

# CUPE EDUCATION WORKERS MAKING SCHOOLS WORK



## 2015 OSBCC Conference Report

### Words from the Chair

This year has been a busy one for the OSBCC, and I would like to thank our committee members and alternates for their work. Locals across the province have risen to the challenge of raising the profile of our work in our communities, and of encouraging our members to organize and vote in provincial, municipal and in school board trustee – elections.

Members of 110 of our bargaining units voted to bargain together under the Ontario School Boards Collective Bargaining Act. We are mobilizing together in a way never seen before. And do we ever need to mobilize.

The provincial government says 600 Ontario schools are operating at less than half their capacity. Yet it does not count childcare centres, adult learners, or community-leased space when determining whether a school is full. They also introduced a new “accommodation review” process to fast track school closures. We know that kids don’t benefit from spending hours on a bus to go to a “big” school outside their community. We know that communities without schools can’t attract young families to live there.

An austerity agenda that further reduces funding for school boards is going to be a community killer and a job killer. We need to join with parents, teachers, trustees and other allies to call for a full review of the funding formula.

We need to fight hard against contracting out and violence in the workplace.

As education workers, we need to fight to preserve the services we provide. We need to ensure the next generation of education workers will benefit from solid collective agreements that protect and respect the work we do.

*Terri Preston, Chair, central bargaining committee and OSBCC*



Tuesday, February 3<sup>rd</sup>

### Opening Plenary

Sister Terri Preston welcomed delegates to the conference and Elder Thomas Louttit of the Cree first nation brought greetings. Elder Louttit was followed by local area reps Eric Theriault and Sue Hanson, and by Sean McKenny of the Ottawa Labour Council.

After thanking Ontario Division president Fred Hahn and secretary-treasurer Candace Rennick, as well as the staff assigned to the sector, Sister Preston introduced a video greeting from Brother Paul Moist, CUPE National President, who was attending the National Human Rights Conference in Winnipeg. Brother Moist lauded delegates’ mobilization efforts and reiterated his support for the Ontario school board sector, CUPE’s largest bargaining table in the country.

Brother Patrick Hannon, Diversity VP for CUPE Ontario, also brought greetings, including on behalf of Sisters Joanne Webb and Verilyn Howe, Ontario’s other two Diversity VPs. He expressed gratitude for the hard

work CUPE education workers committed to changing the Education Act to add an amendment on bullying and gay-straight alliances. He urged delegates to continue advocating for human rights.

Brother Hahn then addressed delegates, praising the OSBCC for its hard work. Brother Hahn spoke about Bill 115 and its repeal, and the introduction of the new legislation that governs bargaining in our sector, Bill 122. He lauded the defeat of Tim Hudak, praising CUPE members for mobilizing in that election, and he urged members to keep fighting the austerity agenda at Queen's Park. He urged us to continue mobilizing, and spoke of the need to work on the coming federal election.

The keynote speaker for the opening plenary was Jim Iker, president of the BC Teachers' Federation. Brother Iker, who represents 41,000 teachers in BC, spoke of the critical solidarity from CUPE education workers when BC teachers were on strike in 2014. He spoke of the various tactics deployed in the BC strike, including rotating strikes, mobilizing alongside parents, working with labour

councils and the CLC, lobbying trustees, and working hard to gain public support. Sister Preston thanked him for his address, and presented him with a cheque from Ontario education workers to help rebuild the BC teachers' strike fund.



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Wednesday, February 4<sup>th</sup>

## Bargaining Updates

Delegates were introduced to members of the central bargaining committee: Terri Preston, Jim Morrison, Rod McGee, Sue Hanson, Laura Walton, Vern Andrus, Bonnie Dineen, Sylvain Piche, Chris Wilson, John Tompa, Anthony Cutrone, Heather Skolly, Monique Drapeau, Paul O'Donnell, Linda Newman and Andrea Addario.

Brother Jim Morrison, staff coordinator for OSBCC and Sister Preston walked delegates through an explanation of the timeline and process for bargaining under the new legislation, Bill 122, governing both local and central negotiating tables.

### **OSBCC Central and Local Bargaining Process Timeline**

Please note when referring to the " Act ", it will mean the School Board Collective Bargaining Act (Bill 122 ), unless specifically identified as the Labour Relations Act, 1995.

