

CUPE  
EDUCATION  
WORKERS

# MAKING SCHOOLS WORK



**Members' bulletin**  
**October 2018**

## In this bulletin

- Bill 115 Remedy – October 31 deadline
- Central disputes update
- Success stories: Making technology work for everyone
- Decoding what the Ford government says



OSBCU's Jennifer Eckert and Keith Levere show solidarity at the Ontario Health Coalition's Rally for Public Health Care on October 23.



## Dates to Remember:

- OSBCU Bargaining Conference – November 3 and 4, Westin Hotel, Ottawa
- CUPE National Sector Conference – November 5 to 8, Westin Hotel, Ottawa
- OSBCU Annual Convention – January 29 to February 2, 2019, Niagara Falls

## OSBCU area meetings

Thanks to everyone who attended the OSBCU Area Meetings in September. We've been very pleased with the turnout and your feedback on the draft of our bargaining priorities has been very valuable to the Central Bargaining Committee.

The committee met in mid-October to revise the proposals to take to the Bargaining Conference in November. At the conference delegates will vote on a final package.

## Bill 115 Remedy - update

### Remedy payments:

There is another deadline looming for remedy payments: the government has asked school boards to reconcile the Bill 115 remedy payments by **October 31, 2018**. After that, any undistributed funds will be returned to the government.

School boards are now putting together this reconciliation, but of course some payments were undeliverable, mostly because of incorrect direct deposit information or wrong mailing addresses.

CUPE received lists from the government with names of members who have not received their payments and CUPE locals have been helping track some of them down. Many thanks to the locals who posted the names of these individuals on their websites or on Facebook page; the members who missed out earlier this year should get their remedy payment before Christmas.

Members who are on these lists can still receive their payment by emailing [bill115remedy@cupe.ca](mailto:bill115remedy@cupe.ca) and including their former school board name, CUPE local number and their current mailing address.

Individuals already on the remedy list, who did not receive payment, will still be able to access their payment after October 31, but it will be a more complex process. Therefore, it is important that we have any updated mailing addresses prior to the October 31, 2018 deadline so that individuals can receive their payments in a timely manner.

### Bill 115 Remedy arbitration:

We have another issue in arbitration around the Bill 115 remedy, this time over what happens to undistributed settlement monies after seven years. The government says the monies should be returned to its general revenues account; we disagree.

We have recalled the Bill 115 remedy arbitrator to decide the issue; December 11, 2018 and February 12, 2019 have been reserved for arbitration of the matter.

### Labour Board complaint about remedy payments:

CUPE has submitted a complaint with the Ontario Labour Relations Board about remedy payments being made to groups who did NOT participate in the Charter Challenge. Because other unions (ETFO, OSSTF, OPSEU) also filed similar complaints, we have consolidated proceedings to deal with the government's preliminary objections.

The Crown completed its submissions on October 3 and the affiliated unions will make theirs on December 13 and January 28. (CUPE will likely make its submission on December 13.)

## Central disputes update

The Central Disputes Committee (OSBCU First Vice-President Laura Walton, Francophone Vice-President Sylvain Piché and OSBCU Associate Coordinator Michel Revelin) have continued to work with CUPE lawyer Mona Staples over the summer to work through our central disputes.

The committee has some statistics to share with members:

**Number of central disputes filed:** 104

**Number of central disputes outstanding:** 54

**Disputes resolved with Central implications:** 35

Summary: Staff Enhancement Funds (via extension agreement), protected complement, sick leave (both probationary and longterm assignment), casual seniority list, medical documentation. In the majority of these cases we were able to work with the Council of Trustees Association (CTA) to speak directly with the boards to clarify and correct the dispute.

In the case of casuals' seniority list, the CTA has directed boards that it is reasonable that boards maintain these lists as they would any other seniority list. The CTA was also able to direct the boards in providing the necessary disclosure and documentation which enabled locals to resolve issues surrounding protected complement and Staff Enhancement Funds. Through conversations at the table, the CTA was able to clarify and correct with boards the intent of language surrounding sick leave and medical documentation.

**Disputes sent back to locals:** 12

Typically, this is because the circumstances are specific to an individual rather than group or policy.

