



ETFO Provincial Takeover Bulletin

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ELEMENTARY TEACHERS' FEDERATION OF ONTARIO UPPER GRAND TEACHER LOCAL PROVINCIAL TAKEOVER BULLETIN # 7

November 27, 2012

STRIKE PROTOCOL – WORK TO RULE – STAGE I

Effective December 3rd, 2012, Upper Grand-ETFO teachers shall begin strike action by the withdrawal of administrative services.

Effective December 3rd, 2012 Teachers will:

- NOT** participate in any school-based or system level meetings including staff meetings, committee meetings, Professional Learning Community (PLC) meetings, and School Improvement Plan (SIP) meetings ;
- NOT** attend any board-sponsored professional development workshops/activities/events;
- NOT** conduct any reading, writing, or mathematics diagnostic assessments other than those that the teacher deems necessary;
- NOT** fulfill any administrative duties such as filing, sorting of documents for OSRs, completing or verifying attendance registers, data entry, computer site administrator; collecting of monies (Note: Collecting monies is permitted for activities initiated by the teacher);
- NOT** act as Teacher Designate or Teacher in Charge where the role is voluntary;
- NOT** act as a computer key teacher or Technology and Computer Teacher (TAC)
- NOT** participate in regional/provincial Ministry meetings of any kind;
- NOT** participate in EQAO activities or testing;
- NOT** participate in any Ministry Initiatives connected to the Literacy and Numeracy Secretariat/Student Success/Learning to 18 (e.g. System Implementation and Monitoring (SIM), Teacher Learning Critical Pathways (TLCP), Critical Inquiry Learning (CIL), Critical Inquiry Learning Math (CILM), Early Primary Collaborative Inquiry (EPCI);
- NOT** participate in parent interviews outside the instructional day;
- NOT** participate in field trips, play days, or class excursions;



- NOT** participate in voluntary/extra-curricular activities;
- NOT** distribute for management any Board or Ministry memos about the Union's work to rule or labour negotiations to students or parents.

Effective December 3rd, 2012 Teachers will:

- CONTINUE** to teach and provide extra help to students;
- CONTINUE** to take attendance;
- CONTINUE** to maintain contact with parents regarding students during the instructional day;
- CONTINUE** to provide scheduled supervisory duties.

**ADHERENCE TO THE STRIKE PROTOCOL IS MANDATORY FOR ALL MEMBERS INCLUDING:
SPECIAL ASSIGNMENT TEACHERS, LITERACY SUPPORT TEACHERS, RESOURCE TEACHERS,
AND CONSULTANTS**

This job action will be incremental in nature. This action will continue in effect until the labour dispute is satisfactorily resolved or the Provincial Takeover Team deems that further actions are required. The following are frequently asked questions. Should you have further questions or require clarification please contact your steward or local.

1. How should I respond to parents during the work to rule?

"This is an issue between my union and the Board. Please be reassured that we are doing what we can to minimize any impact on students' education. Your child's educational programming is not affected." If parents persist, and you wish to give more detailed information, refer to the ETFO pamphlet "A Message to Parents from Public Elementary Teachers".

2. How should I respond to students' comments and questions?

"I'm sorry but I am not able to discuss this with my students. It doesn't have anything to do with what we are learning in class."

3. Do all members take part in the work to rule sanctions?

All members, whether probationary, non-probationary, or in their last year of teaching, are members of the bargaining unit, with the same rights and responsibilities and the same protection. Employers are prohibited by law from punishing employees for participating in a union's lawful activities, including striking.

4. Are occasional teachers included in the work to rule protocol?

Yes. All occasional teacher members are also taking part in the strike action. The strike protocol has been outlined in separate bulletins to members of those ETFO bargaining units. Your local steward will have copies of those bulletins to review with all members.

5. What do I do if my principal threatens discipline for complying with the work to rule?

Remind your principal that we are on a legal strike. We are, therefore, entitled to withdraw any or indeed all of our services. It is a violation of the *Ontario Labour Relations Act* for an employer to subject a union member to reprisals or threats of reprisals for engaging in a legal strike action. If necessary, contact a member of the Takeover Team at the phone numbers on the last page.

6. How is my work as a Curriculum Support Teacher/Consultant/Coordinator/Centrally Assigned Teacher/Student Work Study Teacher affected?

At this time, you should continue to plan with members only during the instructional day. You should not be attending, planning or conducting Ministry or board-sponsored professional development workshops/activities/training sessions.

7. Are Special Education related meetings included in our work to rule strike?

Classroom and self-contained classroom teachers will attend Special Education meetings related to students (e.g., at risk meetings, IPRCs, case conferences) provided they occur during the instructional day and release time is provided for an occasional teacher to replace you or if the principal or vice principal covers your class. If it is part of your regular job expectation to attend such a meeting, Special Education Resource Teachers, consultants, and itinerant teachers should attend the meeting even though release time is not required for them. Teachers will not attend in-service sessions related to Special Education.

8. Do I still create or update IEPs?

Yes. IEPs are critical to individual student programming.

9. Special Education involves a great deal of paperwork. What is affected in our work to rule strike?

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.

10. May I participate in holiday concerts?

You may only participate in holiday concerts that are part of the curriculum and held during the instructional day.

11. My field trips/play days/class excursions have already been booked. May I continue participating in these activities?

No. These excursions are now part of our work to rule.