Member survey's received from local's on Central Bargaining issues.



Conference for election of Area Representatives, Alternates and Bargaining Committee as well as approval of Central proposals. (Note: Depending on timelines Area Reps and Alternates may have been elected in the previous year.)



Locals vote to participate in the Central Bargaining Process. The government must provide a Central Table for CUPE (OSBCC) if 2/3 of CUPE's bargaining units representing 2/3 of the total membership of CUPE School Board members in Ontario (Approximately 55,000) Section 20 of the Act



Once CUPE receives a mandate to proceed to Central Bargaining, the Minister of Education shall issue a Regulation under the Act, designating CUPE as the Bargaining Agent for a specified round of bargaining. Section 21 of the Act determines the Employer Bargaining Agency, the Council of Trustee Associations (CTA) comprised of the four School Board Associations.



Notice to bargain Centrally shall be given to the Crown and the CTA under Section 59 of the Labour Relations Act, and following that the Parties to the Central Table and the Crown shall meet within 15 days or within such further time as agreed upon under Section 28 of the Act.



Parties to the Central Table and the Crown meet to discuss the Ground Rules for the Central Bargaining process. Following the completion of the Ground Rules, the Parties and the Crown proceed in discussions to determine the scope of Central Bargaining at the Central Table. Section 28 of the Act.



If the parties to the Central Table and the Crown do not agree upon items to be included within the scope of Central Bargaining, either party or the Crown may apply to the Ontario Labour Relations Board to decide the issue. Section 28 of the Act.



The Parties to Central Bargaining and the Crown shall meet within 15 days after the scope of Central Bargaining has been determined or within such further period as agreed upon. Section 28 of the Act.



The Parties to Local Bargaining shall meet within 15 days after the scope of Central Bargaining has been determined or within such further period as agreed upon. Section 28 of the Act.



The right to strike is maintained for both Central and Local tables under procedures outlined in the Labour Relations Act, however under the School Boards Collective Bargaining Act either the Employer or the Union must give 5 days' notice of strike or lockout. Section 34 of the Act.



Ratification of the Central agreement and Local agreement must take place. Section 39 of the Act.

Sister Terri Preston elaborated on the procedures for determining what items are to be bargained at the central table and what items are to be bargained at the local table, highlighting areas where there appears to be conflict with the management team. Sister Preston emphasized the importance of maintaining integrity at local bargaining tables, and committed to using the disputes resolution process available to push as hard as possible to make sure our agenda items are at the right tables and that they get the attention required. Sister Preston and Brother Morrison took questions from the floor.

## Fighting Concessions: A Case Study

Brother John Camilleri and Sister Christine Shannon from Local 1 (Toronto Hydro) delivered a great presentation outlining their experience with a recent round of bargaining, where they were able to not only fight back concessions, but come away with a four-year deal their members approved, including a 7% wage increase. Key lessons: talk to members through the bargaining process, mobilize at the local level, show the members what the employer is offering, and maximize public support.



## Bargaining Support Strategy

Sister Preston reviewed the first phase of bargaining support activities to this point, highlighting the work of many locals to raise their profiles in their communities, and the mobilization conference held in Cornwall in August. She then walked delegates through the second phase of the bargaining support plan:

- By end of February if possible, all areas to have held strike prep training
- Continuing to build our profile in the community

- Continued connection building with labour allies, teacher groups, other CUPE locals, and labour councils
- Continuing to work with parents and parent councils
- Updating locals regularly through town hall format
- Written updates to locals on bargaining to assist in member engagement
- Fighting school closures
- Pressing for a serious review of the funding formula
- Strike votes by the end of March

There was a period of discussion about Phase 2 of the bargaining support strategy.

For the remainder of Wednesday, February 4<sup>th</sup>, area meetings were held, and alternates for Health and Safety and Injured Workers held election forums.



## Thursday, February 5<sup>th</sup>

Classification meetings were held through 3:30 p.m. on Thursday.

## Elections

In the afternoon, Brother Jim Morrison led delegates through the procedures for electing alternates for Health and Safety and for Injured Workers.

Nominations were opened for the Health and Safety alternate. Michele Lalonde-Davey (Local 1238), John Moning (Local 3396), Jose Duarte (Local 1328), and Dan Mills (Local 218) all agreed to stand. After three ballots, Brother Duarte was elected. Congratulations!

