



## MEMORANDUM

TO: Collective Bargaining Staff

FROM: Christine Brown, Coordinator, Protective Services

DATE: December 14, 2009

RE: **PDTA Provisions on Staff Meetings**

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Please share the information below with your locals. Thank you.

### Introduction

Whenever a new collective agreement is negotiated, particularly one in which there have been changes in the provisions that govern working conditions, there is always a period of "testing" on the part of the employer. In the latest round of negotiations, the boards sought to gain greater control over teachers' time. While they did not succeed in doing so at the bargaining table, this does not mean they have given up the fight. Across the province, we have seen principals and other board management staff attempt to push the meaning of the current collective agreements beyond their boundaries, particularly in the areas of attendance at staff (and other) meetings. Since many questions have come to the provincial office about these matters, please see the following advice to locals as to how to handle these issues.

### Staff Meetings

The "generic" language in the PDTA is clear:

1. Staff meetings can occur on average only once per month, and must not exceed 75 minutes in duration.
2. Teachers are expected to attend.
3. The schedule for such meetings is to be set during the first month of school and communicated to all teachers; staff must be consulted on the schedule, which, if possible, should be reached through consensus.

4. Staff meetings may include administrative/organizational matters, professional development, training and other matters aligned with school and board goals.

*NOTE: Some collective agreements will have provisions that differ from these, depending on what was in the previous agreement.*

### OPSBA's Position

Last spring, OPSBA circulated a document on the issue of staff meetings written by one of its lawyers, Michael Hines. Mr. Hines has interpreted the staff meeting provision to mean that teachers are "required" to attend staff meetings. Legal counsel for ETFO have reviewed the OPSBA document. Their opinion is that the OPSBA positions taken with respect to staff meetings are incorrect and at odds with the negotiated language in the collective agreements. ETFO will be enforcing the rights of its members through the grievance and arbitration process.

"Expect" and "require" are two distinct verbs, with two distinct meanings. While in general terms it is a good idea for members to attend staff meetings, so that they have a better understanding of what is going on in the school, they are not required to do so and may exercise their professional judgment in the matter. An appropriate approach might be for the member to inform the principal that she/he is unable to attend, and to check later with a colleague to see what happened at the meeting.

Should a member be attending a staff meeting which runs past 75 minutes, the member is within her/his rights to politely excuse herself/himself and leave. Members should be encouraged to keep the local informed of schools where staff meetings run past 75 minutes, as the language of the collective agreements clearly forbids this practice.

One staff meeting per month on average (i.e., ten per school year), means exactly that. The principal does not have the right to convene additional staff meetings, and expect teachers to attend, by calling them something other than staff meetings.

Some collective agreements contain language that deals specifically with other types of meetings, such as divisional meetings. Members should adhere to the provisions in their collective agreements. ETFO's position is that where the agreement is silent on the issue, members are free to attend or not attend as a matter of professional choice. Should a principal seek to require members to attend such meetings, the Union should be notified immediately.

On occasion, a principal will call an "emergency" meeting. It is important for members, and especially stewards, to understand that the word "emergency" also has a real meaning, and should not be misused. For example, the aftermath of a fire, lockdown or other serious, unanticipated event may trigger the need for a legitimate emergency meeting of school staff, and naturally members should attend if at all possible. On the other hand, the release of a new board policy document, or a new wave of initiatives

emanating from the Literacy and Numeracy Secretariat, or mandatory staff training pursuant to a statutory requirement (e.g., health and safety, accessibility issues) is simply not an emergency. Should the principal need to deal with these issues in a meeting with staff, such discussion should be scheduled either during a regular staff meeting, or during regular work hours with appropriate coverage.

CAB: