

## Regulation 274

To: District/Bargaining Unit Presidents

From: Pierre Côté, General Secretary

### For Information

In the November Provincial Council On-Time Report, we reported that Charles Ungerleider and Ruth Baumann from the Directions Evidence and Policy Research Group would be conducting a fact-finding study on the impact of Regulation 274. Please find attached a Memorandum from the Ministry of Education that outlines the steps in that consultation and provides the questions that will be asked of local leaders.

The researchers are asking bargaining unit presidents from teacher and occasional teacher bargaining units to provide the name(s) and contact information of the bargaining unit representatives by email to [regulation274@directions-eprg.ca](mailto:regulation274@directions-eprg.ca) with the local's name and regulation 274 on the subject line in the following format: *Regulation 274 – Local's Name*. The researchers are seeking broad active participation from all impacted bargaining units. OSSTF/FEESO has taken part in the first phase of this research project and has been supportive of the second phase and local input. It is important to note, however, that participation is voluntary. Please also note that OSSTF/FEESO's position along with a Q and A regarding reg. 274 can be found at <http://www.osstf.on.ca/reg-274-info>.

PC/rem  
100.regulation 274  
Attach:

**Ministry of Education**

Minister

Mowat Block  
Queen's Park  
Toronto ON M7A 1L2

**Ministère de l'Éducation**

Ministre

Édifice Mowat  
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Toronto ON M7A 1L2



January 9, 2014

Dear stakeholders,

I am pleased to write you to provide an update on the progress made in the ongoing discussions about possible improvements to the process outlined in Regulation 274. As you are aware, last fall I asked Ruth Baumann and Charles Ungerleider of *Directions Evidence and Policy Research Group* to carry out a two-phase process examining the implementation of Regulation 274 and to identify possible improvements to the regulation.

In the first phase, Charles and Ruth met with provincial organizations representing teacher federations, trustee groups and administrators to hear about implementation issues and specific suggestions for improvement to the regulation. The meetings with the provincial organizations have been positive and have allowed them to identify some possible improvements to the hiring process for which there might be broad agreement at the provincial level. In recognition that staffing processes begin in school boards early in the new year, Charles and Ruth were asked to move quickly in this first phase so that we could take advantage of the insights provided through these solution-seeking discussions. I expect them to provide me with a report in the coming weeks.

With the first phase near completion, Charles and Ruth will now undertake the fact-finding phase aimed at seeking documented evidence/experience of the impacts of the regulation's implementation in each school board across the province. In this second phase, they will meet with representatives of every school board and its local teacher unions (primarily by teleconference) in order to gather facts related to current effective hiring practices, positive outcomes and challenges of the regulation. This second phase of the process is to ensure that all school boards, teacher federations and board associations are included and that the full range of experiences with the regulation across the province has been captured.

The questions for this second phase of inquiry by Charles and Ruth are attached to allow adequate time for consideration and formation of responses.

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Please ask your locals to provide Ruth and Charles with the name(s) and contact information for their designated representative(s) by means of an e-mail message to [regulation274@directions-eprg.ca](mailto:regulation274@directions-eprg.ca) with the local's name and Regulation 274 on the subject line in the following format:  
Regulation 274 – Local's Name.

It is important that information is obtained from all parties and I thank you in advance for your work in ensuring there is broad active participation in this important second phase of the process.

Sincerely,

A handwritten signature in cursive script, appearing to read "Liz Sandals".

Liz Sandals  
Minister

## Questions for Regulation 274 interviews:

Some of these questions will probably pertain only to the school board side of the fact finding. We have included them all so that both board personnel and union personnel can see what is being asked. If any interviewee does not have the information requested, we will simply note that. We do not expect every interviewee to have answers to all of the questions, but would greatly appreciate your making an effort to provide as much information as you can.

### Information about the board and its schools and teachers

1. Please tell us something about your school board:
  - a. How many schools do you have?
    - i. Elementary
    - ii. Secondary
  - b. How many full-time-equivalent teachers?
    - i. Elementary
    - ii. Secondary
  - c. How many part-time regular teachers (head count)?
    - i. Elementary
    - ii. Secondary
  - d. How many students do you have?
    - i. Elementary
    - ii. Secondary
  - e. What is the total number of teachers on the occasional teacher list ?
    - i. elementary
    - ii. secondary
  - f. What is the total number of teachers on the long-term occasional list?
    - i. Elementary
    - ii. Secondary
2. Are there geographical characteristics of this board that affect the assignment or placement of teachers, occasional teachers or long-term occasional teachers?
3. Is enrolment in this board growing or declining? Is there a difference between what's happening in the elementary and secondary panels?