**Disputes with arbitration date confirmed:** 5

Dealing with protected compliment, hours of work, violence prevention programs.

**Disputes set before arbitrators but awaiting dates:** 5

**Disputes awaiting assignment of arbitrators and dates:** 10

**Disputes resolved locally that have created minutes of settlement:** 6

**Disputes withdrawn centrally:** 3

The committee continues to provide support to locals who have had disputes referred back to them. It's been quite successful in bringing together local leadership who have a higher volume of cases to review and ascertain information that we require.

There is an ongoing issue of availability of dates from the Council of Trustee Association and the Crown, but the committee has made its members available for all dates offered by arbitrators and has encouraged our central dispute partners to do the same.

## Success Stories

### Making technology work for everyone

In this day and age, when technology has taken the place of pen and paper activities, teachers, Early Childhood Educators (ECEs) and many students throughout the Durham District School Board were given Chromebooks. These laptops are meant to help engage students and assist them with their learning.

But educational assistants (EAs) were left out. The leadership of CUPE 218, which represents education workers at the board, heard from EAs continually that they had taken professional development courses or additional training to help work with students in this ever-changing environment, but didn't have the tools to implement their training.



Many EAs even had to borrow a Chromebook from teachers or students to attend the workshops. Then, on their return to the classroom, they couldn't put into practice what they had learned or work on the programs developed for the students.

CUPE 218's Lori-Ann Richards, who is also the OSBCU's Mobilization Officer for Area 4, repeatedly brought the situation to the board's attention on a number of occasions, without any real reply. She tried again this summer, sharing with the board many emails of concern and frustration from EAs.

Finally, in late September, Lori-Ann learned that her members had been heard: the board's Innovation, IT and Special Education teams worked together on a proposal that would provide Chromebooks for all EAs. The proposal went before the administrative council and was approved by the senior team.

Now every permanent EA in Durham District School Board can have a Chromebook. By first completing a series of online workshops through PD Place, EAs can attend Laptop 101 course offered at the board and receive their Chromebook!

EAs work extremely hard and make invaluable contributions to students' education. This "win" is just another step on the road to ensuring that EAs get the same respect (and the same tools) as their educator partners and students.

---

**Does your local have a story to share?** If you would like to share a success story from your local, please e-mail [president@osbcu.ca](mailto:president@osbcu.ca).

---

## Decoding what the Ford government says

CUPE research has looked for signs of what the Ford government has in store for public sector workers, based on public statements the government has made and analysis of two commissioned reports, [Report of the Independent Financial Commission of Inquiry](#) and [Managing Transformation: a modernization Action Plan for Ontario](#), the latter by Ernst and Young (EY).

The EY report talks about **“providing funding to individuals, who can then choose their service providers.”** This may be code for the voucher system in schools – parents can take their “share” of per-student funding for public schools and apply it to a school of their choice, which may be a private or religious school. The ultimate effect is to starve public education of funding and the experiment has a devastating impact on public school system in US, Alberta and BC.

The government has also talked about a **“Parents’ Bill of Rights”** that could mean the right of parents to send their child to a private school (religious, charter, home schooling) with public dollars.

The **“line-by-line” review of public sector funding** by EY identifies **public sector wages** as a “risk” that government should keep in mind when budgeting in the future (along with rising interest rates and slower economic growth).

### **“I don’t see that as a job cut”**

On the campaign trail, Doug Ford promised to find 4% in “efficiencies” without jobs cuts or layoffs. But this month one of his cabinet ministers, Treasury Board President Peter Bethlenfalvy, helpfully explained this promise doesn’t mean that jobs won’t be privatized.

[“I don’t see that as a job cut,”](#) Bethlenfalvy told iPolitics. “I think that person still has their job, and I think that’s the primary objective here: that we find a way to transform government without having to look at cuts, and try to make government more efficient so we can balance the budget.”

Beware PC promises!

The re-audit of the province’s finances now puts the deficit at \$15 billion, more than double the Liberals’ estimate \$6.7 billion. Making the announcement, Finance Minister Vic Fedeli said, **“The hole is deep, and it will require everyone to make sacrifices without exception.”** We know that the government will use its new deficit numbers as the basis for cuts to public services.

