



Update for January 22nd, 2021

Let's get a few quick reminders out of the way first this week:

Election – Coming up on January 28th - election flyer attached – email the candidates if you have questions for them as these are the people that could possibly be representing you for any of a number of reasons.

Monthly Meeting – This Sunday we will have our monthly General Membership Meeting – flyer attached – online from 10am until hopefully only about 11:30ish. We will have our regular updates from committees as well as some new business and like we have been doing lately, some open time for questions and answers at the end.

Casuals & Coverage – If you are a casual and are told there is 'no work available' - WE NEED TO KNOW. You should be contacting a steward or Exec member as we have been fighting for and assured that the employer will be following our replacement coverage clause in the collective agreement.

Emails & Communications – We are preparing to look after our own email system and take control of it ourselves to serve all our members better. Part of that preparation is making sure we have a way to contact all members with updates and important information, especially if it is about school closures, schedules, etc. The best way to communicate with everyone quickly is by email and also makes things clear in black and white. **Everyone has a personal email address and we need yours. Not your HWDSB email, but a personal one that you check regularly. Please send an email to the office (officeadmin@cupe4153.ca) stating your full name and the email address you would like to receive info from the local to.** If we don't hear from you, one of our membership officers will be in touch in a few weeks. It only takes about 30 seconds to send that email – why not do it now and shorten your 'to-do' list?

Office Hours - Due to the provincial State of Emergency that started last week, our office administrator Janna will be working from home and our office will be closed. Janna will have remote access to emails and phone messages. If you're contacting the office, either send an email to officeadmin@cupe4153.ca or call the office and leave a message and she will get back to you as soon as possible.

And now, onto some new items.....(make a drumroll noise if you're by yourself LOL)

Attendance Management Program – Some of you may have received an email last week from the Wellness Department about your attendance. The letter basically informed you that due to any number of factors, had been placed in Phase 1 of the Attendance Management Program. It could be that you've had more than 9 absences that were not supported by medical in the last 12 months. It could be that your supervisor has noticed a pattern to your absences (only on Friday's for instance) or it could be something else. Basically, Phase One of the program is just an information letter telling you that for the next 3 months, the employer will be monitoring your absences to see if they get better or worse. If they get better, you'll likely get a letter that says you're not in the program anymore. If your absences get worse, you may progress to Phase 2 and have a meeting with the Wellness Department. It's very important to point out that any absence supported by medical documentation does NOT count towards the Attendance program. It's also important to point out that the 12 month period is a rolling 12 month period – what that means is that as of today, the employer is looking at absences from January 22nd 2020 up until today. While it is the employer's right to look into absences, along with other local presidents from the teachers unions and other workers groups, I have sent a letter to the director and trustees requesting that for the duration of the pandemic that the Attendance Management Program be suspended – and attached the letter to this update for your information.

Pay Issues - From time to time, somebody's pay gets screwed up in one way or another. Most of the time, it's a human mistake – which we all make – and it can be easily fixed. If you find that your pay is wrong, you should be contacting your area supervisor (because they approve timesheets) and Jamie Peters in the payroll department. Usually, within half a day Jamie can resolve the issue and what went wrong. If the issue is due to a management error (timesheets not approved in time, etc.) then you will be issued a separate deposit within a day or two to cover the error. If the error is due to a member not completing or filling out a timesheet incorrectly – then the difference will have to wait until the next pay period to be paid. Their fault – they pay. Our fault, we wait.



What's in the Collective Agreement? - This week, we're going to look at something that will affect a number of members in the next few months – school closures and new school openings. This is covered under Article 15 in the CA which reads,

15.01 - The Board agrees to post all vacancies for a newly constructed school within six months prior to the anticipated opening date.

15.02 - When the Board identifies that a deployment process is required due to school closures, the Board shall consult with the Union prior to withholding any vacancies. The Board shall supply, in writing, the Union with rationale for withholding such vacancies.

This year, we have 7 schools closing in June and a few new ones being opened up (hopefully, depending on construction schedules). So what this means is that sometime in the 6 month period before the new schools are scheduled to open, the jobs associated with those schools will be posted for all members to apply to. Also, the Board should be looking at holding postings to ensure they have enough positions for everyone currently in schools slated to close, to have a position (equal in position and hours to their current permanent posting) to step into over the summer or in September. So far, the employer has not started to hold postings or given us an indication of when that may happen. That will be very difficult with the number of schools closing and some members with a posting may find themselves without a posting for a while until one becomes available. In the meantime, they will keep their place on the pay grid (red-circled) and be used as priority casual replacement. Once a vacancy occurs that is equal in position and hours – they would be assigned there. In a perfect world, members would have a choice of schools to choose from when in deployment – but with more schools closing than opening, often that is not the case as some members found out last month.

