

# OSBCC Conference Report

Stand Up! Stay Strong!

## WORDS FROM THE CHAIR

On behalf of the Committee, I want to take a moment to thank each and every delegate and staff member who took part in our Conference. Without your support and dedication, we would not have had such a successful event.

With the conclusion of our conference, we have moved through what has perhaps been the most active period in our Committee's history. Throughout the year, we have dealt with the aftermath of the Drummond Report, the Central Bargaining Table, Bill 115 and a subsequent Charter challenge.

There are still many matters left to work through, particularly as they relate to implementing our agreement with the Provincial Government.

We emerged from all of this with a renewed sense of purpose to defend our members and the services they provide. Together, we lived up to the theme of this Conference—'Stand Up! Stay Strong!'



This would not have been possible without the support of every single OSBCC member across Ontario. By standing up and staying strong, together, we showed that we could protect vital education services and our members' basic rights to bargain freely and collectively.

## OPENING PLENARY

From January 29 to February 2, 2013, more than 300 school board workers gathered in Markham, Ontario to attend the Ontario School Board Coordinating Committee's (OSBCC) annual conference.



Terri Preston, OSBCC Chair, opened the conference by reflecting on the extraordinary year education workers have faced, while urging delegates to look to the challenges and opportunities to come.

"We must start now to lay the groundwork for the next round of bargaining," said Sister Terri.

Noting that there will probably be an election before the next round of bargaining takes place, she added that "it is critical ... we elect candidates who are committed to free collective bargaining and to the rights of working people."

CUPE National President Paul Moist and CUPE Ontario Secretary-Treasurer Candace Rennick, who both appeared by video message, continued the Conference's theme of Standing Up, Staying Strong.

"You've done our union and the membership of the school board sector in Ontario proud," said Brother Paul.

Brother Paul then called on education workers to stand alongside their sisters and brothers who are facing their own impending attacks by austerity-minded governments.

“Bill 115 has tested our union ... Now I ask school board workers to be there for other sectors in Ontario, particularly health care workers who may well themselves be facing a legislative intrusion into their interest arbitration system,” he said.

Sister Candace sent her regrets that she couldn't be there to address delegates in person, to express, “my gratitude to the thousands of school board workers who stepped up, and stood up to the Liberal Government's vicious assault on education.”

“You mobilized ... you took to the streets, but most importantly, you stuck together. Your solidarity, your discipline and your on-the-ground mobilization has been incredible,” she added.



CUPE Ontario Division President Fred Hahn wrapped up the evening by addressing delegates and reminding them of the challenges faced by all education workers last year.

“You've been on the front line of the fight to defend free collective bargaining for over a year ... Like no other sector in our union, you have lived the experience of the most dramatic attack on free collective bargaining we've seen in a generation,” said Brother Fred.

Noting that the McGuinty Government repealed Bill 115 following weeks of mobilizing and protests by education workers, he added that the Government “will have a much tougher time introducing similar legislation for any other public sector workers. You did that.”

## MEET & GREET

On the opening night, delegates concluded the evening with an informal 'meet and greet' session that provided people with an opportunity to reconnect with old friends, while giving everyone a chance to get to know their sisters and brothers from across the province.

## MINI-CONFERENCES

The next morning, delegates got down to business, breaking up into smaller groups based on job classifications. This provided delegates from the various classifications time to discuss what was taking place in their particular regions, challenges to confront and campaigns that were underway and/ or needed.

These mini-conferences provided a vital opportunity for members to share their experiences and their expertise with one another.

## 2012 BARGAINING UPDATE, REVIEW AND EVALUATION

On Thursday, delegates discussed the recent Bargaining, which resulted in the Memorandum of Understanding negotiated at the Central Bargaining Table just prior to the Government's December 31 deadline for negotiated settlements.

These discussions were wide-ranging, with a great deal of give-and-take between all participants, who discussed the things that had worked during bargaining, what things hadn't worked, and where improvements could be made in the future. The recommendations made in the workshops will assist the committee in planning for the next round of bargaining.

## WORKSHOPS

Friday Morning delegates attended a variety of workshops including: Workshops on Effective Political Action Committees, Social Media, Attendance

Management Programs, the Access to Ontarians with Disabilities Act, OMERS, Understanding Board Financial Statements, Pay Equity Maintenance, Health and Safety, WSIB: Illness or Injury, Media Training for Presidents and Economic Literacy 101. The workshops were highly evaluated by our delegates. Thanks to all of our Facilitators for a job well done!

