



To: **ETFO STEWARDS**  
From: SHARON O'HALLORAN, GENERAL SECRETARY

**2023–2024**  
**STEWARDS' MAILING # 1**  
September 12, 2023

**READ the Stewards' Mailing online @ [members.etfo.ca](https://members.etfo.ca)**



YOU ARE HERE: ETFO's Collective Bargaining Process Chart

ETFO's [Collective Bargaining Process chart](#) outlines the legal framework within which central and local bargaining occurs under the *School Boards Collective Bargaining Act*. Please post this chart in your staff room and use the enclosed "You are here" sticky notes to indicate the current step in the bargaining process. For more information, or to obtain additional copies of the Collective Bargaining Process chart, please contact Heather Aggus at the provincial office: 416-962-3836 / 1-888-838-3836 ext. 2204 or [haggus@etfo.ca](mailto:haggus@etfo.ca).



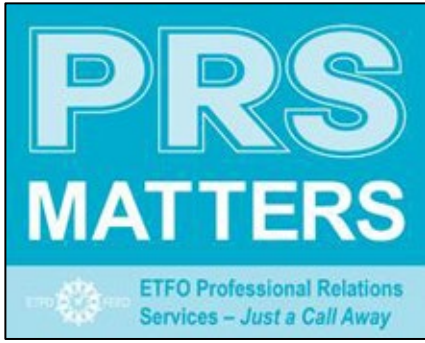
Women's Collective Bargaining Issues – Level 1 –  
*Electronic Copy Only*

This is an [introductory-level conference](#) for women members about the collective bargaining process and how to get involved in local bargaining. To learn more, please [download the flyer](#). Registration deadline is September 22, 2023.



Violence Survey Poster

President Karen Brown is sharing information about ETFO's Multi-Year Strategy to Address Violence in Schools in the enclosed letter. Please [display the poster](#) with results of ETFO's [2023 All-Member Violence Survey](#) in your workplace; it includes advice for members experiencing violence at work. Remember: Report incidents, recognize injuries, refuse unsafe work!



## PRs Matters Bulletin #101

This [instalment of PRs Matters](#) provides important advice for all members about allegations and the support available to assist members who are the subject of an investigation involving Children's Aid Society, police, the Ontario College of Teachers, or the College of Early Childhood Educators. Please [share this information](#) with all members.

# ETFO STEWARDS' INFORMATION

Please direct your members to the ETFO WEBSITE to find the Stewards' Mailing cover memo and its links:

[Members.etfo.ca](#) > ETFO > Stewards > Stewards Mailing

**IMPORTANT:** To change the number of members at your work site contact Member Records at 1-888-838-3836 or [memberrecords@etfo.org](mailto:memberrecords@etfo.org)

The number of members within your school, on file at ETFO, appears in the top corner of the address mailing label.

### ITEMS:

- |                                |                             |
|--------------------------------|-----------------------------|
| 1. ETFO'S CB PROCESS CHART     | 3. VIOLENCE SURVEY POSTER   |
| 2. WOMEN'S CB ISSUES – LEVEL 1 | 4. PRs MATTERS BULLETIN 101 |

SO:LM:JS:AA

# ETFO'S COLLECTIVE BARGAINING PROCESS

OUR SCHOOLS  
OUR FUTURE  
OUR FIGHT



## NOTICE TO BARGAIN

1.

Under the *School Boards Collective Bargaining Act*, only ETFO and the employer bargaining agency (OPSBA or CTA) can give notice to bargain. The provincial government is required to participate in central bargaining.

Central and/or local strike votes may take place within 30 days of the expiry of a collective agreement, or any time after a collective agreement expires.

2.

## PARTIES MEET TO DETERMINE CENTRAL TABLE ITEMS

Meetings between ETFO and the employer bargaining agency should result in a central list of bargaining items. Disputes about the central list are referred to the Ontario Labour Relations Board.

3.

## CENTRAL NEGOTIATIONS BEGIN LOCAL NEGOTIATIONS BEGIN

Central and local negotiations occur at separate tables. However, both central and local bargaining take similar paths depending on whether bargaining is successful or unsuccessful.

