

GENERAL MEMBERSHIP MEETING

CUPE 2357

March 1, 2023

In Attendance: Shelanie Braganza, Nicole Lavigne, Melissa Oppedisano, Erin Grant, Francine Meledoro, Cynthia Steeves, Joanne Howell, Tori Murray, Ann-Marie Haley (Butt), Michael Jarrett, Jennifer Jean, Kelly Russ-Mahoney, Leslie Schilevert, Nicole Holmes, Heather Fortin, LeslieLaRose, Kristen Fulton, Nicole Fulton, Avilla Ollivierre, Jason Sedlar, Farida Ackerland, Lisa Marcantonio, Crystal Francis, Cathy Hanlon, Jess Oakman, Adele Stubbert, Wendy Hache, Kim Windenmaier, Laura Longchamps, Lisa MacGregor, Drew Haughton.

Call to Order

6:36PM

Role Call of Officers:

Cynthia Steeves - President
Joanne Howell - 1st Vice President
Francine Meledoro - 2nd Vice President & Secretary Treasurer
Erin Grant - Recording Secretary
Drew Haughton - CUPE National Representative

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

- Presented and passed the 2023 Budget
- Local Bargaining update
- Ratification vote - gave the possible outcomes of a Yes or No vote and what that would look like.
- OSBCU Convention in Toronto on March 27-31 - A motion put forth by Jessica Sheahan to have two members at large attend the convention. This motion was carried.

- Bill 124 was struck down by the Ontario Superior Court of Justice. We spoke about how this paves the way for the affected unions to go after the government for back pay. This pay out, if won, could take years before members would see any pay out.
- Strike pay - at this time, there were still members who had not received their strike pay.

Motion: To approve the previous minutes as presented - Erin Grant

2nd: Wendy Hache

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 executive motion passed at the March 21st 2023 Executive Board Meeting. Cupe 2357 members can request this information by emailing the executive.)
- The post strike audit took place at the beginning of February. The Trustees were able to complete it in one day. As this was the first time the union has completed this type of audit, Andrea Mailhot was asked to come in and answer any questions the Trustees might have. Andrea was a part of the Finance Committee leading up to and during the Political Protest.
- All paperwork has been sent to CUPE National for approval.
- Our yearly audit is scheduled for April 25- 26, 2023. During this time the union's everyday accounts, as well as the monies for the Political Protest, will be audited..
- All bills have been paid up to date.

Motion: To approve the Secretary-Treasurer's report as presented - Francine Meledoro

2nd: Jess Oakman

Motion carried.

Communications/Correspondences - presented by Erin Grant

The union has received the:

- 2nd call for OSBCU Convention in Toronto - March 27-31. This will be discussed in more detail in the Executive Board report
- 2nd call for Cupe Ontario Convention in Toronto - May 31-June 3.
- 1st call for the Cupe National Conventions in Quebec City in October.

Executive Board Report - presented by Cynthia Steeves

The Executive Board has been busy since the last GMM with labour relation matters, post strike audit, bylaw amendment proposals, employer/member requested meetings, and return to work (RTW) meetings.

We were disappointed that we had to defer elections for Secretary-Treasurer (Term) due to bad weather, but we stood a higher chance of not getting a quorum and having to defer it anyways. We are hopeful that there will be no snowstorms in April and that we can move forward with the election.

The Executive and three members at large (Jason Sedler, Jessica Sheahan and Pattie Kazadi) will be attending the **OSBCU Convention** in a few weeks in Toronto.

The two VP's and the President will be attending the **Human Rights and Accommodation Conference** being offered by Lancaster House in Toronto from April 16th to 18th. We are very excited about the content being presented. The content is very relevant to some of our big issues right now, locally.

Vacation Leave denials continue to be a big issue for our members. Currently, two separate grievances have been filed - policy and we are testing the waters with an individual one as well. More information will be shared in the grievance report.

A reminder to the membership, the **E-blasts** that come out from the Executive Board or President contain important information, please take time to read them.

