



Upcoming dates:

June 8th, 10th, and 23rd –
Hearing dates at OLRB

November 23rd, 2015 –
Charter challenge (with other
unions) on Bill 115

May 24, 2015

As you know, we will be proceeding with a hearing at the Ontario Labour Relations Board (OLRB) in June in order to determine what will be bargained centrally vs. locally. Our hearing dates are June 8th, 10th and 23rd. All briefs – CUPE's and the management team's – have been tabled in recent weeks. We have asked the Chair for a full written response explaining the rationale for whatever decision he makes. We expect this to take some time.

There is no possibility of filing for conciliation in order to move into a strike or lockout position by either CUPE or the management team until we have a ruling from the OLRB on central vs. local division of CUPE issues.

The bargaining committee will meet for two days prior to the OD convention to discuss bargaining timelines and how we see moving forward from here.

Sector updates

There has been a lot of activity in recent weeks. As you know Durham, Rainbow District, and Peel boards have been struck by the Ontario Secondary School Teachers' Federation (OSSTF). OSSTF has also commenced administrative work-to-rule job action in Ottawa and Halton. The Elementary Teachers' Federation of Ontario (ETFO) has started the first phase of a work-to-rule campaign, province-wide. Among other things, they have successfully prevented the EQAO tests from being administered in English public elementary schools.

CUPE education workers have been a strong presence on the picket lines of the three regions where secondary teachers are striking, and we have been clear support to ETFO in their work-to-rule. Thank you to all those who have been taking time to picket alongside striking teachers and those finding other ways to show support. One thing we know for sure: solidarity wins strikes. It's vital that we continue to be visible in our support for striking teachers. (CUPE Local 895 in the Rainbow district has filed an unfair labour practice complaint with the OLRB because the employer reversed an approved book-off to prevent the local executive from attending a rally in support of OSSTF).

As you also know, the Durham, Rainbow and Peel boards have filed an illegal strike application against OSSTF at the OLRB, claiming these are not local strikes but strikes designed to put pressure on the central bargaining table. The boards entered pictures of picket signs and newspaper articles quoting teachers speaking about class size (a central table issue) as evidence. Initially the boards were asking the OLRB to ban OSSTF from communicating in writing or verbally on issues related to central bargaining. Clearly this would infringe on freedom of speech and expression. CUPE sought intervenor status, claiming this was a Charter issue. The Chair persuaded the boards to reconsider this aspect of the remedy sought. Once it was removed, the Chair denied CUPE intervenor status, ruling that while CUPE has an interest in the proceeding, we do not have a direct legal interest.

As of this writing, the hearing has finished and the parties are awaiting a ruling. The Chair is likely to rule on this matter sometime between Monday, May 25th and Wednesday, May 27th.

In the meantime, the provincial government has asked the Education Relations Commission (ERC) to review the situation to determine whether the school year is in jeopardy at any of the three school boards where there is full job action. Should the ERC find the school year to be in jeopardy, Kathleen Wynne has indicated she is prepared to introduce back-to-work legislation.

Late on Saturday, May 23rd, OSSTF announced that their central bargaining is again at an impasse and they have filed for conciliation.

The Ontario English Catholic Teachers' Association (OECTA) has received a strong strike mandate from their members. And we understand the *Association des enseignantes et des enseignants franco-ontariens* (AEFO) is also taking strike votes.

Other support staff tables

ETFO has had an OLRB hearing on whether supervision would be considered a central issue for the support staff they represent. While there is no decision yet, the good news is that the Chair of that hearing was not part of the earlier decision related to supervision, and so was hearing the issue for the first time. They have no bargaining dates set for support staff.

OSSTF has had bargaining dates for support staff but has indicated there is no real bargaining taking place.

Both OSSTF and ETFO support staff tables have bargaining dates in June and we are sharing information as to what we are tabling so that we are not undercutting positions others may be taking.

Putting pressure on the government

We have been meeting with OECTA, OSSTF, ETFO, and AEFO regarding a political action event at the Liberal Annual General Meeting. The AGM will take place from June 5th – 7th in Collingwood. We will be participating in a Stand Up for Ontario Rally to take place on Saturday June 6th from 12:30 to 2:00 p.m. We would like to see a good turnout for this event. More details will follow in the days to come.

If you are going to the Ontario Division Convention, you will likely have received an email asking you to bring a plain white or plain black shirt. Our intention is to take advantage of having large numbers of education workers in the city to make a statement at Queen's Park. We will be asking for volunteers to attend Question Period at Queen's Park on Wednesday and Thursday mornings. The black and or white shirts will help us stand out as a group without preventing our entry to the gallery (this would be the case if we were to wear t-shirts with messages). We will speak more about this at the caucus meeting on Tuesday scheduled for 3:00-4:30 p.m. in the Osgoode East room at the Sheraton.

Other issues

You may have seen a list-serve notice related to "seed" money being made available for boards to explore local and regional options for shared service delivery of certain services – like custodial and school maintenance, capital planning, payroll, server hosting, procurement and recruitment (HR). This is clearly an area of concern for us as we have members providing these services as school board employees.

Layoffs: As part of our campaign to call for a serious review of the funding formula, CUPE National researcher Paul O'Donnell is looking at layoffs and reductions through the board budget process. It is critical we get this information as soon as possible. Please contact Paul directly with the number of positions lost by classification, including through attrition, hours of work cut, work year reductions, etc. Email him directly at podonnell@cupe.ca.

Finally, we have sent a resolution to all local presidents to take to the trustees in your board, calling on them to take a stand against the privatization of Hydro. The proposed sale of Hydro One will have a serious impact on school boards. In fact, when Education Minister Liz Sandals was head of the Ontario Public School Board Association, she challenged the Tories on their proposed privatization of hydro, saying that students in rural and northern Ontario will lose out under such a sale. She said explicitly that "the profits private investors will expect from Hydro One will drive up the price of electricity." Given that school board budgets have been flat-lined, where will trustees look to find the money to pay for Hydro? This is clearly another threat to our work.

There is a lot going on and the end of the school year is always busy. Please attend your area meetings, get your strike committees together, and ensure you have a system for reaching your members over the summer.

We need to be ready to bargain as soon as we have the central and local items determined and be ready for action in the fall.

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