



OUR SCHOOLS OUR FUTURE

ETFO COLLECTIVE
BARGAINING 2022



ETFO CENTRAL BARGAINING BULLETIN

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CENTRAL BARGAINING UPDATE

In *ETFO Central Bargaining Bulletin #7*, ETFO advised members that it was concerned about the reluctance of the OPSBA/government bargaining team to engage in meaningful discussion on the Federation's bargaining proposals for teachers and occasional teachers during central bargaining meetings in March.

Unfortunately, after two additional days of bargaining at the Teacher/Occasional Teacher (T/OT) Central Table (April 20 and April 25), those concerns remain. However, we continue to be hopeful that, in time, we may start to achieve progress at this table.

ETFO has scheduled additional central bargaining dates on:

- Monday, May 1;
- Friday, May 12; and
- Friday, May 26

PROVINCE-WIDE STEWARD-PLUS-ONE MEETINGS

Steward-plus-one meetings are being arranged for late May and June by ETFO teacher locals. The purpose of the meetings will be to provide ETFO stewards with a detailed overview of what has been happening during central bargaining, as well as answer questions they may have about negotiations. Stewards will be asked to bring one ETFO member on staff with them to this Federation meeting.

After attending the steward-plus-one meeting, stewards will be holding a meeting with ETFO members at their school to share bargaining information and ensure members are aware of central bargaining developments. All ETFO members in the building will be invited to attend this meeting, including:

- daily occasional teachers in the building on the day of the meeting;
- long-term occasional teachers; and
- DECE, ESP and PSP colleagues on staff who are ETFO members

FREQUENTLY ASKED QUESTIONS (FAQs)

Members have emailed ETFO many questions about central bargaining; ETFO has prepared the following FAQs to address some of those questions.

THE BARGAINING PROCESS

Can school boards or the government ignore the terms of our collective agreements because those terms expired on August 31, 2022?

No. Section 86 of the *Labour Relations Act* sets a 'statutory freeze' on the terms and conditions of all expired collective agreements in Ontario -- including ETFO agreements -- until a new collective agreement is reached.

That means the terms in your agreement continue to be in force, even after it expires. The statutory freeze period applies to both the central (Part A) and local (Part B) terms in your agreement.

Why are there two ETFO central bargaining tables? Do other unions bargain at ETFO central tables, too?

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

- the ETFO Education Worker (EW) Central Table; and
- the ETFO Teacher/Occasional Teacher (T/OT) Central Table.

Other education unions -- AEFO, OECTA, OSSTF, and CUPE -- have their own central bargaining tables and do not attend ETFO bargaining sessions.

How is a bargaining issue classified as a 'central item' versus a 'local item'? How is that decided?

The legislation that governs education sector bargaining (the *School Boards Collective Bargaining Act*, or SBCBA) features a two-tier bargaining process: central bargaining and local bargaining. Terms and conditions in your collective agreement are negotiated at one of these two tiers.

In general, central bargaining addresses significant monetary issues (e.g., salary, benefits, class size, funding for additional staff positions), while local negotiations are focused on non-monetary and board-specific issues (e.g., staffing processes, working conditions, board policies and procedures).

The SBCBA requires ETFO and school board bargaining agencies (OPSBA and CTA) to meet at the start of each round of bargaining and determine the 'scope' of central bargaining. This scope is a list of items that the parties agree will be bargained centrally. Once the scope of central bargaining has been agreed to, ETFO provides that information to members in a Central Bargaining Bulletin.

Although the SBCBA does not require it, for additional clarity ETFO and OPSBA/CTA develop a list of items that they agree may be negotiated at local bargaining tables. The local list is provided to ETFO local and school board bargaining teams prior to the start of local bargaining.

Why is bargaining taking so long? Is this normal?

Given the magnitude and complexity of the issues being negotiated, it is not unusual for education sector bargaining to take several months to conclude. In the past, ETFO has participated in bargaining rounds that have taken over a year from start to finish. For example, the 2014 round of central bargaining was over 18 months long from start to finish.

Is bargaining going to last into the next school year?

It is too early to predict whether this bargaining round will extend into the 2023-2024 school year.

ETFO considers it important to bargain agreements in a timely way. However, the Federation's priority is to negotiate terms at our central and local bargaining tables that meet our members' needs and result in improved learning conditions for students. During some bargaining rounds, that goal can take a little longer to achieve.

I keep seeing bargaining terms I'm not familiar with. Where can I find out what those terms mean?

ETFO maintains a specialized, collective bargaining website at etfocb.ca. The website includes lots of general information about the bargaining process, copies of current and previous central agreements, ETFO bargaining goals for the 2022 round, bargaining videos and resources, and [glossary of bargaining terms](#).

How do I get updates about local bargaining?

You should be receiving updates about local bargaining from your ETFO local. Right now, many locals have developed preliminary submissions in preparation for bargaining with the school board. Under ETFO's *Negotiation Procedures*, all locals must have their preliminary submission endorsed by their members before submitting it to the school board to begin bargaining.

