**COUNCIL OF TRUSTEES’ ASSOCIATIONS AND THE CROWN TERM SHEET**

The Crown and CTA are fully committed to ensuring all students return to the classroom on time this fall and remain in the classroom, with the full school experience they deserve.

The CTA and Crown initially provided an interest-based proposal to CUPE/OSBCU, which identified our objectives and fostered discussions about opportunities to achieve a mutually beneficial agreement. The CTA, Crown, and CUPE/OSBCU have met on August 2, August 8, and August 9 to discuss these interests, with additional dates booked for August 15, 16, 26 and September 16, 20 and 21, and have had meaningful conversations focused on student recovery, student achievement, and a productive work environment for education workers.

The Crown and CTA remain committed to these ongoing productive discussions. This document reflects a full and comprehensive proposal for the settlement of all matters with CUPE/OSBCU.

**CROWN PREAMBLE**

As previously communicated in the August 2, 2022, Crown/CTA proposal, the goal of the Crown is to reach a fair deal in partnership with the CTA and the valued education workers from CUPE/OSBCU that ensures predictability and certainty for students, parents, and educators, and that reflects a commitment to a fiscally sustainable publicly funded education system.

Through our interest-based conversations, the Crown, the CTA, and CUPE/OSBCU have identified some shared goals, which include the provision of fair and competitive wages.

The information provided below is supplemented by the *Education Funding and Sector Wages Backgrounder* presentation (the “Crown Presentation”) presented by the Crown to the parties at the table on August 15, 2022.

Fairness

The Crown values the contributions that education workers make in schools and wants to reach a fair deal that recognizes their important role in our publicly funded education system.

The CUPE/OSBCU average salaries of $26.69 per hour for all staff and $27.87 per hour for permanent staff, plus $5,655.45 per FTE for benefits is a fair and competitive rate of compensation. The proposals on wages of up to 8.24%, including compounding, will continue to keep CUPE/OSBCU wages competitive.

The Crown continues to make significant, meaningful investments in the publicly funded education system, including through funding of the Grants for Student Needs (GSN), which has grown both in total and per pupil basis faster than CPI since 2002-03 and has supported significant increases in staffing complement. Further, the rate of increase in salary benchmarks in the GSN have closely tracked inflation over the 2002-03 to the 2021-22 period. See the Crown Presentation for more details.

Nonetheless, the wage gap between education workers and the rest of the education sector has widened. While there are serious issues of fiscal sustainability in the CUPE/OSBCU proposal of August 2, 2022, as discussed below, the proposed concept of a differentiated wage as reflected in a flat dollar increase for all CUPE/OSBCU members is notable. The Crown and CTA are open to this concept of a differentiated wage, although our approach differs, as reflected below.

Fiscal Sustainability

CUPE/OSBCU’s August 2 proposal to the CTA and the Crown includes substantial cost increases across a wide array of matters and is not fiscally sustainable.

The CUPE/OSBCU proposal provides for cumulative compensation increases of about 52% over the CUPE/OSBCU proposed 3-year term of the agreement. This includes the wage increase of about 37% and related compensation requests (e.g., preparation-time for ECEs and EAs, additional 5 working days before the start of the school year for 10-month employees, all overtime paid at 2 times normal salary, and professional development). In addition to these compensation elements, the CUPE/OSBCU benefit proposals would result in a cost increase of 54% over the term of the agreement.

The CUPE/OSBCU proposal, if applied sector wide, would add an additional $21.8 billion to Ontario’s current education budget over the CUPE/OSBCU proposed term of the agreement (please see Appendix A for a detailed costing summary). For context, the three-year cost increase reflected by CUPE/OSBCU’s proposal is roughly equivalent in dollar value to the combined annual Education budgets of British Columbia, Alberta, Manitoba, and Saskatchewan. In the Ontario context, the cumulative sector-wide cost of $21.8 billion of the CUPE/OSBCU proposal is equivalent to over 80% of the current annual GSN funding of $26.1 billion.

There is an elevated degree of economic uncertainty with supply chain disruptions and geopolitical tensions. In response to growing inflationary pressures, the Bank of Canada has started to increase its policy interest rate. While the full impact of this response is currently unclear, Ontario, like the rest of Canada and North America, must be prepared for the possibility of a near-term economic slowdown.

These uncertainties combined with the highest debt of any subnational jurisdiction in the world are the key factors for consideration regarding sustainability of labour agreements, not revenue alone as suggested by CUPE/OSBCU. Between 2019-20 and 2022-23, for every additional dollar in revenue, the government spends $1.37. This is going to support health care, education, pandemic recovery, and economic growth.

While the Crown and CTA are committed to a fair deal, it must not compromise the fiscal sustainability of the publicly funded education system.

**CTA PREAMBLE**

The Council of Trustees’ Associations (CTA) values its positive working relationship with CUPE/OSBCU and looks forward to productive, good faith negotiations. The CTA seeks to negotiate an agreement that supports students’ academic achievement and well-being, and recognizes the role that all CUPE/OSBCU members play in the education of Ontario’s students.