The Bylaw committee has proposed a few **Bylaw Amendments**, they were emailed out and need to sit for 60 days with the membership for questions/concerns before we can vote on them. One of the Amendments proposed is an increase to union dues to 2.5% from 1.5% - at .5% increments over 2 years. The raise of .5% in September 2023 and a raise if .5% in September 2024

This proposed union due raise would be approximately an extra \$10 a pay for each (.5) increment on a salary of \$45,000. Voting for these Bylaw Amendments will take place at the April 27th GMM.

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

2nd: Wendy Hache

Motion carried.

Committee Reports

Steward Report - presented by Joanne Howell

The stewards have been fairly quiet since the last meeting. They have been answering questions regarding the following:

- Bargaining
- Retro payment/increase
- Schedule changes/supervision
- RECE questions around being left alone in the classroom
- Members looking for guidance around harassment, where to find forms, and union involvement

Motion: To approve the Steward Report as presented - Joanne Howell

2nd Nicole Lavinge

Motion carried.

Grievance Report - presented by Cynthia Steeves

Since last GMM we have filed 4 substantial grievances with the employer

1.) Vacation Leave (Policy)

- o Vacation leave denial is rampant in the board. Currently, members are permitted to carry over one full year of leave. But the superintendent of HR is denying almost all requests of vacation leave over 5 days.
- o The employer has decided that with the staff shortage, that staff are needed in the schools, if this member who's position needs a replacement.
- o There are instances of members sending in the vacation leave request in November to use in May - and this is being denied on the basis of operational requirements. How can the board possibly know that there will be operational requirements six months in advance?
- o The union is concerned that the employer has a proposal at the local bargaining table for vacation leave, and they are essentially implementing that right now.
- o Another drastic change is that the board will no longer be paying employees for the vacation leave accrued while members were off on maternity or parental leave. Please see more information on this in New Business.
- o Vacation leaves of one - five days can be approved by the supervisor or principal.

2.) Vacation Leave (Individual)

- o A Library Technician requested nine days of vacation leave. They planned this leave to best fit the schools they work in. One of these days was going to be a family day. This vacation leave request was denied.
- o Any vacation leave over five days in length needs to be approved by the Superintendent of HR. The form to submit is actually the same form to fill out if you are requesting a leave without pay (LWOP). The only way to submit the form is to fill out a description of why you are requesting the leave. This description is applicable in a case of LWOP, however, members **are not required** to provide a reason to take their vacation leave.

- Currently, the union is testing the waters to see, under the direction of our National representative as to what our next move will be.
 - The union does not usually read out the full grievances, but it was important to inform you.
 - The union will be putting in many individual grievances, if more and more vacation leaves are being denied.
- 3.) Job Evaluation Process - will likely go to Arbitration
- 4.) Recognition - Family Support Worker/Office Assistant- Con. Ed
- We are the union that represents all admin and support staff, which the new position of Family Support Worker falls under.
 - The Con. Ed Office assistant works on the weekend, which the employer believes disqualifies the position from being affiliated with CUPE. However, CUPE encompasses all clerical as well.
 - The union also has a number of other recognition grievances. If members are not familiar with this article (Article 2 in the local Collective Agreement), recognition lays out what positions within the board are and will be affiliated with CUPE and which will be excluded.

The union also still has 2 substantive arbitrations playing out for our local:

- Tutor Grievance/Arbitration -
 - The 1st arbitration date, on December 2, 2022, had significant employer delays. The process will now advance to hearing on May 18 & 19. With the following dates of June 14th & 15th booked, if needed.
 - Employers are purposely delaying arbitration because there are very long wait times to get additional dates. Also, employers are delaying to avoid paying out any monetary settlements because it is not in their current budget.
 - The employer does not want to make these positions affiliated with CUPE, however the teachers in the tutor positions are affiliated with OECTA.
- The SEL Itinerant EA's and Mental Health Workers arbitration is scheduled for March 22nd, which will likely take the same trajectory as the tutor arbitration.
 - The union is expecting that this will probably progress to a hearing and be delayed.
 - All delays increase the unions legal fees.

The membership can expect a significant increase in legal costs for 2023 with these upcoming arbitrations.

The union and our legal team believe we have solid cases in both. Pursuing them is still the right decision for our local, on a whole, as of now.

Motion: To approve the Grievance Report as presented - Cynthia Steeves

2nd Lisa Marcantonio

Motion Carried.

