again in August and finally in October **(5-4.07 B)** and **C)**. The list of teachers placed on availability (the MED list) is only sent out once, in June. The list of posts and annual replacement teaching loads is also posted on the Internet⁴.

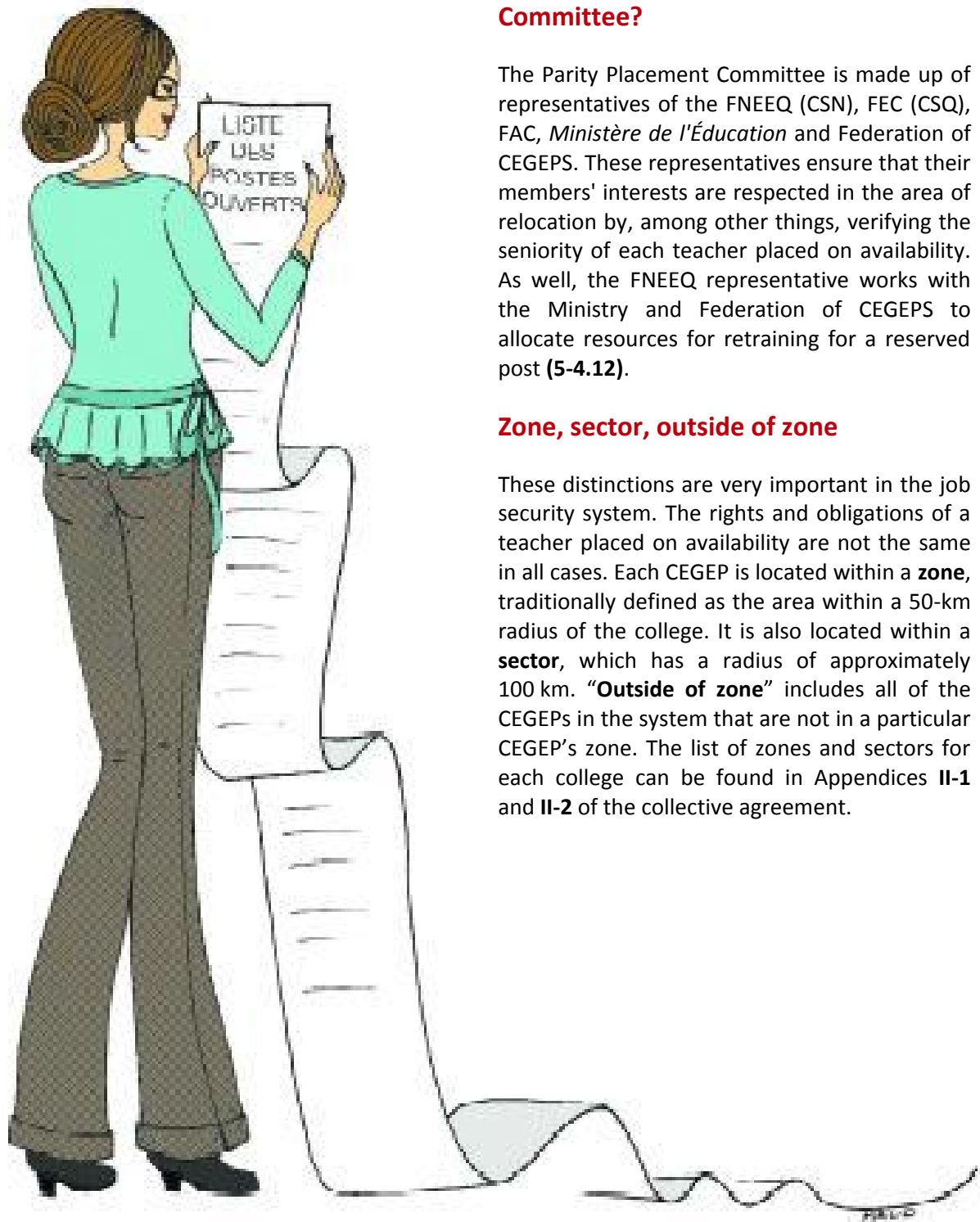
By no later than November 15, the Placement Office also sends out a report on the results of all relocation operations **(5-4.11 b)** to all parties concerned.