SUCCESSFUL

UNSUCCESSFUL

4.

## REQUEST FOR CONCILIATION

The Minister of Labour appoints a Conciliator upon either party's request for assistance.

SUCCESSFUL

UNSUCCESSFUL

5.

## "NO BOARD" REPORT

If conciliation is not successful, the Minister of Labour issues a "no board" report. An expired collective agreement continues to remain in effect and cannot be unilaterally changed until seventeen days have passed after the "no board" report has been issued.

SUCCESSFUL

UNSUCCESSFUL

6.

## STRIKE / LOCKOUT

Seventeen days after the date of the Minister's "no board" report, ETFO is in a legal strike position provided a strike vote has taken place and a majority of the votes cast are in favour of strike action. At this time the employer bargaining agency involved in central bargaining, or the school board involved in local bargaining, can engage in a lock-out or change the terms and conditions of a collective agreement.

Notice must be given before strike action, lock-out or changes to the collective agreement can occur.

During this period, bargaining may continue to take place.

SUCCESSFUL

TENTATIVE AGREEMENT

## RATIFICATION

A tentative local agreement must be approved through a secret vote of local members and by the school board's trustees.

A tentative central agreement must be approved through a secret all-member vote. In accordance with ETFO bylaws, approval requires a double majority vote.

## ENFORCEMENT

Both central and local agreements must be ratified before a collective agreement is in effect. Once in effect, implementation and ongoing enforcement of the collective agreement occurs.

## STRIKE VOTES

A strike vote by secret ballot may take place within 30 days of the expiration of the collective agreement, or any time after the collective agreement expires. Before strike action can be taken, it must be approved by a majority of members in attendance at the strike vote.



# WOMEN'S COLLECTIVE BARGAINING ISSUES

Level 1



November 23, 2023



9 AM – 3:30 PM



ETFO Provincial Office

**Are you interested in learning more about the collective bargaining process?**

**Want to get involved but not sure how?**

Join our one-day CB workshop for women members to:

- receive an introduction to collective bargaining and the negotiation process
- understand the importance of upholding the collective agreement
- explore your personal bargaining interests
- learn about getting involved

Preference will be given to first-time applicants. Remaining participants will be chosen by lot, if necessary, with consideration given to geographic representation. As part of ETFO's ongoing efforts to provide leadership opportunities for members of designated groups, 10 spaces are reserved for these members.



Save the date  
for Level II –  
May 1-2, 2024

Register by September 22  
at [events.etfo.org](https://events.etfo.org).

There is a registration fee of \$25. Expenses paid per ETFO provincial guidelines for release time, travel, dependent care, meals, and shared accommodation.

For more information, contact  
Gail Bannister-Clarke, [gbannister-clarke@etfo.org](mailto:gbannister-clarke@etfo.org);  
Toby Molouba, [tmolouba@etfo.org](mailto:tmolouba@etfo.org); or  
Tui-Sem Won, [tswon@etfo.org](mailto:tswon@etfo.org).



# MAKING OUR SCHOOLS AND WORKPLACES SAFE

ETFO's call to action and strategy to address violence in school board workplaces involves many stakeholders and it starts with collaboration, training, and accountability.

## Your Right to a **SAFE WORKPLACE**

Under the *Occupational Health and Safety Act*:

- **Your principal has a duty to provide you with information about the risks of harm** from a person with a history of violence. This duty happens if two factors are in place: you can be expected to encounter that person in the course of your work, and the risk of workplace violence from that person is likely to expose you to physical injury. There are limits on the disclosure of this information to what is "reasonably necessary" to protect you from physical injury.
- **You may refuse to work or do particular work** where you have reason to believe that the work is likely to endanger you. Work refusal is sometimes necessary. If you are a teacher, the legislation limits your right to refuse work due to your responsibilities to the students. If you believe you are being endangered by workplace violence, then report your concerns to the principal right away and get immediate assistance. Contact your ETFO local for advice and support.