On Friday afternoon, Brother Don Postar, OSBCC Health and Safety Rep and Brother Darrell Day, OSBCC Injured Worker Rep addressed the delegates. Darrell spoke of the changes to WSIB and the challenges those changes will present. In particular, he addressed the issue of timelines and the need to submit appeals within the new timelines. Don spoke of the ongoing work to establish a Section 21 committee, the Ministry of Labour blitz of high schools, an upcoming meeting to discuss terms of reference in the sector and the mentoring program.

## MOTIONS

Delegates then moved into voting on motions put forward by members within their various classifications or regions. Some of these motions were specific to OSBCC, while others were moved for consideration by OSBCC for inclusion at the upcoming CUPE Ontario Convention in May, or the CUPE National Convention that will take place in October.

The following motions, broken down by the classifications or region that moved them, were passed during the conference.

### EDUCATIONAL ASSISTANTS

#### **Motion #1**

So that work place violence can be brought to the forefront as part of the costs of the Educational Assistant role:

That OSBCC, with support from CUPE Ontario and CUPE National, provide funding to elect Educational Assistant representatives from all areas to establish a campaign to standardise protocols, and best practices

across the province to deal with workplace violence. It is requested that this committee be supported by the CUPE National Health and Safety representative.

#### **Motion #2**

That OSBCC seek funding from CUPE Ontario and CUPE National to develop a campaign which highlights CUPE workers as the foundation of education in Ontario. We further request this be delivered from the viewpoint of a day in the school life of a student in our system.



### MAINTENANCE & TRADES

#### **Motion #1 – Wages & Benefits**

1. Attempt to secure wage increases above or equal to the inflation rate and at least equal to increases by non union workers.
2. Negotiate a common benefit package for all CUPE School Board workers with no concessions.
3. Negotiate liability insurance for all CUPE School Board workers.
4. Negotiate wage adjustments within classifications to achieve parity without loss for any member.
5. Pay increases for those that must have and use multi-trade certificates such as the following language:

### Allowance for Certificates:

Employees in the Tradesperson classifications who possess government certificates will receive an allowance while performing duties recognized by the Trade Certificate. An additional allowance will be paid for additional certificates where required by law or by the Employer in order for the work to be performed. Such allowance will be \$1.00 per hour per certificate effective Sept. 1/14 with incremental increases as per the PDT.

### Motion #2 – Contracting In/Out

1. The Government will lessen and limit the percentage of funding used for contracting out of services and increase CUPE unionized staffing levels through those savings.
2. All Boards will offer work as overtime before contracting out of services.
3. CUPE School Board workers will have right of first refusal before contracting out of any services.
4. School Boards must give full transparency of costs of any contracted out services to the Local Union.
5. Where contracting out of services is necessary all work will be performed by qualified and certified unionized workers.
6. All work done under school and parent council budgets must be performed first by CUPE School Board workers and where this is not possible by qualified and certified unionized workers.
7. Management of School Boards where contracting out is taking place must held liable for the quality and standard of work and rules as established in Legislation and Regulations.

### Motion #3 – Certificate Fees

All Maintenance and Trades who require a Certificate to perform their duties will have all fees paid by the Employer/Government.

## INSTRUCTORS

### Motion #1

- Establish equitable worker participation at all Provincial Committees and Provincial Tables regarding the delivery of the programs, for all Adult Instructor and International Language groups.
- Petition the government to mandate recognition of the Canadian Language Benchmarks (CLBs) by all intuitions and agencies in the Province (for example, Universities, Colleges, Technical Training Centres and School Boards).
- CUPE Ontario working jointly with the Instructor Caucus at the OSBCC to finance, develop, market/promote an advertising campaign for the role of Adult Education and International Languages Elementary Instructors and the vital role these workers play in the integration of new immigrant families into our province.
- Petition the Federal Government to reinstate Health Care for the most vulnerable people who fled for their lives and arrived on our shores seeking safe haven as Refugee Claimants.
- Integrate the Instructors into the CUPE listserv.

## OFFICE/CLERICAL

### Motion #1 – Supervision

Whereas it is the consensus of office and clerical delegates to OSBCC that student supervision is not a core duty of the job;

Therefore be it resolved that the following language be included in all Collective Agreements covering office and clerical workers:

The board and the union agree that in no case shall general student supervision be assigned to a classification or position in this bargaining unit where student supervision is not a core duty of that classification.

This does not diminish any employee's obligation to assist in emergency situations under the safe school act.

The office should not be used as a designated detention/waiting room. If students are given a detention, they must be supervised by a Principal, Vice Principal or teacher.

### **Motion #2 – Pay Equity and Job Evaluation**

Whereas the office and clerical delegates to OSBCC believe that job evaluation, maintenance and pay equity are pertinent and essential issues, therefore, be it resolved that the OSBCC bargaining committee maintain job evaluation, maintenance and pay equity as crucial for the next round of bargaining.

