

**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 in English Public School Boards  
Chairs of English Public School Boards  
Ontario Public School Boards' Association (OPSBA)  
Council of Ontario Directors of Education (CODE)

**FROM:** George Zegarac  
Deputy Minister

**DATE:** January 11, 2013

**SUBJECT:** **ETFO “day of protest” ruled an illegal strike**

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Further to my memo on January 10, 2013, the Ontario Labour Relations Board (OLRB) has issued a ruling on the “day of protest” threatened by the Elementary Teachers’ Federation of Ontario (ETFO) for January 11, 2013.

The OLRB has ruled in favour of the Minister of Education and the Ontario Public School Boards’ Association by saying that the January 11, 2013 “day of protest” would be an illegal strike. The OLRB rejected the argument by ETFO that the threatened action was a “protest” and not an illegal strike. The OLRB went on to order that ETFO should cease and desist from encouraging their members to participate in an illegal strike. This ruling confirms the government’s position that ETFO’s proposed “day of protest” is an illegal strike.

Please find the decision attached.

I ask that you make every effort to share this information with your affected employees and that they are expected to report to work today in accordance with the Ontario Labour Relations Board’s decision.

In addition, I encourage you to share this information on your website or through your other communications channels to parents and students, along with an updated status of your board’s schools for Friday, January 11. I understand that you will need to take steps to ensure the safety of students in your schools, but in doing so I urge you to please consider keeping elementary and junior schools open today to students so that teachers can report for work and students can attend their classes.

The Minister of Education made a statement early this morning which can be read here:  
<http://www.edu.gov.on.ca/eng/document/nr/13.01/st0111.html>

If you have any questions about the ruling, please keep in touch with us through the Field Services Branch and we will do our best to provide you with answers as quickly as possible.

Sincerely,

A handwritten signature in black ink that reads "George Zegarac". The signature is written in a cursive style with a large initial 'G'.

George Zegarac  
Deputy Minister

Attachment: Ontario Labour Relations Board Decision