

GENERAL MEMBERSHIP MEETING

CUPE 2357

January 15, 2024

Virtual

**In Attendance:** Cynthia Steeves, Erin Grant, Francine Meledoro, Patricia Kazadi, Debbie Couto Ferriera, Emilia Maisonneuve, Jaime DeMarchi, Jen Young, Jess Oakman, Kallie Braceland, Kelly Anne Mathieson, Kelly Russ-Mahoney, Leslie Schilevert, Lisa MacGregor, Logi Kana, Michelle Mac (MacDonald?), Nicole Lavigne, Shannon McCarthy, Shannon Wright, Sharon Boudreau, Susan Rowbotham, Kelly Davies, Tori Murray, Alexa Durie, Allison McClurg, Chantal Ouellette, Darlene Lavoie, Donna Aki, Jacqueline Graham, Jessica O'Leary, Kelly Oliver, Kim Starr-Sadler, Kim Windenmaier, Linda Immetsberger, Mary Beth McGowan, Shannon Appleby, Terry Patridge, Aaron Do, Avilla Ollivierre, Heather Jesmer, Tiziana Tirabasso, Sam Daley, Elizabeth King, Nicole Craig, Sam Marshall, Leslie LaRose, Vanessa O'Brien, Wendy Hache, Pamela Harling, Kerry Clarke, Chantal St. Louis-Malboeuf, Brenda Johnson, Paula Harford, Penny Simpson, Sarah Hong, Adele Stubbert, Gudrun Desjardins, Heather Fortin, Eliza Thibert, Samantha Daley, Donna Lambert, Sue GoGo-Brown

**Call to Order**

6:30PM

**Role Call of Officers:**

Cynthia Steeves - President  
Francine Meledoro - 2nd Vice President  
Erin Grant - Recording Secretary  
Patricia Kazadi - Interim Secretary Treasurer

**Reading of Equality Statement** - Nicole Lavigne, Tori Murray

**Land Acknowledgement** - Tori Murray

**Voting on New Members and Initiation**

- None at this time

**Reading and Approval of Minutes** - presented by Erin Grant

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

2nd: Lisa MacGregor

Motion carried.

### **Matters Arising from Minutes of the Last Meeting**

- No questions or discussions on the previous minutes

**Treasurer's Report** - presented by Patricia Kazadi

#### Account Balance

- All bills are paid and up to date
- Balance as of today in our Everyday Business Account is (This information is redacted. Please contact the CUPE 2357 office for this information)
- Local also holds an account that will eventually be deposited into the GIC which is currently at (This information is redacted. Please contact the CUPE 2357 office for this information)
- The Local's GIC Account which will mature in July 2024 is currently sitting at (This information is redacted. Please contact the CUPE 2357 office for this information)
- Locals Total Assets as of Today are (This information is redacted. Please contact the CUPE 2357 office for this information)
- Cupe 2357 is sitting in a good financial position
- We will look at moving around money within the accounts at the GMM in May.

#### Budget 2024

As many of you are aware our yearly budget is normally passed at our November GMM, however, due to the GMM being canceled we will briefly discuss the budget now:

- Upon the outgoing Secretary Treasurer ( Francine Meledoro , Cynthia Steeves and Myself ) meeting it was decided that we do not need to increase or decrease our Budget for 2024.
- However we have shifted some money around in certain budget lines.
  - We have decreased the operating expense by (This information is redacted. Please contact the CUPE 2357 office for this information)
  - Put (This information is redacted. Please contact the CUPE 2357 office for this information) more into legal
  - (This information is redacted. Please contact the CUPE 2357 office for this information) more into grievances/arbitration
- Due to the pay increases in salaries with our new Collective Agreement the Salary budget has increased from (This information is redacted. Please contact the CUPE 2357 office for this information)
- With a final projected budget for 2024 being (This information is redacted. Please contact the CUPE 2357 office for this information) ( same as last year )

**Motion:** To approve the treasures report as presented - Patricia Kazadi  
2nd: Wendy Hache

Motion carried.