Daily Screening – The first and best defense against the spread of Covid is personal screening. The government of Ontario has a screening tool specifically for education workers that you can find here: <https://covid-19.ontario.ca/school-screening/> Members do NOT have to go online every day and complete the screening tool, but you do need to do it mentally – are you feeling ok, do you have any of the symptoms mentioned, etc. Sometimes, we know exactly what's wrong with us because it's happened before or it's a regular occurrence – that's why there's parts of the screening that say "unusual" or other terms that describe symptoms out of the ordinary. For someone that frequently gets headaches for some reason – a headache wouldn't necessarily mean they failed the screening. You know your body better than anyone else – if there's any doubt in your mind about how you're feeling – stay home and use the Covid 80 code for calling in for your shift.



Pandemic Pay Issue - I had a few questions about this issue and if you take the time to read the letter to the Director and Trustees attached here, you'll see how some people not reading the words caretaker or janitor can lead to some bad conclusions and arguments. I was ready to fire off a letter and would have if it wasn't for Geoff Thompson having taken time away from his family one night last week by sitting at home listening in to the HWDSB board meeting when the motion was made by Trustees (with a very supportive statement from the Director) to petition all 3 levels of government for a few things – one of which was pandemic pay for education support workers. Bottom line is this – the HWDSB by itself is NOT paying pandemic pay to anybody. The HWDSB has petitioned all 3 levels of government to help with a number of issues in Education – one of which is pandemic pay for education workers who support in person learning. All of our members support in person learning. If it wasn't for us, the buildings would not be open, touchpoints wouldn't be disinfected, garbages wouldn't be emptied, washrooms wouldn't be cleaned and on and on. If that isn't supporting in person learning, I have no idea what would be. The letter from the HWDSB can be found here -

<https://www.hwdsb.on.ca/blog/hwdsb-trustees-covid-recommendations/> - and the specific part that speaks to the pandemic pay request states *"Since January 4, 2021, most HWDSB students have been learning remotely. However, some students receiving special education services are attending in-person at a physical school and our dedicated staff are there with them. Educational assistants and teachers are providing direct care and in-person instruction for students who are not able to follow COVID-19 health and safety protocols, such as wearing masks or physically distancing. HWDSB Trustees request that the Ontario Government administer an additional "pandemic" payment specifically to education workers providing in-person support and instruction in recognition of the elevated risk to staff performing the essential work of supporting students with significant special needs during the lockdown and remote period.*

Now remember, this is just a request from the HWDSB – there is no guarantee of any pandemic pay.

Well, that's it for this week. Have some fun this weekend – get out safely and get some exercise. Then come back home, grab some snacks and watch some football and make sure you cheer for the Packers and Chiefs!

Cheers,

Blake

JANUARY 28, 2021 BY-ELECTION

8:00 AM – 5:00 PM

CANDIDATES FOR SHOP STEWARD (4 Positions Available)

Danny Catanyag	Michelle Madley
Flora DiCarlo	Laurie Penner
Suzy Godelis	Kathleen Powell
Marilyn MacAloney	Dave Wardell

CANDIDATES FOR BYLAW COMMITTEE MEMBER (1 Position Available)

Flora DiCarlo
Laurie Penner

This by-election will be held online. **Once again, we state that the only way to vote on January 28th is to be registered on our CUPE website with a @cupe4153.ca email address.** Credentials for this by-election will be sent only to this @cupe4153.ca email address (not your personal email address or your HWDSB email address!). If you have any questions or problems AT ALL, please contact the Union office by phone (905)544-7733 or email at officeadmin@cupe4153.ca. Our office administrator will be glad to help you register, or with existing email addresses and/or passwords. Please log onto your email account **before** the election date to ensure you are able to vote on Election Day.

