



CUPE  
EDUCATION  
WORKERS

## Town hall call: recap

# THE POWER OF PUBLIC EDUCATION

February 2021

### Bulletin for CUPE Local Presidents – March break update

On February 16, OSBCU held a town hall call to answer questions that school board local presidents might have had on the postponement of March break or any other COVID-related questions. Here is a summary of what was discussed and guidance on some areas of concern.

Before the town hall, we shared government documents outlining the postponing of the March break and the expanded targeted testing in schools. During the call, we went over the government announcement that

- all schools board in the province are back to in-class learning and public Health Units throughout the province have returned to the colour coded system;
- March break would be delayed to April 12, 2021;
- expanded targeted testing in schools was scheduled to begin in schools.

### Return to in-class learning

All Ontario school boards are now offering in-class learning for students, with areas such as Toronto, Peel, York and North Bay-Parry Sound remaining in the grey zone. But even many CUPE school areas outside the grey zones, like Thunder Bay, have seen spikes in cases since the return to school and the relaxing of zones. This information combined with the identification of new strains that appear to be far more contagious, gives many of us a great deal of concern.

### Masks and PPE

Many of you have asked about the availability of N95 masks for members who work in close proximity with students who are unable to mask themselves. We have raised the question several times with the Ministry and we know that one board, Toronto District School Board, currently has a pilot of N95 masks for workers who are performing medical procedures where aerosols are being created. These masks are not, as some reports have stated, for any of those working with students who are unable to mask.

However, since the town hall call, the Ministry of Education is carrying out a study of PPE requirements to understand school boards' requirements of N95 masks for students.



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It has sent a **survey** to school boards and asked them to return them to the Ministry's procurement reporting by March 2.

For the record, the Ministry states: "For all other school operations, EDU guidance, per public health and occupational health and safety requirements, is that American Society for Testing Materials (ASTM)-rated masks are the masks required for workers in schools. While there has been a marked increase in the number of KN95 masks being ordered by school boards, boards should be aware that "KN95" are not ASTM-rated. Being unrated, KN95 masks are not consistent with the COVID-19 PPE guidance for staff interacting with students/staff."

And as OSBCU leaders noted on the town hall call, Ontario's public health units don't recommend N95 masks and, in fact, many of our brothers and sisters in health care, including those tasked with testing, are not given N95 masks and rely on the same PPE that our members are given – masks and shields.

What we do recommend: ensure that your Joint Health and Safety Committees files recommendations regarding adequate PPE and safe workplaces for your members; and that local presidents connecting with employers regarding the Ministry's survey that they've been asked to complete.

## March break

OSBCU, along with other education unions, advocated hard to keep March break as scheduled. However, the Ministry quoted public health advice and concerns around the possibility that people would travel during the break, which would lead to a spike in cases. So, the government decided to postpone March break until the week of April 12, 2021.

That leaves CUPE school board members without many options.

Because the Ministry postponed but didn't cancel the break, there are no grounds for a central grievance. The postponement of the break to April is a scheduling issue, not a removal of the vacation entitlement. That means there are three issues for a local to consider:

1. Voluntary vacation: this is the situation where your members voluntarily chose March break to take their vacation. In this case the member may choose to proceed with their vacation or may choose to cancel it and reschedule it. Locals need to review their vacation language and provide guidance to members in accordance with your local language. Your staff rep can help you in crafting any possible communication you may want to send in this regard and/or dealing with any grievances that may occur out of this.
2. Mandatory vacation: for many of our members, March break is a mandatory vacation period. In this case it is reasonable that your employer would move the vacation period in accordance to the next break which would be April. You may have members who will need to cancel any plans that they may have made, in this case you may want to consider speaking with your employer to see if there are any exceptions.
3. Layoff: for a great majority of our 10-month members, the period of layoff will now be in April. This of course raises concerns about eligibility for Employment Insurance. EI is a personal concern for your members and not one under the scope of the union. As members deal with their reporting individually, our advice is to have the members contact CRA with any advice.

If a member had closed their claim when they return to full time work in September, there should be no concerns about eligibility, since the April date allows for even more hours to be earned. It was



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through the advocacy of the OSBCU that we were able to push off the suggestion made by public health that the five days of March break be added on to various weekends. This solution would have caused a financial burden to many of our members, and we are fortunate that we were able to move the Ministry away from that suggestion.

For members who have booked medical and dental appointments during March break, we suggest that they raise the matter with their employer directly. Locals' executives should review their local collective agreement to assess whether there is any recourse for the impact of the postponed break on members, and communicate that to your members.

## Expanded targeted testing in schools

On February 16, OSBCU forwarded to local presidents the document that outlined the government's plan to address testing in schools.

Although OSBCU advocated strongly for the need for asymptomatic testing in our schools, this plan was not developed in consultation with us. We had a number of questions and answers to some:

- regarding who will be performing the testing: the Ministry has confirmed that it will not ask CUPE members to perform the tests or even volunteer for training;
- on consent for voluntary testing: there will be electronic forms and school principals will be required to send out this information to parents. It will then be sent electronically to whomever is doing the testing;
- about testing plans, OSBCU confirmed with the Crown and the Council of Trustees' Associations that collaborations with unions is key and school boards should be including the unions when they submit their testing plans. Locals should be connecting with their boards to amplify this intent.

Among other concerns we have raised with the Ministry:

- School boards targeting 5% of their schools for asymptomatic testing is far too low.
- We would like to confirm that school boards across the four schools systems will work together to increase testing sites and capacity.

## Final notes

**Bargaining surveys** will go out at the end of April and we are asking locals to confirm their FTE count with their employers in a Letter of Understanding.

**OSBCU convention** will take place March 25 and 26, with registration closing February 26.

In solidarity,



Laura Walton, OSBCU President  
Email: [lwalton@osbcu.ca](mailto:lwalton@osbcu.ca)

MU:gb/cope491



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