

# CUPE EDUCATION WORKERS MAKING SCHOOLS WORK



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OSBCC Update – Fall 2016

## Upcoming dates:

- February 7-11, 2017 – OSBCC Conference

November 8, 2016

## Proposed changes to the School Boards Collective Bargaining Act (SBCBA)

The provincial government has briefed us on their proposed changes to the SBCBA – this is the piece of legislation that governs how we now bargain in the education sector. The government is seeking input from stakeholders, and based on our feedback the government is to table new legislation before December, when the House breaks. The legislation cannot pass before the House returns in February.

The government has proposed ten (10) changes. Six (6) of these are problematic for CUPE. They are:

### **Mandatory Participation**

The government wishes to make central bargaining mandatory for all education workers, and not just teachers. We are opposed; our members should maintain the right to decide to participate in central bargaining each and every round. We've said in writing "mandatory participation in a central bargaining process is anti-democratic, and contrary to the spirit of freedom of association under the Charter."

### **Sequencing Central Bargaining before Local Bargaining**

We are totally opposed to this. Our position is that concurrent local and central bargaining makes sense, and if there were to be any legislated change, it should be that local bargaining precedes central bargaining (so that monetary issues are not dealt with first). This would more closely replicate regular bargaining.

### **Add a definition of lock-out to the SBCBA**

The government is seeking a definition of lockout that allows for a "partial lockout" – similar to the one introduced in BC in response to teachers working to rule. We feel the current definition of a lockout under the Ontario Labour Relations Act is clear and should be left as is.

## **Requiring an additional five days' notice prior to escalation of job action**

We oppose this. It will only result in legal disputes about what is a legal job action or not. In the last round, we provided five days' notice as a courtesy. It was not a requirement, and we don't feel it should be one.

## **Permit extensions – by agreement – to the length of the term**

We agree the parties should have the option to extend the agreement with mutual consent of the parties. But we also think that the term of the agreement should be determined by mutual agreement, and not at the Crown's discretion.

## **Giving the Crown authority to raise complaints with the OLRB**

The government is seeking the right to intervene if a school board and local enter into an agreement which is contrary to central terms. We think it should be up to the parties, not the government, to ensure compliance with central agreement.

## **There are three proposed changes for which we have no comment**

- Two proposed changes requiring the CTA to disclose expenses
- One change providing an option to teacher groups who also represent education workers to combine those bargaining tables

## **Newly Organized Bargaining Units to get Central Language**

This is one proposed change that we agree with.

## **Other Updates**

### **Provincial Benefits Plan**

We've told the government that without additional funding, we do not feel there is sufficient funding to establish and sustain benefits for our members through a benefits trust. We are still engaged in discussions to secure the additional funding needed.

### **Talks on contract extension**

As per the decision of the leadership at our meeting on October 23<sup>rd</sup> (see the motion passed at the end of the newsletter), we will be commencing talks with the government on November 8th. Our committee has met to prepare for these talks. Two additional days are scheduled for the following week.

We learned last week that OSSTF was not able to reach an agreement on extending their contract. They have not ruled out a return to the table, but their talks are over for now.

A key player with the government, Tony Dean, who had been heading up the extension talks from the province's side, has been appointed to the Senate and is no longer there. The head of Labour Relations for the Ministry of Education will now take over talks with us.

## Fighting School Closures

The fight against school closures is really ramping up across Ontario. In 2015, the provincial government changed the Pupil Accommodation Review Guidelines to make it easier and faster for school boards to close schools. The government shortened the time frame for review, and eliminated the need to consider the impact of closures on community well-being and the local economy.

Since then, we've seen the number of proposed school closures continue to rise. For example, in September, the Upper Canada District School Board proposed closing 29 schools by the end of this school year. Across Ontario, groups of parents and concerned community members are coming together to fight to save their schools. They have now formed an umbrella group called the Ontario Association Against School Closures.

The Ontario Association Against School Closures has published an open letter to the Minister of Education, calling on the government to:

- Immediately put a moratorium on school closures.
- Scrap the recently revised PARG (Pupil Accommodation Review Guidelines).
- Immediately suspend all reviews across Ontario until new guidelines are put in place, which respect the democratic participation of local communities.
- Commission a study to determine the effects of extensive school closures on the health of our children and our communities.
- This group is holding a rally November 21<sup>st</sup> at Queen's Park, at 11:30 am, to bring their concerns directly to the government.

CUPE Ontario has signed on to the demands of their campaign and is assisting them with rally logistics. We are also reaching out to labour and political allies to support their demands.

A number of CUPE locals are already working with their local community groups, some of which are fundraising, to send buses to the rally of concerned citizens.

It would be great to get as many CUPE people as possible to the rally on the 21<sup>st</sup>.

There is an open group on Facebook that you can find and join by searching for the Ontario Association Against School Closures. This grassroots effort gives us a chance to join with allies against cuts and closures.

## Student Well-Being Regional Consultation Meetings

We will be in touch shortly with locals who submitted names to represent CUPE/OSBCC in the Regional Student Well-being Consultation Meetings.

## **Campaign for Whole School Funding**

We are pleased by the enthusiasm local leaders have shown to the Campaign for Whole School Funding. We will send out materials to locals as soon as they are ready.

## **Levy Letter**

We will send out letters to local presidents about our levy this week. This will include a copy of the expenses from the last round of bargaining.

## **ECE Working Group**

The group will meet next on November 24<sup>th</sup> to work on joint recommendations.

## **LTD Working Group**

The committee met for the second time this week. Boards will be getting a survey to complete as part of the data collection. Their next meeting is December 5<sup>th</sup>.

## **Motion passed at October 23rd leadership meeting:**

I move that we give the OSBCC a mandate to explore extension talks with the government which are to conclude by December 31<sup>st</sup>, 2016, on the understanding the results will be brought back to the leadership. If the leadership decides to recommend the results of discussions, it would then be brought back to the membership for a vote.

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