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MEMORANDUM TO: Signatories of the PDT Agreements signed May 14, 2008 and May 27, 2008, involving education support workers

FROM: Dominic Giroux
Assistant Deputy Minister
French-Language Education and Educational Operations Division

DATE: October 10, 2008

SUBJECT: **Amended provisions to PDT Agreements involving education support workers as per Letter of Understanding**

Both the May 14th Provincial Discussion Table (PDT) Agreement reached between Unions representing education support workers and trustee associations, and the May 27th PDT Agreement reached between CUPE and trustee associations, include a Letter of Understanding which states:

that the Parties agree that, in the event that a classification of employees covered by this PDT Agreement receives a greater enhancement under a PDT Agreement respecting support workers concluded with other education support workers' unions, the greater enhancement shall be provided to the group of applicable employees covered by this PDT Agreement.

I am hereby confirming that a third – and last - PDT Agreement involving education support workers was reached on September 12th between OSSTF and trustee associations.

In compliance with the above-mentioned Letters of Understanding, we are pleased to provide you with the following amendments to the May 14th and May 27th PDT Agreements.

Application of salary increases

The following provision is added to the May 14th and May 27th PDT Agreements:

Where [a] Bargaining Unit position is red-circled, the equivalent of the annual wage increase that otherwise would have been applied must be used to the benefit of the (...) Bargaining Unit.

Requirement to recall Education Assistants (EA)

The May 14th and May 27th PDT Agreements contain language referring to a \$119M funding enhancement effective in 2011-12, which is to be used to enhance, firstly, the numbers of working days per year for EAs up to 194, and secondly, the number of working hours per day for EAs up to 7 hours,

subject to the board's share of this \$119M enhancement.

Under the September 12th PDT Agreement, boards are required in 2011-12, after offsetting the cost of increasing the number of working days per year to 194, to

Recall in 2011-12 Educational Assistants that, as a result of declining enrolment in the Board, were on a recall list within the Board on or after September 1, 2008, after first offsetting the full annual incremental cost of [providing 194 working days per year], subject to the remaining funds available to the Board under the proposed \$119M enhancement.

Only after offsetting the cost of increasing the number of working days per year for EAs to 194 and recalling EAs in 2011-12 are boards required, under the September 12th PDT Agreement, to increase in 2011-12 the number of hours worked by EAs up to 7 consecutive hours (excluding lunch) per day, subject to the remaining funds available to the Board under the proposed \$119M enhancement.

The recall provision in the September 12th PDT Agreement is likely to be a greater enhancement for some bargaining units representing EAs that were already covered by the May 14th and May 27th PDT Agreements. We draw your attention to the fact that in some boards, the inclusion of the recall provision may reduce the board's ability to increase the number of working hours for EAs. Also, please note the underlined words in the previous paragraph which were not included in the May 14th and May 27th PDT Agreements.

Opportunity to create additional School Office Support Staff positions

The following provision is added to the May 14th and May 27th PDT Agreements :

(If the union represents both Educational Assistants and School Office Support Staff) the Board shall, subject to the remaining funds available to the Board under the \$119M enhancement, starting in 2011-12, after [increasing the number of working days per year for EAs to 194; recalling in 2011-12 EAs who, as a result of declining enrolment in the Board, were on a recall list within the Board on or after September 1, 2008; increasing the number of hours by EAs up to 7 hours], use up to \$5 per ADE in 2011-12:

- (i) To offset staff reductions in the union's School Office Staff that may have occurred since 2008-09 or may have occurred otherwise in 2011-12;*
- (ii) Hire in 2011-12 additional bargaining unit, Board-employed School Office Support Staff.*

This provision in the September 12th PDT Agreement is a greater enhancement for bargaining units representing School Office Support Staff that were already covered by the May 14th and May 27th PDT Agreements. We draw your attention that this provision applies to bargaining units representing School Office Support Staff only if the same Union represents EAs within the board.

Monitoring of 2009-10 staffing enhancements for Custodial/Maintenance/Skilled Trades/Building Security Staff, Professional and Para-Professional Support Staff and School Office and Board Administrative Support Staff

The September 12th PDT Agreement contains the following provisions, which may clarify the implementation of PDT Agreements related to education support workers. They do not necessarily

constitute greater enhancements :

Appendix H of a Board's 2007-08 Revised Estimates shall be used as the base to apply the 2009-10 staffing enhancements, taking into account declining enrolment in 2008-09 if any. Parties will further validate this information with what the Board plans to submit in December 2008 as Appendix H in its 2008-09 Revised Estimates, including the special staffing sheet and EFIS simulation forms (made available to Boards by the Ministry of Education's Transfer Payments and Financial Reporting Branch) which will reconcile with Appendix H.

Collective Agreements will outline, for job categories impacted locally by the [three staffing enhancements effective in 2009-10] :

- a) The impact of [these enhancements] on 2009-10 staffing allocations;*
- b) The projected impact of [these enhancements] on 2010-11 and 2011-12 staffing allocations taking into account the Board's multi-year enrolment projections. Any provision in the Collective Agreement resulting from [this paragraph] shall expire on August 30, 2012.*

Once again, we thank you for your commitment to labour peace and progress in Ontario's publicly-funded schools. If you have any questions, please contact Margot Trevelyan at 416-325-2836 or margot.trevelyan@ontario.ca

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