

GENERAL MEMBERSHIP MEETING

CUPE 2357

April 27, 2023

In Attendance: Nicole Lavigne, Tori Murray, Jessica Sheahan, Cynthia Steeves, Erin Grant, Shelanie Braganza, Patricia Kazadi, Francine Meledoro, Melissa Oppedisano, Joanne Howell, Terry Donegan, Terry Donegan, Jill O'Malley, Shannon McCarthy, Jessica O'Leary, Jennifer Young, Kelly Oliver, Lily Bernard, Crystal Francis, Adele Stubbart, Lisa Marcantonio, Kim Widenmaier, Elizabeth King, Lisa MacGregor, Michael Jarrett, Jaime De Marchi, Jess Oakman, Wendy Hache, Toni Crea, and Drew Haughton (Cupe National Rep)

Call to Order

6:38PM

Executive Motion: *To amend the agenda and add the Trustee's Audit to the end of the agenda.*

Seconded: Joanne Howell

Motion carried.

Role Call of Officers:

Cynthia Steeves - Acting President

Joanne Howell - 1st Vice President

Francine Meledoro - 2nd Vice President and Secretary Treasurer

Erin Grant - Recording Secretary

Land Acknowledgement - Francine Meledoro

Reading of Equality Statement - Terry Donegan, Lisa Mercantonio, Jill O'Malley, Jennifer Young, Adele Stubbart, and Lisa Macgregor

Voting on New Members and Initiation

- None at this time

Reading and Approval of Minutes - presented by Erin Grant

- The last GMM was on March 1, 2023. These GMM minutes have been posted on the Cupe 2357 website since April 5, 2023 and they have been sent out to the membership, via email on Tuesday, April 25, 2023
- Union gave a local bargaining update, with hopes that a tentative agreement would be signed before the end of March.

- Union and members in attendance had a discussion on the vacation leave changes that the employer was proposing, at that discussion it was clear that the membership did not want these changes.
- Union spoke about Article 7:01(c) - Paid Vacation leave and how the employer was interpreting it. Employer is stating that any vacation leave that was accrued while a member was off on maternity or paternity leave, would not get that leave in paid time, but rather in unpaid time. Also was informed that a grievance would be filed for this
- Provided an update on the 2022 Job Evaluation and the grievance filed.
- Spoke about the search for a new CUPE 2357 office space.
- Union informed membership of the OCSB Multi Factor Authentication that will be implemented in the fall. Members who do not have their own phones, do not want to use their phones, or are working in schools with very poor service will be given a fob.
- Informed membership that Unqualified Staff are not to be working in the DE units.
- Informed membership that unqualified staff will be now receiving a lower rate of pay, than qualified staff.
- Spoke about the OA support hours LOU that has been in our CA for the past 8 years, providing proof that these are necessary positions and they should be full and/or part time permanent positions.

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

Seconded: Lisa Marcantonio

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: (This information is redacted. Please contact the CUPE 2357 office for this information)
- All bills have been paid up to date.
- The Trustees came in this week to complete the Locals audit as per our bylaws. All went well and they will be sharing their report and recommendations later on in the meeting. Along with our responses.

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

2nd: Jill O'Malley

Motion carried.

Communications/Correspondences - presented by Erin Grant

- The union has received advance notice of the Cupe National Convention. It will be held in Quebec City on October 23-27, 2023

Executive Board Report - presented by Cynthia Steeves

The Executive Board has been steady since the last GMM, we finally wrapped up local bargaining towards the end of March.

The new local Collective Agreement was ratified on March 23, 2023 and is now in effect until August 31, 2023. There are quite a few changes, so we encourage you to look it over, once you receive it to your personal email, hopefully by the end of next week.

We will also be posting it to our website in the near future.

The VP's have been attending Return To Work and attendance support meetings - we are noticing an influx of attendance support meetings being called and attendance support letters being given to members.

As a reminder if you receive an attendance support letter, it is in effect for one (1) calendar year not a school year, so if you are given one on May 12, 2023- it is in effect until May 12, 2024. For those who may not know - the letter states that you must produce a sick note from your physician after each sick day taken, you have 12 days to submit one to Human Resources or the day will be processed as unpaid leave.

