



**Elementary Teachers' Federation of Ontario**  
**Fédération des enseignantes et des enseignants**  
**de l'élémentaire de l'Ontario**

480 UNIVERSITY AVENUE, SUITE 1000, TORONTO, ONTARIO, M5G 1V2  
TELEPHONE: 416-962-3836 TOLL-FREE: 888-838-3836  
Fax: 416-642-2424 Website: www.etfo.ca

## **Backgrounder on Negotiations and the Provincial Discussion Tables**

### **1. The Origins of the Provincial Discussions**

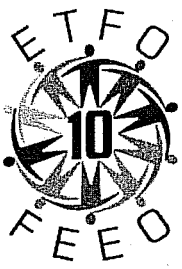
Last winter, the Ontario Public School Boards' Association (OPSBA) asked the government to set up provincial discussions. The government subsequently initiated talks involving the public and separate school boards' associations and all of the unions whose members work in education. With the exception of ETFO, all of the other unions and employer representatives eventually reached provincial discussion table (PDT) agreements for all of their bargaining units.

The only PDT agreement which ETFO has signed is the one covering its educational and professional support personnel bargaining units. That agreement was reached on November 27<sup>th</sup>, and local agreements implementing the conditions of the provincial agreement were negotiated by December 5<sup>th</sup>. Unlike the PDT agreement offered to ETFO teacher members, that agreement contained no strips to employees' existing rights.

All of the PDT discussions were strictly voluntary, i.e., they had no basis in law. The Ministry set them up in hopes of achieving agreement on some of the key issues identified by the parties. In the last round of bargaining, a previous Minister of Education had also set up voluntary provincial discussions. In that case, a provincial framework agreement involving ETFO was reached in April 2005, and its contents were subsequently bargained into each teacher collective agreement, local by local.

With respect to its teacher and occasional teacher members, ETFO attended eight meetings between February 5 and May 20, 2008. Representatives from ETFO, OPSBA and the government were in attendance. It is important to note that OPSBA is a voluntary umbrella organization which individual school boards can join if they so choose. It does not hold any bargaining rights – under the *Labour Relations Act* (LRA), those rights are held by the individual school boards and by ETFO.

The set of proposals presented to ETFO in the course of those talks failed to address in any serious fashion the gap in working conditions between elementary and secondary teachers. Some parts of the package would have also resulted in strips to teachers' negotiated rights. For example, one provision would have added an extra 100 minutes of supervision time per teacher per week. The content of these proposals was the reason the first set of talks broke down.



## **2. The November 30<sup>th</sup> Deadline**

The November 30<sup>th</sup> deadline which was so prominent in the media had no basis in law. In the May PDT meetings, the parties agreed that their local agreements would be ratified by November 30<sup>th</sup> – otherwise, the provisions of the framework would not come into effect. Thus, November 30<sup>th</sup> was an arbitrary date agreed to by the government, other teacher unions, and the umbrella organizations for the employers.

In August the government issued a memorandum which stated that the amount of funding flowing to school boards for salaries would be 3% per year for those bargaining units which, by November 30<sup>th</sup>, had ratified collective agreements pursuant to provincial framework agreements, but only 2% for those bargaining units which had not. Again, there was no basis in law for this deadline.

## **3. The Recent Provincial Discussions**

Responding to a request from the Ministry, ETFO representatives met with Ministry representatives in late November. On the basis of those meetings, Minister of Education Kathleen Wynne agreed to extend the original deadline to midnight on December 5<sup>th</sup>.

Talks among ETFO, OPSBA and the government resumed on December 1<sup>st</sup> and continued until midnight on December 5<sup>th</sup>. ETFO did not walk away from the talks; ETFO was negotiating until literally the last minute.

## **4. ETFO's Position**

ETFO's primary objective in this round of negotiations is to close the gap in working conditions between elementary and secondary teachers. Specifically, this means addressing class size in Grades Four through Eight, the disparity in preparation time and instructional time between the two panels, the lack of sufficient time for student assessment and reporting at the elementary level, etc.

Our ultimate objective has not changed. However, the current downturn in the economy has unquestionably altered the bargaining dynamic. In light of this two things are clear. First, it is not realistic to fully close the gap in the current round of negotiations. Second, creating jobs for teachers has become a greater priority than ever.

While salary is always an important issue for any union, it was never the main focus in this round of negotiations. In the final week of the talks, ETFO tabled a proposal which would have reduced the overall percentage salary increase in exchange for an increase in preparation time.



Instead of a salary increase of 3% in each of the four years of the agreement, the proposal was 3% in year one, 3.985% in year two, 3.065% in year three, and 0% in year four. Preparation time would then rise to 270 minutes per week by year four of the agreement.

There were many reasons for offering this proposal:

- Increased preparation time means better working conditions, and teacher working conditions are student learning conditions.
- It would generate teaching jobs - about 1500 of them - which means more specialist teachers for students, relief from overcrowded classes, and program enhancement. It would mean more teacher librarians, music teachers, art teachers, English as a Second Language teachers, physical education teachers, and others.
- More adults in schools means a safer school environment for both students and staff.
- Moving forward on preparation time means getting one step closer to closing the gap between elementary and secondary working conditions.

## **5. OPSBA's Position**

In the 2005 round of bargaining, ETFO members made significant gains, particularly with respect to increased preparation time and decreased supervision time. Unfortunately, many school boards have been trying to fill this alleged "vacuum" ever since. Teachers consistently worked over 50 hours per week as it was. Yet both the amount of work, and the level of intensity of that work, have continued to increase.

Since February, OPSBA has made it clear that its primary objectives were increased control over teachers' time and its flipside – decreased professional autonomy for teachers. While much lip service has been paid to "creating a better school culture," what is really at issue is attempts on the part of employers to strip existing negotiated rights – rights that have been won with great effort over the years.

It has become increasingly obvious over the past months that the boards viewed the provincial discussions as a venue for gaining what they have been unable to achieve through either intimidation at the school level or presentations before arbitrators.



Specifically, the boards have targeted:

- Allowing principals to decide what teachers do during part of their “self-directed” preparation time.
- Increasing the amount of time during which teachers are required to supervise students.
- Reducing teachers’ rights to have their missed preparation time paid back.
- Ensuring that decisions about professional development rest not with teachers themselves, but with their employers.
- Mandating attendance at staff meetings.

## **6. Costing**

ETFO was careful to craft its proposals such that the reduction in salary combined with other available funding under the PDT process bought the amount of preparation time, and therefore generated the number of jobs, we said it did. ETFO had extensive discussions with the Ministry of Education’s senior staff responsible for working out the numbers for funding in the sector. Our proposal used the Ministry’s financial assumptions, and was within the financial parameters the Ministry gave us. The math in our proposal is unassailable.

## **7. The Current Situation**

As a result of OPSBA’s insistence on cuts to our collective agreements, the provincial discussions broke down. ETFO is now focusing its efforts on negotiations at the local level, school board by school board. We call on the local boards to begin engaging in serious negotiations.