

GENERAL MEMBERSHIP MEETING

CUPE 2357

March 29, 2022

Virtual Google Meet Platform

Webinar Attendance: Cynthia Steeves, Joanne Howell, Francine Meledoro, Erin Grant, Carolyn Roberts, Nicole Lavigne, Rebecca Powell, Jessica Sheahan, Lisa Marcantonio, Elizabeth Shanahan, Tina Cannon, Leslie Schlievert, David Ouellette, Amalia Koutakos, Marc Bowman, Chantal Ouellette, Emilia Maisonneuve, Natalie Mcleod, Kim Sadler, Elizabeth King, Jennifer Pelletier, Kathleen Holland, Beverley Adams, Susan Robotham, Lindsay Cook, Maureen Rogerson, Melissa Oppedisano, Cindy Estaca, Nicole Holmes, Heather Fortin, Clara Winer, Shannon Appleby, Kim Widenmaier, Adele Stubbert, Heather Jesmer, Jessica O'Leary, Aaron Do, Pramod Mehta, Aisling O'Brien, Mary Beth McGowen, Jacqueline Foran, Elizabeth Parker, Tiziana Tirabasso, Pauline Powell, Terry Donegan, Lisa Bourgeois, Patricia Kazadi, Laura Padulo, Lisa Macgregor, Jennifer Young, Alex Vavro, Lisa Gordon, Nicole Fulton, Kim Jimmo, Kelly Braceland, Brenda Johnson, Chantal St Louis-Malboeuf, Kelly Russ-Mahoney, Jess Oakman, Kerry Clarke, Sumiya Nur, Tori Murray, Carisa O'Hara, Karen Barrey, *In the chat, but didn't "sign in": Jennifer Bachhuber, Marcie O'Connor, John David Robb*

Call to Order

6:37 PM

Role Call of Officers:

Cynthia Steeves - Acting President
Joanne Howell - Vice President
Francine Meledoro - Secretary Treasurer
Erin Grant - Interim Recording Secretary

Reading of Equality Statement

Land Acknowledgement - Erin Grant

Voting on New Members and Initiation

- None at this time

Reading and Approval of Minutes - presented by Erin Grant

- Presentation on the OCSB census from Board staff members

- Wearing of PPE discussed as well as reminder of filling out violence incident forms
- Member Care fund guidelines were presented and approved
- Joanne Howell was acclaimed as the 1 VP, and Francine Meledoro was acclaimed as the Secretary Treasurer. These are both two year terms.
- The Bargaining committee was also acclaimed with 5 members plus the president sitting on the committee.
- 2022 Cupe 2357 proposed budget was presented and accepted.
- Motion passed to have a lawyer review and advise Cupe2357 on the Edvantage contract.
- Violence in the workplace -"In Harm's Way" report summary was discussed
- Local bargaining survey is being planned to be sent out in the new year
- EA shortages were discussed - with the board hiring 10 designate Ea's to be placed in the schools where there is the greatest need.

Motion: To approve the previous minutes as presented - Meghan Mullan

2nd: Kristen Fulton

Motion carried.

Matters Arising from Minutes of the Last Meeting

- No questions or discussions on the previous minutes

Treasurer's Report - presented by Francine Meledoro

- Bank balance as of today: \$(Financial information redacted as per the executive motion passed on March 21st, 2023 at the Executive Board meeting. Cupe 2357 members can request this information from the executive.)
- All bills are currently paid to date
- Currently have 1072 full time members and 655 part time members

Motion: To approve the treasures report as presented - Francine Meledoro

2nd: Nicole Lavigne

Motion carried.

Communications/Correspondences - presented by Erin Grant

- OSBCU Convention was postponed from March 21-25 to June 6-9
- Ontario Division Convention was switched from a in person format to a Virtual Format on April 26-29

Executive Board Report - presented by Cynthia Steeves

- The Executive Board has been busy preparing for bargaining, meeting as a bargaining team, going through the Collective Agreement to create bargaining proposals, and creating new language. Since September, Cynthia has been searching through the Collective Agreements of other education sector locals to find coordinated language that would be beneficial to include in our local agreement Additionally, steward

reports from the last few years have been re-read to find issues that can be addressed at the bargaining table. Health and Safety is an example of a topic in which the bargaining team is re-writing and creating new language to bring to the bargaining table.