**Communications/Correspondences** - presented by Erin Grant

- First call for the OSBCU Convention March 25-28, 2024 in Richmond Hill, Ontario
- Communications from OSBCU about Bill 124 remedy
- Communications and reminders about the Violence in the Workplace survey

**Executive Board Report** - presented by Cynthia Steeves

The fall was busy for the local executive with most meetings, education and training being back in person.

The Executive attended CUPE Fall school - where some took Health and Safety training and others took their Level 4 WSIB Medical Orientation course.

All these education opportunities better prepare the executive to represent and advocate for members at Return to Work meetings, with WSIB, Canada Life and most importantly, the employer.

This Fall also took us to Quebec City for the CUPE National Convention, it was a week of listening, learning and embracing change that has to do with equity in the workplace and within the union. We passed quite a few resolutions that had to do with CUPE National focusing more on staffing shortages, working conditions and union policies.

As a local executive, we feel it is important we embrace these changes and align ourselves with the constitutional amendments.

You will notice in the next little while that we will be more vocal and supporting various cultural dates and social justice movements, starting with Black History Month in February.

We have ordered (for free) from CUPE National various Black History Month swag and we will be sending out packages to members who express interest in receiving a package, the items can be used personally or you can also place them on your CUPE 2357 bulletin board.

As President this past fall, I was very busy preparing and attending arbitrations for various grievances that have now moved to the arbitration point. The wait for arbitration dates is still painfully long. We had a BIG win with our SEL grievance and won a preliminary award from Arbitrator Knopf - what this essentially means is that, the employer was trying to get the entire grievance thrown out on a few technicalities and the Arbitrator did not side with them and will hear the grievance and rule on it!

I was also kept busy with various disciplinary meetings, labour management meetings, emails and phone calls but most importantly keeping on top of the employer!

We argued and advocated for various things for our membership in the fall, an extra paid day for long term casuals was one and that will begin next year, that brings more equity to the workplace. We got the employer to stand down or take a walk back on certain vacation leave concerns, OA Extra hours and staffing processes.

The winter season will find us doing more education in February for a few executive members and some of the local executives will be attending the OSBCU convention in March, where we will elect a new President and 1st VP.

As some of you may know, Laura Walton has moved on and is now the President of the OFL (Ontario Federation of Labour).

We are also working on various initiatives to keep us noticed in the community, with our paid partnership with OTIP, we were able to donate on behalf of the CUPE 2357 members, \$1,000 to Toy Mountain this past Christmas season and donate \$1,000 to 2 high schools to help families in need over the holidays.

We are also looking at hosting a Family Skating Event in March, that will be open to CUPE 2357 members and the community. Stay tuned for more information.

This completes my Exec Board Report.

**Motion:**The adoption of the Exec report is moved - Cynthia Steeves  
Secunder: Wendy Hache

Discussion on the motion?

All those in favour of adopting the Exec report?

All opposed?

Carried - Motion carried

## **Committee Reports**

Grievance Report - presented by Cynthia Steeves

### Open Grievances

- Vacation Payout:
  - The background is that if the member did not fill out the vacation leave form that the employer sent, then the employer thought that it was doing the members a favour by keeping their vacation leave allotment intact. But the form states that if the form is not filled out then the member will be paid out for their outstanding vacation leave allotment.

- This ending in vacation leave not being paid on a timeline that was traditionally before Christmas, leaving members without the extra funds that they were waiting for to pay Christmas costs.
- The union has been in contact with Antonio Amaral, and he informed the union that the vacation pay out could not be processed on the December 23, 2024 pay, and will instead be paid out on February 3, 2024.
- The union grievance is asking the employer to adhere to the CA and close the vacation allotment form by October 31, 2024 to ensure that there are no issues in getting the pay out before Christmas.
- The union encourages members to read the emails from the employer.

#### Health Benefits - Billing to Union for Book Offs

- The employer has been wrongly billing the union for CPP, Omers for half time book offs, all the way back until 2017.
- The union will be presenting the employer with a number this week of what the employer owes us. The employer has also calculated a number and will be presenting that to us as well.
- If the numbers are way off, then this may be a struggle. The union does not want to have to run this to arbitration.