¹ In the case of subjects with several specializations, the Placement Office establishes the specialization(s) within that discipline that a professor on MED is capable of teaching (5-4.11d).

² The numbers in parentheses refer to clauses in the FNEEQ (CSN) Collective Agreement, 2010-2015

³ The college must first call a Labour Relations Committee (LRC) meeting (5-4.04).

⁴ <http://www.mels.gouv.qc.ca/ens-sup/ens-coll/administration.asp> (in French only). See the end of this document for specific dates.



What is the Parity Placement Committee?

The Parity Placement Committee is made up of representatives of the FNEEQ (CSN), FEC (CSQ), FAC, *Ministère de l'Éducation* and Federation of CEGEPS. These representatives ensure that their members' interests are respected in the area of relocation by, among other things, verifying the seniority of each teacher placed on availability. As well, the FNEEQ representative works with the Ministry and Federation of CEGEPS to allocate resources for retraining for a reserved post (5-4.12).

Zone, sector, outside of zone

These distinctions are very important in the job security system. The rights and obligations of a teacher placed on availability are not the same in all cases. Each CEGEP is located within a **zone**, traditionally defined as the area within a 50-km radius of the college. It is also located within a **sector**, which has a radius of approximately 100 km. "**Outside of zone**" includes all of the CEGEPs in the system that are not in a particular CEGEP's zone. The list of zones and sectors for each college can be found in Appendices II-1 and II-2 of the collective agreement.

Two reasons for placement on availability:

- **The usual cause: a drop in enrolment in a discipline**

This is the most common reason for teachers being placed on availability. Based on projected student enrolment by program, a number of FTEs (full-time equivalents) is established⁵, and this forms the basis of the allocation project. This sets the number of posts allocated in each discipline⁶.

If the number of tenured (permanent) professors is greater than the sum of the posts allocated to a discipline and the number of annual full-time replacement teaching loads projected for the next academic year, the college places teachers on availability starting with the tenured teacher with the least seniority. If seniority is equal, consideration is then given to experience, then to level of schooling **(5-4.06 A)**.

If you are placed on availability, the college must send you written notice to that effect between May 1 and May 31. If you are already on availability from past years and your placement on availability has not been cancelled up to this point, the college is not required to give you new notice **(5-4.06 A)**.

By no later than June 10 following your placement on availability, you will receive two lists from the Placement Office: the list of teachers on availability (the MED list) and the first list of posts and annual full-time replacement teaching loads that are available **(5-4.07 B)**. You will also receive a form which will be discussed below.

⁵ For a more complete description of this process, see Article 8-5.00 of the collective agreement.

⁶ If the remaining allocation is greater than or equal to 0.9, it will be considered to be equivalent to 1 FTE (8-5.09 a). With respect to disciplines, see Clause 5-1.05 and 8-5.09 c) and Note 1 of this document.

Your rights and obligations

A distinction must be made between the case of a teacher placed on availability who **relocates voluntarily** (a “voluntary MED”) and a teacher placed on availability who is **obliged to relocate**. The first case takes priority over the second in a college that opens a teaching post. If you are a voluntary MED, this indicates to the Placement Office that you are willing to take a post at another college, giving you a higher priority for the post. On the other hand, if you do not wish to relocate unless you are required to do so, your situation is the same as that of a teacher placed on availability **who is obliged to relocate**.

You can become a **voluntary** MED if you are interested in filling a post **in your discipline**⁷ in another college with in your zone or outside of your zone. If there is no teacher in this college who has a higher priority for this post (see the list of priorities), the post will be awarded to a voluntary MED inside the zone (priority 4), then to a voluntary MED from outside the zone (priority 5). If, in either case, there is more than one candidate, the post will be given to the one with the most seniority as of the last day of the previous contract year **(5-4.07 F)**.

⁷ It is also possible to indicate an interest in a post in another discipline, in which case you must meet the required hiring requirements (5-4.07 F) 2). The priority is not the same (see the section on hiring priorities below). It should be understood that “your” discipline is the one in which you were hired to teach or in which you were teaching in the year you were placed on availability (5-4.07 F) 1). For language of instruction, see 5-4.07 F) 2).