## Everyone Has a Responsibility Concerning **WORKPLACE VIOLENCE**

ETFO has identified that a lack of compliance to policy and program requirements by some principals and school boards has put a "chill" on reporting, investigating, and dealing with workplace violence and serious student incidents. The Federation continues to work with the government, school board representatives, and other unions to improve reporting systems, increase compliance by boards and principals, and encourage a stronger health and safety culture with appropriate training within school boards.

While these efforts continue, it's important to remember how the reporting system should work.

### **ETFO Members:**

- Under the OHS Act, ETFO members have specific duties to report workplace violence.
- Under the *Education Act*, ETFO members have specific duties to report serious student incidents. These duties are further described in Ministry policy PPM 145.
- Should workplace violence cause an injury or illness, an accident/injury/illness report is required. It is just as important to seek medical attention for psychological and emotional harm as it is for physical injury when workplace violence happens.
- Your duties to report workplace violence and serious student incidents cannot be limited by age, needs, or other mitigating factors. If you are having difficulties making these required reports, get in touch with your steward or ETFO local as soon as possible to get support.

### **School Boards and Principals:**

- School boards and principals are required to investigate and deal with reports of workplace violence and serious student incidents.
- Both are required to conduct assessments of the risks of violence as often as necessary to continue to protect ETFO members from the risks of harm.
- Both are required to take measures and procedures to control identified risks. In the school setting, these steps could include, for example, a safety plan, a behaviour plan, staffing, and supports.

## ETFO Support For **MEMBERS**

Contact your ETFO local for advice and support at [etfo.ca/link/locals](https://etfo.ca/link/locals).  
You can contact ETFO staff in Professional Relations Services at  
**416-962-3836 | Toll Free: 1-888-838-3836.**

For information and resources on workplace violence and serious student incidents, see [etfohealthandsafety.ca](https://etfohealthandsafety.ca).



## Elementary Teachers' Federation of Ontario (ETFO)

Fédération des enseignantes et des enseignants  
de l'élémentaire de l'Ontario (FEEO)

136 Isabella Street, Toronto, ON M4Y 0B5  
Tel: 416-962-3836 Toll Free: 1-888-838-3836 etfo.ca

September 12, 2023

Dear Stewards:

The beginning of the school year is an exciting time. ETFO members at your school are, no doubt, busy getting to know the students they will be working with this year and determining how best to meet their needs. Too many ETFO members, however, begin the school year with anxiety. ETFO's 2023 All-Member Violence Survey conducted last spring revealed to the public what is already well-known to you and your colleagues – inadequate protections and supports are leading to high levels of violence against teachers and education workers.

### ETFO's Multi-Year Strategy to Address Violence in Schools

Since 2017, ETFO has been engaged in the *Multi-Year Strategy to Address Violence in Schools*. During that time ETFO has created resources for members, engaged in advocacy, and provided programs to support members experiencing workplace violence. To learn more about your union's strategy to address violence in schools, visit ETFO's health and safety website at [etfohealthandsafety.ca](https://etfohealthandsafety.ca).

### Results of ETFO's 2023 All-Member Violence Survey: Poster

Responses to ETFO surveys show that violence is, by far, the greatest workplace health and safety concern for members. To raise awareness of this issue, ETFO has created the enclosed poster. In addition to sharing concerning statistics from ETFO's Violence Survey, the poster reminds members of the rights they have to a safe and healthy workplace.

Please display the poster in your workplace and remind colleagues:

1. **Report all incidents of workplace violence:** Data gathered is used to advocate for improved protections, to seek enforcement of the *Occupational Health and Safety Act*, and to ensure members who are injured or made ill have the evidence of their experiences.
2. **Recognize workplace illness and injury:** Members who are injured or made ill by violence at school are covered by the Workplace Safety and Insurance Board (WSIB). If you miss work or seek medical attention for physical and/or psychological injuries and illness due to workplace violence, make a WSIB claim.
3. **Refuse unsafe work that is likely to endanger you:** If you have a reason to believe your work is likely to endanger you or another worker, you have the legal right to refuse unsafe work. Learn more at [etfohealthandsafety.ca](https://etfohealthandsafety.ca).