The two VP's and myself had the opportunity to attend the Human Rights and Accommodation Conference via Lancaster House in Toronto from April 17 & 18, 2023. It was a fantastic conference with relevant case law presented and a good balance of employer and union counsel views on each situation. Members from the Executive Board will be attending this conference again, when it is offered.

Retro pay was paid on your pay today, if you hear of anyone not getting it, please ask them to contact the Executive Board. The employer missed paying retro to 52 EA's who are doing the Tutor Support Program - after school, it will be paid to them tomorrow automatically into their bank accounts by the end of the business day. We thank the member who approached us about this error, otherwise we would have never known.

A reminder to read all emails that the union sends, as it may contain important information that you need to take action.

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

Seconded: Jessica Sheahan

Motion carried.

Committee Reports

Steward Report - presented by Joanne Howell

The stewards have been getting questions on the following topics:

- Rules for general supervision (ECE)
- Members reaching out in regards to when we would receive our raise and retro pay
- Asking questions about Violent Incident reports/accident forms, where to find and what to do
- Questions around Violence in the workplace and work refusal.
- Members reaching out re: staffing process and when they could apply.
- Casual member reached out in regards to a Seniority List and will they be back paid for PD Days and when the terms will be paid for PD Days
- Teacher/RECE roles and responsibilities. Concerned that they were expected to do as much as the Teacher with no prep time.
- Pension and paying back pension and how to when coming back from
- ECE inquiring and expressing many concerns about the way she's being treated in the classroom and how to manage it.
- Vacation requests and how to go about it
- Finding the seniority list
- Issues in the ESL program around sick time and full time hours
- Questions around X/Y leave and how it works
- Supervision and equity
- 11 month employees working over March Break

Grievance Report - presented by Cynthia Steeves

We have no new Grievances filed since the last GMM, which is good, in a way.

On the other hand we have 4 active Arbitrations- 2 are in the process of moving to hearings, Tutor - May 18 & 19, 2023 and SEL Itinerant EA September 22, 2023

Vacation Leave Policy - which addresses rampant vacation leave denials/vacation carry over during maternity/paternity leave - November 7, 2023

We have also filed for Arbitration for Job Evaluation 2022 and are still working on an agreed date for the Arbitration.

We may possibly be running another grievance to Arbitration in regards to recognition and the Indigenous Support Worker/Family Support Worker and Con Ed clerk

Health & Safety Report - presented by Joanne Howell

The inspection blitz by the Ministry of Labour, Immigration, Skills and Training Development has been completed. We have heard of a few schools that were visited by inspectors but have not heard of any results.

Both VPs have been attending return to work meetings as mentioned in the president's report.

We are aware of a couple of schools that are dealing with a high number of Violent incidents. (usually surrounding 1 or 2 students). At these schools the members feel that the board is “catering to the parents”. I have been in touch with the Coordinator of Health and Safety. She has told me that she has reached out to the Violence Committee at the board.

Please ensure that you continue to fill out the Violent Incident Report form on the staff portal. A reminder that this form is not complete until you fill out the third step in the process: you fill out the form, your principal/supervisor completes their review and then you review that sheet and submit it back.

If you are hurt in any way (even if you do not seek medical attention) please also fill out the Accident Report form as this will leave a paper trail should you need to seek medical attention in the future.

If you have any concerns please reach out

Mobilization Committee & Members Care Report - presented by Erin Grant

- 75 grocery store gift cards from OECTA were randomly given out to those members who filled in the survey. These cards were sent out to winners in mid-March and an email with all winners listed was sent out to the membership.
- 25 cards were kept back for the Cupe 2357 Member Care Fund.
- We have had three requests for member care support. These members qualified for the support through the member care guidelines. They were each provided a \$100 grocery store gift card.

Elections or Installations - presented by Nicole Lavigne

Cynthia will step down as chair and Nicole Lavigne will take the seat as the chair of the elections committee.