If you do not have a teaching load equivalent to your salary protection (either 80% of 80 units of CI, or at least 64 units of CI for the year, or 60%, or 48 units of CI if you are eligible for retirement without an actuarial reduction), you are **obliged to relocate** to another college in your zone where there is a post or a full-time annual replacement teaching load available in your discipline (the matters of sector and program closures will be discussed later in this document). However, if you take a full-time annual replacement load, you return to your original college at the end of the year **(5-4.07 F)**.

If you are assured of a **full-time teaching load in the fall semester** (not a full-time annual load, which would cancel your being placed in availability), and the Placement Office offers you a post at another college, you do not have to take up this post until the winter semester **(5-4.07 F)**.

If a post is offered to you by the Placement Office **after the start of classes** (for example, a post from the third list in October), you are not obliged to take the post until the following semester. In the meantime, you maintain your employment link with your original college **(5-4.07 F)**.

In the case of a **mandatory relocation**, it is the teacher on availability with the least seniority (as of the last day of the previous contract year) among those eligible to be relocated who must accept the post or the annual full-time replacement teaching load assigned by the Placement Office. If seniority is equal, it is the teacher with the least experience, then the teacher with the lowest level of schooling who must relocate **(5-4.07 F)**. You must indicate on the form one or more choices among the posts or teaching loads available, by order of preference. However, you may have to relocate to a post that you have not selected if you are assigned to do so by the Placement Office.

If you are on availability for two years without interruption or cancellation

You are obliged to accept a post in **your discipline** in a college in **your sector** or in **another zone** in the case of the **discipline related to the specific training in a closed program**. The post is assigned to the teacher who has been on availability for the longest time **(5-4.07 E) 1.b)**. If the number of years is the same, it is assigned to the teacher with the least seniority as of the last day of the previous contract year, then with the least experience, and finally with the lowest level of schooling.

Cancellation of availability

When a college wishes to cancel a placement on availability in a discipline, it must start with the teacher on availability with the most seniority. This name is then removed from the Placement Office list **(5-4.06 D) and E)**.

Placement on availability must be cancelled when:

- the allocation project underestimates student enrolment and there are more posts than projected in a discipline **(5-4.06 B)**.
- you obtain or reach a full-time teaching load **(5-4.06 B) and C)**.
- you take on duties other than teaching that assure you a full annual salary. However, this does not apply if there is a teacher with higher seniority who remains on availability **(5-4.06 D)**.

The cancellation of a placement on availability applies to the academic year in progress. Thus, if the cancellation takes place after May 1, it does not cancel a placement on availability for the following academic year **(5-4.06 D)**.

There may be reasons why you do not want your placement on availability to be cancelled (for example, if you believe that the drop in enrolment will continue in the years to come and you would prefer to obtain a post in another college as soon as possible). In such a case, you must advise the college in writing⁸ in the seven (7) calendar days following the date when you attain a full-time workload in your discipline. If you subsequently change your mind, you have until October 30 of the academic year in progress to cancel your placement on availability. In the meantime, you are not obliged to accept a post offered by the Placement Office unless it corresponds to one of the choices you made in filling out the form **(5-4.07 E) 2**. On October 31, your placement on availability is automatically cancelled **(5-4.06 B)**.



⁸ See *Sample Letter 1* in appendix

Program closure

What is a program closure?

For a program to be considered closed, a resolution must be adopted to this effect by the college's Board of Governors **(5-4.01)**. The college is obliged to consult with the Labour Relations Committee four months prior to the date at which the closure is to take effect **(5-4.02 and 5-4.03)**. In addition, the college is obliged to consult with its commission of studies.

Who is affected by these particular conditions of placement on availability?

Only the teachers of the discipline specific to the training of the closed program are affected. This therefore excludes teachers placed on availability in contributing disciplines or general education, even if this placement on availability is a result of the closure **(5-4.07 E) 4)**.

Closure of the only program of its kind in a zone

By no later than June 1 of the year during which a program is closed, the college must send written notice to this effect to the teachers of the specific discipline of the closed program **who are placed on availability⁹ (5-4.07 L)**.

