

Consultation: Ontario School Board Hiring Practices

February 2019



Introduction:

The Ontario School Board Council of Unions (OSBCU), the bargaining agent for 55,000 Canadian Union of Public Employees (CUPE) members who work in Ontario school boards, welcomes this opportunity to participate in the consultation on Ontario School Board hiring practices. OSBCU-CUPE members have a vast amount of experience in the education sector, working in all support staff classifications throughout the province. These include early childhood educators, educational assistants, instructors, library staff, child and youth workers, other professionals and paraprofessionals, office and clerical staff, information technologists, custodial, maintenance and trades personnel. We are a part of CUPE Ontario, the largest union in the province, with more than 270,000 members living and working in every community in Ontario. Our members' experience informs this submission, as does the need that all CUPE members have for a strong, sustainable public education system.

We welcomed the opportunity to share our views on this consultation at a meeting on February 15, 2019 with Ministry staff. The written submission below is intended to highlight our main points and supplement the feedback we provided at that meeting.

Important Roles Played by Education Workers:

The Consultation Paper issued by the Ministry begins with the statement: "The Ministry of Education Recognizes teachers as the single most important out-of-the-home factor in student success." We agree that teachers play an important role in student success. However, we also recognize that every single education worker in the province plays a crucial role in student success. In fact, students and teachers alike could not succeed without the work performed by Educational Assistants (EA), Early Childhood Educators (ECE), school office staff, library staff, maintenance and custodial staff, professionals and paraprofessionals, language instructors, Board office staff, and a myriad of other workers whose job it is to make education in Ontario work.

As in-class educators Educational Assistants and Early Childhood Educators engage directly with students in the learning process. EAs ensure that students who need special educational supports can integrate fully into classrooms, and as a result support the learning of every student directly and indirectly. ECEs are part of the two-educator model for kindergarten learning, an approach that should be continued. Staff in school offices work as the nerve centre of schools, and without the hard work of office, clerical and technical (OCT) staff, school operations would grind to a halt. Maintenance staff ensure schools are kept in good repair and optimize the quality of the learning environment. Custodial staff play a myriad of roles, from keeping schools clean which helps prevent spread of illness, to providing for student safety (a role shared by other education workers as well). Library staff help students develop skills

necessary to succeed in the modern labour market. And staff at Board offices make sure schools are supplied properly, purchase orders are filled, IT systems operate well, and other functions that make education possible.

Failure to recognize the vital and invaluable work done by all education workers in the province will ultimately lead to bad public policy decisions. Student outcomes rely on the contributions of all education workers, and CUPE members are at the forefront of making the system work well.

Hiring Practices:

The consultation paper recommends that responses consider five key principles: transparency, consistency, clarity, diversity and equity, and reducing administrative burden. Ontario Regulation 274/12, and all seniority-based hiring models, meet the first four of these criteria. Seniority based hiring is transparent, consistent and clear. The rules for hiring are laid out (in regulation and/or in collective agreement language) in documents that are easily available for anyone interested in knowing the rules. Where there is an inconsistent decision, there is a grievance/arbitration process that can be used to ensure hiring decisions were made according to the agreed upon rules.

Diversity and equity can be enhanced with seniority. Once employees acquire seniority, the decision-making process is clear, and has checks and balances (in the grievance/arbitration process). This reduces the ability of employers to act in arbitrary and/or discriminatory ways. The appropriate way to enhance diversity and equity in hiring practices is to eliminate barriers to employment at the entry point into the system. For teachers this can be accomplished through equity programs at Teachers College, ensuring that a broad spectrum of applicants can become certified teachers. Equity and diversity could also be augmented at the point at which new teachers are added to occasional teachers' roster. Once on the OT list, and with seniority, teachers representing the broad diversity of Ontario's population will be able to achieve job security.

The fifth criterion we are asked to consider (reducing administrative burden) presupposes that a change will be made. Maintaining the current system (which should be the outcome of this consultation) cannot "reduce" anything. By definition the status quo cannot reduce or increase anything. As such, we submit that this criterion should be ignored as it is inconsistent with the most appropriate approach – maintaining the status quo, except for such changes as might be achieved through the collective bargaining process with teachers' federations.

As discussed at our meeting on February 15, we believe the principles articulated by the Ministry are best achieved through Ontario Regulation 274/12. Any change to hiring practices

should come through free collective bargaining with the unions that represent teachers. Under no circumstances should seniority rights be eroded through the unilateral action by the Ministry or by School Boards.

Conclusion:

We see no need to change Ontario Regulation 274/12, except through the collective bargaining process with the teachers' federations. Seniority plays a significant role in eliminating bias from hiring practices. Seniority based hiring systems are fair, transparent, consistent, and clear.

