



June 23, 2022

Colleen Russell-Rawlins
Director of Education
Toronto District School Board
5050 Yonge Street
North York, ON M2N 5N8

Dear Director Russell-Rawlins,

We are writing further to the letter of June 16, 2022 from the Director of Education providing an update on the Multi-Site Joint Health and Safety Committee (the “Committee”).

The letter indicates the Board will engage in mediation on the Committee’s Terms of Reference starting in September, 2022. However, the Board has also provided notice that it intends to “fully operationalize” the Terms of Reference it submitted in December 2014 and, more significantly, that the Board intends to adjust the complement of workplace inspectors as of September 2022. We understand this will result in a reduction of 2 workplace inspectors in the OSSTF bargaining unit.

As you know, the TDSB and OSSTF agreed in the last round of bargaining to a Letter of Understanding which references ongoing consultation on the Committee’s Terms of Reference including “a review of the complement of Health and Safety inspectors for each respective bargaining unit”. The LOU also provides:

“...the Board agrees to maintain the existing number of inspectors for the OSSTF bargaining unit until August 30, 2022. It is understood that the Board and the Union may discuss extensions at this point if either the pandemic or the MOL process requires it. It is further understood that the number of OSSTF Inspectors may change....”

The TDSB has not engaged, to date, in the consultations to which it committed in this LOU and will not do so until September 2022 according to the Director’s letter. Nonetheless, the Board has stated that it intends to unilaterally change the number of workplace inspectors without ever engaging in any discussions with OSSTF on this issue and without any consideration of whether the MOL consultation process requires an extension of the agreement to maintain the current number of inspectors.

The Board's proposed action constitutes, in our view, a violation of both the terms and the spirit of the LOU. The Board intends to unilaterally reduce workplace inspectors in the OSSTF bargaining unit without fulfilling any of the commitments it made in bargaining as reflected in the LOU.

Accordingly, any planned change to the number of workplace inspectors for the OSSTF bargaining unit must be placed on hold pending the consultation process. OSSTF would expect that the consultation be conducted in good faith by all parties. The Board's unilateral conduct is not only contrary to the LOU but contrary to the parties' joint commitment to the consultation process.

Because of the urgency of this issue and its importance to our members, we would ask that you reply to this letter no later than June 30, 2022. We reserve the right to file a grievance and to proceed on an expedited basis to have this matter determined if it becomes necessary to do so. We also reserve our rights to seek any other legal remedy that may be available.

We look forward to your prompt reply.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michelle', with a stylized flourish at the end.

Michelle Teixeira

President

OSSTF Toronto Teachers' Bargaining Unit

cc: Craig Snider, Associate Director, Business Operations & Service Excellence
Andrew Gold, Associate Director, Student Well-Being & Innovation
Audley Salmon, Associate Director, Learning Transformation and Equity
Maia Puccetti, Executive Officer, Facilities & Planning
Lorraine Linton, Executive Superintendent, Employee Services