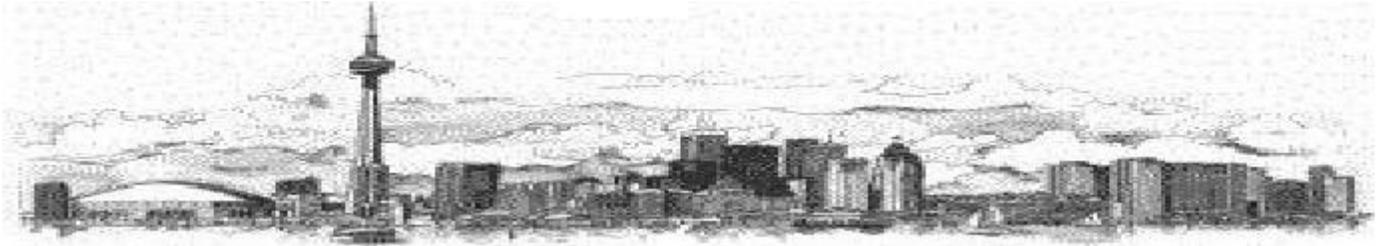


# *The Call Out*



Volume 15, Issue 2

November/December 2016



## **The Grinch Has Arrived for the Holidays and it is the TDSB**

In a meeting November 30<sup>th</sup> with President Linda Bartram and Vice President Vince Zambrano, TDSB officials confirmed their intention to operationalize clause 20.7.0 of our Collective Agreement.

This clause gives the Board the power to remove members from the Roster if they decline four (4) jobs or more for which they are qualified over a period of 20 school days.

This clause, which has been in our Collective Agreement since 1998, has never, to our knowledge, been used by the Board. So why now? The answer may be that there are Occasional Teachers who have refused a number of jobs and at the same time have complained to the Board about a lack of work.

The Board takes the position that if an OT is called out for work and shows a persistent habit of declining assignments when they offered, then under clause 20.7.0, they may be removed from the Roster.

## **Culture and Professional Development at the AGO**

On October 7<sup>th</sup>, the OTBU and the Art Gallery of Ontario, combined to put on a PD session that, according to participants, was fun and very informative. Members who signed up for the program were given a brown-bag lunch and then walked through a 'hands-on' art activity that could easily be adopted to most secondary classes.

The AGO facilitator, "Bob" then took the participants into the galleries where they looked at and discussed comparisons between 17<sup>th</sup> century pieces and other

modern pieces done by a group of Toronto artists in the 1970s and '80s

At the end of the tour, everyone received a useful teaching package. Enrolment was so popular for this PD afternoon that a waiting list had to be established. Organizer, Ann Burke said that she was so encouraged by the turnout that she will be organizing similar events for members at the AGO and possibly the ROM for next year.

## Be Careful Out There

TDSB broadens scope of Policy 560

By: Jamie Whitaker, OTBU Executive Officer

Section 72 of the *Child and Family Services Act* states that all adults have the legal obligation to report any child abuse – sexual, emotional, physical – or any “likely” suspicion of child abuse. TDSB has made this policy PR 560.

PR 560, or 560, is a priority this year, with all TDSB staff to receive training, though OT’s have been overlooked at this point. If at the start of the year you were on an LTO, you may have received some school-based training as part of a PD day or staff meeting. Most OT’s have not yet received this training, and the Board is still deciding how to deliver it to OTs. However, this does not mean that in your job as an OT you will not be held responsible for failure to adhere to PR 560, even if you never received the training. Failure to report could result in reprimand or dismissal.

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The TDSB’s policy regarding *Mistreatment of Students* states:

1. No student shall experience neglect or abuse by an employee or volunteer.
  2. It is unacceptable to insult, degrade or direct demeaning comments to a child.
  3. An employee shall not use physical force against a student for any reason unless necessary to ensure the safety of students, staff or another person.
- Any sexual remarks made to a student *will* be considered abuse or neglect.
- 

The Board is encouraging all principals to enforce this policy.

OTs have a duty to report when they suspect that a child has suffered or has a risk of suffering physical harm, that a child is failing to receive adequate care, that a child shows signs of a pattern of neglect, or that a child has suffered emotional harm as demonstrated by serious anxiety or depression. PR 560 has a checklist for signs of physical emotional or sexual abuse; it is extensive and is available on the Board’s web site. Indicators of abuse can range from signs of physical harm to poor personal hygiene or increased lethargy

The word “likely” is used throughout the document. “Likely” is a vague term, and could mean that it is not what someone did, but what someone thought they did, or said, or might do, or failed to do. This is very far-reaching language. In one case a student claimed a teacher made him feel “uncomfortable” and this was enough to trigger a PR 560 complaint against that teacher.

