



Members Update for January 7th, 2022

Holy Moly what a whirlwind this week has been.

There's lots of four letter words I'd like to use to describe things but I'll do my best to keep those to a minimum. Instead, please find some random memes that should convey my lack of appreciation for our provincial government and the dirty, stinking mess they have driven the province into.

<u>Sunday Bylaw Meeting –</u> we have a special meeting Sunday morning at 10am to propose, discuss and vote on amendments to our Local Bylaws, which have been prepared and ready since June of last year. <u>At this</u> <u>meeting, we will not be discussing any other issues other than the bylaw amendments.</u> We will open the Zoom meeting at 9:40am to allow people to be ready to go for 10am and for anyone calling in, we will need to identify you as a member or you will be removed from the meeting. Voting will take place using the online polling system in Zoom, so if you would like to vote you will need to be using a tablet or computer that supports that function. Results will be shared in the meeting as we progress through the bunches of amendments that are similar. The Zoom meeting info is provided for you below and there is an attachment to this update outlining the specific proposed amendments and how they will be grouped for voting.

Topic: Special Meeting for Bylaws Time: Jan 9, 2022 10:00 AM Eastern Time (US and Canada)

Join Zoom Meeting

https://us02web.zoom.us/j/89831115989?pwd=VXFjTE1NRkw2TmU1KytuZkhtbzBFUT09

Meeting ID: 898 3111 5989 Passcode: 788411

+1 647 374 4685 Canada +1 647 558 0588 Canada

January Membership Meeting – Sunday, January 16th we'll have our monthly members meeting – a link to that meeting will be sent out with next week's update. Any further updates we have, possible return of students on January 17th and regular union business will be discussed.



<u>Membership Information Updates –</u> Sometime in the next few weeks, each school will get a visit from one of our stewards or another elected rep from the Local. We need to update the personal info on file for our own local and for the OSBCU. If current restrictions are still in place, someone will call the school ahead of time and have staff meet them outside and fill out a quick form with name, address, personal email address, preferred phone number, etc. This will assist us in keeping in touch with all members as we approach our central and local collective bargaining and be able to share information as soon as possible.

<u>Absence Coverage</u> – Please let one of our stewards or Executive know if you have a permanent position in your building that is not being covered. We have language in our collective agreement that provides absence coverage on day one of the absence – regardless of EasyConnect or a supervisor's mindset of "well students aren't in the building so why would we cover an absence?". I'll tell you why – because the HWDSB receives funding for each FTE position we have and that money is either being paid to us in wages, or being held by the HWDSB and being used for other things – like muffin trays and croissants for Ed Center management. Which do you think it should go to – our members paychecks or the HWDSB? If there are no casuals left to cover positions, then it may go unfilled but every single person that wants to work should be working somewhere before any position goes unfilled.



actually making schools safe and providing proper funding

posing for selfies at coffee shops and with Nona



<u>Mountains of Info –</u> I know it seems like every time you turn around and look at your email inbox, there's something else there that someone is telling you that you should read. Trust me, I know. I try and weed out things that don't apply to our Local when I get info from OSBCU or CUPE National before passing it along. And some things are duplicated – like today you'll see an attachment about the latest Human Resources Update from the employer. This went out to all HWDSB staff on Wednesday, but I'm including it here to be sure everyone has the information to help them make decisions that are best for them in the workplace. The Local will always try to minimize what we send to you, but when we do send things out – there's usually a very good reason for it that you need to be aware of.

EasyConnect Absence Codes – One of the codes that pops up in EasyConnect is Code 60. This is not for CUPE use as we do not have paid emergency days in our Central collective agreement. If you have a personal emergency day it will be unpaid.

<u>N95 Masks –</u> Good old Dougie Ford announced last week that N95 masks would be shipped to school boards and be available to all staff. The shipment that arrived at the Ed Center on Monday afternoon only was enough to provide each school with 40 masks and would be prioritized for staff working in close contact with Spec Ed which is totally understandable. This is not a board issue, but again a lack of transparent communication from the government. I have been in contact with the board to find out when more N95's will arrive and I'm waiting on a response from them about future deliveries so that all our members can have access to them if they wish to wear one while at work. **Bargaining Committee Nominations and Election Schedule** – I announced this late in November but wanted to remind everyone about the timetable for electing our Bargaining Committee for the next round of Local bargaining. The bargaining committee consists of 7 members. The current president and chief steward (at the time of bargaining) are automatically part of the committee. 5 additional positions are elected by the membership.

<u>January 16th @ 8am to January 18th @ 5pm</u> – nominations are open. Only emails received during that time frame will be considered. <u>**Please do NOT use your board email to make nominations – use your personal</u> <u>email**</u> Members can nominate another member by emailing the following information to <u>cupelocal4153@bellnet.ca</u> with the Subject heading "Bargaining Committee".

In the body of the email, please state your name and the name of the member you are nominating. For example "Blake Corkill nominates Archie Walker for the bargaining committee"

January 19th to 22nd - emails will be sent to all members nominated asking if they accept the nomination or not.

January 23rd - replies from nominated members need to be received by 5pm.

<u>January 24th</u> - Election Committee will review election literature promoting candidates. Once approved, election materials will be posted on the CUPE4153 website for members to view.

<u>February 7th</u> - online voting for the Bargaining Committee. If there are 5 or fewer candidates, no online voting will be necessary. If online voting is necessary, the same format we have used in the past few elections will be followed.

February 8th - announcement of this year's Bargaining Committee to the membership by email

<u>Daily Screening</u> – Now that the province has gone back to Step2 of opening, staff that are on site in schools need to complete the provincial screening tool and confirm they're eligible to be at work. You can find the provincial screening tool here - <u>https://covid-19.ontario.ca/school-screening/</u> Once you have completed your screening, you must fill in the Daily Covid19 Screening form found here - <u>https://groundswell.hwdsb.on.ca/EmployeePortal/FormsOnline</u> to confirm that you have completed your screening for the day.