In Solidarity,
CUPE 4153 Election Committee



**GMM
TOWNHALL
CALL**

**Sunday ~ January 24, 2021
10:00 a.m. – 12:00 pm**

AGENDA:

- 1. January 28 Election Reminder***
- 2. 2021 OSBCU Conference***
- 3. Regular Union Business***

TELEPHONE NUMBER TO CALL: 1-855-950-3708

ACCESS NUMBER: 101871

Dawn Danko, Chair, Cam Galindo, Vice Chair
Manny Figueiredo, Director of Education
Hamilton Wentworth District School Board
20 Education Court, Hamilton, Ontario L9A 0B9

January 21, 2021

Dawn, Cam & Manny:

I'm writing to you on behalf of all members of CUPE 4153 who serve the HWDSB all across the city in providing caretaking and maintenance services to all of our locations, staff and students. My members have some serious and legitimate concerns about the continuation of the Attendance Management Program during the global pandemic.

A number of my members received letters from the Wellness Department last week notifying them that they were being placed in Phase One of the program and that their sick leave days (negotiated provincially and not locally) would be reviewed for the next 3 months and future meetings with members and union representatives may occur if absences continue. I myself received one of these letters.

There are some issues with the program itself and I'll make some quick references to them here for you then present some situations that show flaws for employees in the program.

- 1) The letter sent out to my members references the Attendance Management Policy that can be found on the HWDSB website. It is not easily found at all. This is preventing members from accessing information that could impact their employment with the HWDSB. In addition to this, the actual document describing the program is the Attendance Management Procedure and not the Attendance Management Policy.

- 2) In the Procedure itself, Section 3.2 states the employee will receive a letter containing the employee's absence history. In the letter I received the only information provided was that I had 9 or more absences over the past 12 working months. This is not a history, merely a statement. I did inquire to the Wellness Department who further provided an actual history of days I was absent, but an employee should not have to request that information when the Procedure states it will be provided.

3) Also in the Procedure under section 3.2 it states that the Supervisor will be copied on the letter. When I was visited by my FOS on site a few days after receiving the letter, I asked my supervisor if he had received a copy of my letter. He stated he did not and knew nothing about my entering the program and that he had no issues with my attendance. If notifying or communicating concerns with employee's supervisors is to be part of the Procedure – why is it not being followed?

Since March of 2020, the world has been in the grips of a global pandemic. Recently here in Ontario the positive cases have been growing at an alarming rate, causing the Ministry of Education to make decisions to move to a period of online learning to accompany the lockdown on December 26th and State of Emergency ordered on January 14th of this year. My members are still in brick and mortar buildings, coming and going to work daily to support in school activities permitted by the Ministry of Education and prepare for what we hope is a return to in person learning on February 10th. We do not have the option of working from home.

The levels of anxiety, stress and mental health concerns are at an all time high amongst my members. In my own weekly updates to members, I encourage them to use the EAP Program administered through LifeWorks for any issues they are facing through this pandemic. Each of these issues manifest themselves with physical issues. We are doing the daily screening procedures and working safely with the PPE and guidelines supplied by the HWDSB and Hamilton Public Health. But this Attendance Management Procedure fails to capture the fact that there are issues faced by my members that will never be documented with a medical note. Employees cannot simply get documentation to satisfy a Procedure for a number of issues because they may present themselves once a week or once every 3 weeks.

For example – a member who has diabetes and is dealing with mental health concerns may have a day where their blood sugar is low because they haven't been eating properly. It would not be safe for them to operate a motor vehicle and attend work with that medical condition. That employee would not schedule an appointment with a medical professional just because they had low blood sugar for a day and legitimately used a sick day for that. But, that day off counts towards the Attendance Management Program.

Alternatively, the stress associated with working during a lockdown and being around children who cannot wear masks or social distance could trigger a Colitis attack for a member. That member who is accustomed to living with Colitis, knows that the attack will likely only last a day or two uses a couple sick days provided for in the Central Collective Agreement and doesn't go see a medical professional because they know their body. But, those days are counted towards the Attendance Management Program. And up to 12 months later, are members expected to remember what happened on individual days off and explain that to a Wellness Team member without medical documentation?

There are too many flaws with this program for it to be running effectively in the midst of what we are facing today.

I am asking that the Trustees and Senior Team of the HWDSB suspend the Attendance Management Procedure for the time being and re-evaluate the implementation of the Procedure in September of 2021 if in person learning has returned to pre-Covid status within Ontario.

Respectfully,

A handwritten signature in black ink, appearing to read 'B. Corkill', with a long horizontal stroke extending to the right.

Blake Corkill

President, CUPE 4153