

CUPE EDUCATION WORKERS

MAKING SCHOOLS WORK



September 14, 2015

OSBCC Questions and Answers

WORK TO RULE (GENERAL)

Should I be training my coworkers to do our job?

We are to follow our contract, which means do the “normal” job duties for your classification. So unless training of coworkers is part of the normal job duties it would be viewed as struck work at this time. Additionally, given that it is likely that the employer provides this training...we are not doing the work of other union members which may include unionized staff who normally would provide training. Review your Job evaluation for the classification in question to help determine whether or not training is a “normal” part of the job duties.

Can members work overtime?

Yes, under the phase 1 we are asking that members get any overtime in the form of money and not in the form of lieu time.

Can an employee be disciplined if they refuse to perform a task?

If you are disciplined while participating in Work to Rule activities contact your Local Union immediately.

Can the Employer change the terms and conditions of the Collective Agreement now that we are in a legal strike position?

This Work to Rule is a legal strike. It is in respect of Central Bargaining under the School Board Collective Bargaining Act. Employers **cannot** change working conditions without permission from the government. Members should advise their Union immediately if there is any change in working conditions.

Can we post the Work to Rule Instructions on our Local Web page and bulletin boards?

Yes



How does my local apply for WSIB optional insurance?

Visit the WSIB website for forms and instructions.

<http://www.wsib.on.ca/cs/groups/public/documents/staticfile/c2li/mdey/~edisp/wsib012465.pdf>

CLASSIFICATIONS SPECIFIC QUESTIONS

CUSTODIAL/MAINTENANCE

What about the water testing in the schools?

Due to “child safety” we are not asking members to stop the water testing. Anything that would appear to be action that places kids at risk is not job action we want to do.

Am I able to wear a coloured t-shirt in support of my bargaining committee on bargaining days even though I am to wear a uniform?

Yes, you could also wear the colour t-shirt under your uniform shirt.

CLERICAL

Do Secretaries still buzz in people, do photocopying for teachers, and make announcements?

If the Secretary would normally be responsible for buzzing in people during their normal work hours, then yes. Most school boards have specific policies and procedures in place with regard to school and student safety –these need to be adhered to, as the safety of students is paramount (as well as our own members in the case of someone getting buzzed in that should not be).

If photocopying for teachers is part of their normal work requirements then yes. Same with Announcements. If making announcements is a duty that has been assumed by the Secretarial staff, in phase 1 it would be considered above their normal job duties.

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Can Secretaries say they are not doing month end reports?

We are in a legal central strike position as of September 10th and locals have been asked to follow the phase 1 work to rule plan. If the strike action progresses this may be an item that is added, the Central bargaining committee will advise.

Should Clerical be giving out medication to students?

If this is a normal job duty then yes, we have to weigh the risk of not performing the task. Taking any action that could be perceived as putting a child a risk may undermine the goals of the job action we are trying to reach.

EDUCATIONAL ASSISTANTS

Can EA's refuse to complete behavior documents throughout the day?

As of September 10th, we have asked all classifications to do only their job, nothing extra. So it would depend if this is in fact a job duty or an extra that staff do.

Should EA's be giving out medication to students?

If this is a normal job duty then yes, we have to weigh the risk of not performing the task. Taking any action that could be perceived as putting a child a risk may undermine the goals of the job action we are trying to reach.

EARLY CHILDHOOD EDUCATORS

LIBRARY WORKERS

INFORMATION TECHNOLOGY

PARAPROFESSIONALS

INSTRUCTORS



OFF THE JOB - STRIKE ACTION QUESTIONS

Am I able to picket at any school board and with any CUPE Local?

All strike duty needs to be with your own CUPE local and in accordance with your local's strike duty plan including locations.

If someone is on WSIB and is working modified duties and getting top up who pays in a strike?

WSIB has a specific policy on work disruptions. The member would likely continue to receive their partial loss of earnings and may in fact be eligible for full loss of earnings. See WSIB Police 15-06-02. The worker may also need to speak to their WSIB case manager about the specifics of their medical condition and restrictions.

If a member says they require an accommodation for religious purposes and as such can't picket do we find other duties or they can abstain from strike action and still get credit?

Under Article 6 of CUPE's Strike Regulation "Eligible for Strike Benefits" 6.1 (d) a member need to participate in the strike by performing assigned strike duties for at least 20 hours per calendar week. The local should be able to find accommodated "strike duties" which support the strike action of the local. Such duties may be some of the duties listed in the strike blueprint or other assigned duties that the local has a need for during strike action.

How much strike pay do I receive?

7.2 of CUPE's Strike Regulations stipulate "strike pay shall be \$60.00 per day, to a maximum of \$300.00 for at least 20 hours of picketing or other assigned duties per calendar week

How many hours do I have to picket each week?

In order to receive the maximum \$300/week you would need to complete at least 20 hours of strike duty, the maximum amount per day is \$60 so the member would need to complete 4 hours per day/ 5 days per week.

What if I am on Short Term Sick Leave?

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National Staff have been asked to confirm with employers their intentions regarding continuation of payment for members currently on short term sick leave or those who will be on short term at the start of any off the job action.

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What if I am working in a long term casual position?

6.1 (a) of CUPE's Strike Regulations states the following "...a rand formula payee who makes regular contributions to the strike fund is considered to be a member in good standing;" and therefore members working in Long term casual positions would be eligible to receive strike pay so long as they apply for strike pay and perform assigned strike duties.

Does the CUPE National Strike Fund or the Employer make my OMERS contributions during a Strike or Lockout?

No, however most return to work protocols include provisions for pension buy back.