Cheers,

Blake



Proposed Bylaw Amendments - Special Members Meeting July 4, 2021

The following proposed Local 4153 Bylaw Amendments wil be formally presented, debated and voted on during the Special Members Meeting on July 4, 2021 in accordance with the CUPE National Constitution. All amendments have been proposed by the 4153 Bylaw Committee and approved by the 4153 Executive for approval by the membership. Due to technical constraints, they are grouped together in similar areas to be voted on as a whole. Once approved by the membership, the amendments are submitted to CUPE National for approval and once approved the official bylaws of the local will be changed.

For reference, members may refer to our current complete bylaws on our Local 4153 website by clicking here - <u>LINK TO 4153 BYLAWS FROM 2017</u>

All other 4153 Bylaws will stay status quo and remain unchanged until we start the process again next year. Reviews and changes to bylaws is to be an annual issue.

Vote #1 - Section 6 (proposed changes in red)

SECTION 6 - MEMBERSHIP MEETINGS

a) Regular General Membership Meetings

Regular General Membership meetings shall be held every month, on the third Sunday morning or as determined by the Executive Board. Regular General Membership meetings shall not be held during the months of July, August, and December. General Membership meetings shall commence at 10am, with a 5 (five) minute grace period to allow for quorum to be met.

b) Special Membership Meetings

Special Membership meetings of Local 4153 may be required, and shall be called by the Executive Board or may be requested in writing by no fewer than 50 members. The President shall immediately advise members when a special meeting is called, and ensure that all members receive at least twenty-four (24) hours' notice of the special meeting, the subject(s) to be discussed, the date, time and location. No business shall be transacted at the

special meeting other than that for which the meeting is called, and notice given.

c) Quorum

The minimum number of members required to be in attendance for the transaction of business at any regular General or special Special Membership meeting meeting shall be 20 members, plus including a minimum of 3 members of the Executive Board.

d) General Membership Meeting Agenda

The order of business at regular membership meetings is General Membership meetings shall be as follows:

1. Reading of Native Land Recognition

- 2. Roll call of officers
- 3. Reading of the Equality Statement
- 4. Voting on new members and initiation
- 5. Reading of the minutes
- 6. Matters arising from the minutes
- 7. Secretary-Treasurer's Report
- 8. Communications and bills
- 9. Executive Board Report
- 10. Reports of committees and delegates
- 11. Nominations, elections, or installations
- 12. Unfinished business
- 13. New business
- 14. Good of the Union
- 15. Adjournment

(Article B.6.1)

e) Rules of Order

All rules and order of business as outlined in Appendix C herein shall be implemented at all regular and special meetings of this Local.

VOTE # 2 - Section 8 (proposed changes in red)

SECTION 8 - EXECUTIVE BOARD

- a) The Executive Board shall include all Officers, except Trustees. (Article B.2.2)
- b) The Executive Board shall meet at least once a month prior to each regular membership meeting to consider all the business confronting the Local at that time.

Recommendations shall then be prepared for action regarding these matters and shall then be submitted to the membership at the next regular membership meeting.

- c) A quorum of 5 Executive Board members shall be required for the transaction of Executive Board business.
- d) The Executive Board shall hold title to any real estate of the Local Union as trustees for the Local Union. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposal to a membership meeting and having it approved.
- e) The Executive Board shall do the work delegated to it by the Local Union and shall be held responsible for the proper and effective functioning of all committees.
- f) The Executive Board shall be authorized to make decisions on behalf of the Local between meetings when the action required will occur before the next regular membership meeting.
- g) Should any Executive Board member fail to answer the roll call for three consecutive regular General Membership meetings or three consecutive regular Executive Board meetings without having submitted good reasons, their office shall be declared vacant and shall be filled by an election at the following General Membership meeting.
- h) The Executive Board shall have the responsibility of guiding the Local and developing programs and policies it wishes to submit to the membership. The Board shall also be responsible for the smooth functioning of all phases of the programs and activities of the Local. The Executive Board shall also be responsible for communication with members via newsletters, notices, etc.
- i) In the event of an excessive workload placed upon the Local Union, the Executive shall be empowered to hire temporary assistance. The Executive will have the power to hire, fire, and supervise any hired staff of the local.

Vote #3 - Section 9 (Proposed changes in red)

a) President

The President shall:

Enforce the CUPE National Constitution, these Local Union bylaws and the Equality Statement.

Interpret these bylaws as required in conjunction with the Executive Board.

Preside at all membership and Executive Board meetings and preserve order.

Decide all points of order and procedure (subject always to appeal to the membership).

Have the same right to vote as other members. In the case of a tie vote, the President may cast another vote or the President may refrain from casting an additional vote, in which case the motion is defeated.

Ensure that all Officers perform their assigned duties.

Fill committee vacancies where elections are not provided for.

Introduce new members and conduct them through the initiation ceremony.

Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership.

Be allowed necessary and reasonable funds to reimburse the President or any Officers for expenses incurred on behalf of the Local Union, upon submission of signed vouchers. Such amount not to exceed twenty-five (\$25.00) for ordinary petty cash expenditures, or one hundred dollars (\$100.00) for donations to strike appeals by CUPE Locals at a National, Divisional, or jurisdictional Convention or Conference. Such accounts approved in the regular manner shall be included with bills presented to the membership at monthly General Membership meetings. Expense claims must be listed on a proper form outlining the expense, the reason for the expense, and with supporting receipt(s) attached.

Have first preference as a delegate to all Conventions.

Be a member of the Negotiating Committee until the end of their term as President.

d) Recording Secretary

The <u>Recording Secretary</u> shall:

Keep full, accurate, and impartial account of the proceedings of all regular or special membership and Executive Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (General Membership meetings) presented by the Secretary- Treasurer. The record will also include Trustees' reports.

Record all amendments and/or additions in the bylaws, and make certain that these are sent to the National President for approval prior to implementing.

Answer correspondence and fulfil other administrative duties as directed by the Executive Board.

Keep a record of all correspondence received and sent out.

Have minutes and motions from the General Membership meeting and Executive Board, and any other relevant meetings completed and submitted to the Local Office within 5 (five) calendar days.

There shall be separate records maintained for the following: General Membership meeting minutes, Motions from General Membership meeting, Executive Board meeting, and Executive Board motions.

General Membership and Executive meetings shall be recorded in order to provide accuracy of Minutes.

Prepare and distribute all notices as required. to members.

Have all records ready on reasonable notice for the Trustees or auditors.

