Bargaining Bulletin

July 12 • Issue 16

Good afternoon

Dale Leckie, Brad Bennett, Vaino Poysa (in-house legal counsel) and Ken Coran attended an informal meeting with three representatives from the Ontario Government: Pat Sorbara, Chief of Staff to the Minister of Education; Gabe Sekaly, Education Finance and Paul Boniferro, legal counsel at McCarthy Tetrault.

The intent of the meeting was to better understand components of the OECTA Memorandum of Understanding (MOU) and clarify its implementation and possible impact on OSSTF/FEESO members. The meeting lasted approximately two hours and little, if any, clarity was provided. We criticized the bargaining process initially and the OECTA MOU is proof that it is flawed both in terms of process and structure, as well as content and implementation.

It is apparent that the MOU is also inconsistent with any existing *Labour Relations Act* and *Education Act* provisions.

We did ascertain that the government is committed to meeting its financial targets by September 1, 2012 and that the parameters contained in the Ontario Budget are the driving force and must be included in any government approved settlement in the education sector.

Many questions remain unanswered; however, we are providing these points of clarification regarding the OECTA deal pertaining to the two issues members most frequently ask about: the retirement gratuity and the grid freeze.

A reminder that this deal was struck by the OECTA Provincial Executive and applies to OECTA members only.

Retirement Gratuity

The retirement gratuity is frozen at its current level. The numbers used in the calculation are the numbers in existence as of August 31, 2012. No components of the formula can be increased. The government also indicated to us that other retirement incentives such as RRSP Plans will be eliminated as of September 1, 2012.

Partial Grid Movement

The partial grid movement that takes place on Day 97 and onwards, in both Year 1 and Year 2 of the MOU can be better understood through the following example:

A teacher completing a second full year of teaching who is expecting to move up one grid step in September, will not do so until the 97th day of the school year. There will be no retroactive payment of that grid movement for the first half year of service.

The teacher will be paid at this new level for the next full calendar year.

Therefore, the teacher will not be compensated for that second year's regular grid step until the 97th day of that second school year instead of the first day of the second school year. Hence, they will have forfeited 50% of Year 1's grid movement and 50% of Year 2's grid movement.

To fund the partial grid movement, the OECTA deal includes the following concessions:

- The Secondary Staffing Enhancement for additional teachers, scheduled to commence September 2012, will not be funded.
- Previously negotiated elementary professional development funding has been suspended.
- Three unpaid professional development days in the 2013-2014 school year where staff are not expected to attend. This amounts to a 1.5% reduction in salary.

It again is apparent that there will be no local ratification for the MOU and its inclusion in local collective agreements.

The Government continued to reiterate its September 1, 2012 deadline and its expectation that there be consistency across the education sector regarding agreements.

It was made clear to us that in this MOU, OECTA has given up individual members' rights to:

- conciliation
- sanction/strike
- ratification
- unencumbered local bargaining

Giving up these rights is unacceptable to OSSTF/FEESO and our members. We will be proceeding with the provisions outlined in the *Labour Relations Act* and will move forward with local bargaining.

Kenneth Coran, President