If you see something or suspect something and ask yourself “Should I report that?”, then you have answered the question: report. Inform the principal ASAP and fill out the form “Record of Abuse or Neglect.” Err on the side of caution. You must report directly; you cannot delegate to anyone else. If you tell a third person, that act will involve them. It is best not to share information with others but to report directly to the principal, and in some cases the police or CAS. The duty to report applies even if the information is privileged or confidential – you do not have lawyer-client privileges. Keep a record in case you may be involved in a situation.

It also goes without saying, that teachers attempting to engage in any kind of “kibitzing” or banter with students must be extremely careful in their choice of language or gestures. Even a wink might provoke a disciplinary investigation under this policy. Don’t touch and don’t threaten.

## From the Desk of President Linda Bartram...



### What's Happening with the TDSB and Regulation 274?

I wanted to give you a bit of an update on the grievances we have filed with the Board over the past 3 years about the failure of the Board to fully implement the Regulation, specifically about the posting of LTOs and the hiring process for those positions. V.P. Vince Zambrano has been persistent in filing a grievance monthly on this issue. The grievance(s) are now proceeding to arbitration. I had a preliminary meeting with our lawyer and the Board on October 21<sup>st</sup> in order to discuss the arbitration. Nothing was settled except the agreement to have further meetings. Arbitration is a very deliberate process - like watching paint dry. This is small comfort to those members who have been disadvantaged by the Board's refusal to comply with Reg. 274, but we continue toward a resolution.

### What Happens If You Refuse 4 Jobs in a 20-Day Period?

We have had some calls and emails regarding a clause in the Collective Agreement which says that if you refuse 4 jobs within a 20-day period, you may be removed from the OT Roster.

20.7.0	<b>An Occasional Teacher who refuses four or more assignments for which they are qualified within a period of twenty(20) school days or who cannot be personally contacted for an assignment over a period of fifteen(15) consecutive school days may be removed from the list.</b>
20.7.1	<b>The provision of 20.7.0 applies only to assignment calls made before 8:00 a.m. on the day of the assignment.</b>
20.7.2	<b>Prior to being taken off the Occasional Teacher List, a notice shall be sent to the last known address of the Occasional Teacher and to the President of the Bargaining Unit advising the Occasional Teacher that she/he may be removed from the Occasional Teacher List under the provisions of 20.7.0.</b>
20.7.3	<b>The Occasional Teacher shall have an opportunity to apply to the person designated by the Employer, within ten(10) days of the mailing of the notice for continued status on the Occasional Teacher List. Such an application for continued status shall not be unreasonably denied.</b>

This provision(20.7.0) has been in our Collective Agreement since 1998. In the last round of bargaining we were able to add the words "for which you are qualified", an added protection from the provision which existed earlier. I reported at our General Meeting (November 23<sup>rd</sup>) that in over ten years I had never seen this clause invoked. However, in a recent conversation with a representative from the Board, I was informed that they (the Board) intends to make this clause (20.7.0) operational. Advice: If you are not able to work, use the system to make yourself unavailable (see pp.9 & 11).

### Read Your TDSB Emails Regularly

Information about the OT Renewal process, interviews for positions on the LTO List, OT information meetings and the like are only communicated through the Board emails. Mailings are a thing of the past. As well, to get timely information from your union, email the OTBU office with your personal, non-TDSB email address.

# Report of the D-12 Ad Hoc Amalgamation Research Committee

**By: Paul Bocking Chair**

[Committee Members: *Douglas Duff, Don Sexton, Peterr Wilson, Linda Bartram, Chris Loben, Bonnie Grossman*]

At the May 2016 Annual General Meeting, a motion was passed to convene an ad hoc committee to study the ramifications of combining the OTBU with the Toronto Teachers' Bargaining Unit. The committee met twice in October and November to assess whether amalgamation would be in the interests of OTBU members, then to review the results of a primarily qualitative study of the 13 OSSTF units across Ontario which have formally amalgamated. Of these bargaining units, seven have one integrated collective agreement with their school board, while the other six retain separate teacher and occasional teacher agreements.