The various options:

1. You may voluntarily move to a post outside your zone in your discipline or in another discipline. You will therefore have hiring priority 5¹⁰. *The post will be assigned according to the hiring priorities.*

2. You may submit to the mandatory relocation process. If you have been MED for **more than two years**, you must accept a post in **your discipline** in a college in **another zone**. Your hiring priority will not be the same as if you were voluntarily relocating: you will have hiring priority 6. If you accept a post, you will not be obliged to occupy it before the following winter semester **(5-4.07 F)**, in accordance with the six-month delay stipulated in the following paragraph.
3. Other options are also available; your choice must be made within the six months following receipt of the notice of program closure.

The choice is among:

- **A severance package**

This is a payment for terminating employment that is equal to one month of salary for each year of seniority up to a maximum of one year's salary. This calculation determines the payment starting in the contract year that follows receipt of the notice of program closure **(5-4.07 L) 1)**.

- **Retraining**

You may also apply for retraining for a period of one to eight semesters in order to teach in another discipline. You must submit a written request to the college¹¹, which in turn forwards it to the hiring committee for that discipline and decides whether or not to send it along to the Parity Placement Committee.

⁹ A program may close without your being placed on availability, such as, for example, when second- or third-year students need to finish the program. In such a case, the written notice of program closure will be sent to you once you are placed on availability

¹⁰ See Note 7.

¹¹ See *Sample letter 2* in appendix.

Acceptance of retraining by the Parity Placement Committee depends on the availability of a post at the college in that other discipline; if so, the post is reserved until the retraining is completed. In some cases, the post may not be open at the time of the request for retraining; it is sufficient that an intention to resign (linked to a retirement in the discipline) has been submitted to the College that will take effect by the time the retraining is completed (at the latest). Once your request is forwarded to the Parity Placement Committee, it takes priority over other requests that are not linked to the closure of a single program in a zone **(5-4.07 L) 2)** and **5-4.21)**.

- **Pre-retirement leave**

If you are eligible for retirement or early retirement at the end of a pre-retirement leave, you may obtain such a leave **(5-4.07 L) 3)** and **5-4.15)**.

- **Employability or termination of employment measures**

The college may also, in accordance with the administrative rules established by the *Ministère de l'Éducation*, offer you one of the employability or termination of employment measures provided for under Clause **5-4.24)**. These measures¹² include, among other things, the possibility for a teacher on availability due to the closure of the only program of its kind in a zone to be released the equivalent of one day a week (20%) during a given semester for career development **(5-4.24 f)**.

If none of these options is of interest to you and you do not want to accept a post outside of your zone, you can waive your right to salary protection until a post that interests you is offered. In such a case, you must advise the College and the Placement Office in writing **(5-4.07 H)¹³⁾**.

¹² For further details regarding the employability and termination of employment measures and their terms and conditions, see Clause 5-4.24.

¹³ See *Sample letter 3* in the appendices

Other closed programs

Article 5-4.00 of the collective agreement includes provisions for situations in which the closed program is not the only one of its kind in the zone. If such is the case, check with your local union to see what provisions may apply.

The form

The form and letter accompanying the lists sent to teachers on availability by the Placement Office are available on the Ministry's website (in French only) at the following address: <http://www.mels.gouv.qc.ca/enssup/ens-coll/administration.asp>. You may submit the form electronically or by regular mail. If you choose to send it by mail, verify with your college that the address is correct. If you submit it electronically, you will be given an access code. Once the transmission has gone through, you will receive a confirmation of receipt¹⁴.

Even if you are not required to relocate, it is advisable to fill in the form, indicating where appropriate that you are staying at your college. The form serves to express your choices for annual replacement teaching loads or posts offered by the Placement Office (**5-4.07 D**). In all cases, you have seven (7) calendar days from the date of reception to return the form. It is important to respect the deadline.

Section B) is only for a **voluntary** relocation within your discipline (priorities 4 and 5) or to another discipline (priorities 10 to 13), in your zone, in your sector, or outside your zone, as the case may be.

Section C) is only for those who would prefer not to relocate but may be required to do so (**mandatory relocation**): indicate your preferences for the posts available in your zone, sector or outside your zone, as appropriate.