Health & Safety Report - presented by Joanne Howell

-There is currently a blitz being done by the Ministry of Labour where they are doing inspections of school boards across the province. The board is not being given any prior notice before the ministry comes in to do an inspection.

February 1, 2023 to March 31, 2023

· Workplace field visits conducted by MLITSD health and safety inspectors to check that school boards are complying with the OHSA and its regulations, and to raise awareness about specific workplace issues.

There are a couple of schools who are dealing with more violent incident reports being filed. A meeting was held between the Assistant HR Manager, the Coordinator of Health and Safety and the union.

A reminder to continue to complete Violent Incident Reports/Accident Reports. Please remember that a violent incident report is not complete until you have responded to the supervisor's report/response

As a reminder please remember if you are injured at work please make sure to seek medical attention as soon as possible. If you wear glasses and they are broken, you will need to seek medical attention as well in order for your glasses to be replaced. I am going to seek clarification as to what medical professional you need to see, from WSIB.

- The union has a proposal at the local bargaining table for damage to personal property. This would apply, for example, to when a member's glasses were damaged during a violent incident with a student. The union proposed up to a limit of \$100 if clothing was significantly damaged.
- The employer is not going for this proposal. So the union negotiated to develop a working group to provide members with the steps on how to get damaged glasses replaced.
- If WSIB is being difficult then we will be holding on to this proposal for local bargaining.
- Question from members: What happens when the board property is damaged? (ie, a chromebook)
 - Answer: The school board has its own insurance, OSBI (Ontario School Board Insurance). The union reached out to OSBI, inquiring if staff member's broken glasses would be covered. OSBI said no.

Motion: To approve the Health and Safety Report as presented - Joanne Howell

2nd Melissa Oppedisano

Motion carried.

Mobilization Committee & Members Care Report - presented by Erin Grant

- Mobilization Committee - at this time there is nothing to report.
- Member Care Report -
 - OECTA has generously donated \$10,000 in \$100 grocery gift cards to CUPE 2357 members as a support during the political protests.
 - After speaking with OECTA - a draw will be held for 75 of these gift cards. An email was sent out February 28th via our membership email list, with a link to fill out a form to be entered into the draw.
 - 25 of these gift cards will be held back to use for the Member Care Fund.

Motion: To approve the Mobilization Committee and Member Care Report as presented - Erin Grant

2nd Kristen Fulton

Motion Carried.

Elections or Installations - The elections for the Secretary-Treasurer have been moved to the April 27th GMM.

Acclamation for Andrea Mailhot for a 3 year Trustees position.

Unfinished Business

The union has no unfinished business from the last agenda and meeting.

There is no business to update members on.

New Business

- Local Bargaining Update:
 - Local Bargaining is still ongoing. The next bargaining dates are set for Monday, March 6th and Tuesday, March 7th. These dates are for full days of bargaining with the employer. The bargaining team is hopeful that bargaining can be wrapped up and a Ratification Vote can be called for the week after March Break - but No Promises!

- If extra bargaining dates are needed, there are dates booked for April 4th and 6th.
 - The union still has a few outstanding proposals to discuss that surround OA support, Vacation Leave and Workplace accident/injury (Personal property) and other small language items.
 - The union put forth a very extensive proposal package to the employer. A lot of these proposals will address member issues that we consistently hear about/deal with. We look forward to presenting the ones we were successful with at the bargaining table in the very near future.
 - Retro payment and pay raises will only take effect once the membership ratifies a deal. The ratification vote will only be in person and we are exploring holding it at the Infinity Centre on Hunt Club Rd. by the airport/Lone Star.
 - Question from Member: Can we get paid on a separate pay for the retro pay? So that we do not get taxed so much on it?
 - Answer: Unsure. President will look into it, and report back to the members.
- Article 7 - Vacation Leave Discussion:
 - The Union has spoken with Lisa Schimmens, Chief Negotiator for the employer and gotten the ok for the union to discuss the employers vacation leave proposal to members, in general terms.
 - The union wanted to have a discussion about it and get the member's feelings about it. Members should know about it before so that the bargaining team knows the mindset of the membership in regards to changes to the vacation leave.
 - General nature:
 - If you are aware ESL Instructors do not get vacation leave, when they amalgamated with CUPE 2357, they had in lieu of vacation leave an extra percentage on their pay cheque.
 - In ESA (Employment Standards Act) states that the employer has to give employees a percentage in lieu of vacation leave, if not giving employees vacation leave.
 - The employer proposal would wipe out CUPE member's vacation leave and give them a lucrative percentage instead. The union is not at liberty to discuss the percentage that the employer is offering.
 - In addition, the employer's proposal cites that the members would not be paid over March Break or Christmas Holidays and would have to plan accordingly.
 - Shortage of staff is being cited as the reason that the employer needs the staff in the building, thus offering a percentage in lieu of vacation leave.
 - Similarly, in the health care sector, some employers are offering 18% to employees in lieu of vacation leave.