If you would like to find out more about the local bargaining process, please reach out to your ETFO local. You can find contact information for your local [here](#).

How do I get updates about central bargaining?

ETFO communicates central bargaining information to members in two main ways:

1. *ETFO Collective Bargaining (CB) eNewsletters*: The CB eNewsletter provides members with brief, timely updates about bargaining and bargaining-related events. Over two dozen CB eNewsletters have been emailed to members directly from the provincial office since June 2022. If you are not receiving these updates, please email ETFO Member Records at MemberRecords@etfo.org and provide your current contact information.
2. *ETFO Central Bargaining Bulletins*: Central bargaining bulletins provide more detailed information about bargaining and bargaining-related events. Bargaining bulletins are distributed to members through their ETFO local. They are also stored on the ETFO website in the [password protected member section](#). If you are not receiving central bargaining bulletins, please contact your ETFO local office.

In addition, ETFO administers a member-only [Collective Bargaining Group on Facebook](#). Links to CB eNewsletters and copies of central bargaining bulletins are posted in the ETFO CB Facebook Group.

WHAT'S HAPPENING AT ETFO CENTRAL TABLES

Central bargaining seems to be moving slowly. Does that mean ETFO is now at impasse?

No, ETFO central bargaining has not reached impasse.

In bargaining, the term 'impasse' means the two sides negotiating an agreement are unable to reach a deal and have become deadlocked. That is not the situation at ETFO's central bargaining tables at this time. It is important to know that:

- **significant progress** has been made at the EW Central Table, as has been reported to members previously; and
- at the T/OT Central Table, ETFO and the OPSBA/government team continue to meet and discuss bargaining proposals.

Why has there been more progress at the EW Central Table and less progress at the T/OT Central Table?

Negotiations for our teacher and occasional teacher members were delayed because of a disagreement about whether one particular item -- occasional teacher hiring -- should be part of central bargaining or local bargaining. The disagreement was referred to the Ontario Labour Relations Board (OLRB) to resolve in September 2022. The OLRB's decision was issued in December 2022.

Between September and December, bargaining for our education sector worker members continued but was delayed for teachers and occasional teachers while we waited for the OLRB's decision. As a result, there have been more bargaining sessions held at the EW Central Table (11 EW bargaining sessions versus 6 T/OT bargaining sessions). Those additional bargaining sessions have allowed ETFO's bargaining team to make more headway for our education worker members.

In addition, there are some issues at the T/OT Central Table that require more discussion (e.g., online/hybrid learning, special education funding, occasional teacher hiring practices, etc.). There are proposals that the OPSBA/government team introduced at the T/OT Central Table that were not proposed at the EW Central Table -- like changes to professional judgement language for teachers and occasional teachers. These factors also affect the pace of bargaining.

Has ETFO ever negotiated a provincial agreement without having to take provincial strike action?

Yes. During the 2008 round, ETFO negotiated a four-year Provincial Discussion Table Agreement. In 2017, two-year extension agreements were negotiated at ETFO's T/OT and EW Central Tables. These agreements were negotiated without taking central strike votes or engaging in any form of job action (i.e., no work-to-rule, no full withdrawal of services).

I'd like details about what ETFO is bargaining for and what the board/government bargaining teams are asking for. How can I get that information?

ETFO is holding steward-plus-one meetings across the province in late May and in June. Over 5,000 stewards and 'plus ones' will be invited to these meetings. Hundreds of executive members from occasional teacher, designated early childhood educator, education support personnel and professional support personnel locals will also be attending.

In addition, over the course of May and June, ETFO will be publishing special central bargaining bulletins. These bulletins focus on one specific issue being discussed at ETFO Central Tables and will explain the issue in detail. Issues covered in May/June special central bargaining bulletins will be:

- benefits;
- online/hybrid learning;

- occasional teacher hiring; and
- the Ontario Human Rights Commission's *Right to Read Inquiry Report*.

SALARY/WAGES

Would I get retro pay for any salary/wage increase negotiated in the next central agreement?

Yes. Retroactive pay (or retro pay) is a lump sum amount added to your salary/wages to make up for any compensation shortfall between the period of time when your new salary/wage applies but you were paid at your old rate. This is called the retroactive period.

For ETFO members, the retroactive period starts when ETFO's 2019-2022 collective agreements expired, which was September 1, 2022.

If I am retiring this year, will I get any retro pay that is negotiated? Also, how does retro pay affect my pension earnings?

Retiring members would receive any retro pay owed to them through their school board.

Both the Ontario Teachers' Pension Plan (OTPP) and the Ontario Municipal Employees' Retirement System (OMERS) will adjust an affected retired member's pension upwards after retirement to account for a retroactive pay increase.

QUESTIONS OR COMMENTS ABOUT CENTRAL BARGAINING

Members who have questions or comments about central bargaining can contact ETFO through the "[Contact Us](#)" option on our collective bargaining website at etfocb.ca.

We'll respond to your question or comment within 48 hours.