Yours sincerely,

A handwritten signature in black ink that reads 'Karen Brown'. The signature is stylized and fluid.

Karen Brown  
President

## ALLEGATIONS INVOLVING CHILDREN'S AID SOCIETY, POLICE, ONTARIO COLLEGE OF TEACHERS, OR COLLEGE OF EARLY CHILDHOOD EDUCATORS What to do if it happens to you ...

Allegations and related investigations can be extremely stressful and isolating. As your union, we are here to support and assist you through the process. Counselling and additional support are also available through your Employee Assistance Plan (EAP) if an EAP is available in your board.

### Has someone made an allegation against you?

- Even allegations that appear to you to be frivolous or entirely false can result in Children's Aid Society (CAS) and/or criminal investigations. Many can also result in discipline by your school board and complaints to the Ontario College of Teachers (OCT) or College of Early Childhood Educators (CECE).
- At the first hint of any allegation against you that could potentially lead to a criminal charge or investigation by the CAS, you should refrain from responding to the allegation or making any statements about it and should instead **immediately** contact the provincial office of ETFO for advice and support.
- If you are still at the school, find a place in the school where you can make a private call to ETFO. Ask your administrator to allow you to use the office phone to make the call, if necessary.

### DURING OFFICE HOURS

If you are contacted by the police, CAS, OCT, or CECE regarding an allegation made against you:

- DO NOT participate in or consent to an interview.
- Make no statement to anyone regarding the allegation or charges.
- Say, "I am willing to co-operate, but I am unable to comment until I contact my Federation and legal counsel."
- Get the name, title, and contact information for the police officer or CAS worker who has contacted you.
- Call Professional Relations Services (PRS) at 1-888-838-3836 or 416-962-3836 and state that your call is urgent.

You will be put in touch with the PRS staff on call who will provide you with the necessary assistance, including legal counsel, if deemed appropriate, and contact information for you to access additional support through your EAP if it is available in your board.

### "AFTER HOURS" - EMERGENCY LEGAL ASSISTANCE

What is an emergency?

- Police are on the scene or on the way.

- You are facing criminal charges for an alleged criminal offence directly related to the performance of your professional duties.
- You are at risk of being arrested and/or incarcerated.

## What to do?

Call: 1-888-838-3836 or 416-962-3836

## After Hours

- A voice message will provide the necessary instructions to put your call through to an operator. You will be asked a few important questions.
- Where appropriate, a lawyer will be contacted and you will be connected immediately.

## Working with School Staff

- When a member is accused of abuse or assault and is either reassigned or placed on leave by the school board, the school steward may be called upon to reassure staff colleagues that due process is being served and that the Federation is assisting the member.
- It is the responsibility of the principal, on behalf of the school board, to provide staff with specific advice for responding to student, parent, and media enquiries relating to the colleague who is being investigated or accused of a criminal offense.
- You should refrain from providing any comments on the situation and should instead direct any such enquiries to the school principal.
- If you are contacted by anyone as a potential witness to the alleged conduct, you should contact PRS for advice.

## Supporting your Colleague

- The stress factors on a member facing allegations are enormous and should not be underestimated.
- If possible, staff should attempt to maintain regular communication with the member; this will help reduce the acute sense of isolation and despair, especially if the colleague has been suspended.
- Your colleague will have been advised not to make *any* statements about the allegations or the circumstances surrounding their case and you should be careful not to ask him or her any questions about the case or otherwise encourage a discussion about it. Making such statements, even in confidence, could be detrimental to your colleague's case.
- If your colleague has not yet contacted PRS for assistance, you should urge them to do so immediately and remind them not to make any statements about the allegations until they have obtained advice from PRS.
- You should also remind your colleague that additional counselling and support may be available through your EAP.

**For further information, contact your local ETFO president or PRS staff at 416-962-3836 or 1-888-838-3836.**

JM:SC