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ETFO COLLECTIVE  
BARGAINING 2023



## ETFO CENTRAL BARGAINING BULLETIN

September 15, 2023 | Bulletin Number 9: Education Worker Edition

### Education Worker Central Bargaining: A One-Year Anniversary Recap

*[NOTE: For Teacher/Occasional Teacher Central Table updates, check Bulletin Number 9: Teacher/Occasional Teacher Edition]*

ETFO Education Worker (EW) collective agreements expired on August 31, 2022, which means our EW members have been working without collective agreements for over a year.

ETFO had a good start to EW bargaining. On September 16, 2022, we were able to finalize the list of items that would be bargained centrally with the government and the Council of Trustees' Associations (CTA).

EW bargaining then proceeded slowly in the fall of 2022, but started to gain momentum in December of 2022. By the spring of 2023, ETFO had made a significant amount of progress at the EW Central Table – to the point where we were able to obtain informal agreement on many of our EW members' key priorities, including compensation, benefits, professional learning, supports for students with special needs, and job security.

### Informal Agreement on Key EW Issues

It is important to remember that the agreement we have with the government and CTA is not formalized at this point, and that EW bargaining has not yet been concluded. However, it is ETFO's position that good faith bargaining dictates the parties -- CTA, the government and ETFO -- follow through on the positions that they have informally agreed to at this stage in the bargaining process.

So, at this point, there is agreement at the EW Central Table on several key issues:

#### 4 Year Agreement (2022-2026)

- As per the regulation passed by Minister Lecce in February 2023, the term all education sector collective agreements will be four years, starting September 1, 2022 and expiring on August 31, 2026.

#### Salary

- An increase of \$1 per hour in each year of the four-year collective agreement for ETFO EW members on hourly wage schedules, with the equivalent of \$1 per hour for EW members for whom pay is expressed as a salary.
- At the top of page 2 of this Central Bargaining Bulletin, you will find a table expressing the \$1 per hour wage increase as a percentage, based on the average salary rate for each type of ETFO local.

ETFO EW Local Classification	Percentage Yearly Increase for the Term of the 2022-2026 Central Agreement
DECE Locals	3.2% per year
DECE Occasional Locals	3.2% per year
ESP Locals	3.6% per year
ESP Occasional Locals	4.1% per year
PSP Locals	2.6% per year

## Provincial Benefits Plan Funding

- A one-time \$1.8 million infusion of funding into the ETFO EW ELHT.
- Percentage increases in benefits funding in each year of the collective agreement of 1%, with an additional 4% increase applied on August 31, 2026.
- The annual per FTE funding for benefits will be as follows, and represents sufficient funding to maintain existing benefit levels:
  - September 1, 2022: increase to \$5,712.00 per FTE
  - September 1, 2023: increase to \$5,769.12 per FTE
  - September 1, 2024: increase to \$5,826.82 per FTE
  - September 1, 2025: increase to \$5,885.08 per FTE
  - August 31, 2026: increase to \$6,120.48 per FTE
- The reversal of the benefits funding reconciliation process that the government initiated to reduce EW funding at a time when claims levels were low during the pandemic. This will retroactively adjust per FTE funding from the 2019-2022 agreement back to \$5100 per FTE in each year of that agreement. This is a very positive bargaining outcome for the sustainability of EW benefits.

## Job Security Language

- Existing language in the EW Central Agreement is preserved, so that the overall protected complement as it existed on June 30, 2022, will be maintained except in limited circumstances.

## Partnerships & Priorities Fund (Professional Learning Fund):

- A one-time fund in the amount of \$1 million to be distributed to school boards during the 2023-2024 school year for the professional learning/development of EW members. Its' specific utilization will be subject to agreement between the local and the board.
- A one-time grant to be utilized for two days of release time by the end of the 2025-2026 school year for DECE members for professional development on provincial priorities.

## Support for Students Fund (SSF)

- Funding to support the retention and hiring of additional staff to support students with special education needs. Funding is as follows:
  - 2023-2024 school year: \$496,814
  - 2024-2025 school year: \$512,115
  - 2025-2026 school year: \$527,581

## Health and Safety

- Mandatory violence prevention training for all new staff provided on paid time.
- A yearly refresher on violence prevention training to be provided on a PA day.
- A violent incident debriefing module to be distributed to all school boards within 60 days of ratification.
- The continuation of the Provincial Working Group for Health and Safety, with a recommendation that the group focus on the issue of violence in schools.

