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**ELEMENTARY TEACHERS' FEDERATION OF ONTARIO  
NIAGARA TEACHER LOCAL  
PROVINCIAL TAKEOVER  
BULLETIN #8**

**February 3, 2009**

**ETFO President David Clegg Addresses the Media**

On January 8, ETFO President David Clegg held a widely anticipated news conference attended by 25 radio, print, and television media outlets. At this media conference David clearly outlined ETFO's expectations for the current round of negotiations between ETFO's 62 Locals and the province's district school boards.

**David Clegg's Remarks: ETFO Demands School Boards Seriously Negotiate**

Below is the complete transcript of David Clegg's Remarks:

Before I begin, I would like to set the record straight regarding the provincial discussions last month. There was no government offer – we were negotiating with the Ontario Public School Boards' Association (OPSBA).

The 12 per cent salary increase has always been acceptable. What derailed the deal were the conditions placed on the money by OPSBA. We put an offer on the table that was within government parameters and that preserved existing rights.

Now, let me tell you what will be taking place in our local contract negotiations.

All 73,000 teacher and occasional teacher members of the Elementary Teachers' Federation of Ontario have been working without contracts since August 31, 2008. Over the past four months there has been very little if any real progress in moving towards the negotiation of new contracts. This is because local school boards have not been fully engaged at the bargaining tables. They have been stalling because they have been waiting for a provincial agreement.

In fact in virtually every case they have chosen not to table their full bargaining positions and have been reserving the right to do so at some later time. We are here today to make it clear that time has arrived and we expect that all school boards will now table their full packages.

The public school boards of this province have no more excuses. Their chosen representatives through the Ontario Public School Boards' Association (OPSBA) on December 5<sup>th</sup> rejected ETFO's offer which would have created a Provincial Discussion Table (PDT) Agreement that provided the basis for negotiating local collective agreements.

As ETFO made clear in the weeks leading up to December 5<sup>th</sup>, the solutions necessary for reaching agreement at the public elementary level, given the inequality and unfairness in funding between elementary and secondary students and the current fiscal realities of the province, would require creativity in how the limited resources available would be allocated.

ETFO demonstrated such creativity and our commitment to public elementary education in Ontario when we presented an offer to OPSBA that was within the government's fiscal parameters, that would have created 1,500 high quality jobs in a province that is struggling to create employment, and provided enhanced programming and more specialist teachers to enrich learning experiences for all students.

Regardless of OPSBA's claims, I will once again state for the record that ministry officials costed every aspect of ETFO's proposal and had no objection to it. We were shocked that OPSBA rejected it.

The reasons why OPSBA rejected our proposal are clear. They intended to use the provincial framework talks to claw back most of the improved working conditions that we had bargained for in 2005. They wanted teachers to include language in their local collective agreements that would have stripped away their existing rights and undermined their professional autonomy. That is why the talks failed.

What arbitrators have never awarded to the boards, OPSBA was trying to force into agreements at the provincial bargaining table. By proposing these strips, they broke the ground rules that the government facilitators had established at the outset of these discussions.

One point that has not been fully reported is that OPSBA demanded ETFO accept conditions that OPSBA in just the previous week had not demanded when they signed a provincial discussion table agreement with the Ontario Secondary School Teachers' Federation.

In so doing OPSBA demonstrated conclusively the contempt they have for the professionalism of every one of the 73,000 elementary teachers they employ. And the school boards have made it clear that their desire to destroy the professional autonomy of elementary teachers is more important to them than the needs of the students in their care or the economic interests of the people of Ontario.

It is inconceivable to us that OPSBA would expect public elementary school teachers to accept less funding than their provincial counterparts in the Separate and French systems and have public elementary students receive fewer resources because OPSBA broke the ground rules.

Now, with a provincial agreement off the table, we will not accept any more foot dragging by the boards. Meaningful and constructive contract negotiations must take place at the local level.

Today, we are putting the boards on notice. We will no longer accept their excuses that they cannot provide better learning conditions for elementary students and fairer working conditions for their teachers.

Local boards must understand that we have not and are not now asking for any more money than was given to Catholic and French elementary students. All parents with children in Separate, French or Public Elementary Schools have paid their education taxes. There is no need and absolutely no justification to punish public elementary students.

Now is the time to move forward. We are demanding that the boards table their full submissions to ETFO negotiators by the end of January so we can proceed with meaningful discussions.

If the boards take the same position as their provincial counterparts and demand strips to the existing rights of our members, we will initiate strike votes. These votes shall be the precursor to job actions. The deadline is February 13, 2009.

### **We are in the Early Stages of Bargaining: Hope for the Best, Prepare for the Worst**

We Received the Board's position on January 29, 2009. We are not hopeful for an early settlement based on the Board's position. While we are entering into the bargaining process optimistically, realistically we expect that similar to the last two rounds of bargaining, we will not be taken seriously by the District School Board of Niagara until we receive a strong strike mandate from our members.