The positions up for elections are:

1. Three year Trustee - Andrea Mailhot - Acclaimed
2. Short Term Secretary Position. There will be another election for the Secretary Treasurer full term position, when it comes up for reelection in September 2023.

Two Nominees for the Secretary- Treasurer Position:

Patricia Kazadi - Stand for nomination (Lisa Marcantonio chosen as Patricia's scrutineer)

Jessica Sheahan - Stand for the nomination (Jess Oakman chosen as Jessica's scrutineer)

Each nominee is given two minutes to speak to the membership:

Jessica Sheahan speaks to membership first.

Patricia Kazadi speaks to the membership second..

Tory Murray shows the membership that the ballot box is empty then collects the ballots from members.

Upon returning back to the floor, Nicole Lavigne announces that Jessica Sheahan has been elected into the Term Secretary-Treasurer position. Jessica Sheahan then states the Oath of Office.

Elections Committee Motion: *I move to destroy the election ballots.* -Tory Murray

Seconded: Lisa Marcantonio

Motion carried.

Unfinished Business

Vacation Leave Denials:

- We are talking about vacation leave denials a lot lately, because it is a big deal and we are talking about it again.
- The vacation Leave grievance is moving ahead and will be brought before an arbitrator.
- Members have vacation days and you can take those days.
- The union wants to start keeping track of the vacation leave denials that members are getting, we want to have a file to show the arbitrator with proof of the employer denying vacation.
- An example:
 - A member was approved to take 11 vacation days in February 2023. The vacation leave had to be canceled due to a family issue.
 - The member, then, requested again to take the 11 days in November 2023. The employer is now asking the member to resubmit the request closer to November, stating they do not know if the member will have enough days then. (The members will need to have their required days in their vacation bank.)
- Another example:
 - An OA wanted to request 6 vacation days, the principal told her that HR would not approve but that she could have the 5 days with the principal approval.

- However, the employer has put a moratorium on providing supply coverage for OA's who are on leave (other than sick leave). So when an OA is off for vacation leave, the employer will no longer have a supply come in that day.
- BUT, the employer is denying vacation leaves stating that it is due to operational requirements. The union has posed the question to the employer, how can vacation leave be denied due to operational requirements, but any approved vacation leave that an OA takes, is not filled with a supply? Obviously there are not any operational requirements if the position can sit empty for a day or multiple days.
- The union is trying to stay on top of this and to collect plenty of data.
- This grievance is a lengthy one, that will probably be broken up into separate categories as needed.
- Exceptional Leave Form:
 - Currently and this past year, the Human Resource department has been requiring Cupe members to fill out an Exceptional Leave Form, if they are requesting more than 5 days of vacation leave. This form was created for OECTA members who were looking for unpaid leave.
 - The Exceptional Leave Form requires the applicant to fill in the reason for taking the vacation leave, in order for the form to be submitted. The employer has no right to ask you what employees plan to do on their vacation leave. It is none of their business.
 - The union has asked the employer to create a new form for school based Cupe members to fill out when requesting a vacation leave of over 5 days. This form has passed the draft stage and is now with the IT department to be put into use.
 - The form will be rolled out at the completion of this 2022-2023 school year.

Question from member:

Q: What if the principal says that I have to find a supply in order to be approved for the vacation days? Do I have to find my own supply first?

A: You do not technically have to find a supply. Once you are approved you enter the absences in ATE and that is all you are required to do. However, if you happen to know of a supply, and they are available, when you approach your Principal, it makes your request that much easier to approve.

Q: I have heard of casuals getting letters telling them not to accept jobs ahead of time?

A: Sarah Thomas, the Cupe Staffing officer in the OCSB HR department, has sent those out to Unqualifieds. Unqualified staff are not to be taking jobs until 7pm the night before the job.

Q: What can EDP Supervisors start using ATE? Where is the section where it says we need a supply booked?

A: Once the Collective Agreement has been ratified, then it applies. So EDP supervisors should be able to use ATE as of March 24, 2023. However, there may be some delays as the employer tries to make all the changes that have been negotiated. The Union will follow up with the employer about this.

