



OUR SCHOOLS OUR FUTURE

ETFO COLLECTIVE
BARGAINING 2022



ETFO CENTRAL BARGAINING BULLETIN

November 1, 2022 | Bulletin Number 2

UPDATE: ETFO EDUCATION WORKER CENTRAL BARGAINING TABLE

On Friday, October 28, ETFO met with the Council of Trustees' Associations (CTA) and the government to continue negotiations at the **ETFO's Education Worker Central Table**. On that day, talks were cordial but progress was slow. ETFO, CTA and the government were scheduled to bargain again on Monday, October 31.

On the evening of Sunday, October 30, the Ford government issued a statement indicating that it intended to introduce back-to-work legislation the following day to stop CUPE members from taking any form of strike action (e.g., work-to-rule, full withdrawal of services, etc.).

On Monday, October 31 the Ford government introduced legislation - called the *Keeping Students in Class Act*, or Bill 28 – that, when passed, curbs CUPE members' constitutionally-protected rights by:

- making illegal any form of strike action taken by CUPE (e.g., work-to-rule, full withdrawal of services, etc.) from taking place;
- ending collective bargaining for CUPE education workers by imposing an unconstitutional four-year collective agreement that, among other things, reduces sick leave entitlements and cuts benefits funding to the CUPE Employee Life and Health Trust (ELHT) for CUPE members;
- including "notwithstanding" language that overrides both the *Canadian Charter of Rights and Freedoms* and the *Human Rights Code*; and
- preventing the Ontario Labour Relations Board, arbitrators and other tribunals from making inquiries or reaching decisions that may go against any aspect of the government's unconstitutional legislation.

Bill 28 makes engaging in strike action after the legislation is passed an offense. On conviction, individual CUPE members would be liable to a fine of up to \$4,000 per strike day; the union would be liable to a fine of up to \$500,000 per strike day.

It was not possible for your bargaining team to negotiate with government representatives on the same day that the Ford government was introducing legislation to undermine the collective bargaining rights our CUPE colleagues. Consequently, we met briefly with CTA and the government on the morning of October 31 and, in a short statement, ETFO President Karen Brown condemned in the strongest terms the actions of the government. Your bargaining team then concluded the bargaining session for the day.

UPDATE: TEACHER/OCCASIONAL TEACHER CENTRAL BARGAINING TABLE

ETFO filed an application on September 30, 2022, with the Ontario Labour Relations Board (OLRB) to resolve the outstanding bargaining issue of hiring practices and whether the issue should be part of central or local bargaining. The OLRB will be hearing ETFO's application on **Monday, November 14, 2022**.

It is ETFO's position that school board's hiring practices should be an item for local negotiations; the Ontario Public School Boards' Association (OPSBA) and the Crown are taking the position that hiring practices are a provincial matter and must be negotiated at the central table.

The OLRB may require more than one hearing day to reach a decision. ETFO will keep members apprised in a timely manner about the OLRB's deliberations.

CENTRAL BARGAINING DATES IN NOVEMBER

Additional central bargaining dates have been scheduled for Monday, November 7 and Tuesday, November 22.

POTENTIAL PROTEST BY CUPE MEMBERS ON NOVEMBER 4, 2022

On Sunday, October 30, 2022, CUPE gave notice that its education worker members would be engaging in a province-wide, full withdrawal of services strike. CUPE's strike was set to begin on Friday, November 4.

On Sunday evening, the government indicated that it would be introducing back-to-work legislation to stop CUPE's strike. On Monday, October 31, the Ford government introduced legislation called the *Keeping Students in Class Act* (also known as Bill 28).

CUPE has indicated publicly that, even if the government passes Bill 28, its education worker members will withdraw their services and engage in a political protest on Friday, November 4, 2022. In advance of Friday, November 4, ETFO members should:

- monitor their email for **ETFO CB eNewsletter** updates about CUPE's protest on November 4; and
- watch for information from their school board about how the CUPE protest may affect day-to-day school/work-site operations.

Members who are not subscribed to ETFO's CB eNewsletter can go to the **ETFO Collective Bargaining website at etfocb.ca** to review ETFO's advice and FAQs regarding CUPE's protest on Friday, November 4.

GET BARGAINING INFORMATION IN A TIMELY WAY: SUBSCRIBE TO ETFO'S CB ENEWSLETTER!

If you are not subscribed to the *ETFO Collective Bargaining eNewsletter* and would like to receive bargaining updates by email, please contact the ETFO Member Records Department at memberrecords@etfo.org.

For faster turnaround of your request, please include your ETFO ID Number in your email to Member Records.