## **Issues identified by the committee for consideration:**

- Effect on seniority lists? Separate ones for contract teachers and occasional teachers or would they be joined?
- How would financial resources be merged? Financial assets of OTBU should benefit OT members in the case of amalgamation.
- Would permanent teachers be able to transfer over to become OTs more easily? What kind of seniority would they have?
- Would contract teachers have a conflicting interest in having more Occasionals on the supply list?
- How would OT benefits be addressed in an amalgamated unit ?
- Representation of Occasionals on a combined bargaining unit executive?
- Ensuring OT involvement? E.g. reserved positions on committees - an OT Committee?

## **Survey Results:**

**Characteristics of amalgamated units:** Nine of the 13 amalgamated bargaining units responded to the survey. In nearly all cases it was completed by the bargaining unit president who was a contract teacher. The size of amalgamated units varied, with four having less than 400 members (small northern units) four had 600-800 members, and the largest (Hamilton-Wentworth had over 1,400 members. Unfortunately, York, the amalgamated bargaining unit closest in size to Toronto did not complete the survey.

**Major reasons for amalgamation:** a lack of O.T.s interested in serving on the bargaining unit executive, particularly in districts with few retirees, a desire to give O.T.s access to more union resources such as full time elected officers and school-level representatives .

**Processes for amalgamation** varied from decision-making at a general members' meeting to all member votes.

**Mechanisms for OT representation** generally included O.T.s being represented as a "branch" on the bargaining unit council alongside school-based branches. Usually the OT branch president was automatically on the bargaining unit executive. In some cases, a seat on the collective bargaining committee and the negotiating team was reserved for Occasionals. School branch presidents and, if necessary, the bargaining unit president, represented O.T.s in disciplinary meetings with the school board.

**Conflict** between contract and occasional Teachers was only identified in one bargaining unit regarding the placement of surplussed contract teachers in LTOs. No bargaining unit reported opposition from the school board, though one (Board) did initially resist merging the collective agreements.

**Overall** respondents reported member satisfaction with the amalgamation, particularly for increasing the access of O.T.s to the resources of the union, and for the greater unity it provided, especially during contract negotiations and collective action.

The committee provides this report to D-12 OTBU members for their information and without a specific recommendation. Provincial OSSTF has not urged us to amalgamate. Likewise no formal discussions have occurred at this time between D-12 OTBU and the TBU executive concerning amalgamation.

## The Report of the On Line Voting Committee (OLVC)

By James Whitaker, Chair

[Committee members: Howard Bernstein, Bonnie Grossman, Chris Loben, Peterr Wilson, Jamie Whitaker]

At the May 2016 AGM a motion was passed to have the OTBU strike a committee to consider implementing some form of on-line voting. The general sense around the province and within the OSSTF is that on-line voting will become standard practice.

To implement on-line voting the D-12 OTBU requires a change to its constitution. In order to put in place a trial program for the 2018 OTBU executive elections, a motion would have to be passed by the 2017 AGM.

The committee has looked at the pros and cons of the issue. The most expensive form of voting is the use of a mail-in ballot. On-line voting and telephone voting is possibly more efficient, it might increase voter participation and be lower in cost. There are concerns about security and member access to the technology. For that reason, the OLVC has considered using a combination of mail, phone-in and on-line voting for the 2018 election on a trial basis. The election results would be evaluated by the OLVC and by the OTBU executive. We hope the results would reflect lower costs and higher voter turnout. It may be possible, by 2020, to move entirely, to all on-line voting and phone voting.

Therefore, the following recommendation was made to the OTBU Executive:

**The OLVC recommends that some combination of internet, phone and mail-in voting be used in the 2018 OTBU EXECUTIVE ELECTIONS as a pilot project. The OLVC also recommends that the constitutional changes needed to facilitate this pilot project be brought to this house for consideration at the May 2017 Annual General Meeting.**

### All Work and No Play... The Social Committee Reports

After our meeting following the Labour Day Parade, your Social Committee decided to take advantage of the extra PD opportunities as well as providing social outings.

The Pub Night at the Pilot Tavern drew about 40 people for drinks and snacks on September 29<sup>th</sup>. The Art Gallery of Ontario provided a hands-on workshop on the relationship of Peace and Social Justice with the AGO's collection. On November 18<sup>th</sup>, we had a major PD session at the Steelworkers' Hall. Representatives from the York University Branch of the "\$15 and Fairness" campaign spoke to us about their on-going campaign and then members were given a choice of three workshops: The Three Rs of Workplace Violence, Financial Planning for Women; Welcome to the Classroom; for new teachers.