School boards are facing challenges and some aspects of the central terms require amendments to address those challenges. Sick leave and flexibility in staffing are areas where the CTA will be placing substantial emphasis in this round of negotiations.  In order to ensure the current sick leave plan is viable moving forward and that employees can continue to access the plan when they most need it, it must be sustainable. Absenteeism has a negative impact on students’ achievement and places a significant strain on school board budgets. Moreover, in order to best meet the needs of students, the CTA is looking for more flexibility in determining which classifications and positions school boards allocate staffing funds to.

The CTA and CUPE/OSBCU have developed a positive working relationship through various committees, working groups and problem-solving exercises through the life of the collective agreement and in previous rounds of collective bargaining. We anticipate building upon that relationship to engage in collaborative negotiations toward an agreement that best supports student learning and acknowledges the contributions of education workers.

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| --- | --- |
| **Agreed Central List** | **CTA/Crown Proposal** |
| Term | Four years |
| SalaryWages, including gridsWage grid movementThe following (excluding scheduling or assignment):1. Premiums (including shifts, certificate, overtime, weekends, overnights);
2. Allowances (excluding new allowances in response to a singular need that does not apply to an entire class or classes of employees);

Paid Vacations and Holidays (including Statutory Holidays) | ***Compensation*** School boards shall adjust their current salary grids, wage schedules and position of responsibility allowances, in accordance with the following schedule:* Education workers in positions with an annualized full-time equivalency wage rate less than $40,000:
1. on September 1, 2022 shall receive an increase of 2% effective that date.
2. on September 1, 2023 shall receive an increase of 2% effective that date.
3. on September 1, 2024 shall receive an increase of 2% effective that date.
4. on September 1, 2025 shall receive an increase of 2% effective that date.
* All other education workers shall receive an increase of 1.25% annually effective September 1 of each school year over the term of the agreement.

Define specialized job classes and clarify processes under C14 |
| All matters relating to the EWBT (benefits) | Maintain existing funding of $5,655.45 per FTE |
| LTD | Status Quo - Open to a discussion surrounding school boards where 100% of the premium is paid by the employer and the waiting period for LTD is shorter than 120 days |
| OMERS Pension | Status Quo |
| Sick Leave | The current 11 sick leave days and 120-day short-term disability plan needs to be sustainable to remain viable on an ongoing basis. 1. Maintain 11 days of Sick Leave at 100% pay
2. Maintain 120 days of Short-Term Disability Plan and introduce:
3. requirement for absences of five days or longer to access STDLP
4. STDLP paid at 90% of pay subject to a five-day waiting period paid at 25% pay with the provision to top up from remaining sick leave allocation from the previous year
5. application process to access the STLDP
6. Address:
7. allocation for employees with less than a 1.0 FTE with uneven schedules and proration for employees who begin employment on a date other than the first date of the school year.
 |
| **Agreed Central List** | **CTA/Crown Proposal** |
| Short Term Paid Leaves | Status Quo – up to 5 daysUse of one existing day for Indigenous employees to participate in elections as indicated by governing Indigenous authority where the employee’s working hours do not otherwise provide three hours free from work, or for attendance at Indigenous cultural/ceremonial events.  |
| Statutory Leaves of Absence and El SEB Plans | Status Quo |
| Working Conditions as they relate to:1. Work week, excluding scheduling
2. Work year, excluding scheduling
3. Hours of work, excluding scheduling
4. Mandatory meetings scheduled outside of normal working hours
5. Preparation time for all staff whose core duties that are directly related to student/learner instruction

PA Day Letter of Understanding  | **Working Conditions** Status QuoAgree to CUPE/OSBCU proposal on PA Day Letter of Understanding with edits to the text of LOU #14 and the last sentence deleted.  |
| Staffing as it relates to:Staffing levels (including staffing related to permits and leases and replacement staffing)Job Security, excluding contracting out and layoff and recall processesMinistry Initiatives Letter of Understanding  | Existing funding related to the Supports for Students Fund (SSF) will be maintained for the duration of the agreement.Status Quo on LOU #11 |
| Union representation as it relates to:1. Central bargaining
2. Provision of Information
3. CUPE/OSBCU members on Provincial committees

Structure and Organization of Collective Agreement Length of Term/Notice to BargainCentral Dispute Resolution ProcessCentral Labour Relations CommitteeList of Arbitrators Appendix A Central Dispute Form Casual Seniority Employee List | **Processes, Committees and Definitions*** Central Estoppel Process
* Informal process to expedite resolutions
* Reduce the multiplicity of proceedings
* Agree to CUPE/OSBCU’s deletions of arbitrators
* Add Gedalof, Fishbein and Debane to arbitrators list

Status Quo on casual seniority list |
| Matters available for local bargaining | Central bargaining outcomes will determine language, if any |
| **Agreed Central List** | **CTA/Crown Proposal** |
| Staff development as it relates to:1. Access to professional and staff development