There are a number of recommendations in The EY report about finding “a better framework for public expenditure management” – see the **table on page 7** for what they could/likely mean for education workers.

## Preparing for bargaining in Doug Ford's Ontario

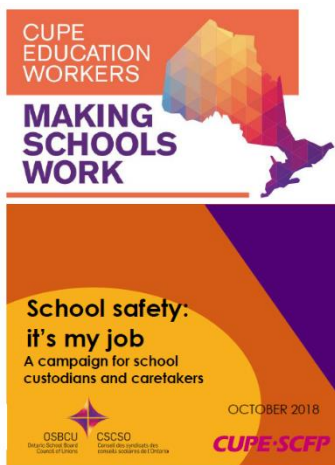
As the OSBCU prepares for bargaining, we are getting ready to deal with the agenda of a right-wing Ford agenda.

We know our members share our concerns about the directions that the government may take and we are taking a close look at those that would have direct impact on us as school board workers.

We've seen the signs about what the future may hold for bargaining in the sector as well as for our public-school system generally. The Ford government approach to education could all add up to zero funding going into bargaining, public funding for charter schools, fewer school boards, consolidating of central administration work across school boards, contracting out, school closures. The signals are there and we need to be aware of them if the OSBCU is going to challenge the government on all these fronts.

There are things we will do to improve our bargaining position and improve our capacity to fight back against these very real threats:

1. We need to re-engage in face-to-face discussions with members to let them know what we are fighting for and to find out what their concerns are.
2. We can develop community-based campaigns about the importance of keeping education public and investing in quality public education – a broad-based movement that demands these things will develop the kind of public support that will hold the government in check. These fights will be won if voters in Conservative held ridings stand with us in the fight.
3. In addition to bargaining proposals that address our real concerns about wages, benefits, and job security, we can also include proposals that guarantee high-quality services. This would have the effect of not only protecting our members but ALSO build broader based public support for our bargaining goals.
4. Support projects that focus on the added value that CUPE workers bring to Ontario schools.



Custodians and caretakers have recently launched a campaign, taking “School safety: it’s my job” as their slogan and developing a toolkit with ideas for highlighting their role in keeping schools safe. For copies, please contact your local president.

What the EY report says	What it means	Possible outcomes
<b>“modern relationship with labour”</b>	Bargaining for wage restraint and greater efficiencies in the delivery of services	“gains sharing” - wage gains only if savings can be found in the operations budget, over and above other budget cuts (not the same as “net zero,” where unions find savings within the collective agreement)
<b>“renewed funding models for major program” – including the Grant for Student Needs (GSN)</b>	Changes to the way school boards are funded	Change to the voucher system for schools – in AB, BC and the US, this has had a devastating impact on public schools
<b>“alternative arrangements for funding”</b>	Tying funding to performance outcomes and/or provide funding to individuals who can then choose their service providers	Voucher systems for schools
<b>Reduce the number of transfer partner agents</b> (the government transfers funds the agents to deliver particular services)	As transfer partner agents, school boards are a target for reductions	School board mergers Eliminating Catholic and public boards eliminating school boards altogether (as in NS) Representation votes between unions
<b>Alternative Service Delivery</b>	Code for contracting out work	Doug Ford promised not to cut jobs, but as the Treasury Board president recently pointed out, that doesn’t mean jobs won’t contracted out; in fact, the president stated that shifting jobs to the private sector is not the same as a job cut
<b>Find “back office efficiencies”</b>	shared services across the across the broader public sector, especially for finance, human resources, supply chain and IT services	Consolidating central administration across school boards could mean blending departments like payroll, purchasing and warehousing and reducing related jobs
<b>New strategies for dealing with real property and infrastructure</b>	Alternative finance and procurement should be used for building new infrastructure	Building schools through Public Private Partnerships (P3s) – an experiment that was a miserable failure when it was tried in MB, AB and NS
<b>Regular reporting on usage of buildings</b>	Looking at school enrolment and usage	could lead to the lifting of the moratorium on school closures and we could see the loss of community/local schools

MU:nz/cope491