## Sick Leave

- No changes to sick leave entitlements.
- A provincial task force with ETFO, government and school board representatives will be formed to explore issues related to sick leave usage.

## The Government's Position on Issues is Holding Up a Deal for EW Members

There are only two sticking points preventing ETFO from reaching a deal for EW members, but they are significant issues. The issues concern a deduction in benefits funding and ensuring a Bill 124 financial remedy for our EW members.

### A Demand from the Government for an Unnecessary Deduction to your Benefits Funding

One of the unresolved matters at the EW Central Table has to do with a somewhat complicated issue around a benefits repayment to the EW ELHT, through school boards, for the six strike days EW members undertook in 2020.

At that time, the EW ELHT made a decision about how those benefits would be repaid. ETFO satisfied its obligations under that decision. However, the government is disagreeing with the decision of the ELHT about how much ETFO should pay and, even though the ELHT says ETFO doesn't owe it any money from 2020, the government is demanding that ETFO EW members carve \$142,000 out of their collective agreement entitlements and give it to school boards.

This is an unreasonable and insulting demand from the government's negotiations team. At a time when the provincial government is sitting on a \$22 billion surplus, it is completely unacceptable that it would require the lowest paid professionals in the education system to reduce their benefits entitlements to satisfy a non-existent issue. ETFO will not have our EW members bullied for such a trivial issue by the government sitting on billions in surplus funding.

## **Ensuring There is a Bill 124 Financial Remedy for EW Members**

In June 2019 the Ford Conservatives passed Bill 124, which set limits on compensation increases that could be negotiated by most public sector unions. The limit was 1% or less each year over a three-year period. Because of Bill 124, during the 2019 round ETFO could not bargain wage increases of more than 1% for any of our members.

ETFO and other unions immediately filed a Court challenge against Bill 124 and, in November 2022, we won that challenge. In December 2022, the government appealed the Court's decision. The appeal was heard by the Ontario Court of Appeal in June 2023. We are waiting for the Court of Appeal's decision and hoping that the lower Court's decision that Bill 124 was unconstitutional will be upheld.

The Bill 124 issue has a direct impact on the way ETFO approaches wage discussions during the current round. It is critically important that the issue of a redress for Bill 124 be addressed before finalizing any central agreements on wages for our members at ETFO central tables, since we do not know what redress might be awarded by the Court. We want this redress reflected in the wage increases that will form part of new central agreements for all ETFO members, including our EW members.

We need an agreement in writing that says the government will address Bill 124 for our members. If we sign a deal for our EW members with the government now, without that Bill 124 agreement in writing, we may have trouble getting a Bill 124 redress paid to Education Worker members. So far, the government has refused to confirm in writing it will provide our members with a financial remedy around Bill 124.

## **Why is ETFO Holding an EW Central Strike Vote?**

As you know, ETFO has arranged in-person meetings across the province to provide a bargaining update and hold central strike votes.

Even though we made significant progress at the EW Central Table on many issues in the spring of 2023, bargaining has been stalled since the spring because of the two issues described in this Central Bulletin (i.e., Bill 124 remedy for our EW members, and the government's demand for a benefit funding repayment that is not actually owed). ETFO has tried to resolve these two issues for months, but the government will not budge.

ETFO has two options:

1. Trust that this government will provide our EW members will a Bill 124 remedy payment without confirmation in writing, and submit to the government's demands to carve \$142,000 out of our lowest-paid members' entitlements over a non-existent issue; OR
2. Show the government that our EW members will not be bullied or intimidated, and apply pressure on the government to relent on its two very unreasonable demands by taking an EW central strike vote and filing for conciliation.

ETFO has chosen to protect our teacher, occasional teacher and education worker members' interests by taking central strike votes, and also by applying for conciliation for both central tables on August 29, 2023.

Central strike vote meetings are happening across the province from September 18 until October 17. Please see the strike vote calendar at [etfocb.ca/calendar](http://etfocb.ca/calendar) for details about your local strike vote meeting.

In addition, ETFO has bargaining scheduled on September 19, 21 and 22, as well as on October 6, 20 and 27. The Ministry of Labour has appointed a conciliation officer who will attend bargaining dates and assist us in working on the issues holding up agreement at the EW Central Table.

## Communication About Central Bargaining

ETFO often sends *CB eNewsletter* alerts to members immediately after bargaining sessions. To receive these alerts, please ensure the Federation your most recent email address on file by contacting ETFO's Member Records Department at [memberrecords@etfo.org](mailto:memberrecords@etfo.org).