### **Motion #3 – Absences**

Whereas we the office and clerical delegates to OSBCC believe that all support staff roles are essential, therefore be it resolved that all support staff be replaced on the first and all subsequent days of any absences be brought forward by the OSBCC bargaining committee.

### **Motion #4 – Job Classification**

Whereas it is the consensus of the office and clerical delegates to OSBCC that school based job classification titles be consistent across the Province. Therefore, be it resolved that the OSBCC bargaining committee shall continue attempts to achieve this.



## **CUSTODIAL/CARETAKING**

### **Motion #1 – Classifications/Descriptions**

Recommend that the OSBCC move on the following points on behalf of Caretaker/Custodial Occupation group during any provincial Bargaining:

- Classifications be standardized and looked at across the province of Ontario;
- That the OSBCC move toward harmonization of School standards, wages, benefits, workload without the loss of jobs province wide for all members;
- That the OSBCC negotiate with the province that all square footage inside and out whether instructional footage or not be included into the formula;
- Job descriptions be standardized across the province;
- Standardized release time across the province to attend Leadership meetings, Conferences, and jurisdictional meetings;
- That we move to standardized language for promotions: seniority shall be the determining factor;
- That we continue talks with all Political parties for future PDT agreements;
- That we add Contracting in Language;
- Efforts should be made to improve the funding formula to cover English and French boards including:
  1. A staffing formula to include but not be limited to a combination of pupil enrolment and square footage formula which will be acceptable to all locals in Ontario also a formula to include outside work;
  2. That the PTD committee formulate language requiring 100% replacement starting from day one (1) for all absences including but not

limited to sick leave, vacation, WSIB, Union Leaves, etc.;

3. Also negotiate a custodian for every school to be included in the school foundation grant;
4. That the PDT negotiate the sealing of the envelope for school operations.

#### **Motion #2 – Lead Hand or Head Custodian Inclusion**

Lead hand or Head Custodian or Day Shift Custodian should not be included in the square footage calculation.

#### **Motion #3 – Ecological-related Issues**

That the provincial government agree to set up a committee to look at the introduction of a daytime positions to deal with issues such as but not limited to water flushing testing, recycling, composting, special cleaning and other Eco related issues.

#### **Motion #4 – Split Shifts**

That the employees will not be required to work split shifts unless agreed to between the parties.

#### **Motion # 5 – CETA**

The government agrees that NO CUPE School Board worker will suffer any loss of employment, wages and benefits as a result of CETA or any other continental or international trade agreement and will be exempt from all court actions within these agreements as instigated by governments or private corporations.

#### **Motion #6 – School Operations Working Group**

Implement the recommendations from the school operations working group except the attendance management recommendations.

#### **LIBRARY**

##### **Motion #1**

To have a pamphlet highlighting the value of library support workers in the school board sector be developed and rolled out for September 2013.



#### **EARLY CHILDHOOD EDUCATORS**

##### **Motion #1**

That OSBCC take to the SWAG table the issue of planning time of forty minutes per day within the scheduled paid hours of work for the ECEs.

##### **Motion #2**

We want to move that the OSBCC follow up with national on the resolution at the last national conference that ECEs be provided with CUPE legal representation at the college of ECEs.

#### **SUPPORT FOR CENTRAL BARGAINING**

##### **Motion #1 – Motion to Amend CUPE National Constitution**

That the OSBCC bring forward a motion to CUPE National to amend its constitution or policies to make the funding of bargaining eligible for cost sharing similar to existing cost sharing practices/policies for campaigns.

**Motion #2 – Funding for Centralized Bargaining**

That CUPE Ontario take forward the following resolution to the NEB or the CUPE National Convention:

Whereas CUPE National has as one of its strategic initiatives the goal of moving to centralized bargaining models; and

Whereas moving to such models has cost implications that are not found when bargaining at local tables;

Therefore be it resolved that CUPE National set aside funds to pay for such costs and that there be clarity in how the funds can be accessed and a process for timely approval of such submissions.

**Motion #3 – Funding of Central Bargaining and Bargaining Support**

That any surplus generated by this conference and any other OSBCC conference or meeting scheduled between now and the end of the next round of bargaining be deposited into the OSBCC levy account. The funds will be used for meetings of the bargaining committee and bargaining support activities in anticipation of the 2014 round of bargaining.

**Motion #4 – Funding of Central Bargaining and Bargaining Support**

That a levy of \$4.00 per member for affiliated locals payable over two years.

2013 = \$2.00 per member  
2014 = \$2.00 per member

And \$5.00 per member for non-affiliated locals payable over two years.

