



# OUR SCHOOLS OUR FUTURE

ETFO COLLECTIVE  
BARGAINING 2022



## ETFO CENTRAL BARGAINING BULLETIN

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ETFO represents approximately 80,000 teacher and occasional teacher members and about 3,500 education worker members. Because there are separate collective agreements for teachers/occasional teachers and for education workers, central bargaining takes place at two separate negotiation tables:

- the **ETFO Teacher/Occasional (T/OT) Teacher Central Table** - where ETFO bargains for our teacher and occasional teacher members with representatives from the Ontario Public School Boards' Association (OPSBA) and the government; and
- the **ETFO Education Worker (EW) Central Table** - where ETFO bargains for our education worker members with representatives from the Council of Trustees' Associations (CTA) and the government.

The next EW Central Table meeting is scheduled for **April 6, 2023**.

The next T/OT Central Table meetings take place on **April 20 and April 25, 2023**.

### Bargaining at the EW Central Table: A Productive Experience

Since September 2022, representatives from ETFO, CTA and the government have met 14 times at the EW Central Table. The first 3 of these meetings were used to determine the scope of central bargaining. At the remaining 11 meetings, we have been able to engage in productive discussions on many issues and significant progress is being made.

### Red Flags at the T/OT Central Table

The course of bargaining at the T/OT Central Table has not been as straightforward or as productive.

ETFO's attempt in the fall of 2022 to reach agreement on the T/OT Central List (i.e., the list of topics that would be bargained centrally) was impeded by the OPSBA/government team's insistence that school board hiring practices be included on the list. It was ETFO's view that, absent Regulation 274, hiring should be an issue for local bargaining tables. Bargaining was delayed while we waited for the decision of the Ontario Labour Relations Board (OLRB) on whether hiring practices was a central or local issue. The OLRB's decision was issued in December 2022, and the T/OT Central List was agreed to in January 2023. Because of the delay in establishing a central list ETFO, OPSBA and the government have only met 7 times at the T/OT Central Table since September, with 3 days used to determine the scope of central bargaining and just 4 days devoted to issue-based negotiations.

ETFO's most recent T/OT Central Table bargaining session took place on March 23. At this time, the Federation is encountering a number of issues at the T/OT Central Table that are causing concern. They include:

- a reluctance on the part of the OPSBA/government bargaining team to engage in meaningful discussion on ETFO's proposals; and

- a demand from the OPSBA/government team to strip (remove) language from the T/OT Central Agreement that protects teacher professional judgement.

## **Bargaining at the T/OT Central Table Must Include Meaningful Discussions**

In previous bargaining rounds ETFO, OPSBA and the government saw provincial bargaining as an opportunity to engage in meaningful, extended discussions on education-related issues affecting the working conditions of our members and the learning conditions of students. This round, the OPSBA/government team have adopted a bargaining style at the T/OT Central Table that we have not seen before. They are less interested in exchanging ideas and having meaningful discussions than during previous rounds.

So far, ETFO has submitted 14 bargaining proposals on a variety of issues (e.g., class size, health and safety, special education, IEPs, online learning, hybrid learning, benefits, etc.) at the T/OT Central Table. ETFO has repeatedly made efforts to ensure that negotiations on the items it has proposed receive the benefit of meaningful consultation and discussion, which needs to include open conversation and debate. However, it often appears as if the OPSBA/government team are not interested in engaging in substantive discussions on our proposals. ETFO is attempting to work at the table in good faith with the OPSBA/government team to ensure their approach to negotiations does not inhibit the bargaining process.

During our last T/OT central bargaining session on March 23, ETFO was able to persuade the government to engage more fully on 2 of our 14 proposals. ETFO's central bargaining team will continue to encourage real dialogue at the table around [ETFO's Bargaining Goals](#).

## **Strips Tabled by OPSBA/Government to Erode Teacher Professional Judgement**

During the 2014 round of bargaining, ETFO became one of the first unions in Canada to negotiate language into a collective agreement protecting the professional judgement of teachers and occasional teachers. How teacher professional judgement informs the use of diagnostic assessment - particularly around the timing and frequency of assessments - is found in Article C9.00 of the [T/OT Central Agreement](#). Article C9.00 includes the following language:

- “The Parties agree that a Teacher’s professional judgement is the cornerstone of assessment and evaluation.”
- “The ability to choose the appropriate assessment tool(s), as well as the frequency and timing of their administration allows the Teacher to gather data that is relevant, sufficient and valid in order to make judgements on student learning during the learning cycle.”
- “Teachers shall use their professional judgement to determine which assessment and/or evaluation tool(s) from the Board list of preapproved assessment tools is applicable, for which students(s), as well as the frequency and timing of the tool. In order to inform their instruction, Teachers must utilize diagnostic assessment during the school year.”
- “The results of diagnostic assessments shall not be used in any way in evaluating Teachers. No Teacher shall suffer discipline or discharge as a consequence of any diagnostic assessment results.”

The OPSBA/government team has tabled a proposal that would strip (remove) teachers’ ability to use their professional judgement around the timing and frequency of diagnostic assessments for students. They have made this proposal in order to introduce a standardized testing regime for reading for Kindergarten to Grade 2 students, whether they need it or not.

Teachers know that the use of standardized testing demonstrates a one-size-fits-all approach to learning. Students are placed in an ‘assembly line’ model that disregards their different needs and learning styles, and that discourages critical and creative thinking. Standardized testing also:

- is ineffective at gauging the real academic performance of students;
- marginalizes racialized students, students from vulnerable communities and learners with special needs; and
- limits the ability of teachers to determine curriculum topics and implement instructional methods that take into consideration the various learning styles of their students. Instead, standardized testing damages teacher professionalism and instructional creativity by centring the student-teacher relationship on practicing and taking formulaic tests.

The proposal from the OPSBA/government team to erode professional judgement protections in the T/OT Central Agreement is concerning. First, it devalues one of the most important professional responsibilities of teachers: determining which assessment methodology will best determine the unique learning needs of each student.

Second, it shifts responsibility for addressing the learning needs of elementary students from the government and onto the shoulders of teachers. Rather than addressing the needs of students by investing in education, the government has chosen to focus on eroding teacher professional judgement in order to impose a standardized reading test. Rather than providing more special education support and smaller class sizes, addressing violence in schools, and ensuring that schools are staffed appropriately by well-trained staff who feel valued in their workplaces, this is an attempt by the government to deflect the conversation from appropriate funding to mass testing.

It should be noted that neither the government nor school boards can make unilateral changes to the T/OT Central Agreement. Once language is negotiated into a central agreement, it **cannot** be altered or removed without ETFO’s consent. The *Labour Relations Act* also requires any change to the ETFO T/OT Central Agreement to be approved by a majority of voting ETFO teacher and occasional teacher members through a tentative agreement vote.

Bargaining at the T/OT Central Table is still in its early days, and proposals are often amended or withdrawn as discussions unfold. However, it is troubling that the OPSBA/government team have tabled a proposal that focusses on testing students rather than on funding schools appropriately.

ETFO also has concerns about other proposals tabled by the OPSBA/government bargaining team; the Federation’s concerns will be shared with members in a subsequent Central Bargaining Bulletin.

## For April: Special Central Bargaining Bulletin FAQ Issue

Members have many questions about central bargaining. ETFO is preparing a special Central Bargaining Bulletin ‘Frequently Asked Questions’ (FAQ) issue for April to address some of those questions.

To suggest a question for the Central Bargaining Bulletin FAQ issue, email ETFO through the “[Contact Us](#)” option on ETFO’s Collective Bargaining website at [etfocb.ca](http://etfocb.ca).