Preside over membership and Executive Board meetings in the absence of the President and both Vice-Presidents.

Performs other duties required by the Local Union, its bylaws or the National Constitution.

Ensure that all members receive proper and adequate notice of any regular or special meetings.

h) Chief Steward

The Chief Steward shall:

Preside over all Steward body meetings and shall chair the Grievance Committee.

Shall be responsible that the stewards are properly trained and they carry out their duties efficiently.

Shall recommend to the Executive Board any changes in Steward personnel and reasons for the same.

Shall keep a record of all grievances and shall assure that all grievances are processed in accordance with the Collective Agreement and that all time limits are strictly observed.

Shall submit to the Grievance Committee all grievances beyond Step II and shall process all Group, Board, Union Policy grievances and personal grievances at Step II and to Arbitration (if necessary).

Shall police the Collective Agreement and should be conversant with the Labour Relations Act and OHIP, OMERS Pension Plans, Insurance plans, etc. and be prepared to assist members with their problems.

Shall report to the Executive Board once a month and to the General meeting one a month.

Shall be a member of the Negotiating Committee until the end of their term as Chief Steward.

The Chief Steward shall, at their discretion, be able to call a meeting once a month, up to four hours in duration. Such meeting shall not be unreasonably denied by the President.

VOTE #4 - Section 10 (proposed changes in red)

SECTION 10 - NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

a) Nominations

- 1. Nominations will be received at the regular membership meeting General Membership meeting held in the month of May. April.
- 2. Nominations will be accepted from members in attendance at the nomination meeting or from those members who have allowed their name to be filed in writing at the meeting, witnessed by another member. If online nominations are to be done, the Elections Committee, in conjunction with the CUPE National Staff Representative, shall establish a protocol for accepting/verifying any nominations. There shall be a specific time limit allocated to accepting/declining any nomination.
- 3. To be eligible for nomination, the nominee must have been accepted into membership and continue to be a member in good standing.

(Articles B.8.1, B.8.2 and B.8.3)

- 4. A member may accept nomination for a position while holding office in any position. If successful in the election, their resignation from their current position will take effect at that time. A member may stand for only 1 (one) position on the Executive Board. A member elected to the Executive Board shall not also hold the position of Steward. Nominees shall be able to submit election literature to the Chief Returning Officer for distribution once nominations have occurred.
- 5. No member will be eligible for nomination if they are in arrears of dues and/or assessments.

b) Elections

1. At a membership meeting, at least one month prior to Election Day, the President will, subject to the approval of the members present, appoint an Elections Committee consisting of a Chief Returning Officer and 2 (two) assistants. assistant(s).

assistants shall be appointed by the President, in consultation with the Executive Board, and subject to the approval of the majority of members present at the September General Membership meeting. In the event there is no quorum at the September General Membership meeting, the decision which members shall be appointed to the Elections Committee shall fall to the Executive Board.

The Elections Committee shall run all elections during their term of office. The term of office is 1 (one) year from the date of the September General Membership meeting. Any vacancies on the Election Committee that occur during the term of office shall be filled in the same way as the Committee was initially chosen above. Any vacancies shall be filled at the subsequent General Membership meeting following the vacancy.

The committee will include members of the Local Union who are neither Officers nor candidates for office. The Elections Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential. The National Representative assigned to the Local Union shall serve as an advisor to the committee when requested by the Local Union. Chief Returning Officer.

2. Voting for all elections, whenever possible, shall occur through a secure online platform. Should unforeseen circumstances/emergency situations occur, making online voting inaccessible, in person ballot voting shall occur. Should a circumstance occur for a decision to be made whether a vote is to be online or in-person, the Executive in conjunction with the Elections Committee Chief Returning Officer shall make the final decision. The Elections Committee will determine the form of the ballot and ensure that sufficient

quantities are made available in good time to the Chief Returning Officer.

- 3. The Chief Returning Officer will be responsible for issuing, collecting, and counting ballots. The Chief Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.
- 4. The voting will take place on the Thursday immediately prior to the regular membership meeting in the month of June and the term of office will be two years. The vote will be by secret ballot.
- 5. Voting will be held at the Local's office;

795 King Street East - Suite B2, Hamilton, Ontario L8M 1A8 1130 Barton Street East, Suite 202 Hamilton, Ontario L8H 7P9

The polls will be open from 8:00 am until 5:00 pm

6. In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.

NEW In the event of a tie vote, a second vote be scheduled as per the direction of the Elections Committee. The Elections Committee shall determine whether the vote is to occur online or in-person. The Elections Committee shall consult with the CUPE National Staff Representative if required.

7. Any candidate may request a recount of the votes for any election and a recount will be conducted if the request is supported, in a vote, by at least the number of members

equal to the quorum for a membership meeting as set out in Section 6(c).

8. All election complaints by candidates will be submitted in writing to the Chief Returning Officer as soon as possible but in no circumstances will a complaint be valid if it is filed later than seven 7 (seven) days after the election. The Chief Returning Officer in conjunction with the Elections Committee will investigate the complaint and issue a ruling as soon as practical and report the ruling to the very next regular membership meeting.

c) Installation of Officers

 All duly elected Officers shall be installed at the meeting at the subsequent General Membership meeting after which elections are held and shall continue in office for 2 (two) years. or until a successor has been elected and installed, provided, however, that no term of office shall be less than one year and no longer than three years.

(Article B.2.4)

- 2. The terms of office for Trustees shall be for a three year period. No member who has been a signing Officer for the Local Union is eligible to run for Trustee, until at least one full term of office has elapsed. Three Trustees will be elected to serve terms of one, two and three years. In following years one Trustee will be elected for a three-year term to preserve overlapping terms.
- 3. The Oath of Office to be read by the newly-elected Officers is:

"I,_____, promise to perform the duties of my office, as set out in the Constitution and laws of the Canadian Union of Public Employees, faithfully and to the best of my ability for my term of office. As an Officer of the Union, I will always promote the harmony and dignity of its sessions by counsel and example. I also promise to turn over all property of the Union to my successor at the end of my term."

(Article 11.6(b))

d) By-elections

Should an office fall vacant for any reason, the resulting by-election should be conducted as closely as possible in conformity with this section

Should any elected position (Executive or otherwise, including all Committees) fall vacant for any reason, the resulting by-election shall be conducted as follows.