Section D) is for annual replacement teaching loads in your discipline and in your zone. If you are interested in a teaching load in another discipline or outside your zone, you will not benefit from a higher hiring priority.

Indicate in the box in Section E if your college can guarantee you of a teaching load that is at least equal to the 80% paid by your salary protection or to the 60% if you are eligible for retirement without actuarial reduction.

If you are interested in obtaining a post in a high school, fill in Section F.



¹⁴ If you do not receive such a confirmation, notify your local union representative, who will then contact a representative of the Parity Placement Committee. Any document transmission problem (electronic or not) should be reported.

Hiring priorities

The applicable order of priority is the one in force at the college opening up the post 5-4.17 a) (FNEEQ (CSN) and FEC (CSQ) collective agreements).

Priorities that appear in **bold typeface** are those that apply to teachers placed on availability (MED):

- 1. a teacher placed on availability in his or her discipline in the college or a teacher who exercises the right to return to his or her discipline;**
- 2. a teacher placed on availability from another discipline in the college or a teacher who exercises the right to return from another discipline;**

or

a teacher in another discipline in the college where there is a teacher placed on availability;

- 3. a teacher placed on availability in the college who is being retrained for a reserved post;**
- 4. a teacher placed on availability in the zone who requests voluntary relocation in her or his discipline;**
- 5. a teacher placed on availability outside the zone who requests voluntary relocation in his or her discipline;**
- 6. a teacher placed on availability in the zone who is obliged to relocate in her or his discipline;**

or

a teacher placed on availability in the same sector who is obliged to relocate in her or his discipline;

or

a teacher placed on availability in the same sector who is obliged to relocate in her or his discipline;

or

a non-tenured teacher in the college with at least nine (9) years of seniority (as of the last day of the previous contract year) for the three (3) years following the expiration of her or his last contract, in his or her discipline;

- 7. a full-time non-tenured teacher in the college with less than nine (9) years of seniority (as of the last day of the previous contract year) for the three (3) years that follow the expiration of his or her last contract, in his or her discipline;**
- 8. a full-time non-tenured teacher in the college from another discipline;**
- 9. a full-time non-tenured teacher from another college whose name is on the list of the Placement Office, in his or her discipline;**
- 10. a teacher placed on availability within a zone who asks for voluntary relocation to another discipline;**
- 11. a teacher placed on availability from a college within the same zone who is in retraining for a reserved post in another college (5-4.22) and requesting voluntary relocation;**
- 12. a teacher placed on availability from outside the zone who is requesting voluntary relocation to another discipline;**
- 13. a teacher placed on availability from a college outside the zone who is in retraining for a reserved post and requesting voluntary relocation;**
- 14. a full-time non-tenured teacher in another discipline from another college whose name is on the Placement Office's list;**
- 15. a tenured (permanent) teacher on leave for public service;**
- 16. a professional employee placed on availability or a support staff employee placed on availability in the college;**
- 17. a tenured (permanent) teacher from another discipline;**

18. a management employee who was previously a tenured (permanent) teacher for the three (3) years following his or her appointment;
19. an employee from another personnel category on provisional assignment;
20. a secondary school teacher placed on availability;
21. a non-tenured teacher on leave for public service at the end of her or his mandate.

Order of priority for a full-time annual load in regular teaching 5-4.17 b)

Priorities that appear in **bold typeface** are those that apply to teachers placed on availability (MED):

1. **a teacher placed on availability in the college, in his or her discipline;**
2. **a teacher placed on availability in the zone for a full-time annual replacement workload, in her or his discipline;**

or

a non-tenured teacher with at least ten (10) years of seniority (as of the last day of the previous contract year) for the three (3) years that follow the expiration of his or her last contract, in her or his discipline;

3. **a teacher placed on availability in another discipline;**

or

a non-tenured teacher with at least three (3) years of seniority (as of the last day of the previous contract year) for the three (3) years that follow the expiration of their last contract, in his or her discipline;

4. a tenured (permanent) teacher in the college from another discipline where there is a teacher placed on availability;

5. a full-time non-tenured teacher for the three (3) years immediately following the one during which he or she was full-time, in his or her discipline;
6. a part-time non-tenured teacher with at least three (3) years of seniority (as of the last day of the previous contract year) provided no more than three (3) years have elapsed since the expiration of his or her last contract, in his or her discipline;
7. an employee from another category in the college on provisional assignment;
8. a full-time non-tenured teacher from another discipline for the year following the expiration of her or his contract.