12. **Should I attend the required meetings for the performance appraisal process or my annual learning plan?**
You may attend if the meetings are held during the instructional day.
13. **Will the New Teacher Induction Program be affected by the work to rule?**
You may participate if the program is held during the instructional day.
14. **May I participate in my School Staff Advisory Committee?**
You may attend if the meetings are held during the instructional day.
15. **I am a part-time teacher. May I continue to volunteer in classrooms on my time off?**
You may only volunteer in your own child's classroom.
16. **May I attend attendance management meetings and programs?**
No. You should not attend or participate in attendance management meetings or programs.
17. **May I participate in a Joint Health and Safety Committee, School Health and Safety Committee, or health and safety inspections?**
Yes. You may continue to participate in these activities. Release time must be provided by the Board as required under the *Occupational Health and Safety Act*.
18. **I have been given release time and/or funding to attend a workshop/conference run by another organization. May I attend?**
Yes. Conferences or workshops run by other organizations are not affected by the work to rule.
19. **May I attend a workshop/conference if I have received funding from the local ETFO Professional Development fund?**
Yes. You may attend. (delete if the local does not have PD funds in the CA)
20. **What are teachers expected to do with respect to recording attendance?**
Members should submit attendance records to the principal to ensure the safe arrival of students however they should not perform additional administrative tasks for attendance.
21. **Are there any monies I can collect?**
You may collect monies for activities which you have initiated (such as a classroom book club), however all other money collection such as field trips, play days, class excursions, pizza or hot dog days, and fundraisers should not be collected by members.
22. **My Computer or tech equipment is not working. What should I do?**

Ask your principal to fill in the repair slip and submit to the board. You should not ask your TAC or computer Key Teacher to assist you.

23. What do I do if I become aware that another member in the bargaining unit is not abiding by the terms of the work to rule?

1. If you feel comfortable doing so, start by talking to the member 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 work to rule is like crossing the picket line. Taking such action will strain working relationships in the school, and could lead to ETFO taking disciplinary action against the member. Finally, remind the member that the best way to ensure that our job action does not need to escalate is to remain firm during these early stages.
2. Speak with your school steward, if necessary.
3. Contact your local office.

DISCIPLINARY PROCEDURES

Should a member of the bargaining unit NOT participate in the work sanctions, the member may be subject to disciplinary action by the Federation.

The following is an excerpt from the ETFO Constitution dealing with the *Code of Professional Conduct and Disciplinary Procedures*:

ARTICLE VI: CODE OF PROFESSIONAL CONDUCT

- 6.1. A member shall:
 - 6.1.1 recognize the Federation as the official voice of all the active members of the Federation;
 - 6.1.2 adhere to the Constitution and Bylaws of the Federation;
 - 6.1.3 support collective bargaining initiatives, including a strike authorized by the Executive;
 - 6.1.4 refrain from undertaking or supporting actions which undermine established bargaining procedures;
 - 6.1.5 honour the terms of the collective agreement;
 - 6.1.6 strive to eliminate all forms of harassment between individuals in the educational system;
 - 6.1.7 endeavour to ensure equity and inclusiveness in the workplace; and
 - 6.1.8 strive to achieve and maintain a high degree of professionalism and to uphold the honour, dignity, and ethical standards of the teaching profession.
- 6.2 A member who is representing ETFO on the local executive and/or the Executive shall, in addition to 6.1:
 - 6.2.1 strive to achieve and maintain a high degree of professionalism and to uphold the honor, dignity, and ethical standards of the Elementary Teachers' Federation of Ontario.

ARTICLE VII DISCIPLINARY PROCEDURES

- 7.1 A complaint alleging violation of the Code of Professional Conduct shall be submitted by a member, in writing, to the General Secretary of the Federation within 60 calendar days of the date of violation or within 60 calendar days of when a member ought reasonably to have become aware of the violation.
- 7.2 The complaint shall state the facts and shall indicate that a copy has been provided to the member about whom the complaint has been lodged.
- 7.3 The General Secretary, or designate, shall investigate the complaint and report with recommendations for further action to the Professional Relations and Discipline Committee.
- 7.3.1 Should the General Secretary, or designate, after investigation, deem that a complaint against a member is vexatious, frivolous, or an abuse of process, the full-time released officers of the Federation will be informed of the complaint, the course of the investigation, and the rationale for dismissal.
- 7.4 The Professional Relations and Discipline Committee shall consider complaints referred to the committee by the General Secretary and report with recommendations to the Executive.
- 7.5 The Executive shall determine the discipline to be enacted.
- 7.6 The principles of natural justice shall be followed in the disciplinary proceedings.
- 7.7 Members deemed to be in non-support during a job action may be subject to disciplinary procedures that include the possibility of a monetary fine of up to \$500 per day.
- 7.8 Members found to be in violation of Article VI, Code of Professional Conduct, shall be subject to a range of sanctions that may include, but is not limited to, publication of name in a Federation publication, suspension of the right to hold office in the Federation, and suspension of Federation services except those required by law.

REMEMBER

- ✓ We are engaged in a **LEGAL STRIKE**. This is not business as usual.
- ✓ This is our strike, not the Board's or your principal's. The parameters of our action are entirely ours to determine.
- ✓ Working to rule can be difficult. It is important that the staff stick together.
- ✓ Regardless of what your particular job is, it should definitely change as a result of working to rule.
- ✓ Members' workload should decrease.
- ✓ **DO NOT** react to rumours. When in doubt, contact the Takeover Team.

Sam Hammond
ETFO President
1-888-838-3836

Jim White
ETFO
Chief Negotiator
1-888-838-3836

Doug Cook
Local
President
519-837-0090

Lanny Fleming
Local
Chief Negotiator
519-837-0090

Krista Walford
ETFO Strike
Co-ordinator
1-888-838-3836