- Local bargaining proposals are due to OSBCU for vetting by April 11, 2022. This ensures that any local language we are preparing does not conflict with any language in the central agreement. Cynthia also noted that bargaining proposals have the opportunity to be changed up to and at the bargaining table.
- The Executive Board is dealing with a high amount of sick leave with members. The employer is clamping down on medicals. A few grievances had to be filed for duty to accommodate and sick leave.
- The Executive Board is making plans to return to a pre-pandemic workplace. We are planning on having an in person GMM meeting in May. The date, time and location will be shared at a date closer to the meeting. As per our by-laws, we will be having one virtual meeting per-year. This meeting will likely take place in February when the weather is more unpredictable.
- Sherry Wallace, the former Cupe 2357 President, has resigned from the OCSB and accepted a permanent assignment with the Cupe National, as a National Rep. We are extremely proud and happy for Sherry. We thank her for her many years of service and wish her all the very best.

Motion: To approve the Executive Board Report as presented - Cynthia Steeves

2nd: Kristen Fulton

Motion carried.

Committee Reports

Steward Report - presented by Joanne Howell

- The stewards have been busy answering questions around supervision, vacation leave, jobs not being picked up in ATE and what the responsibilities for members are when jobs go unfilled.
- They have also been involved in the mobilization committee which Erin will speak about during the Mobilization Committee report

Grievance Report - presented by Cynthia Steeves

- Central Sick Leave Allocation Grievance
 - This grievance is in its final stages, we are awaiting the Minutes of Settlement
 - Members who were off at the end of the school year, when the new school year began, the employer was making them work eleven (11) consecutive days before refreshing their sick leave. This practice was going against the central agreement and should not have been happening. If the member returned to

work on the first day of work for the new school year, their sick leave should be refreshed.

- There are about 20 members who this had affected. Perhaps only 4-6 members will see a monetary settlement, because these members have been forced to take their short term disability days in which they were paid at 90% of their salary, rather than the 100% payment if their eleven (11) sick days had been refreshed.
- Another provision that was addressed in this grievance was how the employer quantifies days worked. The current practice was to restart the 11 days clock if a member had to take a childcare day, or bereavement day, or vacation day etc. For example, if a member had worked 10 days, then needed to use a childcare day. When this member returned to work, the first day back would be day 1 again. Under the Employments Standard Act - any day paid, is a working day.
- Now going forward, the only way in which the employer can restart the 11 day clock, is if an employee takes a leave without pay day, or a vacation or special leave day that does not follow the provisions of the Collective Agreement. An example would be if a member took a vacation day without giving the 30 days notice, or a special leave day without giving 2 weeks notice.
- Other Grievances that are open:
 - Duty to Accommodate for Human Rights
 - Sick leave
 - Mileage allowance
 - Recognition
 - LOU #7 Central Agreement Mental Health Leads - removing and downsizing the Social Emotional Learning Itinerant EA roles
 - Article 19.05 - Permanent Ea's into vacant positions. This grievance is in abeyance to protect timelines. This will be addressed as an LOU (Letter of Understanding), then negotiated into the collective agreement at the bargaining. The employer has been taking permanent EA's from their home school and placing them into vacant positions.

Health & Safety Report - presented by Joanne Howell

-As you all know the masking mandate has been lifted. Each person is still encouraged to wear a mask while at work (especially when social distancing is not possible) but it is up to each individual to make this decision.

-A reminder to continue to fill out the violent incident reports. Remember that even if you take a minute to collect your thoughts or regain your composure, this can be considered first aid.

-If you are hurt at all during an incident please fill out the accident form as well. If you do not require medical attention at the time, this leaves a paper trail if you do need to seek it at a later date.

Mobilization Committee & Members Care Report - presented by Erin Grant

Mobilization Committee

-Since November the Mobilization committee has met, virtually on Feb 2nd, and March 2. The next Mob meeting will be on April 6th.

- We put out a request for members to join the Mobilization Committee. Altogether we have 20 members on our MOB committee. If you would like to become a member, please contact the Executive Board.

- The majority of the mobilization committee, and the entire executive board has attended OSBCU provided Organizing to Build Power training on the evenings of Feb 8 & 10th. During this training members learn of OSBCU's plan to organize the 55,000 Cupe Education Workers in Ontario. The first step is a letter campaign. I will talk about this further in New Business.

Member Care Committee:

-The member care committee met on March 2nd to vote on an amendment to the Member Care Guidelines.

The following additions were made:

2. A member is facing a general hardship:

C. If a member is facing homelessness due to domestic violence, and/or addiction issues and is waiting for admission into a domestic violence shelter or detox centre, another option is to offer the member a maximum of a 2 night stay at a hotel. The hotel stay is not to exceed a cost of \$150 per night. Hotels will be pre-selected by the Executive Board.

