



ETFO CENTRAL BARGAINING BULLETIN

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FREQUENTLY ASKED QUESTIONS ABOUT PHASE 1 WORK-TO-RULE STRIKE ACTION

Effective **Tuesday, November 26, 2019**, ETFO members are beginning “Phase 1” strike action in the form of an administrative work-to-rule (WTR). In *Central Bargaining Bulletin 9*, which members should have received from their ETFO local and/or their School Steward, the details of the Phase 1 WTR were shared. Here are answers to some of the most commonly asked questions about WTR.

What is strike action?

You do not need to be walking a picket line to be engaging in strike action. Any withdrawal of services by union members who are in a legal strike position is strike action. That includes withdrawal of one or more services provided to the employer through a work-to-rule (WTR).

Is our Phase 1 WTR a legal strike action?

Yes. ETFO is in a legal strike position as of Monday, November 25, 2019. We are beginning our Phase 1 WTR on Tuesday, November 26, 2019.

What do I do if I’m not sure an activity/event is part of the Phase 1 WTR? Should I call the ETFO Provincial Office?

It is not possible for ETFO staff to provide timely answers to the hundreds of phone calls, emails and social media posts about WTR received daily at the provincial office. Therefore, ETFO has set up a system to ensure you receive an answer to your question as quickly and as efficiently as possible. The system is as follows:

- If you are a **teacher member** who has a question about WTR, ask your steward;
- If you are an **occasional teacher (OT), DECE, ESP or PSP member** who has a question about WTR, call your ETFO local;
- If you are a **steward** who has a question about WTR, or are unsure about how to answer a colleague’s question about WTR, contact your ETFO local office.

Is supervision of students affected by the Phase 1 WTR?

No. You should continue to provide scheduled supervisory duties.

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I am supervising students before the start of the instructional day on Tuesday, November 26. Can I participate in that morning's Solidarity Activity (i.e., entering the school together with colleagues)?

If you have scheduled supervision on the morning of Tuesday, November 26, your focus needs to be on completing those supervision responsibilities.

While on supervision, you can show your solidarity with colleagues by wearing an ETFO "Cuts Hurt Kids" or "Class Size Matters" button.

May I participate in homework clubs, school dances, concerts, voluntary extra-curricular activities, field trips, play days or class excursions during the Phase 1 WTR?

Yes. These activities are **not** part of the Phase 1 WTR.

Are staff meetings struck under the Phase 1 WTR?

Yes. Do not attend staff meetings, grade team meetings or divisional meetings before, during or after school. If an administrator asks you to attend a meeting, and you are unsure about whether the meeting is "struck work", speak to your steward. OTs should contact their ETFO local for advice.

Members who are Consultants/Coordinators or have system level positions should not attend their department meetings as they are considered the equivalent to mandatory staff/divisional/grade team meetings.

When are we required to be at school or leave the school at a particular time during the Phase 1 WTR?

Other than the Solidarity Action ETFO has asked members to participate in on the morning of Tuesday, November 26, there are no requirements for ETFO members to be at school or to leave school at any particular time under the Phase 1 WTR.

As they normally would, teachers and OTs are to follow regulations made under the *Education Act* requiring them to be at school 15 minutes before the start of the instructional day and five minutes before the end of the lunch period, as well as the school supervision schedule.

Are all ETFO members included in the Phase 1 WTR sanctions?

Adherence to the strike protocol (i.e., Phase 1 WTR) is mandatory for all ETFO members, including: special assignment teachers; literacy support teachers; resource teachers; consultants.

How long will our Phase 1 WTR continue?

The Phase 1 WTR will continue until the labour dispute is satisfactorily resolved or ETFO's Provincial Executive deems that further actions are required.

The principal has given me a memo about our Phase 1 WTR to give to parents. Am I required to distribute that document to parents?

Do not distribute school/school board communications that involve labour/negotiations/WTR issues. Please contact your steward right away if your principal asks you to distribute this type of document. Otherwise, please

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continue to distribute regular school communications (monthly newsletters, etc.) to parents.

Should I let the principal know what is going on with the Phase 1 WTR or any other strike action?

No. ETFO's provincial staff will provide this information to the school board. It is the board's responsibility to communicate the information to administration.

Can my principal tell me to remove my ETFO Cuts Hurt Kids button?

No. ETFO won a decision at the Ontario Labour Relations board more than decade ago that ensures our members have the right to wear a button in support of their union at the school/worksite.

How should I respond to students' comments and questions about Phase 1 WTR?

"I'm sorry but I am not able to discuss this with my students."

How should I respond to parents and community members during the Phase 1 WTR?

ETFO members are the most credible advocates for their profession. For parents, information about what's at stake during this round of bargaining takes on greater significance when it comes directly from the trusted person who works with their child in the classroom.

If you feel comfortable engaging with parents about bargaining-related issues, but you're not sure exactly what to say, refer to the ETFO document ***What to Tell Parents, Family, Friends and Others About Bargaining and Work-to-Rule***. Your steward has a copy of this document; ask to review it for your personal use.