Order of priority for a full-time teaching load in continuing education 5-4.17 d)

Priorities that appear in **bold typeface** are those that apply to teachers placed on availability (MED):

1. **a teacher placed on availability in the college, in his or her discipline;**
2. a non-tenured teacher in his or her discipline for the three (3) years that follow the expiration of his or her last contract.

Order of priority for summer courses 5-4.17 e)

Priorities that appear in **bold typeface** are those that apply to teachers placed on availability (MED):

1. **a teacher placed on availability in the college, in his or her discipline;**
2. a non-tenured teacher with a hiring priority for regular teaching, in her or his discipline.

If you refuse a post or teaching load offered to you

If you refuse a post or a teaching load that the Placement Office offers you when you are obliged to relocate, **you cease to be an employee of the college**. If you wish to contest this, you have 30 days to file a grievance **(5-4.07 H)**.

If you are not relocated

If you are not relocated and do not attain a workload equivalent to your salary protection of 80%, or 60% if you are eligible for retirement without an actuarial reduction, you must accept any teaching load that the college offers you up to the level of the salary protection **(5-4.07 I)**. You are not required to accept a workload greater than this protection (80% or 60%, as the case may be), but if the total workload does exceed this protection, you will be paid accordingly.

You may also be required to teach summer courses that end no later than June 24. If this carries over into your vacation period, you will be compensated for these days **(5-4.07 I and 6-1.07)**.

You may also be required to give courses in Continuing Education, in which case your workload will be calculated using the CI formula. With the agreement of the college, you may exchange such a course with another teacher in your department who agrees to do so **(5-4.07 I)**.

If you do not have a teaching workload equivalent to 80% of your salary, or 60% if you are eligible for retirement without an actuarial reduction, the college may also assign you to perform activities under components 1, 2 or 3 of the teacher workload described in Clause **8-4.01** of the collective agreement. If this includes tasks other than teaching, the college must consult the Labour Relations Committee (LRC) **(4-3.14 i)**. If there is no agreement with the union, the college may proceed. Once informed of such a new assignment, you have the right to five (5) working days to prepare **(5-4.07 J)**.

The availability you are required to offer is equivalent to your salary in proportion to the annual salary you would receive if you were to have a full-time teaching load **(8-3.01 c)**.

Salary and other benefits

You are guaranteed to receive 80% of your salary as determined by your level of schooling and experience, or 60% if you are eligible for retirement without an actuarial reduction, even if your actual load does not reach that proportion, as long as you are on availability. However, if your actual load (teaching and other responsibilities) exceeds this level (calculated as a full-time equivalent, in other words, as a proportion of 80 units of CI), you will be paid accordingly **(5-4.07 I)**.

For the calculation of seniority and experience, you are considered to be working full-time **(6-2.04 and 5-3.06 I)**. For pension purposes, you will be awarded one year of service **(5-4.14)**. The salary admissible for pension purposes is that which you would have received if you were not placed on availability. However, your contributions are calculated based on the salary that you actually receive. For life insurance, health insurance, and salary insurance, you are considered to be working full-time **(5-5.01)**.

The right to return

If, up to five (5) working days after the start of classes in your college of origin (the college where you worked before being relocated), a post becomes available in your discipline or in another discipline¹⁵ when you have just been relocated, you can exercise your right to return immediately to work in your college of origin **(5-4.07 A)**.

For the entire first year of your relocation, if a post becomes available in your college of origin, you can exercise your right to return, but you will not occupy the post until the start of the following semester **(5-4.07 A and 5-4.07 G)**. For the right to return to your college of origin, you have priority 1 in your discipline and priority 2 in another discipline¹⁶.

However, if you are obliged to relocate to another college outside the zone as a result of a program closure, you do not have the right to return to your college of origin **(5-4.07 A)**.