- These changes will allow us to support members whose needs fall under these categories.

Elections or Installations - presented by Patricia Kazadi

- President
 - Cynthia Steeves, nominated by Francine Meledoro

- *Accepted and acclaimed to 2 year term as President*
- Trustee
 - Jaime De Marchi, nominated by Lisa Macgregor
 - *Accepted and acclaimed to a 3 year term as Trustee*

Unfinished Business

Edvantage

- Edvantage is up and running. Joanne Howell is overseeing the registration. This is all our local is responsible for completing. All other aspects are taken care of through the Edvantage program. Your Edvantage number is your employee number. (The employee number without the “e”)
- It was stated in the reading of the minutes that a lawyer was going to be needed to look over the Edvantage documents. However, in the end it was decided we did not need lawyers' services. The President and the National Rep read through the legal documents and there was nothing that was concerning in the document that would warrant a lawyers' services. We did need to get the extra cyber security which was passed in a motion back at the November GMM meeting.

New Business

Executive Motion:

Motion Purpose: To lengthen the President Term on a one time basis, due to Bargaining in the Fall of 2022

Motion Reads: The CUPE Executive Board is requesting membership approval to make the current term of the CUPE 2357 President 2 years and 6 months, in consideration of bargaining the upcoming fall. Given the new President (Cynthia Steeves) was just acclaimed this evening, we see no need for another election in September 2022. Our priorities and focus should be on bargaining. Therefore, the next election/installation for the 2 year term as President would be in September 2024.

Secunder on the motion as read: Heather Fortin

Any questions on the motion as presented?

- Could the President's term be extended to 3 years?
 - Answer: If the term is extended to 3 years it will conflict with the VP elections. Currently, the President and VPs are not up for election at the same time, because then two or three vital Executive Board positions could be filled with new and inexperienced members. So, to keep the election of those positions separate to ensure that there is always an experienced Executive member on the board to protect the members.

- **Motion carried**

F AE Denials - Job Description Focused/Staffing

- Functional Ability Evaluation Form - The employer asks for this form if you are returning to work after an injury or off work, sick, for more than five days. Seeing an influx of FAE denials from the Wellness Department, particularly in the EA classification. The EA job has become much more physical. There is an influx of workplace accommodations, some are permanent accommodations. It is getting to the point where the employer can no longer accommodate all of those accommodations in a school. So, the employer is denying some FAE on operational requirements.
- In the Occupational Health and Safety Act under the subsection on Duty to Accommodate, the employer can deny FAE and accommodation requests due to operational requirements that create undue financial hardship. For example, the employer would not create a position for a member, so the member could return to work with an accommodation.
- Members who have the FAE's denied are now being put off on paid sick leave.
- With the shortages of staff, the employer can not be pulling another member from their position to help the accommodated member with their job. (ie toileting, violent student etc)

Local Bargaining Survey

- Greatest participation in history of our surveys. 674 members responded - 41% participation
 - Follow Cupe 2357 on Twitter.
 - 91.5% of respondents are women
 - 51.6% of respondents are EA
 - 17.2 of respondents are RECE
 - 12.5% of respondents are OA
 - 70.3% of respondents have worked 15 years or less
 - 68.2% of respondents interested in an Attendance Incentive (OECTA has an attendance incentive where if you use less than 5 sick days in a school year, you earn an extra day of pay.)
 - 63.4% of respondents want to have a pilot project that allows surplus Ea's and ECE's to choose from the vacancy list before it goes out to the whole classification in round 1.

Member Engagement

- We need to amplify our voices to see change.
 - Rallies outside the board office in the fall
 - Emailing the trustees
 - We need to improve in our engagement
 - The provincial government is always watching to see what our engagement is.
 - The Executive Board is not the union. The Entire membership is

the union and we are stronger together.

-We are working on updating our contact information. We feel like we are missing out on our casuals, and others' personal emails. 781 Cupe members filled out the OCSB Census survey, while 674 Cupe members filled out the Local Bargaining Survey.

OSBCU - Mobilization Initiatives:

-Letter to the Next Premier - You know about or have already signed a letter prepared by the OSBCU that will be presented to the NEXT Premier of Ontario who will be elected on June 2. This letter is essentially calling on the Ontario Government to invest in Education by: repealing the wage restraint legislation, and commit to funding necessary for public education in Ontario including:

- A real wage increases above the rate of inflation to address wage inequality and the recruitment and retention of education workers and
- Increase staffing to ensure that all students, especially students with special needs have the support they need at school.