- Members will need to consider that with a higher pay, could come with a higher tax rate.
- The union wanted to present this to the membership to read the room, and see how the membership would feel.
- Cupe National, and OSBCU always cite that there are no concessions in our negotiations. However, the President's opinion is that there are no concessions, but for the last 8 years, members have received very little gains .
- This vacation proposal will only affect 10/11 month employees. 12 months employees will not be affected. However, Cupe does not agree to any two tier clauses. .
- Currently, the employer is strong-arming members. They are not approving member's vacation leave above 5 days. The union is inquiring how do you want to move forward as a membership?
- Without vacation leave, members would only have one personal day, and five special leave days per school year. But special leave days are still strictly governed. A caregiver day can be used for the care of parents and family members.
- The principal has the discretion to change the marriage and moving day to emergency or compassionate days.
- The union is also looking at changes in the Special Leave days.
- The vacation leave model the employer is trying to push on you, is the model Non-Affiliates have. They are only allowed to carry over 5 days.
- Under 7:02 in the CA - technically a principal should be the one to be able to grant the 10 month members their vacation leave of any length.
- During a meeting the employer has said "Why do 10 month employees need to take vacation during the school year? They are off in the summer" The union had to tell them that no, 10 month employees are laid off and they are working another job during the summer. The salary of a 10 month employee does not allow travel during peak times.
- Questions/Comments from members:
 - How would it work with years of service?
 - Answer: It's a tiered percentage depending on your years of service.
 - How would that make what our salary is to the public? We are saying we are part of the lowest? But will it change what the perception is? It is something to consider.
 - So 12 month employees should be putting in a request to the superintendent.
 - Answer: According to the CA, any request above 5 days should be requested from senior management.
 - I have a friend who is in a Non Affiliated role within the board. They have been carrying over the full year of leave, in the past.

They were just told that they can no longer do that anymore.

- Can you take extra time after March break?
 - Answer: Yes.
- If we didn't get paid for March Break and Christmas break could we file for Unemployment Insurance?
 - Answer: You could file for March Break or Christmas, but you would still have to satisfy your waiting period.

- Article 7:01 (c) Paid Vacation - Maternity/Parental Leave:
 - Past practice under previous HR managers, while employees are on maternity and parental leave, they have earned paid vacation leave. The current HR manager Sheelah Cairns, has found that this article does not include the word "paid" when given vacation leave. So, as of Jan 2023, employees on maternity and parental leave will accrue vacation leave. But it will not be paid. These members will be able to take these days as leave without pay days.
 - Under ESA they do have to give you days. But they do not have to be paid. So the employer will be giving these employees unpaid days off.
 - Under the direction of our National Representative, Drew, the union will be filing a grievance for this.

- Job Evaluation:
 - The union has filed a grievance for Job Evaluation 2022
 - There are two deadlines for employees to submit Job Fact Sheets to be entered into the job evaluation process. March 15 and October 15.
 - Five jobs will be evaluated in March, and five will be evaluated in October.

March 2022 Job Evaluation:

- The union is still awaiting the results of the five job fact sheets that were submitted in March 2022
- Last spring, previous HR Manager, Valerie di Silva contacted the union and stated that the HR department was too busy to conduct the job evaluations. She proposed to send them off to a professional third party, Sandra Haydon. The union and the employer had a verbal agreement and emails back and forth with the understanding that the employer would pay the entire cost.
- To hire a third party, this would have needed to be signed off by the Superintendent of HR at that time, Steve McCabe.
- All jobs were then evaluated by Sandra Haydon.
- All summer, 2022, the president called the HR department to inquire on what the results were, hounding the employer for the results.
- The new HR manager, Sheelah Cairns called and talked about the outcomes. The union asked when these classifications will be notified. Sheelah responded that she still had to notify the OCSB senior executive.

