

INSIGHT 21

September 2010

Ontario Secondary School Teachers' Federation - District 21 Teachers

www.district21.ca

Let us not take thought for our separate interests, but let us help one another.



In an annual tradition the Teachers and Support Staff of OSSTF District 21 donned their newest union garb to take to the streets on downtown Hamilton on Labour Day. With the parade starting (and ending) at Dundurn Park, thousands of workers from the area gathered in solidarity for good jobs and a stronger community.

WELCOME BACK

Like you, I can't believe September is here already! Welcome back to a new school year. I want to thank you for your support as I return from maternity leave and we transition back into our roles into the office.

What things should be watching for as we enter this new year? Here's a list of some issues we'll be dealing with:

- Municipal Elections. We encourage members to get active in their municipal elections, particularly in the elections for school trustees. Most importantly, get out and vote!
- Growing Success. The new Ministry document, which goes into effect this September, now emphasizes the respect for teachers' professional judgement in dealing with late and missed

assignments.

- Our Pension. We need to continually monitor what is happening with the Ontario Teachers' Pension Plan.
- The New 'Bills'. While Bills 157 (Safe Schools) and Bill 168 (Violence in the Workplace) came into effect last year, we continue to keep an eye on how they affect our members.
- Health and Safety. This issue just never goes away...we rely on our members to let us know what is happening in their workplace.
- Declining Student Enrolment. Our Board, like many in Ontario, is facing a period of declining enrolment. It is making it difficult for our newer members to find and retain teaching jobs. We need to continue to support our

newest members by ensuring our collective agreement is followed.

- Dalton McGuinty's Liberals have claimed that they want to freeze public sector wages in the next round of bargaining. They will be discussing the issue with our provincial organization. We need to find out what this will mean for bargaining in the near future.
- And as always...we are at your service, and we are here to advocate for you. You can find our new website at <http://osstf21.ca> for the latest information updates, find us on Facebook (OSSTF District 21), or call us at 905-574-8285.

In Federation,
Chantal Mancini
President

BILL 168: You Can Call It William

Anthony Marco

As mentioned several times in Insight last year, Bill 168 (amending the Occupational Health and Safety Act) has come into effect. The amendment allows for work refusals based on violence in the workplace. As previously, work refusals for teachers are limited by your responsibility to supervise children under your charge during the school day.

Equally as important in considering a work refusal on the grounds of violence is to understand what the guidelines are that constitute a violence hazard and what steps need to be taken to exercise your right. While harassment issues should be brought to the attention of a supervisor, work refusals cannot occur solely on harassment concerns.

The following information comes from the Canadian Centre for Occupational Health and Safety (ccohs.ca) and will hopefully help you understand some of the guidelines and thresholds that should be considered if contemplating a complaint or refusal of unsafe work.

What is workplace violence?

Most people think of violence as a physical assault. However, workplace violence is a much broader problem. It is any act in which a person is abused, threatened, intimidated or assaulted in his or her employment. Workplace violence includes:

- threatening behaviour - such as shaking fists, destroying property or throwing objects.
- verbal or written threats - any expression of an intent to inflict harm.
- harassment - any behaviour that demeans, embarrasses, humiliates, annoys, alarms or verbally abuses a person and that is known or would be expected to be unwelcome. This includes words, gestures, intimidation, bullying, or other inappropriate activities.
- verbal abuse - swearing, insults or condescending language.
- physical attacks - hitting, shoving, pushing or kicking.
- Rumours, swearing, verbal abuse, pranks, arguments, property damage, vandalism, sabotage, pushing, theft, physical assaults, psychological trauma, anger-related incidents, rape, arson and murder are all examples of

workplace violence.

Workplace violence is not limited to incidents that occur within a traditional workplace. Work-related violence can occur at off-site business-related functions (conferences, trade shows), at social events related to work, in clients' homes or away from work but resulting from work (a threatening telephone call to your home from a client).

What work-related factors increase the risk of violence?

Certain work factors, processes, and interactions can put people at increased risk from workplace violence. Examples include:

- working with the public.
- carrying out inspection or enforcement duties (e.g. government employees).
- providing service, care, advice or education (e.g. health care staff, teachers).
- working with unstable or volatile persons (e.g. social services, or criminal justice system employees).
- working alone, in small numbers (e.g. store clerks, real estate agents), or in isolated or low traffic areas (e.g. washrooms, storage areas, utility rooms).
- working in community-based settings (e.g. nurses, social workers and other home visitors).