#### On Board Training - Being filed

- When casuals are hired, the employer is sending them a huge list of training on Vector that they have to complete. However, the employer is not paying them for this until they have worked 10 days.
- They give no language on who has to be paid and these casuals are none the wiser that they will have to be paid for this training that the employer requires.

#### Grievances settled - Intent to Withdraw

#### Extra Day of Work - Long Term Casuals

- This grievance will be withdrawn. The union was successful - long term casuals will now be paid for the Thursday before the start of school, starting August 2024.
- Cupe felt that it was an inequitable practice that these employees were not paid to come in and prepare before the school year began.

## Grievance Arbitrations

### Tutor

- The union won a preliminary award. The employer wanted some items to be barred from the Arbitrator including them. However the Arbitrator ruled in our favor and these items will be included.
- While the arbitration is interesting to sit through, they are painfully long and the union did not think it was going to stretch out this long.
- The next arbitration is in December 2024

### SEL/Mental Health WorkerThe next arbitration dates are:

- March 25, 2024
- May 10, 2024
- September 6, 2024
- And if needed December 19, 2024

### Vacation Leave

- The vacation leave Minutes of Settlement came back last week from the employer's legal team.
- There is some language that needs to be corrected and something new the union wants to add.
- The union also wants data in regards to the new vacation leave process.
- This new process will make vacation requests over 5 days go a lot smoother.
- The employer and the union will put out a joint statement when it is complete.

### JJE 2022

- The 2022 Job Evaluation grievance framework is still sitting with the employer's legal team.
- The union is hoping to receive and answer by next week.
- The employer is being extremely difficult in letting the union bring in a Cupe Job Evaluation Specialist.
- The union is putting pressure on the employer to move this ahead.

**Motion:** To accepted the grievance report as presented - Cynthia Steeves

Secunder: Wendy Hache

Carried

Steward Report - presented by Francine Meledoro

The stewards have been in contact with site leads from each of their schools. They have sent materials out to be shared on the cupe board at each school. Some of the emails and phone calls from members that the stewards have been responding to are general supervision, breaks, scheduling and leaves. Members are reminded to email their steward with any questions they may have.

The stewards were in the office for a day of learning before the holidays. We went through the collective agreement, scenarios and responsibilities of being a steward.

We are also looking for site leads for a couple of schools. If you are interested please contact your steward.

**Motion:** To accept the steward report as presented - Francine Meledoro

Secunder: Jess Oakman

Motion Carried.

Health & Safety Report - presented by Francine Meledoro for Joanne Howell

I attended the Health and Safety Forum for OSBCU on October 3, 2023. This focused on many different things.

Discussed reasons why to report -

- it creates a paper trail
- it places the responsibility for addressing hazards on the employer
- it creates a timeline
- it creates change
- it starts the process of protecting the workers

Discussed why members don't report

- lack of training,
- being told not to fill out,
- fear of repercussions (especially if casual staff),
- minor incident so no need,
- can't find forms
- no time
- feel not covered by WSIB

Due to the chronic understaffing at schools members feel they don't have time to fill out reports. Under OHSa you have the right to fill out and report. You can go to the principal and request to fill out forms. They need to make arrangements.

People also are feeling that their assignments are overloaded, there is a lack of support from supervisors.

Members are afraid to report as they get blamed for the incidents that occur

Under Section 50 of OHSA there should not be any reprisals. If there are, contact local immediately

The Violent Incident Reporting system should meet the OHSA PPM 144 and 145 and the Education Act 306 (1) and 310 () address Safe Schools

With regards to Safe Schools, if the behaviour warrants a Safe School form be filled out (meeting the above criteria) then fill out the form despite "mitigating circumstance" The principal has an obligation to respond to the SSIR. (Safe Schools Incident Report) Behaviour is what we are to report-even if we see little Johnny threatening to stab someone, being in kindergarten or having an IEP is not an excuse for example and should still be reported.