Nominations shall occur at the subsequent General Membership Meeting following the vacancy. The election, online or otherwise, shall occur as determined in (b.) 2 of this section. The election shall occur online within 7 (seven) days prior to the subsequent General Membership Meeting after nominations occurred. If it is determined that the election shall be in-person, it shall occur at the subsequent General Membership Meeting following nominations, provided quorum is met, otherwise, it will take place at the subsequent General Membership Meeting when quorum is met.

Nominees shall be able to submit election literature to the Chief Returning Officer for distribution once nominations have occurred.

NEW e) Resignations

Should a member resign from any elected, or appointed position, such resignation shall be submitted, in writing, to the Recording Secretary. All resignations shall be effective at the time of submission.

VOTE #5 - Section 11 (proposed changes in red)

SECTION 11 - FEES, DUES AND ASSESSMENTS

a) Initiation Fee

Payment of initiation fees is a tangible confirmation of the desire to become a member of your Local Union and the Canadian Union of Public Employees. Each application for membership in the Local Union will be directed to the Secretary- Treasurer and will be accompanied by an initiation fee of 1 (one) dollar which shall be in addition to monthly dues. The Secretary-Treasurer shall issue a receipt. If the application is rejected, the fee shall be returned.

(Articles B.4.1 and B.8.2)

b) Readmission Fee

The readmission fee shall be \$1.

c) Monthly Dues

The monthly dues shall be 2% of regular wages. This shall be deducted from every pay period.

(Article B.4.1)

(Article B.4.3)

VOTE 6 - Section 13 (proposed changes in red)

c) Payment of Local Union Funds to Members or Causes Outside of CUPE

In the case of a grant or a contribution to a member(s) or a cause(s) outside of CUPE greater than \$100, a notice of motion must be made at a regular General Membership meeting and then approved at the following regular General Membership meeting or Special Membership meeting before the grant or contribution can be paid out. The approval meeting must be no earlier than seven days after the meeting where notice of motion has been given.

VOTE 7 - Section 14 (proposed changes in red)

SECTION 14 - MONTHLY HONORARIUMS

<u>Monthly Honorariums</u>	Monthly Out of	Pocket Expenses
President	One hundred fifty	(\$150.00)
	sixty dollars	(\$60.00)
Vice Dresident	One hundred	

One hundred twenty five

(\$125.00)

(\$40.00)

Secretary-Treasurer	One hundred twenty five	(\$125.00)
	fifty dollars	(\$50.00)
Recording Secretary	One hundred twenty five	(\$125.00)
	fifty dollars	(\$50.00)
Chief Steward	One hundred twenty five	(\$125.00)
	fifty dollars	(\$50.00)
Membership Officer	One hundred ten	(\$110.00)
	thirty dollars	(\$30.00)

NEW*

Stewards and WSIB reps	Fifty	(\$50.00)
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Mileage will be paid monthly on actual/submitted use. Compensation as per the CRA (Canadian Revenue Agency) current per km value.

Executive Board using their personal vehicles shall be eligible for the Mileage allowance. Stewards and WSIB representatives shall not be entitled to Mileage allowance.

Monthly Mileage Expense Allowance

President	seventy dollars	(\$70.00)
Chief Steward	seventy dollars	(\$70.00)
All Stewards & WSIB Reps	fifty dollars	(\$50.00)

Other Expenses

• For approved Union business, Board business, negotiations or arbitrations, a per diem will be paid as follows:

Breakfast	fifteen dollars	(\$15.00)
Lunch	twenty dollars	(\$20.00)
Supper	thirty dollars	(\$30.00)

- For full day training seminars, conventions, and conferences, a per diem of one hundred (\$100.00). For attending the aforementioned, the above per diem is not applicable.
- Donations shall be kept to a maximum of \$100.00
- Strike donations shall be kept to a maximum of \$100.00 \$150 for CUPE Locals or \$50.00 for non-CUPE Locals
- Personal appeals shall be kept to a maximum of one hundred dollars.\$100.

- Flowers or a basket of fruit may be sent to any members who has been hospitalized for not less than three days due to illness. \$80
- Upon the death of a member's father, mother, spouse, son, daughter, sister, or brother, the Local may send flowers, a fruit basket, or a charitable donation to a charity of the family's choice. \$80
- When a member retires, the Union will present them with a gift of \$50.00. \$100.00.

VOTE #8 - SECTION 16 (proposed changes in red)

SECTION 16 - DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS

G) All delegates to Union functions within 100 kilometers of Hamilton shall be paid transportation mileage expenses at the CUPE National rate per kilometer CRA mileage rate for the actual mileage travelled. Beyond a radius of 100 kilometres, transportation expenses will be based on the most economic means of transportation. Each delegate will be allowed-grand ground transportation to and from the railroad station, bus terminal, or airport to their residence and/or hotel. All delegates to Union functions held locally shall have no travel allowances.

H) All delegates to a Union function required to stay overnight outside the city of Hamilton will be paid the rate of a single room accommodation in the hotel at which the function is being held. If the function is held outside a hotel, the rate of a suitable hotel close to the site of the Union function will be used.

The delegate may be Union paid hotel expenses for the night preceding the Union function if it is necessary for the delegate to be present or if by reason, the distance is too far to travel in the morning. They will be Union paid hotel expenses for each full day the function is in progress, but not the final day, unless they sit past the supper hour, or by reason of extenuating circumstances, or no transportation is available.

Should the delegate choose to commute daily, no hotel expense will be paid, but they shall receive the appropriate allowance for each day, not to exceed the hotel allowance.

VOTE #9 - Section 17 (proposed changes in red)

SECTION 17 - COMMITTEES

a) Special Committees

A special committee may be established for a specified purpose and a specified period of time by the membership at a meeting. The members shall be elected at a membership meeting, or may, by specific authorization of the membership, be appointed by the President or the Executive Board. Two members of the Board may sit on any special committee as ex-officio members.

1. Negotiating Committee

This will be a special committee established at least six months prior to the expiry of the Local Union's collective agreement and automatically disbanded when a new collective agreement has been signed. The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The committee shall consist of the President, the Chief Steward, and elected members as per the collective agreement elected at a membership meeting. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

The Committee shall make the recommendation, subject to approval by the membership, to either accept or reject offers made to or by the Committee, and also whether strike action should be taken. Once a tentative agreement has been reached, it shall be the responsibility of the Committee not to divulge details of the agreement until fully presented to the membership at a ratification meeting.