Nominations were opened for the Injured Workers alternate. Nora Shaughnessy (Local 1453) and John Scheulderman (Local 1480) agreed to stand. Sister Shaughnessy was elected. Congratulations!



## Reports

Brother David Chezzi delivered the Injured Workers' Report on behalf of Brother Darrell Day. (This report was distributed in the conference book at Tab 7). Brother Don Postar, Health and Safety Rep, delivered his report to the floor (also distributed in the conference book at Tab 7).

Brother Chezzi took questions regarding WSIB, including a question on why WSIB courses have not been offered in French. Brother Chezzi explained that the material is produced elsewhere and it has not been produced in French. Sister Preston called for a motion to ask CUPE National to translate those materials.

Brother Postar also reminded the floor that violence in the schools remains a serious issue, and he urged delegates to track incidents with WSIB, and to keep filling out violent incident reports.

The meeting adjourned at 5:10 p.m., and in the evening, we screened a powerful documentary called BULLY.



### Friday, February 6<sup>th</sup>

Delegates attended workshops all morning.

In the afternoon, Sister Preston convened the meeting and thanked all staff who facilitated workshops in the morning, and offered special thanks to Associate Coordinator Monique Drapeau, who will be retiring later in the year. Delegates offered Sister Drapeau a standing ovation for her hard work on behalf of school board workers.

Brother Morrison swore in Jose Duarte, Nora Shaughnessy, and Raymond Giroux, who was sworn in as the alternate rep for Area 17.

## Provincial Benefits Plan Presentation

Adam Schooler and Roy Rastrick from Canadian Benefits gave a slide presentation that was sent to local presidents, followed by a question and answer period.

## Common Questions regarding job actions and strikes

Brother Devon Paul, legal counsel to CUPE, gave a presentation on strikes and lockouts. There was a discussion period that followed, and Brother Paul answered members' questions about various strike/lockout scenarios.

## Financial Report

Sister Patti Chapman presented a financial report for the OSBCC levy.

## Business Section: Motions

### Funding of Central Bargaining and Bargaining Support

**Moved by:** Keith Levere (L. 4156)

**Seconded by:** Moira Bell (L. 4186)

**CARRIED**

I move we continue the levy of \$4.00 per member for affiliated locals payable over two years.

2015 = \$2.00 per member

2016 = \$2.00 per member

And \$5.00 per member for non-affiliated locals payable over two years.

2015 = \$2.50 per member

2016 = \$2.50 per member

Funds will be held in the OSBCC levy account and used for the purpose of funding meetings of the bargaining committee and the bargaining support committee.

### Bargaining Support Strategy Stage 2

**Moved by:** Jenn Eckert (L. 7575)

**Seconded by:** Colin MacDougall (L. 1165)

**CARRIED**

I move we endorse and actively support the Stage 2 bargaining support strategy, recommended by the

OSBCC committee as outlined below:

We will continue:

- To build the profile of our work in our community;
- To build connections with labour allies, teachers, other CUPE locals and labour councils;
- To work with parents and parent councils;
- To continue to update locals through Town Halls (Locals to determine who is on the call);
- To continue to provide locals written updates to assist in member engagement.

We will work within our communities to fight school closures.

We will press for a serious funding formula review.

We will seek a strong strike mandate from all of our bargaining units by March break.

**Friendly amendment: Moved by:** Archie Walker (L. 4153) and **Seconded by:** Peter Lucca (L. 1571). **THAT** we seek a strong strike mandate from all of our bargaining units by **March 31**. **CARRIED**

### Ratification

**Moved by:** Rod McGee (L. 2486)  
**Seconded by:** Sylvain Piche (L. 4340)  
**CARRIED**

"Whereas ratification of a central agreement under the *SBCBA* requires majority acceptance across persons represented by all participating units of locals;

And whereas it is necessary to ensure that an effective ratification procedure compliant with the *SBCBA* is established;

Therefore let it be resolved that the OSBCC is to explore central ratification procedures that are in compliance with the *SBCBA* which may include a simple majority of the votes cast across the province, a double majority process where 50% + 1 of the total ballots cast must represent 50% +1 of the participating Locals," or other possible procedures.

Therefore be it resolved the OSBCC bring back a recommended ratification procedure, to the leadership of the sector for adoption.