Q: What about that first day of work in August? I was in a situation where I was stuck out of town and was not able to attend the first day of work in August. I informed my principal and received a warning not to let it happen again.

A: The day of work in August is optional. If members attend, they can get paid. If they decide to not attend, then they will not get paid. The union is often in disagreement with the employer on this. But 10 month CUPE employees' first official day of work is the first day of school.

New Business

Bylaw Amendments:

The bylaw committee is called up to the head table. Executive Board members not on the committee or not chairing the meeting step down.

The bylaw committee consists of Cynthia Steeves, Erin Grant, Nicole Lavigne, and Patricia Kazadi. Francine Meledoro chaired the meeting to ensure parliamentary procedure was followed.

The chair begins by reading out parliamentary procedure for the bylaw amendments to the membership.

The chair informs the membership that the proposal to increase the union dues has been deferred by the bylaw committee to be reviewed and presented at a later date.

Bylaw Proposal #2 - Section 6 - Financial Statements and Audit - read by Cynthia Steeves

Seconded: Pattie Kazadi

Questions and Comments on Bylaw Proposal #2:

Vote: for: - 9

Against - 13

Abstain - 1

Bylaw Proposal # 2 has failed.

Bylaw Proposal #3 - Section 7 - Voting of Funds read by Nicole Lavigne.

Seconded by Patricia Kazadi

Jessica Sheahan: Can I call to question?

*(** Calling to Question means that all discussion on the motion/bylaw on the floor will cease. The membership will then vote to either for and against the motion/bylaw***)*

Chair calls for a vote to call the discussion to question:

Favor: 14

Opposed: 12

Carried.

Chair calls for a standing vote on Bylaw Proposal #3. The Bylaw Committee then informs membership that for a motion to pass, there needs to be $\frac{2}{3}$ majority in favour.

In favor: 13

Opposed: 13

Bylaw Proposal #3 has failed

Bylaw Proposal #4 - Appendix "B" Expense Reimbursement Policy - read by Nicole Lavigne.

Seconded: Cynthia Steeves

Jessica Oakman: I want to say that the document that was emailed out to the members, does not have the language on evening meetings.

Committee Answer: There were some changes. This new language has not sat with membership for 60 days so, the committee will read the proposal and vote on it in September.

Adele Stubbert: Can you read this again without the additions?

Bylaw Proposal #4 is then read without the new amendments, and is voted on, as was sent out to the membership originally. *

In favor: 27

Against: 0

Carried.

Bylaw Proposal #5 Appendix "F" Credit Card Policy - read by Patricia Kazadi

Seconded: Nicole Lavigne

Jess Oakman: The information is not the same as what was sent to the membership.

Committee Answer: You are correct, the trustees asked to look at the credit card policy and added to the proposal, on April 26, 2023. We will read this tonight and it will be voted on at the September 2023 GMM.

Bylaw Proposal #6 -Section 13 Delegates to Conventions & Conferences - read Cynthia

Steeves

Seconded: Nicole Lavigne

In favor: 27

Carried.

Bylaw Proposal # 7 - Section 10- Duties of Officers- read by Patricia Kazadi

Seconded: Nicole Lavigne

Jessica Sheahan: I would like to refer it back to the committee to look at the portfolios.

Tory Murray - I seconded it.

In favor of referring it back to the committee: 13

Opposed to referring it back: 11

There was not a $\frac{2}{3}$ majority vote in favor, so this Bylaw will not be referred back to the committee.

vote in favour of bylaw proposal #7: 15

Opposed: 11

Bylaw #7 Defeated.

CS:

Appendix "G" Code of Conduct -Discussed by Cynthia Steeves

(** This does not need to be voted on, as it is required, by Cupe National, to be put into our bylaws.)

This is a code of conduct that has to be followed at all Cupe functions.