- The union was confused as to why the Senior Executive had to be notified. By law, the employer has to uphold the results. .
 - This has continued to be dragged out.
 - When the recommendations of Sandra Haydon were presented to the Senior Executive Board, HR returned to the union and stated that there was nothing in writing about this agreement between the union and Valerie Di Silva. However, a verbal agreement is just as valid as a written agreement.
 - The HR department stated that they were not going to uphold Sandra Haydon's recommendations. The employer will be following the joint job evaluation terms of reference.
 - The jobs were evaluated on Jan. 19th by a joint committee.
 - As of the unions last meeting with the HR department, the new finding has still not yet been presented to the OSCB Senior Executive Board, even though there is a Senior Executive meeting each week.
 - The union has filed a grievance. This will probably have to go to arbitration.
 - The employer has also let us know that the next five job evaluations will be the last for the year. But they are counting the five overdo job evaluations from last year. Which will not fly.
 - The union would be happy to pay for the Job Evaluation process to be performed by a third party professional. The joint job evaluation committee is given minimal training.
- CUPE 2357 Office Space:
 - The Secretary - Treasurer and President have viewed various office properties with our commercial broker, Lindsay Hockey. We believe we have narrowed it down to 2 offices which are located at 2249 Carling Ave. (Intersection of Carling and Woodroffe)
 - We are currently working with Provencher Roy Urban Graphic Design planners (this is an expense absorbed by District Realty) who owns 2249 Carling to plan out the 2 office spaces to see which one will suit our needs the best.
 - If either of the spaces work for us, we will then enter into leasing negotiations which the commercial broker does for us (exact process as buying a house). When all is firmed up we will notify the membership of our move date and new address. This is not likely to happen until at least Fall 2023.
 - As mentioned the last 2 years in budget presentations and at various GMM's the commercial market has significantly increased in the 10+ years since we moved from Immaculata HS. Our monthly lease payment will be higher but we have prepared and budgeted for this for the last 2 years.
 - As for our current office space - you may have heard that about 3 months ago the office building right beside us caught on fire which resulted in extensive damage- the building is now vacant and holds no tenants.

- We were just told by a source that the landlord for that building and ours (which sits on 1 piece of zoned land) is shopping around for a developer deal to potentially sell the land. Should this happen, we would be asked to leave, as they would most likely tear both buildings down and build a highrise condo. If this came to fruition we would be given ample notice. We are aiming to be out before any of this happens.
- Question from member:
 - How much more would be new rent?
 - \$4400 is what the market is right now. We have been building it into the budget.
 - It is more advantageous to us - we can really negotiate a good price - because we can sign a multiple year lease.
 - We have budgeted for an office space of \$6500 a month. However, we are aiming to find a space to rent for \$4600-\$5200 per month. So that we do not have to come back to the membership and ask for more money if the rent has gone up.
- OCSB Multi Factor Authentication:
 - The union was called to a meeting for IT.
 - At the end of August 2023 there will be a multi factor authentication when you sign in to any technology with the board. This number will be sent to your phone. If you do not have a phone, the board will provide you with a fob.
 - OAs will have face recognition installed on their computer at their workstation.
 - This code will be good for 24-48 hours. So you will not have to use it multiple times a day when you are logging in.
 - Question from member:
 - What about schools that have cell phone dead zones?
 - Answer: You will get a fob.
- Unqualified In DE Unit:
 - Unqualified staff are not to be working in DE classroom with medically fragile students..
- Other
- Unqualified staff were not getting paid at a lower rate. You only need to be 18 and a police check to be an emergency/unqualified. Now, any new unqualified employees will be paid at a lower rate.
- OA Support Hours has been an LOU for 8 years. The board has proved that this is a need in the schools. This is a big proposal at the local bargaining table. The union will not be renewing it as a LOU for another 4 years. These positions should be full-time and part-time positions.

Good of the Union

- Winners of a \$20 gift card to Walmart:
 - Kristen Fulton
 - Leslie Schlievert

Adjournment

8:45PM