**Friendly amendment: Moved by:** Sue Hanson (L. 5678) and **Seconded by:** Peter Lucca (L. 1571). **To change** "Locals" to "Bargaining Units". **CARRIED**

### Area 17

**Moved by:** Raymond Giroux (L. 4155)  
**Seconded by:** Eric Theriault (L. 5335)  
**CARRIED**

In order to facilitate the understanding of the rules of the WSIB and effectively represent our members, we ask that the courses and course materials for WSIB training be available and offered in French.

**Friendly amendment: Moved by:** Peter Lucca (L. 1571) and **Seconded by:** Stephen Dignard (L. 1571). **Change to** "offered in both official languages, English and French". **CARRIED**

### Area 5 & 6

#### **WITHDRAWN**

As members of areas 5 & 6 we move that the OSBCC adopt one coordinated campaign with the slogans "Making Schools Work" and "CUPE Education Workers" funded with the monies allocated to the OSBCC, to support a province-wide media campaign. An ad hoc committee will be established by the OSBCC with representation from each area to oversee the campaign.

**Submitted by ECEs from Locals 5678; 1358; 4222; 1453; 2357; 4154; 5200 and 1480**

**Moved by:** Rose Day (L. 4222)  
**Seconded by:** Suzy Viana-Azevedo (L. 5200)  
**CARRIED**

That the OSBCC mandate the Ontario Ministry of Training Colleges and Universities to ensure that all ECE candidates participating in classroom field placement be supervise and evaluated by Registered Early Childhood Educators.

#### **Office Clerical #1**

**Moved by:** Moira Bell (L. 4186)  
**Seconded by:** Elena Di Nardo (L. 2331)  
**CARRIED**

The OSBCC will submit this letter and attachment on behalf of the office, clerical educational workers in Ontario to Liz Sandals, Minister of Education, regarding the school security monitor system.

#### **Maintenance and Trades #1 Wages and Benefits**

**Moved by:** Dan Meyerink (L. 4168)  
**Seconded by:** Vern Andruss (L. 5555)  
**CARRIED**

1. Attempt to secure wage increases above or equal to the inflation rate and at least equal to increases by non union workers.
2. Negotiate a common benefit package for all CUPE School Board workers with no concessions.

3. Negotiate liability insurance for all CUPE School Board workers.
4. Negotiate wage adjustments within classifications to achieve parity without loss for any member.
5. Pay increases for those that must have and use multi-trade certificates such as the following language:

Allowance for Certificates:

Employees in the Tradesperson classifications who possess government certificates will receive an allowance while performing duties recognized by the Trade Certificate. An additional allowance will be paid for additional certificates where required by law or by the Employer in order for the work to be performed.

Such allowance will be \$1.00 per hour per certificate effective Sept. 1/14 with incremental increases as per the Central Agreement.

### **IT Technicians – PD/Training**

**Moved by:** Dave Geroux (L. 4168)

**Seconded by:** Lisa Wokral (L. 997)

### **CARRIED**

The OSBCC Bargaining Committee, when bargaining Professional Development language, will attempt to: Secure funding to allow Employers to provide *relevant* and *meaningful* Training to IT Staff.

### **Custodial/Maintenance #1**

**Moved by:** Glen Amiro (L. 4400)

**Seconded by:** Jim Proulx (L. 4400)

### **Ruled out of order.**

Chair was challenged.

Chair's decision was upheld.

Motion to strictly limit the OSBCC negotiating committee to negotiate centrally only the approved items for central bargaining from the 2014 OSBCC conference (Section 9 of 2015 OSBCC book).

Should the OLRB rule that local items are part of central bargaining the OSBCC will seek approval from all member locals to proceed.

### **Instructors #1**

**Moved by:** David Spek (L. 4400)

**Seconded by:** Sylvester Domanski (L. 1328)

### **CARRIED**

Whereas, the Premier of Ontario supports community use of schools, be it resolved that the OSBCC/CUPE Ontario lobby for immediate changes to the Province's standards by which the utilization rate in schools is determined, such that the utilization rate include all educational programs offered by each school board and all permit based programs at every school.

### **Educational Assistants #1**

**Moved by:** Janette Sanders (L. 5200)

**Seconded by:** Jenn Eckert (L. 7575)

### **DEFEATED**

That OSBCC lobby CUPE (Ontario Division) to sponsor a one-day EA caucus prior to the OSBCC conference.