General information about occasional and long-term occasional teaching in the board

4. Is there a maximum number of teachers permitted on the board's occasional teacher list? If so, what is the maximum and how is it determined?
  - a. Elementary
  - b. Secondary
5. Is there a maximum number of teachers permitted on the board's long-term occasional list? If so, what is that number and how is it determined?
  - a. Elementary
  - b. Secondary
6. How many teachers were added to the board's occasional teacher list in the following school years:
  - a. 2010-2011
  - b. 2011-12
  - c. 2012-2013
7. Has the board closed its occasional teacher list to new applicants?
8. How often is the long-term occasional teacher list refreshed?
9. What is the length of absence in days that determines that an assignment is long-term?
  - a. Elementary
  - b. Secondary
10. At what point is a short term absence considered to have become long-term?
11. Are teachers who have begun a long-term assignment permitted to apply for and accept another assignment that begins before the conclusion of the first assignment?

Information about the process of getting on the roster, the LTO list, or being hired to a regular teaching position

12. Are regular teaching positions posted internally in the board?
  - a. On the board website or another website
  - b. Written postings sent to schools and workplaces
  - c. Other
13. Does the board have an eligible to hire list? Is this list different from the occasional teacher list?

14. How are long-term occasional assignments posted?
  - a. On the board website or another website
  - b. Written postings sent to schools and workplaces
  - c. Other
  
15. For regular teaching positions, do internal applicants (teachers or occasional teachers) apply to the school or to the board? When are requests for transfers processed?
  
16. For regular teaching positions, are internal applicants interviewed at the school level or at the board level?
  - a. By a single interviewer
  - b. By a team of interviewers
  
17. Does the board have a centralized process for teachers applying to become:
  - a. Occasional teachers
  - b. Long-term occasional teachers
  - c. Regular teachers
  
18. Does the board use an automated system for dispatching teachers to daily occasional assignments? If so, what factors does that system take into account?
  
19. If the board does not use an automated system, how are occasional teachers dispatched?

Access for part-time regular teachers to top up with occasional, long-term assignments

20. Do teachers on part-time regular contract have the opportunity to top up their assignments with occasional or long-term occasional work? Must they be on the occasional teacher or long-term occasional teacher list in order to do so? Are there any barriers?

Factors taken into account in the selection of teachers for occasional, long-term occasional or regular teaching “eligible to hire” lists

	Occasional Teacher List	Long Term Occasional Teacher list	Appointment to permanent teacher assignments
Aptitude test	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Demonstration lesson or presentation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Language proficiency test	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reference checks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Resume (curriculum vitae)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Teaching or student teaching evaluations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Teaching portfolio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interview	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other – please specify			

21. If tests are used, which tests are these?

What is the magnitude of occasional teaching and long-term occasional teaching within the board’s operation?

22. How many long-term occasional positions were posted during the 2012-13 school year?
23. How many long-term occasional positions have been posted so far for the 2013-14 school year?
24. Is it possible to represent occasional teaching (and long term occasional assignments) as a percentage of the full-time-equivalent regular teaching payroll? If yes, what is the percentage?
25. How many short-term absences in 2012-13 became long-term absences?
26. How many long-term occasional assignments were there in 2012-13 and how long were the assignments?

27. How many short term occasional teacher days were used in 2012-13?

#### Seniority and qualifications

28. What is the definition of seniority for an occasional teacher in your board? (time elapsed since date of being placed on roster or accumulated days worked as an occasional teacher)

29. Does the board have a standard working definition of “qualification” for hiring purposes? If so, explain.

#### Implementation of Regulation 274

30. Have there been any instances since the introduction of Regulation 274 when none of the five most senior, qualified applicants for a long term occasional position met the board’s requirements? If so, please elaborate the circumstances.

31. Have there been grievances related to the implementation of Regulation 274 (that would not previously have been grievances)? What have the issues been in the grievances?

- a. Provision of the list of long term occasional teachers to the union
- b. Failure to advertise long term occasional position
- c. Provision of names of successful and unsuccessful applicants to the union
- d. Timing or length of advertisements
- e. Failure to offer position to the most senior, qualified person interviewed
- f. Failure to offer the position to one of the applicants interviewed
- g. Failure to refresh the list of long term occasional teachers
- h. Failure to advertise regular teaching position

32. If there were additional grievances filed with the board in relation to Regulation 274 since September 1, 2012 that were not accounted for in the list above, please describe the grievance.

33. Please describe the process used in this board (if any) to evaluate daily occasional teachers.

34. Please describe the process used in this board to evaluate long-term occasional teachers.

35. Can a long term occasional teacher request a formal evaluation?

36. What information is shared between the union and the board about the hiring process for long-term occasional teachers, or about the applications of long-term occasional teachers or occasional teachers for regular positions?
- a. The roster of occasional teachers
  - b. The list of long-term occasional teachers
  - c. The selection criteria for the long term occasional list
  - d. Postings for regular teaching assignments
  - e. Postings for long-term occasional teaching assignments
  - f. The names of applicants for each long-term occasional posting
  - g. The name of the applicants selected for interviews
  - h. The name of the successful applicant
37. Standing back from the details that we have been discussing thus far, how would hiring have proceeded procedurally and substantively at the board in the absence of Regulation 274?
- a. What are the benefits of the change?
  - b. What are the drawbacks of the change?