Members of the Negotiating Committee shall be reimbursed for any lost wages incurred through negotiating meetings with management.

All members of Local 4153's Negotiating Committee new to the bargaining process shall attend Level 1 and Level 2 of CUPE's collective bargaining educationals. be afforded the opportunity to attend any relevant CUPE collective bargaining educationals.

b) Permanent Committees

Permanent committees will have a term of two years. Committees will provide written reports to each General Membership meeting. regular membership meeting.

There shall be eight permanent committees as follows:

1. Grievance Committee

This committee will:

- Oversee the handling of all local grievances.
- Receive copies of all grievances.
- Prepare a report on the status of all grievances to be submitted to the Executive Board, the National Representative, and to the membership meeting.
- When a grievance is not settled in the initial steps provided for in the collective agreement, this committee will decide whether or not the grievance should proceed to arbitration.
- If the decision is to not proceed, the grievor(s) may appeal the decision to the Executive Board.
- Ensure that each member be given fair representation

The chairperson shall be the Chief Steward. The committee members will be the elected chairperson and up to 10 (ten) stewards. The committee shall appoint its secretary from among its members. The National Representative assigned to the

Local Union shall be a non-voting member of the committee and shall be consulted at all stages.

Stewards

There shall be up to 10 Stewards elected at large. Any Steward failing to attend three (3) complete consecutive membership or Steward meetings without having submitted good reason for such failures, shall have their position declared vacant, and such vacancy shall be filled by election at the next regular membership meeting.

Stewards shall:

- Shall, after being elected for the first time, take CUPE's steward training.
- Be responsible for proper handling and filing of Step 1 grievances, and to ensure fair representation of all members of this Local. It shall also be the responsibility of Stewards to ensure the Chief Steward is fully informed of all occurrences.
- Shall, at the request of the Grievance Committee Chairperson, attend regular meetings with the Grievance Committee Chairperson, Recording Secretary, and Chief Steward prior to, after, or during monthly Executive Board meetings.
- Shall, after being elected for the first time, take CUPE's steward training.

2. Education Committee

This committee will:

- Gather information about appropriate courses, the availability of courses, and make recommendations to the Local Union on whether or not members should be attending.
- Assist delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference file of these reports.
- Cooperate with the National Union Development Department and Communications Branch of CUPE, and with the regional Education Representative, in implementing both the Local Union's and CUPE's policies in these fields.
- The committee shall meet at least 2 times a year

The committee members shall be comprised of five (5) members in good standing appointed by the Executive Board. The elected chairperson will be elected from the five committee members. The committee shall appoint its secretary from among its members. The Chief Steward shall sit on the committee as an ex-officio member.

3. Women's Committee

This committee will:

- Advise and give guidance to Officers, committee members and the general membership on all issues that affect women in the workplace and the union movement.
- Promote leadership of women at the Local Union level and in the broader

labour movement.

- Increase and support the active participation of women in the Local Union and the broader labour movement.
- Strive to eliminate gender discrimination in the workplace, Local Union, broader labour movement, and society through education and participation in human rights activities both in and outside of the labour movement.

The committee members will be the elected chairperson and five members. The committee shall appoint its secretary from among its members. The executive shall appoint one of its members to sit as an ex-officio member.

4. Committee Against Racism and Discrimination (CARD)

This committee will:

- Advise and give guidance to Officers, committee members, and the general membership on all issues that affect all equity-seeking groups, including people of colour, Aboriginals, lesbian, gay, bi-sexual and transgendered workers in the workplace and the union movement.
- Promote leadership of equity-seeking workers at the Local Union level and in the broader labour movement.
- Increase and support the active participation of equity-seeking workers in the Local Union and the broader labour movement.
- Strive to eliminate racism and discrimination in the workplace, Local Union, broader labour movement, and society through education and participation in human rights and anti-racism activities both in and outside of the labour movement.

The committee members will be the elected chairperson and five members. The committee shall appoint its secretary from among its members. The executive shall appoint one of its members to sit ex-officio on this committee.

5. Health and Safety Committee

This committee will:

- Work to educate members on the importance of workplace health and safety.
- Prepare and present reports to the regular membership meetings.
- Participate on the Joint Worksite Health and Safety Committees (JWH&SC JHSC) at their workplace.
- Ensure that the worker representatives on the JWH&SC JHSC meet separately from the employer to prepare for meetings with the employer.
- Promote safe work procedures and environments so as to prevent illness and injury as a result of workplace factors.
- Immediately bring to the attention of the employer any workplace hazard that

has the potential to cause members' illness or injury.

• Work to eliminate all workplace hazards, be they physical, environmental, or social.

3 (three) Members of this committee should be designated as a "Certified Worker Representative" in accordance with the legislation in their respective jurisdictions (provincial, federal).

The committee members will be the elected chairperson and ten members. The committee shall appoint its secretary from among its members. The second vice president shall sit ex-officio on this committee.

Any Health and Safety Committee member failing to attend three (3) complete consecutive membership or Health & Safety Committee meetings without having submitted good reason for such failures, shall have their position declared vacant, and such vacancy shall be filled by election at the next regular membership meeting.

6. Bylaw Committee

This committee will:

- Review the bylaws annually and make recommendations to the Executive Board on proposed amendments.
- Review any proposed amendments received from the Executive Board or membership of the Local Union to ensure that the amendments will conform to the remainder of the bylaws and the CUPE National Constitution.
- Ensure that the Local Union's bylaws are written in clear language, ensuring that clear language does not change the intent or meaning of the bylaws.
- All recommendations to the By-Law committee must be submitted in writing to the Chairperson of the By-Law committee.
- All recommendations will be reviewed and prepared by the By-Law committee, then presented to the membership for final approval. Such approval shall require a two-thirds majority vote.

The committee members will be the President, Recording Secretary, two Executive Board Members and 2 members in good standing who holds no current office with the local to be elected from the membership. The committee shall appoint its secretary from among its members. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted during the review process.