2013 = \$2.50 per member  
2014 = \$2.50 per member

Funds will be held in the OSBCC levy account and used for the purpose of funding meetings of the bargaining committee and the bargaining support committee.

**Motion #5 – Due Diligence Re: Benefits Plan or Trust**

Whereas the Memorandum of Understanding leaves the door open for continuing discussions on either a Provincial Benefits Plan or a Benefits Trust;

Whereas we need to exercise due diligence in order to be fully prepared before entering into such discussions;

Be it resolved that the OSBCC seeks financial support from CUPE National to provide a consultant with actuarial experience and/or legal expertise to assist the committee who is looking at the feasibility of such a plan.

**MOTIONS FROM AREAS 15-16-17****Motion #1 – Use of Official Languages**

Be it resolved that French and English are the two official languages of CUPE. Therefore, we ask that all documents related to the provincial table will not be sent to CUPE members by electronic mail or other, prior to having been translated in French.

**RESOLUTIONS FOR THE 2013 CUPE ONTARIO CONVENTION****Motion #1 – Health & Safety Monument**

CUPE Ontario will:

1. Contact Locals through regular mailings to donate to a Health and Safety Monument to pay tribute to CUPE members in Ontario who have lost their lives at work;
2. Administer a fund of the donations collected;
3. Bring forward a Resolution to CUPE National Convention in 2013 to establish a monument at the new Ontario Regional Office in Markham and the Ontario Health and Safety Committee will be the steering committee to work with the design team of the monument.

Because:

The creation of a Monument will remind all staff, members and public of the importance of Health and Safety Legislation and safe working conditions for all.

### Motion #2 – WSIB Staff Representatives

CUPE Ontario will:

- Lobby CUPE National to provide up to 5 additional WSIB National Staff representatives in the province of Ontario;
- Submit a resolution to the 2013 CUPE National Convention requesting the above increase to the current staff compliment.

Because:

- The current number of WSIB Staff representatives is insufficient to meet the needs of Locals in Ontario.

## EVENING SOCIAL

On Friday, the final evening of the Conference, the ballroom where the business of the Conference took place was transformed into a social setting, as delegates celebrated their successful conference with music, dancing and laughter.

## FUNDRAISING

Throughout the conference, a series of draws were held, culminating in a 50/50 draw on the final day. Funds raised from the 50/50 draw went to support the Kids Help Phone, a free, anonymous and confidential phone and online professional counselling service for youth.

Delegates opened their hearts and wallets, with a total of \$1,855 being raised for the Kids Help Phone.

In addition, at the request of Local 2544, \$2800 was collected from delegates to assist the family of a student who had been killed while at home in a

random shooting. The funds raised were to assist with funeral expenses.

Daily Draw Winners:

January 29 (\$100) – Sherry Fazzalari, L.2331

January 30 (\$100) – Enzo Ingribelli, L.1310

January 31 (\$100) – Christine Bartnick, L.3396

February 1 (\$100) – Rick Guglietti, L.1328

February 2 (\$200) – Keith Levere, L.4156

Final 50/50 Draw Grand Prize Winner (\$1,855) – Albert LoStracco, L.4156

## FINAL WORDS

On the final day of the conference, the more than 300 delegates in attendance dimmed the lights, got out the popcorn and viewed 'We Are Wisconsin', the stirring documentary about the thousands of Wisconsinites who took a stand against Republican Governor Scott Walker's unprecedented assault on working people in that state.



Following the video presentation, Wisconsin Teachers' Federation Vice President Kerry Motoviloff, who shared her experiences of taking part in the occupation of the State House in Madison, and its impact on her and her sisters and brothers.

"Looking out at all of you, I am amazed by the solidarity that I see here in Ontario. You will be



successful in your fight because you are preparing in advance,” said Motoviloff.



Holding back tears as she reflected on how the events in Wisconsin have transformed her state and galvanized a coalition of public and private-sector union members, students, activists and concerned

citizens, Motoviloff helped close out the conference by leaving delegates with a greater resolve to take on the fight to protect free collective bargaining and workers rights, but not before a presentation on the Federal Government’s recently-passed Bill 377 by CUPE National Researcher Archana Rampure.

Sister Archana helped draw the parallel between the events in Wisconsin and Bill 377, noting that the Harper government’s goal is similar to the goals of right-wing governments and their supporters in the United States – to silence groups that speak out against their agenda, or support others who speak out against the right-wing agenda.

Passed in mid-December, Bill 377 will saddle unions with onerous and expensive financial reporting requirements, making it even harder to continue the work of supporting members and advocating for change.

## WHO IS REPRESENTING YOU

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