### **Niagara Teachers Need to be Involved and Informed: Do not React to Rumours**

As you are well aware the media is quick to point out that "teachers are on the verge of being on strike." All ETFO locals bargain under the Labour Relations Act and as such, any job action is not undertaken without the involvement of all union members. We are intent on ensuring that Niagara teachers have all of the information regarding bargaining available. Watch for more Takeover Bulletins and visit the ETFO website at [www.etfo.ca](http://www.etfo.ca) for the latest information on bargaining.

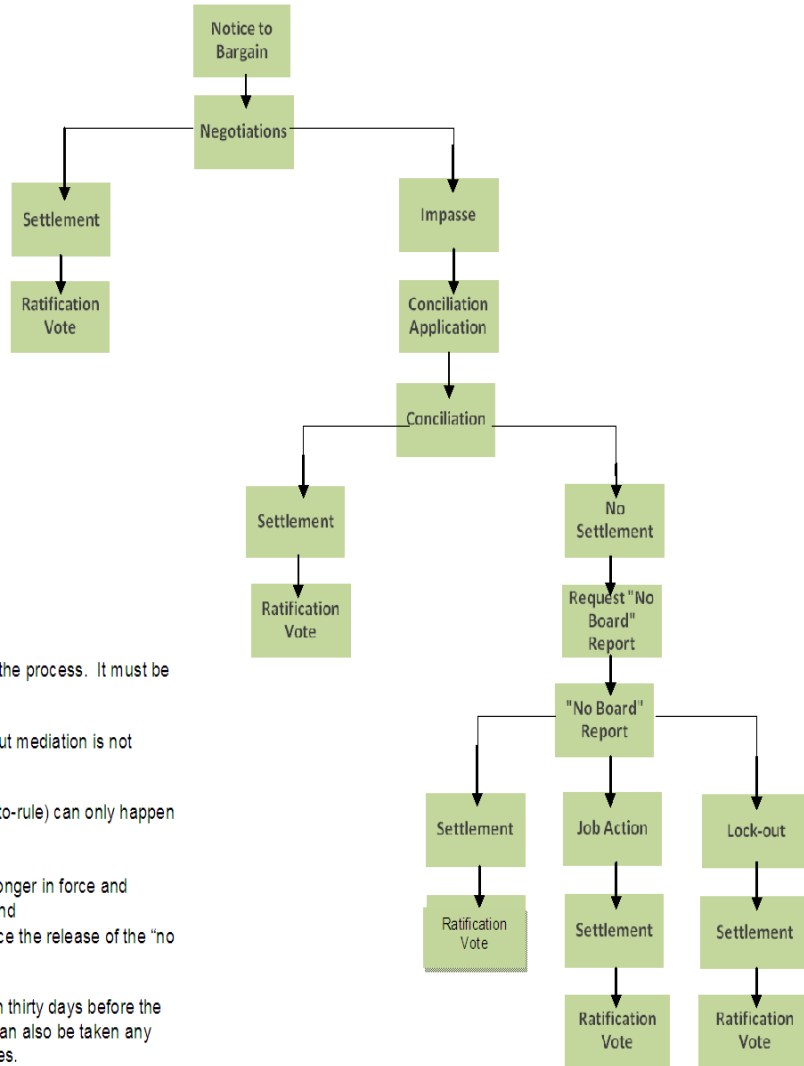
As outlined in David Clegg's remarks, ETFO is demanding that real progress be made at the bargaining table by February 13, 2009. If no progress is made, then we will begin preparations for seeking a strike mandate from Niagara teachers. As always, there will be no strike vote without Niagara teachers having advance notice and receiving all of the information necessary to make an informed decision.

It is also important to remember that giving your negotiating team a strong strike mandate does not mean that we will be on a full withdrawal of services immediately. The Labour Relations Act defines strike action as "a cessation of work, a refusal to work or to continue to work by employees in combination or in concert or in accordance with a common understanding, or a slow-down, or other concerted activity on the part of employees designed to restrict or limit output." During the negotiations for the 2004-2008 collective agreement the Niagara Elementary Teachers' Federation put pressure on the Niagara District School board by engaging in a strategic "work-to-rule" strike. We would expect that the same strategy will be used for this round of bargaining.

Elementary teachers deserve to be treated with respect. Your negotiating team is committed to reaching this goal. We are also committed to achieving the best deal possible.

On the following page is a chart of the bargaining process that will be followed in the coming months.

**Bargaining under the *Labour Relations Act*.** This is a general summary of the way the process typically works. There are many possible variations. Please see notes.



**NOTES**

1. A settlement can happen at any point in the process. It must be followed by a ratification vote.
2. Mediation typically follows conciliation, but mediation is not mandatory.
3. Job action of any kind (including a work-to-rule) can only happen when:
  - The collective agreement is no longer in force and
  - A strike vote has been passed and
  - Fourteen days have elapsed since the release of the "no board" report.
4. A strike vote can be taken no earlier than thirty days before the expiry of the collective agreement, and can also be taken any time after the collective agreement expires.

Again, please do not react to rumours. If you have any questions or concerns, please do not hesitate to contact one of the members of your Takeover Team or the Niagara Elementary Teacher Local office.

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