

Teacher / Occasional Teacher Negotiating Brief Summary

Legend:

Bold = New language to be proposed

Strikethrough = Proposed elimination of existing language

C1.00 Structure and Content of Collective Agreement

This existing section addresses the physical organization of the Collective Agreement, as well as identifying the parties to the Collective Agreement.

C2.00 Length of Term/Notice to Bargain/Renewal

This is simply removing language that is duplicated.

C3.00 Definitions

This existing section defines terms used throughout the Collective Agreement. There are two proposed changes:

1. The first proposed change adds teachers who teach in adult education day school to the existing definition of a teacher for the purposes of this Collective Agreement. It is an equity issue, as these adult education day school teachers do the same work and have the same responsibilities as any other secondary day school teacher.
2. The second proposed change adds a definition of supernumerary teachers as the term is used in Article C16.00 of this brief. Supernumerary teachers are permanent teachers who are redundant or laid off and who, therefore, no longer have permanent work with their school board. Supernumerary teachers would continue to be paid their salary while doing daily and long term occasional work within the same school board.

C4.00 Central Labour Relations Committee

This existing section establishes a central committee that has been successful in arriving at mutually agreed upon solutions to questions and issues that arise from the central part of the Collective Agreement.

C5.00 Central Grievance Process

This section establishes the bodies and processes for dealing with grievances that arise from the central part of the Collective Agreement. The proposed changes capture what is currently occurring.

C6.00 Vested Retirement Gratuity Voluntary Early Payout Option

OSSTF/FEESO is proposing that this article be deleted from the Collective Agreement, as it has expired.

C7.00 Benefits and Letter of Agreement #4

The existing article and Letter of Agreement #4 provide a province-wide benefits plan for employees. The proposed changes address the issue of equity of access for all employees and related funding. To maintain the plan, OSSTF/FEESO is proposing annual increases in keeping with inflationary costs. OSSTF/FEESO is attempting to work with the other parties to put in place administrative changes that will streamline operations and promote efficiencies.

C7.4 Workplace Safety and Insurance Board (WSIB) Top-Up

The Workplace Safety and Insurance Board (WSIB) is one of the largest insurance organizations in North America, covering over five million people in more than 300,000 workplaces across Ontario. When an injury or illness happens on the job, WSIB moves quickly to provide wage-loss benefits, medical coverage and support to help people get back to work. Funded by businesses, WSIB also provides no-fault collective liability insurance and access to industry-specific health and safety information.

Currently, some employees who are entitled to WSIB benefits, due to an injury in the workplace, are also entitled to a top-up payment from the employer that brings them to their pre-injury salary. The proposed change addresses equity because OSSTF/FEESO is seeking to extend access to the top-up payment to all employees.

C7.5 Long-Term Disability (Employee Paid Plans)

This existing article established a provincial OSSTF/FEESO Long Term Disability (LTD) plan for teachers who, due to a devastating injury or illness, are unable to work. While this article also outlines the administrative responsibilities of the school board, the move to a province-wide plan shifted the responsibility from the school board to OSSTF/FEESO. Teachers pay the full LTD premium.

C8.00 Statutory Leaves of Absence/SEB

C8.1 Family Medical Leave or ~~Critically Ill Child Care~~ Critical Illness Leave

The *Employment Standards Act* allows employees who meet the eligibility criteria to take Family Medical Leave and Critical Illness Leave. The only change proposed is in the name of one of the leaves to reflect the name change in the ESA.

C8.2 Parental Leave Supplementary Employment Benefits (SEB)

Currently, only birth mothers have access to a Supplemental Employment Benefit that tops up Employment Insurance for eight weeks. Parental leave SEB would provide a similar benefit to parents who adopt children or to the non-birth parent who is at home caring for the child. This is an issue of equity and fairness in a province where there are many different family situations.

C9.00 Sick Leave

This existing article captures the current sick leave plan, which protects employees, hit by a disabling illness or injury, to bridge the waiting period to long term disability. It includes sick leave, as well as short-term disability, which is paid at less than the full salary, with the ability to top up to the full salary by using any remaining sick leave credits from the previous year. The two proposed changes are intended to clarify issues resulting from a lack of clarification in the existing language.

C10.00 Provincial Schools Authority/PSAT

This existing article establishes which Collective Agreement governs the working conditions of a particular group of OSSTF/FEESO teachers. There are no changes proposed.

C11.00 Ministry/School Board Initiatives

OSSTF/FEESO currently participates on the Provincial Committee on Ministry Initiatives and the proposed language captures that ongoing participation.

C12.00 Professional Judgement

This is all current language that reflects a teacher's professional judgement. The deleted paragraph is no longer needed as this work has been completed.

C13.00 Occasional Teachers and Professional Development Days

This proposed article recognizes the importance of Professional Development (PD) for all occasional teachers. As front-line workers replacing permanent teachers, occasional teachers need access to paid PD during the school day to receive PD on health and safety issues, assessment and evaluation, and any other PD offered to permanent teachers.

