

OSSTF Toronto Teachers' Bargaining Unit

Branch Presidents Weekend 2024

Nicole Gauthier, Mark Kissel, Rony Masri



Communication with Members and to Members

- Regular and ongoing
 - Non-tdsb email
 - Monthly meeting
 - Summaries of Council
 - Posting materials in central location
- Communication plan with admin
 - Informal resolution
 - Preventative action

Communication with Members and to Members

- Duty of Fair Representation
 - A trade union or council of trade unions... shall not act in a manner that is arbitrary, discriminatory or in bad faith in the representation of any of the employees in the unit
 - Mediation is available for member to member conflict
- Share knowledge of, and reference to, Collective Agreement and Constitution(s) with clarity from Executive Officer
 - Not expected to be an expert

Communication with Members and to Members

- Principals do not have a right to information about Union business nor information shared at Union meetings
- Labour Relations Act (LRA): trade union member is free to participate in a union's lawful activities
 - management cannot: (i) interfere with employee rights to participate in their union;
 - (ii) participate in or interfere with the administration of the Union;
 - (iii) intimidate or coerce a union member from exercising any of their rights under the LRA

Communication with Members and to Members

- Encourage Branch Presidents to exercise rights under LRA in a way that is both responsible and professional
- Any information shared with members should be fair and factual
- Be clear about the intended audience in communications

Suggested disclaimer:

This message is intended only for the use of the addressee and may contain information that is privileged and confidential. Any unauthorized distribution, copying or disclosure is prohibited. If you are not the intended recipient, please notify me immediately and delete this message

Communication with Members and to Members

- Representative of Bargaining Unit and the role of the BP
 - Cannot direct or suggest to Member to disregard direction of employer
- Ongoing communication with Executive Officer is imperative
 - Grievance timelines
 - Interpretation of collective agreement language can have wide reaching implications

Communication with Members and to Members

- Consider carefully what is put in writing
 - Statements made as Branch President can potentially be used in future impacting grievance, arbitration, Human Rights Tribunal, Duty of Fair Representation Hearing
- Considerations for bargaining and constitutional changes
 - Share ideas and concerns in real time with EO to be noted for upcoming cycles of change

Communication with Executive Officer

- Branch Presidents should direct Members to Executive Officers when they have a larger concern
 - Member conflict, discipline, accommodation, human rights to avoid miscommunication or missing information

Copy Executive Officer on email communications where initial advice may be provided

Opportunity to Respond Meetings

An Opportunity to Respond (OTR) Meeting is a formal process for administration to ascertain a member's side of an investigation

Updated language in Clause L4.3:

“Where it could reasonably be expected that an incident would lead to discipline or discharge, the principal or immediate supervisor will inform the Teacher of this possibility and will advise the Teacher that they may be accompanied by a representative **determined by the Bargaining Unit (excluding legal counsel) at the Opportunity to Respond Meeting as per L4.4.**”

New language in **bold**

Opportunity to Respond Meetings con't

- Per L4.3, the Bargaining Unit will, in most cases, name the Executive Officer assigned to the Branch/Worksite as the representative of the Bargaining Unit
- When you receive a request, please contact your Executive Officer as soon as possible.
 - Some principals will reach out to EO's, but not always

Opportunity to Respond Meetings con't

- A time will be set up in the future. There is no need to sit this immediately
- If the OTR leads to discipline, and a grievance is filed, the Bargaining Unit is at a significant disadvantage if the EO is not present at the meeting
- Please reach out to your Executive Officer ASAP

Accommodations Process

- Members may come to you seeking advice regarding Accommodations in the workplace
- Accommodations are a request, not a requirement: the Board will work with the member, union, as well as the school administrator to determine what may be accomplished together

Accommodations Process con't

- Any Functional Abilities Form (FAF) requesting accommodations are to be sent to the Disabilities Case Administrators
- Please do not send medical documentation from a practitioner to your administration. Send to your Staffing Officer and/or the Disabilities Case Manager

Accommodations Process con't

- This may involve a meeting with the Member, union, administrator, and People & Culture to find a pathway forward
- "Self-regulation"
- The Board may ask for updated information by having a medical practitioner fill out a FAF and sent in within a reasonable amount of time
- This process may take time to work through.
 - If you are on leave, you will not be cleared to return to work until the conclusion of the Accommodations process.