7. Labour / Management Committee

The Labour/Management Committee shall be comprised of the Executive Board members.

It shall be the duty of the Committee to present the employer with such concerns as health and safety, correcting conditions causing grievances and misunderstandings, reviewing member's comments or suggestions regarding working conditions, and any other matters of mutual Labour/Management concern.

NEW c.) Other Committees

W.S.I.B./Return to Work Committee

The WSIB/Return to Work Committee shall be appointed by the President, in conjunction with the Executive Board. It shall be comprised of 3 (three) members. These members will be from the Executive Board, or elected Stewards.

Training through CUPE shall be provided as recommended by Executive Board.

CUPE 4153, through its WSIB/Return to Work Committee, will assist in handling a member's WSIB claim. and CUPE 4153, through its WSIB/Return to Work Committee will represent the member at meetings, hearings, etc. until When a WSIB the claim reaches a stage which is beyond the abilities of the WSIB/Return to Work Committee., it will referred to an appropriate consultant. When a claim reaches a point outlined above, it will be referred to the appropriate consultant. The first option will be a CUPE National Rep. If any other consultant is to be used, he or she must be approved by the Executive. Any cost of this representation will be paid by CUPE Local 4153.

Retired members who have a WSIB claim will be referred to the Office of the Worker Advisor, or to a consultant who is endorsed by CUPE Local 4153. The retired member will be responsible for any cost of this representation.

If any member uses representation outside the WSIB Committee, the Union will not be responsible for the claim, nor will the Union be responsible for any costs incurred. Also, the Union will not take over the handling of the claim at a later date. In the case of an injured member using representation outside the WSIB Committee, the members must sign a waiver form authorizing whoever will be representing them.

VOTE #10 - Section 18 (proposed changes in red)

SECTION 18 - COMPLAINTS AND TRIALS

All charges against members or Officers must be made in writing and dealt with in accordance with the Trial Procedure provisions of the CUPE National Constitution. Appendix F, CUPE Constitution, 2019, or as amended going forward.

(Articles B.11.1 to B.11.5)



Human Resource Services Re-opening Frequently Asked Questions (January 4, 2022)

Background

On January 3, 2022, the Government of Ontario is temporarily moving into a modified step two of the roadmap to reopen. This announcement impacts education and alters the plan previously communicated with students, staff and families. School boards will now switch to remote learning beginning January 5 until at least January 17. Read the full release.

General Questions	Answer
All School based staff – COPE, CUPE, ETFO-DECE, HWPC, HWETL, HWOTL, PSSP, OSSTF, OCTU, ESL,	Schools are considered open.
Continuing Education	CUPE are expected to attend work in-person.
What is the expectation for return to work on Wednesday January 5, 2022?	All other staff (HWETL, HWOTL, COPE, ETFO-DECE, PSSP, OSSTF, ESL, Continuing Education): Continue to carry out your job duties while working from home. It is an expectation that you will be available via MS Teams during your scheduled workday. Please inform your immediate supervisor your need to work at the school/department location. HWPC are expected to attend work in person, if a staff member has requested to
	work in person. Otherwise, will have the flexibility to work from home.
All Education Centre staff – PASS, OCTU, HWPC, HWETL, HWOTL, ETFO, OSSTF, PSSP	The Education Centre is open.
	CUPE are expected to attend work in-person.
	All other staff (HWETL, HWOTL, COPE, ETFO-DECE, PASS, PSSP, OSSTF, ESL, Continuing Education): continue to carry out your job duties while working from







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	home. It is an expectation that you will be available via MS Teams during your scheduled workday. Please inform your immediate supervisor your need to work at the school/department location.
Can I attend my physical work location to deliver my remote learning program?	Yes, if you need access to resources and/or devices to carry out your remote learning program (i.e. computer, internet, learning materials) you will be able to access your work location. You will need to adhere to all health and safety protocols (i.e. verification of screening, PPE, etc.). You will need to contact and coordinate with your immediate supervisor to work at your school building.
	Casual and Occasional Staff: Yes, you will be able to access the work location of your daily assignment you have picked up/accepted. You will need to email the School Administrator to request to work from the school location. You will need to adhere to all health and safety protocols (i.e. verification of screening, PPE, etc.).
Will there be daily jobs available through EasyConnect during the remote learning period?	Yes. EasyConnect dispatch system will fill any daily supply absences pursuant to the standard process in accordance with Collective Agreement provisions/Terms of Employment.
	CUPE are expected to attend work in-person.
	All other vacancies not related to the above, you will be expected to carry out remote learning programming. School Principal/Vice Principal or Manager will provide access to the online learning environment to the supply/casual staff.









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	If you need access to resources and/or devices to carry out your remote learning program (i.e. computer, internet, learning materials) you will be able
	to access the work location of your daily assignment. You will need to adhere
	to all health and safety protocols (i.e. verification of screening, PPE, etc.).
Will Long Term Occasional job opportunities	Yes. Job postings will continue to be posted in accordance with the collective
continue to be posted?	agreement provisions. All interviews will be conducted through MS Teams.
What if I am not able to return to work on January	If you are unable to attend work (in-person or working from home), please email
5, 2022 (in-person or carry out your remote	the appropriate staffing officer to request a leave.
learning assignment), because of a family status	
situation?	Alternative Leave Options Available:
	 You can explore Leave options available through your Collective
Example: unable to make alternative childcare	Agreement/Terms of Employment or Leaves available through the
arrangements.	Employment Standards Act (ESA) Leaves and Family Status Accommodation Information Flyer.
	• If you have a health condition that may impact your ability to return to
	work, please contact Employee Support and Wellness.
	For all staff who enter an absence code 60, please remember that it can only be entered for maximum 1 day and it is the responsibility of the staff member to contact the appropriate staffing officer to explain the rationale of the absence and have it coded accordingly. Please note, failure to contact the appropriate staffing officer, may result in an unpaid day.

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Human Resource Services Re-opening Frequently Asked Questions (January 4, 2022)

Updated Testing and Isolation Guidelines in Response to Omicron

Update to Testing:

HWDSB staff <u>do not</u> qualify as high-risk individuals and are no longer required to seek a PCR testing, unless directed by Public Health. Publicly funded PCR testing will be available only for high-risk individuals who are symptomatic and/or are at risk of severe illness from COVID-19. A full list of eligible individuals can be found <u>here</u>.

