



CUPE
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MEMBERS' BULLETIN

April 6, 2020

CUPE EDUCATION WORKERS DURING THE COVID-19 PANDEMIC

During this crisis, OSBCU's and CUPE's main goal is to keep education workers employed and ready to make their contribution to Ontarians who need public services.

We've been looking for the best ways to protect our members, their jobs, and the public who need us to deliver their services.

We believe the groups below, led by OSBCU representatives and working with the Ministry of Education, represent our best chance of education workers staying relevant and on the job throughout the school closures.

Local presidents are encouraged to contact the OSBCU reps below to share and receive ideas and information:

- Custodial/Caretaker (Mike Galipeau, Alex Groulx)
- Learning Resources (Dave Geroux, Nora Shaughnessy)
- Instructional Support (Liz Harrison, Keith Levere)
- Redeployment Committee (Jennifer Eckert, Liz James)

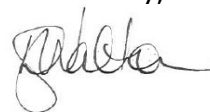
Dear CUPE education workers:

Well before the Education Minister extended Ontario's school closures until May, CUPE and OSBCU were actively looking for ways to keep our members involved in the government's efforts to maintain continuity of learning. We want to avoid layoffs, contracting out and keep our members working to provide the services that Ontarians need.

For these reasons, OSBCU was the prime mover behind the conference calls that now take place two to three times a week with Ministry of Education officials. At our urging, the Ministry issued Memo SB02, which gives clear direction on members' continued employment and payment. And we got three working groups established (see box, left) to find ways that education workers' key functions and skills can be put to use in the new reality of the COVID-19 pandemic.

The Ministry of Education has signalled to us that members can't expect that they will keep being paid without doing work. And we were all shaken by the layoff of 14,000 education workers in Alberta; we don't want it to happen here. In the weeks and months to come, we will make sure that CUPE education workers are seen and known to be collaborative, flexible and willing go above and beyond to support their communities in these extraordinary times.

In solidarity,



Laura Walton, OSBCU President

Hot topics

The following information was shared with local presidents and will be of interest to all school board members:

- **Benefits:** At time of writing, the funding for benefits has not changed, so we can expect that benefits will continue until the end of the benefit year, August 31. There is no basis for the employer to change the funding at this time, so we have every reason to believe that members' benefits will continue through the end of the summer.

Local executives should reach out to their board's HR and wellness officers to see what Employee Assistance Programme (EAP) is in place and whether it extends to laid-off members.

- **Redeployment:** The Ministry of Education has raised the concerns that other sectors are experiencing a shortage in staffing while most CUPE education workers are being paid to stay home. We have seen redeployment already happen as workforces are realigned in response to the crisis. It has happened in municipalities in Ontario and to education workers in BC.

To address workers' concerns and evaluate the concept fully, OSBCU has established an internal ad hoc Redeployment Committee headed by Jennifer Eckert and Liz James. They are currently contacting local presidents for information.

- **Legal considerations of redeployment:** In order to require a redeployment of our members to workplaces in other sectors – for example, hospitals – the provincial government would have to pass regulations that would suspend collective agreement terms. We have not heard that this is their direction. However, the situation across the country changes every day and members should be aware that this remains a possibility. If the government does pass such regulations, we will provide that to you together with an explanation of what it means as soon as possible.
- **Working groups:** The Ministry had already established a working group with teachers' unions, so CUPE proposed similar working groups for education workers. We are now working with OSSTF, ETFO, OCEW and EWAO in the following COVID-19 Response Working Groups
 - Custodial/Caretaker, covering custodial, caretaker, maintenance and trades work; Mike Galipeau and Alex Groulx are the OSBCU-CUPE reps

- Learning Resources, covering IT, clerical and library work; Dave Geroux and Nora Shaughnessy are the OSBCU-CUPE reps
- Instructional Support, focusing on EA, DECE, instructor, CYW, mental health supports and social worker work; Liz Harrison and Keith Levere are the OSBCU-CUPE reps

Although these the groups do not encompass all our job classifications, the group representatives will work closely with OSBCU classification reference groups and local presidents will help to determine what is needed and what is possible.

- **Accommodation:** While we will always maintain that our members need to be accommodated, in light of the current crisis we could find ourselves in a situation where that is not possible because finding accommodated work could prove to be impossible in some instances. If there a member who requires accommodation and their employer isn't cooperating, locals should consult with their CUPE National Staff Representative and together it can be determined whether something can be done. Every accommodation case is based on individual facts and circumstances so it will require an individual assessment.
- **Health and Safety:** CUPE National has been working diligently on providing updated information about health and safety regarding the current crisis and there is a lot of good information available on www.cupe.ca. Obviously, some sectors pose a greater risk to workers than others. If school board staff are redeployed to any of those sectors, their risk of exposure will increase. Even if school board members are not redeployed, there are still risks of exposure for members who are expected to go into the workplace. **Those members should be provided with proper PPE.** We would also want to ensure that the employer has a plan in place to address any health and safety concerns.
- **LOU:** We attempted to negotiate a LOU with the CTA and Crown that would guarantee that all permanent staff get paid throughout the shut down for however long it goes. Unfortunately, there was no interest on the part of the CTA or the Crown to agree to such a LOU. We were told that the situation is too fluid and that they cannot provide us with any guarantees in writing that CUPE members will continue to be paid throughout the school closure.
- **Bargaining:** While this is not the ideal time to continue bargaining and it would have to be done via video or conference call, it can be done. Where possible, local bargaining should continue for those locals that do not yet reached a collective agreement. At least one school board in the GTA suggested that the Council of Trustees' Association (CTA) had advised it to suspend local bargaining. But CUPE

went directly to the CTA and was told that none of the trustee associations have given that direction to the boards.

- **Arbitration and grievances:** Some arbitrations can continue, although we are seeing push back from employer counsel, particularly where the cases are at the stage of witness examinations. It will largely fall to the arbitrators to decide whether to proceed via video conferencing and I understand that some of them are pushing quite hard to continue. Similarly, locals are encouraged to ensure they adhere to the time limits in their collective agreements around grievances and hold grievance meetings via teleconference where possible.
- **Use of school board buildings:** The Ministry of Education has suggested that there may be a need for our services and spaces by other sectors – for health care, childcare and community groups to use our spaces. As CUPE members, we support this use of public buildings to meet communities' needs. But OSBCU and the Ministry are clear that, even if our workplaces are being repurposed, any cleaning should be done by CUPE education workers. This may mean additional training and additional staffing and proper PPE and cleaning products must be available. If we don't step up to take on these extraordinary demands, we run the risk of our work being contracted out to private providers who will come into our spaces to perform our work. We must collectively push back against this possibility.
- **Income supports:** There's lots of helpful information on CUPE National's website, including information about EI and the Canada Emergency Response Benefit (CERB). It is updated regularly, so visit cupe.ca/income-supports-workers-during-coronavirus-pandemic and cupe.ca/canada-emergency-response-benefit-qa to learn more.

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