What do I do if my principal asks me to perform a task that is part of the Phase 1 WTR, or threatens me with discipline for complying with WTR?

It is a violation of the *Labour Relations Act* for an employer to subject a union member to reprisals or threats of reprisals for engaging in a legal strike action. Those legal protections are extended to striking ETFO members.

If you feel comfortable doing so, remind your principal/vice-principal that we are on a legal strike and cannot do what has been requested. In a polite and professional manner, remind her/him that ETFO members are entitled to withdraw any or all of our services as of November 26, 2019. **If you don't feel comfortable having this type of conversation with your administrator, or if you feel threatened in any way by the words or actions of an administrator, please contact your ETFO local immediately.**

Can I use old EQAO tests with my students as part of my literacy or numeracy program?

All activities related to EQAO are considered struck work. Members should not use old EQAO tests as part of their program during the work to rule. There are many literacy and numeracy resources available that provide instructional and assessment materials members can use.

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I am a math coach/lead. I normally work with teachers to review EQAO results or to support the Fundamentals of Math strategy. What do I do during the WTR?

Math coaches/leads can continue to support teachers during the instructional day and focus on areas of math that teachers have identified as concerns using their own assessment data and based on their professional judgement. Math coaches/leaders may not participate in any activities related to analyzing EQAO data or supporting school board/Ministry directed activities related to the *Fundamentals of Math* strategy.

Are Special Education related meetings included in the WTR?

ETFO members should continue to attend meetings related to supporting students with special needs.

Do I still create or update IEPs?

Yes.

Special Education involves a great deal of paperwork. What is affected in our WTR?

Our focus remains on supporting students, providing them access for supports, and providing appropriate programming. As such, creating and updating IEPs continues. Additionally, items such as referral forms (e.g., for speech language services), ADHD observation checklists, etc. will continue.

Do we continue to prepare materials for IPRC meetings?

Preparing materials for IPRC meetings is not struck work in our Phase 1 WTR.

Should I attend the required meetings for the Teacher Performance Appraisal (TPA) process or any other job appraisal process?

Appraisal meetings are not part of the Phase 1 WTR.

Will the New Teacher Induction Program be affected by the WTR?

You may participate as the NTIP program is not part of the Phase 1 WTR.

I have been given release time and/or funding to attend a workshop/conference run by another organization (i.e., it is not Ministry professional learning). May I attend?

Yes. Conferences or workshops run by other organizations are not affected by the work to rule.

May I attend a workshop/conference if I have received funding from the local ETFO Professional Development fund?

Yes, you may attend.

Can I continue acting as an Associate Teacher for faculty of education Teacher Candidate practicums?

Yes, you can continue working with Teacher Candidates.

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What do I do if I become aware that an ETFO member is not abiding by the terms of our WTR?

If you feel comfortable doing so, start by talking to your colleague to help her/him understand the consequences of non-compliance. Standing together in this job action is important for all of us. Violating the terms of a WTR is like crossing the picket line and can strain working relationships in the school. Finally, remind your colleague that the best way to ensure that we won't need to escalate our job action is to remain firm during these early phases.

My report cards are only anecdotal, we do not assign grades or marks – should I hand the principal a blank sheet of paper?

In situations where teachers/OTs ONLY complete an anecdotal report card with no grades, levels, etc., teachers/OTs should hand in a class list to the administrator with one **brief** comment for each child per report card section.

I'm an Acting Principal/Vice Principal. How does the Phase 1 WTR affect my work?

Members who are in acting principal/vice-principal roles and are also members of the local (e.g., the member is half-time ESL and half-time VP duties) are expected to comply with the strike action for the period of time they are assigned teaching responsibilities. They will need to make a personal decision regarding their support of the strike action during the period that they are assigned to the administrative role; they cannot be compelled to participate in the WTR during their "administrative" time.

Can I hand out school newsletters or information packages about upcoming activities (e.g., Jump Rope for Heart, school trips, graduation ceremonies, etc.) to students?

Yes. Handing out normal home-school communications is not struck work under the Phase 1 WTR. However, members should not hand out any materials related to EQAO, our WTR action or the current labour dispute.

If the school newsletter contains sections about EQAO or the labour dispute, members should not hand it out to students. In that case, it would become the responsibility of the school principal/vice principal to distribute the newsletter.

May I attend School Council meetings as the teacher representative?

Yes. This is a voluntary activity and may continue as normal practice at your school.

Will ETFO share information with other unions that represent education workers in our schools so that their members do not take on our struck work?

Yes. ETFO's local presidents have discussed the work-to-rule with the presidents of the other unions so that their members know not to perform work struck by ETFO members.

Training sessions on the revised Health and Physical Education document have been advertised and staff have been asked to sign up to attend. What do I do?

Participation in all Ministry initiatives is struck work and, therefore, members are not to attend or present at these sessions.