-Also mentioned in the letter literature, a wage restraint legislation - the current government has enacted Bill 124. Bill 124 limits our wage increases to a MAXIMUM of 1% wage increase per year. And currently, Education Workers in Ontario are 12% behind all other unionized sectors in Ontario in wage increases.

- In the fall of 2021, New Brunswick Education Workers mobilized and took action and after a 16 day strike, they ratified a new five year contract with a 2% wage increase per each year of the contract and a 25-cent per hour increase per each year of the contract as well. When all is said and done, these Education workers secured a 10.85% wage gain.

-It is OSBCU's goal that 60% of the 55,000 Cupe education workers in Ontario sign the letter. 60% of our local is 981 letters. Currently, through the hard work of the Mobilization Committee, we have approximately 266 letters signed.

School Visit

- Teams of two Cupe representatives will be conducting school visits to select schools in order to speak with members and allow them the opportunity to sign the OSBCU letter.

- The visits will happen in mid to late April and please stay tuned for the list and times of the school visits.

Legal Services for the Local

- We do not have any access to the Cupe Lawyers.
- We have some pretty big files with the employers that we feel we are not getting enough respect for.
- Most locals of our size have a lawyer on retainer.
- Joanne and Cynthia will be meeting with a lawyer from Raven Law on March 30, 2022. They will return with information at the May GMM.
- Will only be using a lawyer for large, more complex issues.

Website Update

- Currently, the website is outdated.
- Working with Simzer to update the website and information.
- Launch in mid-May

Job Evaluation

- HR Manager, Valerie DiSilva, contacted the Executive Board stating that there have been a lot of job fact sheets sent in to the employer. The employer stated that they can not keep up. The employer wanted to defer all the job evaluation until the fall.
- Job evaluations are completed twice a year. Once in the spring and once in the fall. If the local was to agree to defer the evaluations until the fall - it would fall right in the middle of bargaining. Those deferred evaluations, then might not happen until spring of next year. The union did not agree to this request.
- The third option was to bring in a third party consultant. The union has agreed to have this third party expert on job evaluations and compensation consultant. For this year's spring job evaluations, the board will be paying for a Job Evaluation and Compensation Consultant Expert.
- Sandra Hayden will be the Consultant. She has completed many job evaluations for Cupe locals.
- There are a lot of pros to having a third party evaluator. There will be no bias when completing the evaluations. The recommendations of the consultant will stand.

Virtual Academy

- Steep decline in virtual academy enrollments. There will be no EA or RECE positions in the virtual academy for next year.
- Members who are working in the virtual academy on accommodations who cannot return to a brick and mortar school will be placed on sick leave.

OSBCU Conference

- Will be taking place on June 5-9, 2022 in Windsor, Ontario

Emergency EA and RECE booking Times

- The local had agreed to booking emergency EAs and RECEs at 7pm the night before and absence. This change happened because booking the morning of was still leaving schools without someone to fill the absence.
- If members are requesting vacation days, special leave days or personal days, within the time limits provisions of the Collective Agreement, a supervisor cannot deny members' request because of shortage of staff or only allow members to take days if they get supply coverage. The staff shortages have been happening long before the pandemic, and it is not the employee's issue.
- If this continues to happen, then the union will grieve this practice. Under the provisions of your Collective Agreement, you have a right to use the provisions in your Collective Agreement.
- For these reasons, this is why the union has agreed to allow the employer to book unqualified workers to fill the absences at 48 hours before the absence needs to be filled.
- This allowance is in effect only until the end of this current school year.
- Unqualified employees should not be toileting students or be alone with students, as they are not qualified to complete those aspects for the EA job.

Letter of Understanding - Special Leave

- Under Special Leave there are 5 days: 1 Compassionate day, 1 Marriage day, 1 Moving Day, and 2 Special Leave days
- The union was preparing to propose a change to marriage and moving days to general leave days. However the employer contacted the union and suggested the change before we could bring it to the bargaining table.
- Now, in the process of creating a LOU to change these days, from marriage and moving to general leave days.
- This has not been formalized yet. When it is formalized, principals and members will be informed.
- These days will need to follow the same provision as current Special leave days, requiring 2 weeks notice to use them. However, in cases of emergency (children are sick, flood in basement of house etc), you can be granted access to the days.

Good of the Union

On behalf of the Mobilization Committee, Erin will complete a draw for 2 winners of those who have signed in for attendance this evening for CUPE 2357 swag.

- Winners
 - Amalia Kontakos
 - Kelly Braceland

Adjournment

8:44 pm