### **Office/Clerical #2**

**Moved by:** Elena Di Nardo (L. 2331)

**Seconded by:** Moira Bell (L. 4186)

### **Carried**

The implementation of the safe welcoming schools program that was mandated by the ministry be revisited by the OSBCC with a demand for additional funding for additional staff and job evaluation at all school board sites.

### **Maintenance & Trades #2 – Contracting In/Out**

**Moved by:** Vern Andrus (L. 5555)

**Seconded by:** Dan Meyerink (L. 4168)

### **CARRIED**

1. The Government will lessen and limit the percentage of funding used for contracting out of services and Increase CUPE unionized staffing levels through those savings.
2. All Boards will offer work as overtime before contracting out of services.
3. CUPE School Board workers will have right of first refusal before contracting out of any services.
4. School Boards must give full transparency of costs of any contracted out services to the Local Union.
5. Where contracting out of services is necessary all work will be performed by qualified and certified unionized workers.
6. All work done under school and parent council budgets must be performed first by CUPE School Board workers and where this is not possible by qualified and certified unionized workers.

7. Management of School Boards where contracting out is taking place must held liable for the quality and standard of work and rules as established in Legislation and Regulations.
8. That a dedicated and protected amount of funding be established at each school board by the government to protect and increase wages for Trades members over and above regular increases.

### **IT Technicians #2 – Workload/Replacement**

**Moved by:** Dave Geroux (L. 4168)  
**Seconded by:** Lisa Wokral (L. 997)  
**CARRIED**

The OSBCC Bargaining Committee, when bargaining workload/replacement staff language, will consider that only **qualified** staff will be used for replacement so that there is no need to contract out to fill an absence, ensure that boards employ adequate IT staffing levels to account for vacation / illness / leaves / etc.

### **Instructors Motion #2**

**Moved by:** Carol Gottlob (L. 4605)  
**Seconded by:** Bill Hanna (L. 4400)  
**CARRIED**

That CUPE National advocate with the funder(s) to ensure sufficient funds are made available to appropriately and adequately compensate LINC/ESL instructors for the increased workload due to PBLA, including but not limited to: planning, marking, filing assessment reports, & holding student conferences.

### **Educational Assistants #2**

**Moved by:** Tyson Egert (L. 5555)  
**Seconded by:** John Moning (L. 3396)  
**CARRIED**

Dedicate resources and personnel to improve and strengthen communications to families and the public by use of social media and written material which describe our work and our roles in advance of any job action and include the potential for job action.

### **Office/Clerical Motion #3**

**Moved by:** Keith Levere (L. 4156)  
**Seconded by:** Moira Bell (L. 4186)  
**CARRIED**

That all office/clerical wages, hours of work and secretarial allocation be standardized across the province, with parity being achieved at the highest level.

### **Maintenance & Trades #3 Maintenance & Trades – Certificate Fees (Co-ordinated Bargaining)**

**Moved by:** Dan Meyerink (L. 4168)  
**Seconded by:** Vern Andrus (L. 5555)  
**CARRIED**

All Maintenance and Trades who require a Certificate to perform their duties will have all Fees paid by the Employer.

### **IT Technicians #3 – Workload/Staffing Formula**

**Moved by:** Dave Geroux (L. 4168)  
**Seconded by:** Lisa Wokral (L. 997)  
**CARRIED**

Secure funding for staffing enhancements through central bargaining.

### **Educational Assistants #3**

**Moved by:** Linda Trimble (L. 4400)  
**Seconded by:** Cynthia Lee (L. 2357)  
**CARRIED**

That the OSBCC lobby the Ontario Division to create a Wellness Focus Group to educate the community and our members about the impact of mental wellness issues affecting our members in the workforce.

### **Office/Clerical #4**

**Moved by:** Elena Di Nardo (L. 2331)  
**Seconded by:** Keith Levere (L. 4156)  
**CARRIED**

That money be allocated for Professional Development for office/clerical workers (individual courses to be included).

### **Maintenance & Trades #4 – Apprenticeship Funds**

**Moved by:** Vern Andrus (L. 5555)  
**Seconded by:** Dan Meyerink (L. 4168)  
**CARRIED**

The government establish a dedicated envelope of funds to create apprenticeship programs within CUPE Trades at school boards.