Staffing Tips and Advice
For Branch Presidents
and Staffing Committees



Review
School Staffing
Committees
section
within
Staffing Binder

SCHOOL STAFFING COMMITTEES	
INDEX	
	Page
1. Principles of Operation.....	1
2. Role of the School Staffing Committees.....	1,2
3. Annual Tasks and Timeline Guidelines.....	3-6

Timelines: With your Staffing Committee...

Oct-Nov

- Hold staffing committee election and inform your admin by November 15
- Class size targets must meet compliance. 5% flex in 15% of courses
- Review PTC reports and class size reports for semester 1

Timelines: With your Staffing Committee...

Through-out the year

- Ongoing work from November 1 to October 31.
- Meet anytime a change happens in staffing at your school.
- Review the Coverage and Supervision Utilization Reports to determine how coverages are being distributed.
- Review utilization of Emergency Replacement Personnel.
- May need to potentially shuffle timetables to make the distribution of oncalls more equitable
- Good times to meet to review: mid-semester and towards the end of semester
- Review class size targets and PTC reports in Sem 2.

Role of the Staffing Committee: Schedule of Availability

L26.12 The **Schedule of Availability** shall be **predictable** for the Teacher and **posted or provided to each Teacher** and the Bargaining Unit for **prior to the first instance of coverage and/or supervision being assigned** at the **beginning of each semester** and upon any changes made to the Schedule of Availability.



Schedule of Availability: Things to Consider

- ☐ Are all members included on the schedule of availability? **Exception: Co-op teachers**
- ☐ Are the half periods clearly indicated?
- ☐ Are POR holders and half-time teachers noted?
- ☐ Is there an adequate number of teachers placed in each slot to deal with the anticipated # of on-calls?
- ☐ Is the schedule posted and/or shared with all members?



Schedule of Availability: It's Ongoing Work

- ☐ Are those who wish to do coverage in blocks noted?

Role of the Staffing Committee: Schedule of Availability

L26.13 The coverage and supervision shall be **equitably assigned on a rotating basis** with the objective being to equalize the assignments. To provide for flexibility, this schedule of assignments **may be utilized in blocks at the Teacher's request.**



Schedule of Availability: It's Ongoing Work

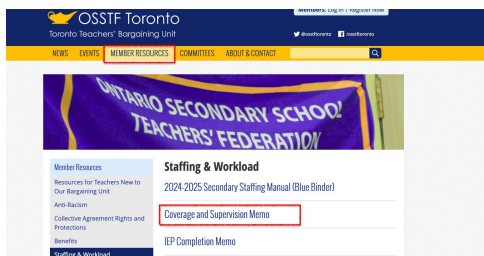
- ☐ Are those who wish to do coverage in blocks noted?
- ☐ As the year progresses, decide if changes need to be made to ensure a more equitable distribution of coverages.
- ☐ Review the utilization reports with your Staffing Committee to flag any periods that are being more heavily assigned to your colleagues.

Role of the Staffing Committee: Monitoring Coverage and Supervision

Within our Collective Agreement

School Staffing Committees will concern itself with

- L20.7(g) reviewing equitable distribution of coverage and supervision.
- L26.15 In order to ensure transparency, the **schedule and usage of assignments** shall be **monitored** by the **School Staffing Committee**.