We have not yet decided on an end-of-year social event. We welcome any suggestions that members may have for this.

## Job Stats Year over Year September - December

Years	September		October		November		December	
	Total Jobs	Unfilled						
2008 - 2009	9493	80	11,937	105	10,760	34	7122	30
2009-2010	8273	125	12,734	258	11497	404	6939	355
2010 - 2011	9563	145	11,115	290	12,183	333	7149	449
2011 - 2012	10,219	156	11,965	102	12,131	78	8797	65
2012 - 2013	9211	12	10,673	69	9822	32	6440	14
2013 - 2014	9601	22	12,869	33	12,243	54	8568	59
2014 - 2015	10,948	63	14,245	64	12,537	64	9360	153
2015 - 2016	9764	37	13,614	33	13,858	58	9514	46
2016 - 2017	10,586	17	14,390	59				



**Keep the Date**

**OTBU  
PROFESSIONAL  
DEVELOPMENT DAY**

**FRIDAY, FEBRUARY 17, 2017**

**AT**

**VICTORIA COLLEGE  
UNIVERSITY OF TORONTO**

**8:30 - 2:30**

## Trudeau's Pension Betrayal

*Occasional Teachers have their pensions covered by the Ontario Teachers' Pension Plan which is partnership between the Ontario government and teachers across the province. However, it is no secret that many in this country would like to get rid of "defined benefit" pensions like the Teachers' Plan and like OMERS as being too expensive to maintain.*

*What follows is a warning from the Canadian Union of Public Employees about Liberal plans to begin an introduction into plans held by federally regulated workers (banks, airports, harbours etc.) into a hybrid kind of plan known as a Target Benefit Plan. Much less secure for workers.*

New legislation from the Trudeau Liberal government is threatening the pensions of Canadian workers. Bill C-27 is an attack on good defined benefit pensions that could allow employers to break their pension promises to thousands of workers and retirees across the country. Bill C-27 will allow federally-regulated employers to retroactively change a defined benefit pension promise into insecure "target benefits" by pressuring workers and retirees into surrendering benefit promises they have already earned. Converting defined benefit pensions to a target benefit model shifts virtually all risk onto workers and retirees. Bill C-27 could essentially allow employers to walk away from pension commitments to their workers, and leave thousands of Canadians abandoned in retirement.

## **SFE Information for all Occasional Teachers**

### **Schedules within your SFE Profile**

It is important that you have a schedule so SFE knows when to phone you.

If you are unable to accept work for a period exceeding 3 consecutive weeks, please submit a completed Occasional Teaching Leave Form.

If you know that you will not be available for daily work for a period less than 3 consecutive weeks, it is important that you adjust your SFE profile so you do not receive job offers. This can be done via the web, or phone:

#### **CREATING UNAVAILABLE DATES VIA WEB BROWSER ACCESS:**

1. Type **tdsb.eschoolsolutions.com** in the address bar of your Internet Browsing Software.
2. Enter your User ID and Password and click SUBMIT.
3. Go to SCHEDULE and click on UNAVAIL DATES.
4. Click on NEW and enter START and END DATE RANGE (MM/DD/YYYY or use the calendar.
5. Select the ALL DAY check box or enter the time range in HH:MM am or pm format.
6. Select the CALL FOR FUTURE ASSIGNMENTS checkbox, if during the unavailable time period entered you would still like to receive calls for future assignments. Leave box unchecked if you do not want any calls during this time.
7. Click SAVE.

**Information continued on page eleven (11). . .**

**If you are interested in being considered for the Secondary LTO list, please take careful note of the information below.**

## **Secondary Long Term Occasional List**

If you have been on the TDSB's list of Secondary Occasional Teachers for at least ten (10) working months, and have taught as a Secondary Occasional Teacher in one or more Secondary schools of the TDSB for a minimum of twenty (20) full days, you are now eligible to be considered for the TDSB's **Secondary LTO List**. If you wish to be considered for placement on the LTO List, please follow the steps below to complete the survey questionnaire and submit a resumé. Please follow the directions carefully.

**Note :** If you have previously completed the steps below (between November 1st 2015 and November 30th 2016), but would like to resubmit your interest with updated references and an updated resumé, you may do so before December 23rd 2016 at midnight.