C14.00 Compensation

With the goal of spending more time at the table on education issues such as course offerings, class size and support for our most vulnerable students, and less time on compensation, OSSTF/FEESO is proposing the introduction of Cost of Living Adjustments (COLA) into our collective agreements. In fact, inflationary adjustments such as this keep the real wage increase to zero. Our research shows that over long periods, wages and salary tend to track inflation, although adjustments fluctuate up and down erratically in particular years and create an unnecessary level of conflict. COLA would smooth this out and make negotiations more reasonable and predictable. It is also worth noting that recent polling shows that 70% of Ontario citizens support cost of living increases for teachers and education workers, while only 18% oppose the idea.

C15.00 Voluntary Unpaid Leave of Absence Days (VLAD)

This proposed article provides an avenue for employees who would like to take unpaid time off work. Unpaid time off work provides a stream of revenue to the employer because replacement workers are paid less, and in some cases, the employees are not replaced. The savings

generated due to unpaid time off work will be redirected to programs and services for students and/or items to support student learning.

C16.00 Notification of Potential Risk of Physical Injury - Workplace Violence

With the increase in significant violent incidents in schools, it is critically important that everyone has a common understanding of the information that needs to be shared. Our proposal aligns with the employers legal responsibility to provide information to employees using the Ministry of Labour's forms.

C17.00 Hiring Practices

This proposal retains the beneficial rules governing hiring practices, which currently exist in regulation, and addresses the problematic rules of the regulation. It would allow school boards to hire teachers from a shortlist based on qualifications and skills, while also recognizing the importance of seniority as a basic union principle. It would also allow for mobility of teachers between different school boards in the province, which the current regulation does not and reduce the unmanageable workload of the interview process for school boards.

C18.00 Provincial Federation Release Days

There is an increased requirement for OSSTF/FEESO to consult and inform local leaders during the central bargaining process. This proposal assists in this process by standardizing access to local union leaders to attend provincial OSSTF/FEESO functions. The proposal ensures that any local agreement language regarding reimbursement to the employer for these release days applies, and as such, there is no additional cost to the school board.

C19.00 Certification Group/Category Rating Statement Provider

Currently, a teacher's rating statement, which is used for placement on the local salary grid, is generated through the OSSTF/FEESO Certification Department. All of the other education affiliates use a third party, the Qualifications Evaluation Council of Ontario (QECO), to produce the required teacher rating statement. This proposal would transfer the rating statement process from OSSTF/FEESO to QECO. There would be minimal impact on salary placement.

C20.00 Learning Environment Protection

Polls show that Ontarians don't support the Ford government's direction on class size. Over 70% believe that this government's education policies have a negative impact on students. According to Minister Lecce, the change in average class size has only changed from 22 to 22.5 and yet, we are already seeing how this change in class size has significantly reduced program choice for students. Imagine the devastating reductions that are yet to come as the class size average continues to climb over the next three years to 28.

OSSTF/FEESO recognizes the importance of protecting the learning environment for Ontario students now and into the future. It is essential for the success of our students. We need to ensure that the options available to students last year continue to remain available to both current and future students. To that end, we are proposing that we establish a baseline of the average ratio of teachers to students based on the average ratio in the 2018-19 school year. On a go forward basis, this baseline would remain the same, except in situations of declining enrolment whereby the baseline could be reduced at a rate equal to the rate of declining enrolment.

C21.00 E-learning Expansion

E-Learning is a valid method of curriculum delivery for some students and most students across the province have the option of choosing to earn course credits through e-learning. The Ministry of Education has announced a new graduation requirement for secondary students to complete four (4) e-learning courses. In a survey by the Ontario Student Trustees' Association over 75% of students rank online courses as not being able to provide a comparable quality of learning when compared to in-person classes.

This proposal ensures that the parties have comprehensively studied the merits of mandatory e-learning for all students and its impacts on all types of learners before the implementation of this program. Implementation of the Ministry of Education's mandatory e-learning program should occur once all parties are satisfied that e-learning is an appropriate pedagogical method providing the same standards and opportunities for student success as traditional in-class courses.

C22.00 Local Priorities Amount

This proposal ensures the continuation of the funding provided in 2017, used to create additional teacher positions to meet increased special education needs. OSSTF/FEESO's goal continues to be to promote safe, healthy and caring schools, as was the stated goal of the parties when this funding was implemented.

C23.00 Central Parameters and Funding Implementation

OSSTF/FEESO initially proposed that local parties, within each individual board's budget, bargain the items in this article. In recognition of the Labour Board's decision that they should be bargained centrally, OSSTF/FEESO proposes language that recognizes that the funding and parameters will be determined by the central table, but the implementation and utilization of the items should be negotiated locally in order to meet the diverse needs and priorities of local communities.

Appendix A – Retirement Gratuities

This existing language addressed the removal of sick leave gratuities in 2012, and no changes are being proposed.

Appendix B – Abilities Form

This is the existing medical form, and no changes are being proposed.

Letters of Agreement

The Letters of Agreement #1, #2, #3, #5 and #6 have expired, or are no longer relevant or the work or commitment contained within them has been completed. As such, OSSTF/FEESO is proposing that they be removed from the Collective Agreement.

OSSTF/FEESO is proposing that the existing Letter of Agreement XX Re: Long Term Disability Administration be moved into the Collective Agreement. There is no new entitlement; this is simply a move to store the letter in a different place.