Role of the Staffing Committee: Monitoring Coverage and Supervision

From the Staffing "Blue" Binder: Section School Staffing Committees - Annual Tasks and Timeline Guidelines: **September to June**

- Monitoring of the schedule of availability and usage of assignments of coverage and supervision begins.
- **Within three school days after the end of each month**, the Principal must report on the usage of coverage and supervision to the Senior Manager, Secondary Teaching Office.
- A copy of that report will be **provided to the members of the Committee at the same time.**

Coverage & Supervision Utilization Report Things to Consider

- Is the maximum number of coverages indicated?
 - Full-time teachers - 27 + 5
 - PORs - maximum of 14
 - Half-time teachers are prorated for 14 + 2
- Are OTBU members numbers kept in a separate tally from TBU members?
- Is there a column to indicate previous overages from the previous year? Are deductions made to max #s?

Coverage & Supervision Utilization Report Things to Consider

- Is there a column for coverages for partial and full day absences?
 - Is the data being inputted correctly?
- Does it include tallies for those members new to your school in 2nd semester from their first semester school?
- Is it posted or shared with your Branch members?

Signing Mutual Consent For Uncertified Subject

- **Staffing Rules Section**
#3 Mutual Consent Form For Uncertified Subject

After consultation with the School Staffing Committee, the Mutual Consent form is to be completed by the Principal and discussed with the Teacher who is being asked to teach a course for which the Teacher does not hold the appropriate qualification.

Signing Mutual Consent For Uncertified Subject

- **Staffing Rules Section**
#3 Mutual Consent Form For Uncertified Subject

Once signed, a **copy** of the form will be **given** to the Teacher and **to the School Staffing Committee**.

Advice on Whether to Sign Mutual Consent

- Leave the decision entirely up to the member.
- Advising blanketly "not to sign" could be deemed as an illegal strike action, as it is a form that was agreed upon by the Union and the Board.
- Advise that Mutual Consent is not EBNC

Advice on Whether to Sign Mutual Consent

- Signing Mutual Consent for an "Excess of Maximum Pupil Teacher Contact" means they are agreeing to exceed 180 (i.e. there is no limit).
- Admin could potentially add more students than the current number above 180; there's no longer an upper limit (class caps aside).

Seniority Verification Form

- Advise members to treat the form seriously when distributed to members in mid-January
- Verify accuracy of Eligible Aggregate data, certification, EBNCs
- Only time to "remove" or add EBNCs, if successfully taught within the last calendar year.

Toronto District School Board
Verification of Seniority Data - (OSSTF/TSSU)

Section 1:
Teacher Name: _____
School: _____
Position Number: _____

OSSTF Member: _____
TSSU Member: _____

Section 2:
According to the records for this teacher, is your teaching experience as of June 30, 2024 (except for the following)?

Eligible Aggregate: _____
Non-Eligible Aggregate: _____
Aggregate: _____

Section 3:
To make changes to your Seniority Data, please refer to the accompanying Seniority and Seniority Data Kit. Changes to your Seniority Data must be made by the end of the calendar year.

Section 4:
Seniority Data: _____
Eligible Aggregate: _____
Non-Eligible Aggregate: _____
Aggregate: _____

Section 5:
Please ensure Corrections or Deletions (EBNC) are clearly marked. Teachers who are currently on leave should submit forms to their Home School Principal.

Please return to your Principal by Wednesday, January 31, 2024.

Date: _____ Signature: _____

Section 4 is Often Overlooked

- ☐ Spec ed qualified? Make sure to circle yes or no for DD
- ☐ Ensure Learning Centre is selected
- ☐ Both used at Central Staffing

Section 4:
Seniority Placement Preference Information

In the event you are declared surplus during the Secondary Staffing Procedures, we will use this information below as a GUIDELINE for staffing purposes but cannot guarantee placement preference.