Update to Isolation Guidelines (December 31, 2021):

Ontario has changed the required isolation period based on growing evidence that generally healthy people with COVID-19 are most infectious in the two days before and three days after symptoms develop.

HWDSB staff with COVID-19 (or COVID-19 symptoms) who are vaccinated (2 doses), as well as children under 12, will be required to isolate for 5 days following the date they tested positive if no symptoms, or from when the symptoms began (whichever is sooner). Their household contacts are also required to isolate with them. These individuals can end isolation after five days if their symptoms are improved for at least 24 hours and all public health and safety measures, such as masking and physical distancing, are followed. Non-household contacts are required to self-monitor for ten days.

HWDSB staff with COVID-19 (or COVID-19 symptoms) who are unvaccinated, partially vaccinated (1 dose) or immunocompromised will be required to isolate for 10 days following the date they tested positive if no symptoms, or from when the symptoms began (whichever is sooner).

Public Health Self Isolation Fact Sheet here.

If you have any questions, you can contact Telehealth Ontario at: Toll-free: 1-866-797-0000 or Toll-free TTY: 1-866-797-0007







Human Resource Services Re-opening Frequently Asked Questions (January 4, 2022)

All Staff: How to Report an Absence from Work Related to COVID-19 Permanent and Long-Term Occasional Staff Process: I have not passed the COVID-19 screening tool or have tested positive using a rapid antigen test. I 1. You are not to attend an HWDSB work location. am feeling unwell to work (in person or work 2. Report absence using EasyConnect absence code "80", My COVID-19 sick and from home). What is the absence reporting select "yes"" to needing a replacement. If you are physically in a worksite, leave process? your work environment and notify your supervisor. Please be sure to upload any lesson plans or assignment information that may be of assistance for the For Reference: replacement staff member. School and Child Care Screening tool COVID-19 3. The ESW COVID Specialist will contact you if you have entered code 80. 4. Follow the applicable public health self-isolation guidelines noted below. school screening (ontario.ca) 5. School Principal/Vice Principal will provide access to the to the remote learning For staff who are not attending at an HWDSB MS Teams platform for the supply/casual/occasional staff member that school site - COVID-19 worker and employee accepted the assignment. screening (ontario.ca) Casual and Occasional Staff Process: 1. You are not to attend an HWDSB work location. 2. Cancel your assignment in EasyConnect. 3. Contact Employee Support & Wellness 905.527.5092, extension 2040 to notify your absence is COVID-19 related. 4. Follow the applicable public health self-isolation guidelines noted below.







Human Resource Services Re-opening Frequently Asked Questions (January 4, 2022)

	 If you have COVID-19 symptoms: If you are fully vaccinated: stay home for 5 days and until your symptoms have been improving for at least 24 hours. The 5 days start from the date symptoms began. If you are partially vaccinated, unvaccinated, or immunocompromised: stay home for 10 days. The 10 days start from the date symptoms began.
	 If you tested positive for COVID-19: If you are fully vaccinated or aged 11 or younger: stay home for 5 days. The 5 days start from the date you tested positive if you have no symptoms, or from when your symptoms began (whichever is sooner). If you are partially vaccinated, unvaccinated, or immunocompromised: stay home for 10 days. The 10 days start from the date you tested positive if you have no symptoms, or from when your symptoms began (whichever is sooner). In both cases, all of your household members (regardless of vaccination status) will need to stay home for the duration of your isolation period.
I have not passed the COVID-19 screening tool, am in self-isolation due to being identified as a close contact or have tested positive using a rapid antigen test. <u>I am well enough to continue</u>	Yes. Please enter an absence in EasyConnect for the duration of yourself isolation period. Please follow the steps below.







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Re-opening Frequently Asked Questions (January 4, 2022)

working from home. Do I still need to report or	Dermanant and Long Term Occasional Staff Drasass	
working from home. Do I still need to report an	Permanent and Long-Term Occasional Staff Process:	
absence?	 You are not to attend an HWDSB work location and continue to work from home, if applicable. 	
For Reference: School and Child Care Screening tool <u>COVID-19</u> <u>school screening (ontario.ca)</u>	 <u>Report absence using EasyConnect absence code "80", My COVID-19 sick</u> <u>and select "No" to needing a replacement.</u> If you are physically in a worksite, leave your work environment and notify your supervisor. The ESW COVID Specialist will contact you with information if you have entered code 80. 	
For staff who are not attending at an HWDSB school site - <u>COVID-19 worker and employee</u> <u>screening (ontario.ca)</u>	 If you are well to work remotely, through the COVID protocol process you will be provided instructions to contact your supervisor who will adjust your code to "85", remote work, to reflect working remotely for the duration of the self- isolation period. 	
	5. Supervisor, if employee is working remote ensure code 80 is changed to code 85.	
	6. Follow the applicable public health self-isolation guidelines noted below.	
	Casual and Occasional Staff Process:	
	 You are not to attend an HWDSB work location and continue to work from home (if work available). 	
	 Contact Employee Support & Wellness 905.527.5092, extension 2040 to notify your absence is COVID-19 related. 	
	3. Follow the applicable public health self-isolation guidelines noted below.	







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Re-opening Frequently Asked Questions (January 4, 2022)

 If you have COVID-19 symptoms: If you are fully vaccinated: stay home for 5 days and until your symptoms have been improving for at least 24 hours. The 5 days start from the date symptoms began. If you are partially vaccinated, unvaccinated, or immunocompromised: stay home for 10 days. The 10 days start from the date symptoms began.
 NOTE - symptomatic means: One of the following: Fever/chills, cough, shortness of breath, decrease/loss of smell and taste; and/or Two or more of the following: Sore throat, headache, extreme fatigue, runny nose/nasal congestion, muscle aches/joint pain, GI symptoms (i.e. vomiting or diarrhea)
In both cases above, all of your household members (regardless of vaccination status) will need to stay home for the duration of your isolation period.
 If you tested positive for COVID-19: If you are fully vaccinated: stay home for 5 days. The 5 days start from the date you tested positive if you have no symptoms, or from when your symptoms began (whichever is sooner). If you are partially vaccinated, unvaccinated, or immunocompromised: stay home for 10 days. The 10 days start from the date you tested positive if you have no symptoms, or from when your symptoms began (whichever is sooner).







