Ontario Regulation 274/12:

A Barrier to Teacher Hiring

What is Ontario Regulation 274/12?

Bill 115, the misnamed *"Putting Students First Act,"* was passed in the Ontario legislature on September 11, 2012. Pursuant to that *Act,* Ontario Regulation 274/12 "Hiring Practices" also came into effect. This new regulation under *The Education Act* prescribes steps that all publicly funded school boards must follow when hiring for long term occasional positions (LTO) and new permanent teacher positions.

How is it supposed to work?

In order to fill LTO positions, school boards must first create an LTO List, and only those who have been placed upon the Occasional Teachers Roster for a minimum 10 months and have worked no less than 20 days of casual OT work within that 10 month period are qualified to apply to be on the LTO List. Furthermore, boards will interview occasional teachers who qualify to determine whether an individual will be added to the LTO List. This can result in an occasional teacher being denied appointment to the LTO List.

Being placed upon the LTO List only ensures an occasional teacher is eligible to apply for LTO positions that come available as per collective agreement provisions. The regulation requires that consideration for interviews must be done by seniority and as per Regulation 298 section 19 ("Assignment or Appointment of Teachers") and any applicable collective agreement provisions. However, it does not guarantee hiring.

In addition, when permanent contract positions come available as per collective agreement provisions, the regulation defines who is eligible to apply. Only occasional teachers on the LTO List who have completed a minimum of one LTO assignment of at least four (4) months duration can be considered. The occasional teacher must have the qualifications for the position to apply. Anyone having received an unsatisfactory evaluation is not eligible to apply. While the regulation does identify seniority as a consideration for interviews, it does not guarantee hiring.

So why should teacher candidates be concerned?

While the government has stated that this regulation will make hiring more "fair" and "transparent," it is OSSTF/FEESO's belief that it adds new barriers to employment for new teachers. New "waiting periods" will significantly increase the length of time it will take for a new teacher to secure LTO and contract positions when hired as an occasional teacher. The general Occasional Teacher Roster will be used for casual supply work only. There is no guarantee that being hired on an Occasional Teacher Roster will result in eventual placement on the LTO List or consideration for a permanent contract teacher position.

With the reality of declining enrolment throughout the province, OSSTF/FEESO is aware of the current difficulties new graduate teachers are experiencing. As such, we have concerns about the implications of this regulation not only for our OSSTF/FEESO occasional teacher bargaining unit members, but also for the teacher candidates in the province who may one day become our members.

How does OSSTF/FEESO believe LTO and permanent hiring should take place?

OSSTF/FEESO believes that employers should provide interviews for any qualified occasional teachers who apply for LTO and regular teaching positions, not just occasional teachers on a "special list." Furthermore, we believe that where two or more applicants meet the qualifications of the position, the applicant with the most seniority should be given the position.

OSSTF/FEESO invites teacher candidates to join with us in solidarity against Bill 115.
For further information, please visit www.osstf.on.ca/TCinfo.

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