You must indicate in writing to the Placement Office your desire to exercise your right to return: it is best to do so immediately after your relocation, so that the Placement Office can take this into account in distributing the posts that follow; this must also be done again before May 1 of the academic year of your relocation in order that your name may so appear on the lists prepared by the Placement Office **(5-4.07 A)**¹⁷.

Moving expenses

If your relocation to a college outside of the zone (even if it is within the sector) requires that you move to a new residence, you may be entitled to moving expenses **(5-4.13 and Appendix II-3)**. You should confirm this with your local union.

Retraining

If you are placed on availability and a post is opened in another discipline in your college, you can make a request for retraining for a reserved post. The request must be made in writing to your college. The process is outlined in **5-4.21**.

¹⁵ For another discipline, you must apply for the post and meet the requirements. If you do, the college is not obliged to have the agreement of the departmental hiring committee.

¹⁶ For priority 2 with a permanent coming from another discipline where there is a teacher placed on availability, it is seniority that determines the priority.

¹⁷ See *Sample Letter 4* in appendix.

Employability and termination of employment measures

If you are on availability, the college may offer¹⁸ you one or more employability or termination of employment measures, some of which will be subject to a formal agreement and others to Ministry approval.

These measures include:

- severance pay;
- pre-retirement leave;
- retraining for a reserved post in another discipline in another college;
- leave without pay for a period of up to five (5) years;
- loan of service for a period of up to five (5) years;
- etc.

All of these employability and termination of employment measures, along with their terms and conditions, are outlined in Clause 5-4.24.

A secondary school teaching post

By no later than August 10, the Placement Office will send you a list of available teaching posts at the secondary level in the public sector. This is optional and you are in no way required to apply for any of these positions (5-4.25).

¹⁸ Prior to making any such offer, the college must check the applicable administrative rules issued by the Ministry before March 31 for the following academic year.

Other situations

- If you are enrolled in a deferred or anticipated leave program when you are placed on availability, certain provisions apply. See **5-12.15**.
- You may serve as coordinator of your department, but this cannot increase the number of FTEs allocated to the department (**4-1.08**).
- You may request a paid pre-retirement leave in order to avoid or cancel being placed on availability if you are a tenured (permanent) teacher, provided you will be eligible for retirement or early retirement by the end of this leave. However, the college is in no way bound to grant such leave (**5-4.15**).
- Retraining for a reserved post is also available, by substitution, to a tenured (permanent) teacher who is not placed on availability (**5-4.21 A**).
- Being on leave or assignment to another function while on availability does not withdraw you from the job security process (**5-4.07 D**).
- If you have been on disability leave for more than 104 weeks, you are not required to relocate (**5-4.07 D**).
- If you are retraining for a reserved post, you are not required to relocate (**5-4.21 H**).
- If you are guaranteed a teaching load equivalent to your salary protection (80% or 60% if you are eligible for retirement without an actuarial reduction), you are not required to relocate (**5-4.07 D**).
- Employability and termination of employment measures are also available, by substitution, to a tenured (permanent) teacher who is not placed on availability (**5-4.24**).

Some Important Dates

Some Important Dates

March 31	Deadline for the Ministry to send the administrative rules applicable to employability and termination of employment measures for the following contract year.
May 1	Deadline for indicating that you wish to exercise your right to return (by April 30 of the year that follows your placement on availability).
May 31	Deadline for the college to send notice of placement on availability.
June 1	Deadline for the college to send a notice of program closure.
May 15	Deadline for the college to send a request for retraining to the Parity Placement Committee.
June 10	Deadline for the Placement Office to send out the first list of teachers placed on availability, posts and full-time teaching workloads in the system.
June 15	Deadline for the Parity Placement Committee to respond to retraining requests.
August 10*	Deadline for the Placement Office to send out the second list of posts and full-time teaching workloads in the system.
September 30	Deadline for opening posts in a college.
October 7*	Deadline for the Placement Office to send out the third list of posts and full-time teaching workloads in the system.

* Teachers placed on availability have seven (7) days following receipt of the Placement Office's lists to return the completed form. It is important to respect this deadline.

