

**Ministry of Education**

Deputy Minister

Mowat Block  
Queen's Park  
Toronto ON M7A 1L2**Ministère de l'Éducation**

Sous-ministre

Édifice Mowat  
Queen's Park  
Toronto ON M7A 1L2**Memorandum To:**Directors of Education  
Supervisory Officers and  
Secretary-Treasurers of School Authorities**From:**George Zegarac  
Deputy Minister**Date:**

August 8, 2013

**Subject:**

Next steps in implementing the 2012–14 Labour Framework

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The government is committed to beginning the new school year with a positive start for all students and staff. In particular, the Ministry will work collaboratively with school boards to complete the implementation of the 2012–14 labour framework and to start the 2013–14 school year with the current labour process resolved by August 29, 2013.

By putting the more difficult times behind us, we can move forward with developing the appropriate legislative and regulatory framework for provincial bargaining that would, if approved by the legislature, take effect by January 1, 2014.

We are relying on your assistance in finalizing the outstanding MOUs and collective agreements, and have provided the funding supports noted below to assist you in that endeavour. I would like to thank those boards that have already provided correspondence and information attesting to the appending of MOUs.

**Clarification of process**

A number of boards have asked for clarification regarding appending the recent MOUs to their collective agreements. To be clear, terms of the MOUs signed between the government and the federations and other unions since January 23, 2013, are to be appended to the existing local agreements, thereby forming part of the collective agreement. As noted below, much of the funding supports are conditional on the appending of those MOUs.

**Funding Support**

As part of our commitment, the Ministry convened the Implementation Cost Estimate (ICE) Working Group, which is a co-operative effort between the Ministry and school boards to specify and validate school board concerns related to the additional costs of the MOUs.

A memorandum of July 8, 2013, from Assistant Deputy Minister Gabriel Sékaly to the ICE Working Group, a copy of which is attached as Appendix A, outlined support that the Ministry has announced to date. Funding support indicated to date totals up to about \$160M, with more work planned to identify further support.

It should be emphasized that much of the support is conditional on boards appending terms of all MOUs signed between the government and federations and other unions since January 23, 2013, to local collective agreements and submitting an attestation to that effect, as outlined below. The Ministry will provide to each board a detailed projection of its allocation from these existing and conditional supports in the near future.

Furthermore, the additional supports set out below are also available to boards that have appended the same MOUs to local agreements.

As the July 8 memorandum also indicated, the Ministry is prepared to provide up to \$30M in 2013-14 to cover any incremental costs relating to any payments made to eligible staff that use less than 6 sick days. As noted in the memorandum, this figure would be reconciled with actual experience, particularly if the average number of sick days taken drops and results in savings.

The Ministry is also prepared to consider providing additional support to reflect the increase in maternity leave from 6 weeks to 8 weeks, once additional data from boards related to the incremental costs anticipated based on historical maternity leave data is received and analyzed.

Through the ICE Working Group, the Ministry has identified further possible areas of support. However, further information is needed through the ICE process to determine if these are required and justifiable. (See the July 8<sup>th</sup> memo from Gabriel Sékaly attached.)

### **Attestation**

For all collective agreement(s) between a school board and a bargaining agent, school boards are required to forward, by August 29, 2013, through the Director of Education, the attached executed Statement of Attestation (Appendix B), to Rita Waller, along with the board resolution(s) regarding the appending of the MOUs.

We would also ask all boards to send in a copy of each local collective agreement (including the appended MOUs) by September 30, 2013.

All MOUs reached with teacher federations and unions can be found at <http://www.edu.gov.on.ca/eng/studentFirst.html>.

### **Sick Leave Regulation**

Questions have been raised about the expiry date of provisions in the collective agreements and the application of the statutory freeze. As you know, O. Reg 1/13, Sick Leave and Sick Leave Gratuities eliminated sick leave gratuities and established new sick leave entitlements. The regulation has been revised to incorporate new provisions set out in the MOUs reached with federations and other unions.

The statutory freeze period occurs when a collective agreement expires. Terms and conditions are preserved as they existed upon expiry, until either a new collective agreement is in place or until an impasse is reached and a “no-board” report is issued.

To ensure clarity, it is the Minister’s intention to seek to amend the regulation to provide that it expires on the later of (i) August 31, 2014, (ii) a new collective agreement being agreed to, and (iii) a “no board” report being issued. It should be noted that amendments to effect this intention have not yet been made. This information is provided in the absence of such amendments.

### **Hiring Practices and Diagnostic Assessment**

The government and education sector recognize the key roles that teachers play in improving student achievement, reducing gaps, and creating greater public confidence in publicly funded education. Building teacher capacity and clarifying the expectations of their role are critical to achieving success.

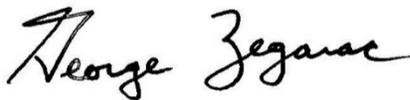
The government is committed to evaluating the impact of O. Reg. 274/12, Hiring Practices, and Policy/Program Memorandum No. 155, Diagnostic Assessment in Support of Student Learning, over the course of the next few months. Ministry leads will be in touch with school boards and federations to discuss these matters in the coming weeks.

### **Teleconference with the Minister and Deputy Minister**

Board chairs and directors of education are being invited to a teleconference with the Minister and Deputy Minister on August 14, 2013, to discuss the progress of local bargaining and the status of appending the 2013 labour MOUs. We’d like to use this opportunity to clarify the next steps to ensure our shared goals for moving forward are achieved; further details regarding timing and the teleconference number will be forthcoming.

School boards will be key partners in building a better future for Ontario students, and we will continue to work with you to ensure that the road to a better future is built together. Your commitment and dedication ensures that our province continues to provide one of the best education systems in the world.

Sincerely,



George Zegarac  
Deputy Minister

Attachments

Appendix A – July 8, 2013, Memo to ICE Working Group

Appendix B – Statement of Attestation

- c: Chairs of School Boards
- Presidents, Trustee Associations
- Executive Directors, Trustee Associations
- Executive Director, CODE
- T. Hadwen, Assistant Deputy Minister
- B. Pervin, Assistant Deputy Minister
- G. Sékaly, Assistant Deputy Minister