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	Household contacts will need to isolate based on their vaccination status or age. That is 5 days if fully vaccinated or under the age of 12, or 10 days if partially vaccinated, unvaccinated, or immunocompromised.	
I have a household family member that lives in my residence (spouse, partner, child, parent, grand parent, sibling etc.) that is experiencing	Yes. We still require you to enter an absence in EasyConnect for the duration of your isolation period. Please follow the steps below.	
COVID-19 symptoms or has tested positive using a	Permanent and Long-Term Occasional Staff Process:	
rapid antigen test or PCR test. I am unable to attend work (in-person or remote learning), what	1. You are not to attend an HWDSB work location and continue to work from home, if applicable.	
is the absence reporting process?	 Report absence using EasyConnect absence code "80", My COVID-19 sick and select "No"" to needing a replacement. If you are physically in a worksite, leave your work environment and notify your supervisor. 	
	 The ESW COVID Specialist will contact you with information if you have entered code 80. 	
	 If you are well to work remotely, through the COVID protocol process you will be provided instructions to contact your supervisor who will adjust your code to "85", remote work, to reflect working remotely for the duration of the self- isolation period. 	
	5. Supervisor, if employee is working remote ensure code 80 is changed to code 85.	
	6. Follow the applicable public health self-isolation guidelines noted below.	









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Re-opening Frequently Asked Questions (January 4, 2022)

Casual and Occasional Staff Process:
1. You are not to attend an HWDSB work location and continue to work from home (if work available).
 Contact <u>Employee Support & Wellness</u> 905.527.5092, extension 2040 to notify your absence is COVID-19 related.
3. Follow the applicable public health self-isolation guidelines noted below.
 If someone in your home has COVID-19 symptoms: Household members (regardless of vaccination status) will need to stay home for the duration of the symptomatic person's isolation period. If the symptomatic person is fully vaccinated or aged 11 or younger: stay home for 5 days and until their symptoms have been improving for at least 24 hours. The 5 days start from the date symptoms began. If the symptomatic person is partially vaccinated, unvaccinated, or immunocompromised: stay home for 10 days. The 10 days start from the date symptoms began.
 If your household contact tested positive for COVID-19 on rapid test or PCR: 1. If you are fully vaccinated: stay home for 5 days from your last exposure date. 2. If you are partially vaccinated, unvaccinated, or immunocompromised: stay home for 10 days from the last exposure date.

In both cases, self-monitor for symptoms for 10 days.







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Re-opening Frequently Asked Questions (January 4, 2022)

All Staff: Health and Safety Questions:		
How do I find the COVID-19 protocols for the 2021-2022 school year?	School re-opening COVID-19 protocols can be reviewed on MyHome <u>– COVID-19</u> . Any updates to protocols will be communicated to you through your Principal or Manager, or via email through the Director's office.	
If I have questions about the Board's return to work, who should I speak with?	Please direct any questions to your Principal or Manager.	
Can I refuse to return to work?	 Workers have the right to refuse unsafe work where the worker believes that there is a dangerous condition in the workplace. The Ministry of Labour considers whether the hazard (COVID-19) is present in the workplace during the time of refusal, the potential for exposure to the refusing worker, and the precautionary measures being taken (e.g., PPE, screening, etc.). The Board, as an employer, has the obligation to investigate and provide a safe work environment based on the current scientific understanding of COVID-19 and the circumstances of the refusal. To ensure these obligations have been met prior to your return, the Board has proactively consulted our local health unit on our protocols and followed the direction from the Ministry of Education for school re-opening. We continue to work closely with Hamilton Public Health Services to monitor precautionary measures in place and implement additional measures where necessary for the safety of both students and staff. If you have a concern, please discuss with your Principal or Manager who can support you by addressing your concerns. 	
Am I required to wear personal protective equipment (PPE)?	Yes. Personal protective equipment (PPE) is one of the many strategies implemented to protect staff from potential exposure to COVID-19 and reduce the risk of spreading COVID-19 within the schools. The Board has worked closely with	

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Hamilton Public Health Services throughout the pandemic to ensure we are following best practices for mitigating risks associated with COVID-19 for the safety of staff and students. Staff will be provided with the appropriate personal protective equipment (PPE) while in the workplace, including medical masks and face shields. Circumstances for PPE use are outlined within protocol 1.05 Use of Personal Protective Equipment (PPE), found on MyHome <u>– COVID-19</u> .
Non-fitted N95 masks will be available for staff use in schools as an optional alternative to the current medical masks. N95 masks will be available as an option for staff supporting IIT equipment distribution at the school, staff supporting the self-contained classes during the remote learning period, and for remaining staff when the return to in-person learning occurs. Instructions for use of these masks are available <u>here</u> . One (1) N95 mask per working day will be provided, as supply is limited.
Fit-testing must be completed for staff required to wear respirators for specific tasks such as working in rooms with aerosol-generating medical procedures (AGMP), confined spaces, or other processes where respirators are required.
Occasional staff who do not yet have PPE are to proceed to the main office immediately upon arrival to a school and retrieve the PPE for the day during sign- in. All staff are required to comply with all Board safety protocols, including wearing of PPE.

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Re-opening Frequently Asked Questions (January 4, 2022)

What if I have a medical condition that will impact me wearing the Board supplied personal protective equipment (PPE), what steps do I need to follow?	You will need to request a medical workplace accommodation. Contact your dedicated Employee Support and Wellness Specialist Employee Support and Wellness Who to Contact.
Do I continue with completing the daily screening for COVID-19?	Yes. All staff are required to submit confirmation each workday that they have completed the COVID-19 Screening when attending an HWDSB site. Please use the appropriate provincial screening tool below and confirm that you've passed your screening each morning before arriving at your work location on the Employee Web Portal, using the form titled "Daily Employee COVID-19 Screening". Occasional
	 staff to schools must continue to verify screening during the sign-in process. School and Child Care Screening tool <u>COVID-19 school screening</u> (ontario.ca) For staff who are not attending at an HWDSB school site - <u>COVID-19 worker</u> and employee screening (ontario.ca)