Sample Letter 1

Request to maintain placement on availability

Deadline: Seven (7) days after obtaining or reaching a full-time teaching load.

Date and place.....

Human Resources Department

Ref. No.: EMPLOYEE NUMBER OR SIN.....

RE: Request to maintain placement on availability

Dear Sir / Madam,

In accordance with Clause 5-4.06 B) of the teachers' collective agreement, I request the maintenance of my placement on availability (MED status). Accordingly, my name should remain on the list of the Placement Office (*Bureau de Placement*).

Sincerely yours,

Name and address.....

cc. Your local teachers' union

Sample Letter 2

Request for retraining

Deadline: As soon as possible after the allocation project is set in LRC, which must be by May 1 at the latest. The college must forward your request to the Placement Office by no later than May 15.

Who can make such a request: a teacher placed on availability or a tenured (permanent) teacher in a discipline where there is a teacher on availability.

Date and place.....

Human Resources Department

Ref. No.: EMPLOYEE NUMBER OR SIN.....

RE: Request for retraining

Dear Sir / Madam,

In accordance with Clause 5-4.21 of the teachers' collective agreement, I request retraining for a reserved post for (one to eight semesters) in the (identify the name and number of the discipline where there is a post available in your college)¹⁹.

The objectives that I wish to achieve in completing this project are as follows:

The objectives that I wish to accomplish in each year of my retraining are as follows:

Sincerely yours,

Name and address.....

cc. Your local teachers' union

¹⁹ In the case of a request linked with the closure of the only program of its kind offered in the college's zone, the post may become available only at the end of your retraining period if a teacher in the discipline for which you are retraining has submitted written notice of his or her intention to resign (in order to take retirement, for example) by the end of the retraining period **(5-4.21 E)**.

Sample Letter 3

Request for renunciation of salary protection

Deadline: Seven (7) days after receiving notice of relocation from the Placement Office.

Who can make such a decision: a teacher placed on availability in the main discipline of the only program offered in the college's zone.

Date and place.....

Human Resources Department

Bureau de Placement du secteur collégial

Direction des relations du travail - personnel enseignant
Ministère de l'Éducation, du Loisir et du Sport
150, boul. René-Lévesque Est, 17^e étage
Québec (Québec) G1R 5X1

Ref. No.: EMPLOYEE NUMBER OR SIN.....

RE: Request for renunciation of salary protection

Dear Sir / Madam,

In accordance with Clause 5-4.07 H) of the teachers' collective agreement, I hereby inform you that I wish to renounce my salary protection following the terms described in this clause, up until I accept a post offered by the Placement Office.

Sincerely yours,

Name and address.....

cc. Your local teachers' union

Exercise of the right to return

Deadline: You must indicate in writing to the Placement Office your desire to exercise your right to return – it is a good idea to do so once you are relocated so that the Placement Office can take this into account when assigning the posts that follow. This notice must be sent again by May 1 of the year of your relocation, in order that your name may so appear on the lists prepared by the Placement Office (5-4.07 A).

Who can exercise such a right: a teacher placed on availability who has been relocated, with the exception of those placed on availability due to a program closure.

Date and place

Bureau de Placement du secteur collégial
Direction des relations du travail - personnel enseignant
Ministère de l'Éducation, du Loisir et du Sport
150, boul. René-Lévesque Est, 17^e étage
Québec (Québec) G1R 5X1

Ref. No.: EMPLOYEE NUMBER OR SIN

RE: Exercise of the right to return

Dear Sir / Madam,

In accordance with Clause 5-4.07A) of the teachers' collective agreement, I hereby inform you that I wish to exercise my right to return to my college of origin .(name of college), for a post in(name of your discipline or the other discipline²⁰)

Sincerely yours,

Name and address

cc. Your local teachers' union
Human Resources Department of each college

²⁰ If you are changing disciplines, you must apply for the post when it is advertised.



GUIDE TO THE RIGHTS OF TEACHERS PLACED ON AVAILABILITY
This guide is intended for CEGEP teachers whose union is affiliated with the FNEEQ (CSN)

Fédération nationale des enseignantes et des enseignants du Québec (CSN)

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