Preferred Subjects (list subjects you wish to teach in order of preference):

1. _____ 4. _____
2. _____ 5. _____
3. _____ 6. _____

Other Information/Skills (e.g. IT Training, CISCO, OTAS, e-Learning): _____

Holds certification in Special Education and willing to teach Developmental Disabilities (DD): Yes No (Circle one)

Circle One Learning Centre of the TDSB in which you would prefer to be placed:

Learning Centre 1 Learning Centre 2 Learning Centre 3 Learning Centre 4

Please ensure Corrections or Deletions (EBNC) are clearly marked. Teachers who are currently on leave should submit forms to their Home School Principal.

Please return to your Principal by Wednesday, January 31, 2024.

Date: _____ Signature: _____

When Adding EBNC's onto the Seniority Verification Form

- Advise members to refer to the Certification/Subject Code Chart and ensure they understand what that code entails them to teach

Cert.	Certification Description	Subject Description	Ministry	EDSE Cert. Code	Experienced but not Certified Code
F Family Studies					
NFS	Family Studies	Challenge & Change in Society	HSB	HSC, NCS or NFS	HSC
		Introduction to Anthropology, Psychology & Sociology	HSB	HSC, NCS or NFS	HSC
		Exploring Family Studies	HPF	NFS	
		Food & Nutrition	HPN	NFS or TFJ	
		Understanding Fashion	HSF	NFS	
		The World of Fashion	HSF	NFS	
		Clothing	HSF	NFS	
		Nutrition and Health	HPN	NFS or TFJ	
		Food and Culture	HPF	NFS or TFJ	
		Food and Healthy Living	HPN	NFS or TFJ	
		Working with Infants and Young Children	HPN	NFS	
		Housing and Home Design	HSF	NFS	
		Personal Life Management	HPF	NFS	
		Human Development Throughout the Lifespan	HPH	HSC, NCS or NFS	NFS
		Families in Canada	HPH	HSC, NCS or NFS	NFS
		Dynamics of Human Relationships	HPH	HSC, NCS or NFS	NFS
		Raising Healthy Children	HPN	NFS	
		Working with School-Age Children and Youth	HPN	NFS	

INCS Contemporary Studies					
		Challenge & Change in Society	HSB	HSC, NCS or NFS	HSC
		Introduction to Anthropology, Psychology & Sociology	HSB	HSC, NCS or NFS	HSC
		Human Development Throughout the Lifespan	HPH	HSC, NCS or NFS	NFS
		Families in Canada	HPH	HSC, NCS or NFS	NFS
		Dynamics of Human Relationships	HPH	HSC, NCS or NFS	NFS
		Philosophy: The Big Questions	HZB	HSC, HZC or NCS	HSC
		Philosophy: Questions & Theories	HZT	HSC, HZC or NCS	HSC
		World Religions and Belief Traditions in Daily Life	HRF	HSC or NCS	HSC

Certification Description	Subject Description	Ministry Subject Code	TDSB Cert. Code #	Experienced but not Certified
Mathematics	Mathematics	MAT	MAT	
	Foundational Mathematics	MTH	MAT	
	Principles of Mathematics	MPM	MAT	
	Functions	MCR	MAT	
	Functions and Applications	MCF	MAT	
	Mathematics for Work and Everyday Life	MEL	MAT	
	Foundations for College Math Gr. 11	MBF3	MAT	
	Advanced Functions	MFH	MAT	
	Foundations for College Math Gr. 12	MAP4	MAT	
	Math for College Technology	MCT	MAT	
	Math of Data Management	MDM	MAT	
	Calculus & Vectors	MCV	MAT	

Transfer Requests

- “Transfers don’t happen” is a myth
- Member must consider do they want to move or want to move somewhere specific
- More broad criteria for transfer, more likely to encompass vacancies for which a Member is qualified
- Carefully consider limitations when excluding schools

Transfer Requests

- Principals/staffing committees cannot predict or promise a transfer even if they believe a vacancy exists, as the central staffing process may use this vacancy before it gets to the transfer process
- Transfer will be limited to not only identified schools but noted qualifications
 - Math would not also include credit recovery of math



Thank you!