Reading of the following Bylaw Proposal - these will be voted on at the September 2023

GMM:

Bylaw Proposal #8 - Section 5 - Fees, Dues and Assessments -read by Patricia Kazadi

Bylaw Proposal #9 -Section 14 -read by Patricia Kazadi

Bylaw #10 - Appendix "B" Expense Reimbursement Policy - read by Nicole Lavigne

Bylaw #11 - Section 10 Duties of Officers - read by Nicole Lavigne

OMERS Motion - Motion - Joanne Howell:

I motion that CUPE local 2357 will

1. Fully support he Cancel the Cuts Campaign through CUPE Ontario and OSBCU
2. Identify a lead who will support this campaign in our local
3. Ensure each member is informed of the threat of pension cuts through conversations
4. Collect petition signatures in support of the campaign
5. Through organizing methods used in the fall, use the existing infrastructure to distribute materials to worksites
6. Working through employer contacts, urge the employer to oppose the cuts to our OMERS pensions
7. Lobby trustees to pass a motion that they will lobby their governing body to vote against proposed cuts to plan members' pensions
8. Organize members for direct action when required
9. Report all developments to members
10. Share information and campaign materials as well as collect signatures with workers in our community that are members in OMERS (other education workers, municipal workers etc)

Secunder: Jessica Sheahan

All in favor

Motion carried

Executive Motion - Destroy the ratification ballots

Motion: I move to destroy the ballots from the March 23, 2023 ratification vote. - Joanne Howell

Second: Nicole Lavigne

Motion carried.

School Visits - New school opening - transfer process

- Union and employer HR wrapped up the last of the school visits today. We have visited all of the schools that will be impacted by the opening of St. Bernadette's in September 2023 and St. Juan Diego in January 2024.
- During the visits, Sarah Thomas presented a slide show on the process for EAs and RECE to express their interest, and the staffing process of moving to the new schools.
- The Union and HR Superintendent Debbie Kealey were present to answer any questions.

Social Media Policy (OCSB)

- In the recent past, members are being brought in by the employer because of comments made on the member's social media.
- The union wants to make you aware that you know what you are posting on social media, I can come back to haunt you.
- Also be cognizant of your social media content when you are on sick leave. The employer is looking, and also we have had instances where co-workers are the one reporting to the employer.

Extra OA Support hours

- The union and the employer have reviewed the extra OA support hour. Quite a few, support OAs, for the past 7 years have been working 35 hour weeks. 35 hours is not part time work. It is full time.
- Lisa Schimmens brought the data to us, listing which schools are consistently using the hours, and which schools are not.
- The union is happy to inform you the 8 permanent OA jobs will be created. These jobs will be posted within the next few weeks. At this time, we are not at liberty to say

which schools are getting full time OA's, as the Principals of these schools have not yet been informed.

- There will be an application process to request additional OA support hours. The principal will fill out the application for each school needing the extra OA support.

CUPE 2357 Movie Event - August 2023

- The union is in a paid partnership with OTIP. If we meet the provisions in the contract, we will receive \$19,000 in June 2023. As these funds are generated by member dues, they will be placed in a separate account. This money is not governed by the trustees.
- Last year the movie day was very successful. We have plans to host it again. The union is thinking of a family movie again at the end of August.
- More information will be provided when details are finalized.

Calypso Season Passes

- The union is also looking to purchase a package of three Calypso Passes and a parking pass to gift to one member.
- The union is still working out how to roll this out and will provide more details when they are finalized.

Comment from member: I love the engagement stuff, I know there is a lot of family orientated ideas. Just a proposal to put a bug in your ear, how about some things targeted for adults rather than families?

Other - Trustee's Report:

Trustees Jaime De Marchi and Lisa Macgregor present the Trustee's Report. Trustee Andrea Mailhot sends her regrets.

2nd Vice President Francine Meledoro then read the Secretary- Treasurer's Response to the Trustee's Report.

Motion to accept the Trustee's Report: Cynthia Steeves

Secunder: Lisa Marcantonio

Carried.

Good of the Union

\$25 Mr Gas card x2

- Winners:
 - Lisa MacGregor
 - Adele Stubbert

Adjournment

9:14pm