Which occupational groups tend to be most at risk from workplace violence?

Certain occupational groups tend to be more at risk from workplace violence. These occupations include: health care employees, correctional officers, social services employees, teachers, municipal housing inspectors, public works employees, and retail employees.

How do I know if my workplace is at risk?

Review any history of violence in your own workplace.

- Ask employees about their experiences, and whether they are concerned for themselves or others.
- Review any incidents of violence by consulting existing incident reports, first aid records, and health and safety committee records.
- Determine whether your workplace has any of the risk factors associated with violence.
- Conduct a visual inspection of your workplace and the work being carried

out. Focus on the workplace design and layout, and your administrative and work practices.

- Evaluate the history of violence in similar places of employment.

What can I do to prevent violence in my workplace?

The most important component of any workplace violence prevention program is management commitment. Management commitment is best communicated in a written policy. The policy should:

- be developed by management and employee representatives.
- apply to management, employee's, clients, independent contractors and anyone who has a relationship with your company.
- define what you mean by workplace violence in precise, concrete language.
- provide clear examples of unacceptable behaviour and working conditions.
- state in clear terms your organization's view toward workplace violence and its commitment to the prevention of workplace violence.
- precisely state the consequences of making threats or committing violent acts.
- outline the process by which preventive measures will be developed..
- encourage reporting of all incidents of violence.
- outline the confidential process by which employees can report incidents and to whom.
- assure no reprisals will be made against reporting employees.
- outline the procedures for investigating and resolving complaints.
- describe how information about potential risks of violence will be communicated to employees.
- make a commitment to provide support services to victims of violence.
- offer a confidential Employee Assistance Program (EAP) to allow employees with personal problems to seek help.
- make a commitment to fulfil the violence prevention training needs of different levels of personnel within the organization.
- make a commitment to monitor and regularly review the policy.
- state applicable regulatory requirements.

con't on pg. 3

CONTRACTUALLY SPEAKING...

Grievances

Six grievances have been filed to start the year. The grievances included: a negative TPA, member being assigned in excess of 225 minutes, two discipline without just cause grievances, teacher assigned to an area without mutual consent, and Coop teachers doing 4/4 to start the year.

Paper Pay Statements

There was an arbitration held in late June on providing paper pay statements to our members. Both locally and provincially we had hoped that we had a case to support this position. The basis of our argument was as follows: 1) past practice to provide us with paper statements 2) Board policy on the safe use of technology that states "there can be no expectation of personal privacy" and also states, "the Board's network, systems or equipment is a privilege and not a right" 3) Members under medical accommodations that cannot use a computer 4) members that do not have access to computers at home or they are broken at school 5) pay statements printing to different areas in the school 6) Board policy on Diversity and Equity that state, "all policies, practices and procedures are bias free, non-discriminatory and in alignment with the OHR Code and the Charter" 7) signed statements from members demonstrating that they have been adversely affected by the policy including economic and medical reasons and inadequate working computers on site 8) Contract language that states that the Board, "shall provide to the Teacher at the Teacher's school a statement of payment". Unfortunately, we did not win the arbitration and the general membership should not expect to re-

ceive paper pay statements. We do have an agreement from the Board that they will "expeditiously consider any requests for reasonable accommodation submitted by members concerning the appropriate method for receipt of their statement of payment from the Board".

Other Issues

We are still waiting from the Board on Department Head Descriptions. Anthony and I brought back language that we needed to see in the Department Head Description as directed by Teachers' Council. We hope to have a final document signed in the near future. We have met with Pam Reinholdt in regards to a Letter of Agreement on Safe Schools and with Peter Joshua in regards to a Letter of Agreement on Alternative Education. We had hoped that we were close to an agreement and expected emails back this summer to complete the LOAs. It did not happen. Report Cards: We have asked for dates to try to develop a Letter of Agreement on this issue and hope to receive a date by the September 23 Relations Meeting.