### **Steps for consideration to the Secondary Long Term Occasional list:**

1. If you are interested in being considered for the LTO List, follow the link below to complete the survey questionnaire by December 23rd 2016 at midnight.

**[Toronto District School Board LTO List - Are You Interested?](#)**

**[\(Click here to complete the Long Term Occasional Teaching List survey questionnaire\)](#)**

Once you click submit, you will receive a receipt of confirmation notice via e-mail to your Board email account. Please do not reply to this email. The confirmation email will act as your official acknowledgement that you have successfully completed the survey. Please print, and keep this email for your records.

A non-response to the survey questionnaire by the December 23rd 2016, at midnight, deadline will be taken to indicate no interest in being considered for the LTO List.

(Please note that completion of the survey questionnaire reflects an expression of interest only. A follow-up interview may be required.)

2. Submit a digital (i.e. electronic) copy of your most up-to-date resumé by December 23rd 2016 at midnight. to the following email address; [otsubmission3s@tdsb.on.ca](mailto:otsubmission3s@tdsb.on.ca). Include your full name and TDSB employee number in the subject line. Your resumé should be no more than two (2) pages, and must include the names and contact information of two (2) school administrators (Principals or Vice-Principals) who can speak to your performance as an Occasional Teacher with the Toronto District School Board.

**IMPORTANT NOTE:** The December 23rd 2016 at midnight. deadline will be strictly adhered to, although late submissions will be retained and may be considered at a later date depending on Board staffing needs.

**If you have any questions with regard to the survey questionnaire please contact Martyna Adamczyk at 416-397-3940.**

**Breaking News:** The Board informed the OTBU that interviews for inclusion on the LTO List will be held on January 24<sup>th</sup> and 25<sup>th</sup> 2017. Members are advised to check their TDSB email for further info.

### **Creating Unavailable dates via Telephone Access:**

1. Dial 416-338-4500.
2. Enter your ACCESS ID and PIN.
3. **Press 5** to review or modify UNAVAILABILITY dates.
4. **Press 2** to add new UNAVAILABILITY date(s).
5. Enter START date - two digits for the month - two digits for the day - two digits for the year.  
EXAMPLE: December 6, 2016 would be entered as 12 -06 - 16
6. REPEAT this process for END date.
7. Indicate whether UNAVAILABILITY is ALL DAY :  
Press 1 for YES  
Press 2 to enter time of UNAVAILABILITY. Enter 2 digits for the hour, and  
2 digits for the minutes.
8. Press 1 for a.m. and 2 for p.m.

### **Please Note:**

If you are in a full time LTO, you should keep your schedule listed as available Monday to Friday, but make yourself unavailable through the Unavailable dates. (Dates on which you are committed to your LTO position). Once your LTO is over, please remember to check or reset your UNAVAILABLE dates to ensure that you will receive calls for daily work.

## **Removing Classifications or Locations from your profile**

A number of Occasional Teachers may be qualified in areas in which they have never taught, or have not taught in a very long time. In addition, your circumstances may have changed making it difficult for you to accept assignments at some TDSB locations. If you are interested in removing particular locations or classifications from your SFE profile, you may send your request to [dispatchteaching@tdsb.on.ca](mailto:dispatchteaching@tdsb.on.ca). Once received, your request will be reviewed and an Occasional Teaching Office representative will be in contact with you.

# Election of D-12 OTBU Reps to the 2017 Annual Meeting of the Provincial Assembly (AMPA)

At the OTBU Fall General Meeting Wednesday, November 23, 2016 the following members were elected to represent our Bargaining Unit at AMPA this coming March

PAUL BOCKING  
LAURA DREXLER  
MICHAEL FRASCHETTI  
EITAN LAUFER  
LILLIAN SPEEDIE-COURT  
JAMIE WHITAKER  
PETERR WILSON  
VINCENT ZAMBRANO

**NOTE:** As the Provincial Councillor from our Bargaining Unit, President, LINDA BARTRAM, automatically goes as the leader of the delegation

Thanks to all those other members who put their names forward as candidates. AND thanks also to Bruce Silzer and his “helpers” for assisting in the vote organization and counting.

**Congratulations and welcome to Eitan Laufer who has been appointed as an Executive Officer by the OTBU Executive to fill the executive position created by the resignation of Shakeel Ahad.**



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