### **IT Technicians #4 – Contracting Out/In**

**Moved by:** Dave Geroux (L. 4168)  
**Seconded by:** Lisa Wokral (L. 997)  
**CARRIED**



The OSBCC will:

- i. develop resources / tools / speaking notes to assist locals in having contracting in/out conversations with Boards
- ii. develop tools to help locals make a business case for keeping work in house.

**Friendly amendment: Moved by:** Terri Preston (L. 4400) and **seconded by:** Vern Andrus (L. 5555). **ADD:** “along with CUPE National” and “all” in front of “locals”. **CARRIED**

#### **Educational Assistants #4**

**Refer it back.**

Recognizing the important role we play in the education system, any further reference to our membership will be as “Partners in Education”.

#### **IT Technicians #5 – Use of Personal Vehicles**

**Moved by:** Dave Geroux (L. 4168)  
**Seconded by:** Lisa Wokral (L. 997)  
**CARRIED**

The OSBCC will:

- i. research the industry standard, determine what works well, and develop co-ordinated language for Locals
- ii. have their researcher look into the implications of members using their personal vehicle for business and/or courier use (such as Tax Implications, Insurance Costs and Legal Repercussions)
- iii. Secure funding to compensate IT Staff for the additional cost of maintaining Business and/or Courier insurance on their personal vehicle.

**Friendly amendment: moved by:** Lisa Wokral (L. 997) and **seconded by:** Peter Lucca (L. 1571). **To add** “in conjunction with National”. **CARRIED**

**Friendly amendment: moved by:** Colin MacDougall and **seconded by:** Tracey Newman (L. 5200). **Change** “IT” to “all staff”. **CARRIED**

#### **Educational Assistants #5**

**Moved by:** Brian Kershaw (L. 4168)  
**Seconded by:** John David Robb (L. 2357)  
**CARRIED**

OSBCC will develop and provide an article/pamphlet to be given to all members after a strike vote, explaining how to deal with a strike-what to do, what to expect.

**Friendly amendment: Moved by:** Tracey Newman (L. 5200) and **seconded by:** Heather Skolly (L. 7575). **To add:** OSBCC will lobby National to help. **CARRIED**

Friday’s meeting was adjourned at 5:30 p.m.

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#### **Saturday, February 7<sup>th</sup>**

Sister Candace Rennick sent greetings by video. Sister Rennick was unable to attend in person because she was anticipating the imminent birth of her child. She emphasized the need to mobilize members, thanked Sister Preston and the bargaining committee, and reiterated CUPE’s full support for school board workers.

Sister Terri Preston introduced a slide presentation outlining changes to the Ontario Division executive board structure that will be debated at the OD convention in May. She noted that from our sector, she, Vern Andrus, and Chris Wilson were all part of the committee that made recommendations on structural changes.



### **Resumption of Business: Motions**

#### **Educational Assistants #6**

**Moved by:** Heather Skolly (L. 7575)  
**Seconded by:** Helena McConkey (L. 7575)  
**CARRIED**

As a job action, the OSBCC Plan one day Area Designated School Board rotating strikes and increasing by areas each day as required, increasing in areas until all areas are out.

## **Educational Assistants #4**

### **Withdrawn**

Recognizing the important role we play in the education system, any further reference to our membership will be as "Partners in Education".

### **Conference Adjournment**

Sister Preston thanked Area 5 for hosting the conference. Sister Sue Hanson made a presentation to Jessica from Kids' Help Line of \$786.00.

Brother Jim Morrison closed the conference by reminding delegates that they must send a message to government, through our strike votes and upcoming mobilization, that we are 55, 000 members standing strong together.

Conference adjourned at 10:15 a.m., with best wishes for safe return journeys for all members.

Photo credits: Fred Chartrand

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### **Daily draw winners:**

- *Rui Tavares Local 2888*
- *Scott Stephens Local 1176*
- *Alex Chenard Local 1202*
- *Jim Carroll Local 4154*
- *Rhonda Peterson Local 4154*
- *Diane Carder Local 218*

### **50/50 draw winners:**

- *Tony Cunha Local 1011*
- *Cynthia Steves Local 2357*
- *Rod McGee Local 2486*
- *Andy Heringer Local 4222*