#### Non Critical things to be reported

- near misses
- occupational diseases
- minor injury-eg. Papercut that could become infected and lead to more serious disease
- violence

#### Critical to report

- places life in jeopardy
- produces unconsciousness
- fracture - not fingers or toes
- amputation -not finger or toes
- burns to major portion of body
- loss of sight in eye

Document, Document document!

It was suggested to take pictures to attach to reports (not of people but of incident and area)

#### Safe schools

- let the H&S committee know the nature of the incident

#### Work Refusal

Important to remember you are not refusing to work with the student but rather you are refusing because the workplace protections are not safe to protect you. Challenge behaviour safety plans when necessary, these should be in place for students as well as have staff safety plans in place

\*important to fill out reports and then let JHSC know especially if you are hurt



\*\* OHSA section 32.0.5(2)(a) requires workers to be trained on the procedures within the workplace violence program which includes reporting workplace violence

\*\*OHSA section 28 (1)(c)(d) workers right to report hazards to the employer/supervisor/principal-this is the workers duties

Other issues:

Members are complaining to us about not having enough staff and worrying about burnout or injuries happening. Any emails that I have answered I have asked them to let their health and safety committee know especially if they are injured.

Asbestos was found at St. Rose of Lima school. All staff who may have been exposed to this have been notified and have been told to fill out the exposure form for WSIB for future if needed. The board is doing everything that is required by the Ontario Health and Safety Act (OHSA) and as far as we know the board has restricted any access to the rooms where this was located.

Violent incident reports continue to come in. Please remember that the form is technically not completed until you have seen the principal/supervisor's report. This is the part where you can say that you do not agree with what the principal has written or have the form sent to the board Violence Committee.

Please remember that this is the time of year when most slips, trips and falls occur due to the weather. If this happens, make sure that you fill out an accident report at bare minimum as you may feel that you are ok at the moment but things could change in a couple of days. If the accident report has been filed at least there is a paper trail for the incident. If you need to seek medical attention, please make sure to do so.

**Motion:** To accepted the Health and Safety report as presented - Francine Meledoro

Secunder: Jess Oakman

Carried

**Elections or Installations** - presented by Patricia Kazadi

No elections of installations at this time.

**Unfinished Business**

Staffing Shortages

Staffing Shortages is nothing new, so I bring this update under Unfinished business because we tend to address this issue at every GMM.

Staffing Shortages are still a very real problem in our system. A sobering example of this is the employer sent out an email to 500 qualified casual EA's in regards to EA vacancies ( 20 schools) until the end of June. They only received 6 responses of interest.

The employer then approached the union to ask if unqualified staff could then be placed in these term positions until the end of the year, given there is strong language in the Education Act that ties our hands, we reluctantly agreed on the premise that this would bring consistency to the schools that are struggling, plus the employer will just bring them in anyways but day by day.

Even after extending this offer to unqualified staff, we still have a significant amount of vacancies.

The reality is, that nobody wants to come into this field now due to the working conditions - CUPE Ontario expressed concern over this issue on social media last week - stating the following....

“ EA wages are low- it is one of the lowest paid positions in the classroom- so it's tough to recruit and retain staff for such a demanding job. According to the federal government's job bank, EA's earn a median hourly wage of \$24/hr in Ontario.

It was further mentioned by the CUPE 4400 President (Toronto Public School Board) “Boards say they are working to recruit new hires and improve coverage. But fewer folks are wanting to become EA's and more are quitting earlier.

We are seeing here monthly at the office via our Monthly Reports from HR, that veteran EA's and ECE's are resigning- they are going back to casual or simply just taking alternate employment, stating it is less stress and better for their health to just walk away now. This is truly heartbreaking and I always say, I don't like to get political and you vote for who you want to vote for but the hard and simple truth is that the current provincial government has adopted a mantra of “Do More with Less” and it has created irreparable harm on our sector and the healthcare sector.

So what do we do as a membership? Be VOCAL..vote vote vote!!!