Professional Development Funds for training, including but not limited to policies, procedures, and preventative measures regarding violence in the workplace and medical interventions | Status Quo LOU #5  |
| Provincial Working Group Health and Safety | Status Quo - LOU#12 |
| Process for CUPE/OSBCU members in the event of full or partial mergers, amalgamations, and integrations | Status Quo - C13 |
| Housekeeping of central terms | The CTA and Crown propose to review the collective agreement to ensure consistency of language and formatting throughout the agreement. **Ministry Initiatives Committee (New LOU):** provincial ministry initiatives committee may be convened to consult on new and existing policies. The PPM will be updated accordingly.**Completed Letters of Understanding:** * Job Security
* Education Workers Protection Fund – Complete
* Scheduled Unpaid Leave Plan - Complete
* Education Workers Diverse and Inclusive Workforce Committee - LOU #7 Complete
* Violence Prevention Training, the CTA and the Crown recognize that there is still work to be done arising from the current violence prevention training LOU#13 and completion of the training module.
* Pilot Project on Expedited Mediation – Further discussion required

**Historical Letters of Understanding**: LOU#2  |
| All matters listed in Appendix A |  |

**APPENDIX A: FINANCIAL COSTING OF CUPE/OSBCU PROPSAL OF AUGUST 2, 2022**

The following represents the Ministry of Education’s estimated cost of CUPE/OBSCU’s proposal of August 2, 2022 as well as the estimated cost if the proposal is applied sector-wide.

| **(in $ Millions)** | CUPE / OSBCU  | SECTOR-WIDE IMPACT |
| --- | --- | --- |
| 2022-23 | 2023-24 | 2024-25 | 2022-23 | 2023-24 | 2024-25 |
| **Salary / Wages and Related Compensation – 52% increase*** Salary/Wage increase of $3.25 per hour which is equivalent, based on the average hourly wage rate provided by CUPE/OSBCU of $26.69, to a 12.18% increase in 2022-23, 10.86% increase in 2023-24, and 9.79% increase in 2024-25
 | 301.1 | 609.6 | 925.5 | 2,291.1 | 4,720.4 | 7,190.1 |
| * All overtime will be paid at 2-times the regular rate
* 30 minutes of preparation time (EAs, ECEs)
* 5 additional paid days prior to the start of the SY for 10-month employees
* Professional development
 | 92.4142.551.833.5 | 102.5158.057.537.7 | 112.5174.163.542.0 | 171.2274.5512.5230.1 | 189.8304.4569.8268.9 | 208.4335.6629.2298.1 |
| **Total Salary / Wages and Related Compensation** | 621.3  | 965.4  | 1,317.6  | 3,479.4  | 6,053.2  | 8,661.5  |
| **Benefits – 54% increase*** Rate changes and impact of including ineligible FTE
 | 89.3 | 113.8 | 140.3 | 292.7 | 409.1 | 535.4 |
| **Long-term Disability (LTD)*** Estimated cost of additional sick leave paid at 90% of salary for school boards whose current LTD waiting period is below 131 working days
 | 6.0 | 6.6 | 7.3 | 12.3 | 13.6 | 15.0 |
| **Staffing*** Ensure a DECE is assigned to every classroom with kindergarten pupils
* Education Worker Protection Fund
* Investments in System Priorities / Supports for Students Fund
* Additional Investments (Expansion of the Investments in System Priorities / Supports for Students Fund
* Community Use of Schools
 | 29.923.167.8100.00.7 | 33.225.675.2110.90.8 | 36.428.182.6121.70.9 | 66.123.1245.1355.00.9 | 73.225.6271.9400.91.0 | 80.428.1298.5440.11.2 |
| **Total Staffing** | 221.6  | 245.6  | 269.7  | 690.3  | 772.6  | 848.3  |
| **TOTAL** | **938.2**  | **1,331.5**  | **1,734.9**  | **4,474.7**  | **7,248.6**  | **10,060.2**  |
| **Total Over Three Years** | **4,004.5** | **21,783.5** |

* The amounts shown above are understating the cost of the August 2, 2022 CUPE/OSBCU proposal as this does not include amounts related to the following items as there is insufficient information to determine the cost:
	+ Move all education workers to highest wage in wage grid and eliminate wage grids
	+ Increasing wage rates to a minimum of $18.25 / hour starting Sept. 1, 2022
	+ All casual and temporary employees will be paid the same wage rate as permanent employees
	+ Wage Adjustment - Local Market Value Assessment
	+ Wage Adjustment - Boards operating in same geographic area
	+ Paid Vacations
	+ Leaves of Absence
	+ Working Conditions - Work Hours/Week
	+ Staffing - Replacement of absent employees
	+ Seniority
	+ Technological Change
	+ Pregnancy/Parental Leaves/SEB
	+ Statutory/Public Holidays
	+ Job Security - Protected Complement
	+ Scheduled Paid Leave Plan
	+ Sick Leave
	+ Provincial Working Group - Health and Safety
	+ Violence Prevention Training
	+ Benefits Funding for Employees on Union Release/Leave