Redundancy

An additional 3 teachers were called back from the redundancy list, leaving the list at 27 teachers to be recalled. All of the 27 teachers, have a .5 entitlement or less. The hope is that all teachers will be recalled for semester two, should the Board again be over – conservative in their estimates of students thereby not meeting the Ministry requirement of 22 to 1 PTC.

Contract Changes/Reminders

Additional Professional Assignments are down to 51 for the year with a maximum of 25 on-calls. Teachers should always keep track of their APAs. Class sizes are down for Academic,

Applied, Workplace, Vocational, Locally Developed (see Article 16.08) Remember class size caps are in effect on the first day. There is no longer a grace period. A reminder that Exploring Technologies classes should be staffed at a maximum of 22 students plus a flex factor.

Voluntary Transfers

Requests for voluntary transfer should be submitted by November 30th for Semester 2 and April 30th for Semester 1 in the following year. Please note: Transfers will not be accepted for semester 2, unless the school has declared teachers surplus to the staffing needs of the school. (article 21.01)

Retirement

Members that are planning on retiring at the end of first semester should submit a letter with a retirement date of January 31st, even though first semester does not end until February 2nd. If you wait until February 2nd you will not get your February pension payment. HWDSB recognizes January 31st as the ½ year point for retirement purposes, so you will not lose out on pay by retiring before the February 2nd date to end Semester 1. Article 12.02

Requesting Timetable Expansions

Members that do not have 6 permanent lines should continue to put in a request for timetable expansion every semester until they have been expanded to 6 permanent lines. Requests for expansion shall be made to the Superintendent of Staffing (Scott Sincerbox & cc Brenda Maxwell) by November 1st for the second semester and by April 1st for the next school year. Also, cc your request by to email osstf21cn@quickclic.net.

BILL 168 con't from pg. 2

What are some advantages of having a written policy about workplace violence, harassment and other unacceptable behaviour?

A written policy will inform employees about:

- what behaviour (e.g., violence, intimidation, bullying, harassment, etc.) that management considers inappropriate

and unacceptable in the workplace,

- what to do when incidents covered by the policy occur, and
- contacts for reporting any incidents.

It will also encourage employees to report such incidents and will show that management is committed to dealing with incidents involving violence, harassment and other unacceptable behaviour. Some employers caring to exceed "minimum" requirements in leg-

islation include "personal harassment" in their anti-harassment policies. Personal harassment does fall under the definition of harassment - unwelcome behaviour that demeans, embarrasses, or humiliates a person; however, it is not covered by human rights legislation dealing with harassment related to race, ethnic origin, religion, sex, etc.

WORKING IN THE SUMMER



Treasurer, Tony Viola, Provincial Councillor Colleen Wray and Teachers' President Chantal Mancini during one of the many workshops offered by OSSTF Leadership this summer.

STATUS OF WOMEN: SEPTEMBER UPDATE

Status of Women Committee Launches New Website

The D21 SWC has created a new website to inform members about events and issues relating to women. The new website has a calendar of events, discussion board, and blog. We encourage everyone - male and female - to check out our site and become a member. Our website address is: www.d21women.com

Committee Seeks New Members and Input

We have a few branches that do not currently have a SWC representative. We're a very active committee, providing service to our members and the community at large. If you think you might like to check us out, come to a meeting. There's no long term commitment! Likewise if you have any issues or ideas you'd like to share with the committee feel free to drop us a line via our website or visit a meeting. Our next meeting will be held on Wednesday October 27th at 4:30 at the OSSTF office.

OSSTF District 21 Educational Services Committee is once again pleased to present a double bill workshop for both NEW and EXPERIENCED members ...

Professionalism in Teaching

*Setting and maintaining appropriate boundaries
between you and your students
and*

The TPA Process

What you need to know

Presented by Bob Fisher (*Provincial OSSTF Secretariat*)

**Wednesday, October 20th, 2010
OSSTF District 21 Office
1423 Upper Ottawa Street, Hamilton
4:30PM to 7:30 PM**

Dinner will be provided
RSVP to Donna Stephens @ 905-574-8285
No charge for OSSTF District 21 members
Workshop limited to 50 members on
"first come, first served" basis

Please provide 48 hours notice if you reserve but can't attend so others on the waiting list may be accommodated

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