Lost a lot of veteran Eas over christmas, going to government, ECEs to daycare centres to become supervisors

Sad reality in our province right now.

Hearing it in health care. Trickle over in education. Not for lack of trying on the employer's part.

Write letters to you MPPs.

Hosting public events, they were very supportive of us during our strike,

## **New Business**

### Bill 124 Remedy

- OSBCU has been doing really well updating members on social media.

What is the Bill 124 Remedy?

- It is a settlement for Bill 124 that was imposed upon us during the CA negotiations for 2019-2021, that limited our wage increases to 1% per year.

How much will the increase be per year?

- For 2019 .75%
- For 2020 .75%
- The 2021 increase will be decided by Arb Bill Kaplain. The settlement will be between 1.5% and 3.25%

When is the arbitration?

- Arb. Bill Kaplain will be hearing from both sides on January 15 and 16, 2024.
- Since he is well versed on the file, he said that his decision will be quick.
- The union is anticipating a decision within two weeks.

When will members see the settlement funds?

- Once the decision has been made, employers have 120 days to pay out members.

Who will receive the settlement?

- All OSBCU sector education workers who worked during the 2019-2021 school year.
- This includes all members who are:
  - Retired
  - Resigned
  - Deceased

Is there anything that members need to do?

- The employer has the onus to make sure that all members receive their entitlements.
- Ensure that your banking information is up to date with the employer.
- The employer will use the last known banking information that they have on you.

### Designated EA Job Posting

- To address the EA staff shortage, the employer put out a posting for Designated EA positions.
- There were Designated EA's in the past. A Designated EA is an EA who is based out of a family of schools. Then each day they are sent out to whichever school within that family is in most need.

### Vacation Leave Requests

- The employer is still not approving vacation requests for over 5 days.
- Some employees were putting in 5 day vacation requests, and adding on 2 personal days at the end. This scenario can all be approved by the principal or supervisor. However, HR is preventing and not allowing principals to approve these requests.
  - Vacation leave and Personal leave are separate leaves and the principal should be approving it.

### Emergency/Personal Contact Info Update

- It is imperative that members are updating their personal contact information with the employer on the staff portal.
- There have been a couple situations where the union was involved and a wellness check needed to take place. In these cases the personal information was incorrect for these members.
- Want to make sure that if you do not report to work, when you should be at work, that the correct information is available to help ensure you are safe.

### Other

#### Organizing:

- The executive will be presenting an Organization Motion. Organizing has to do with adding members to our local.
- There are 12 OCSB employees, and potentially 25 with the casuals, who are interested in joining 2357. For confidentiality reasons, it cannot be shared with the membership who these members are, because if the OCSB hears about these members wanting to affiliate, the OCSB could retaliate by firing these employees. Once the request is filed with the Ontario Labour Board, then the employer cannot retaliate against these members. We cannot let the employer know, the Labour Board will inform the OCSB.

- Cupe 2357 has met with the members and we are working with the CUPE's organization team to ensure that all correct processes are followed.
- If this group of employees are to join 2357, they will be following our bylaws.
- They will be known as a composite local L2357-2. The employer may allow these members to be included and use our Collective Agreement, or they may want to bargain another Collective Agreement with just these 12 potential members.
- In order to continue with the process we need to bring and pass a motion to add these employees to our local.
- The L2357 Executive has already passed a motion at our Exec meeting in November to approve of these individuals joining our local.

**Executive Motion:** The CUPE 2357 Executive is in favour of the motion to allow these OCSB employees to join Local 2357. We are now bringing this motion to the floor for the membership to decide.

Secunder: Karen Davies

Questions on the motion:

Will these people have their own executive?

- No, the current executive board would be the executive for the potentially new members.

All in Favor, All opposed:

Agreed 46

Opposed 3

Motion carried

### **Good of the Union**

- Winner: Sam Marshall was chosen via a random name picker. Erin will contact and send the \$25 Metro gift card to Sam via the pony.

The next GMM meeting will be on March 20, 2024 at the Cupe Ottawa office on Triole Street on 6:30pm

### **Adjournment**

7:43PM