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Governance

Introduction: Rights and responsibilities

If you were asked exactly what “occasional teacher” means, what would you say?
ETFO identifies an occasional teacher as follows:

- a certified, qualified professional educator;
- a teacher who works in a variety of schools within a district school board;
- a teacher who must be prepared to teach in any subject area and within any grade at any given moment of the school day; and
- a professional who teaches in the place of an absent regular teacher.



ONTARIO'S EDUCATION ACT DEFINES AN OCCASIONAL TEACHER AS FOLLOWS:

- (1.1) Occasional teacher – For the purpose of this Act, a teacher is an occasional teacher if he or she is employed by a board to teach as a substitute for a teacher or temporary teacher who is or was employed by the board in a position that is part of its regular teaching staff including continuing education teachers but,
- (a) if the teacher substitutes for a teacher who has died during a school year, the teacher's employment as a substitute for him or her shall not extend past the end of the school year in which the death occurred; and
 - (b) if the teacher substitutes for a teacher who is absent from his or her duties for a temporary period, the teacher's employment as the substitute for him or her shall not extend past the end of the second school year after his or her absence begins.

Source: Anthony F. Brown. (2001). *Consolidated Ontario Education Statutes and Regulations*. Toronto: Carswell.

The *Education Act* and regulations that govern regular teachers cover occasional teachers as well. This Act is the core statute governing elementary and secondary level education in the province of Ontario. In addition to the *Education Act*, other statutes and regulations, such as the *Ontario College of Teachers Act*, expand upon the various legal requirements of educators in Ontario.

EXCERPTS FROM THE *EDUCATION ACT*, SECTION 264

1. It is the duty of a teacher and a temporary teacher
 - a) to teach diligently and faithfully the classes or subjects assigned to the teacher by the principal;
 - b) to encourage the pupils in the pursuit of learning;
 - c) to inculcate by precept and example, respect for religion and the principles of Judaeo-Christian morality and the highest regard for truth, justice, loyalty, love of country, humanity, benevolence, sobriety, industry, frugality, purity, temperance and all other virtues;
 - d) to assist in developing co-operation and co-ordination of effort among the members of the staff of the school;
 - e) to maintain, under the direction of the principal, proper order and discipline in the teacher's classroom and while on duty in the school and on the school ground;
 - f) in instruction, and in all communications with the pupils in regard to discipline and the management of the school
 - i) to use the English language, except where it is impractical to do so by reason of the pupil not understanding English, and except in respect of instruction in a language other than English when such other language is being taught as one of the subjects in the course of study, or
 - ii) to use the French language in schools or classes in which French is the language of instruction except where it is impractical to do so by reason of the pupil not understanding French, and except in respect of instruction in a language other than French when such other language is being taught as one of the subjects in the course of study;
 - g) to conduct the teacher's class in accordance with a timetable which shall be accessible to pupils and to the principal and supervisory officers;
 - h) to participate in professional activity days as designated by the board under the regulations; and
 - i) to notify such person as is designated by the board if the teacher is to be absent from the school and the reason therefore;
 - j) to deliver the register, the school key and other school property in the teacher's possession to the board on demand, or when the teacher's assignment with the board has expired, or when for any reason the teacher's employment has ceased; and
 - k) to use and permit to be used as a textbook in a class that he or she teaches in an elementary or a secondary school
 - i) in a subject area for which textbooks are approved by the minister, only textbooks that are approved by the minister, and
 - ii) in all subject areas, only textbooks that are approved by the board.

EXCERPTS FROM REGULATION 298, SECTION 20

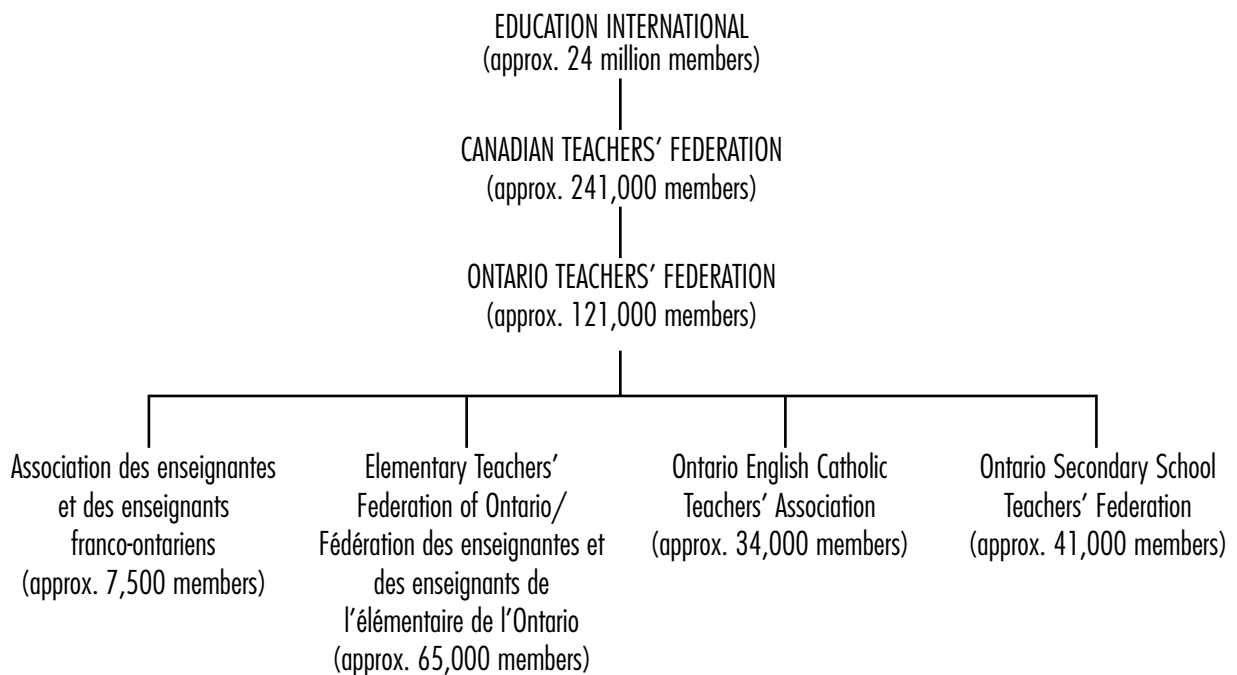
In addition to the duties assigned to the teacher under the *Education Act* and by the board, a teacher shall

- a) be responsible for effective instruction, training and evaluation of the progress of pupils in the subjects assigned to the teacher and for the management of the class or classes, and report to the principal on the progress of pupils on request;
- b) carry out the supervisory duties and instructional program assigned to the teacher by the principal and supply such information related thereto as the principal may require;
- c) where the board has appointed teachers under Section 14 or 17, co-operate fully with such teachers and with the principal in all matters related to the instruction of pupils; and
- d) unless otherwise assigned by the principal, be present in the classroom or teaching area and ensure that the classroom or teaching area is ready for the reception of pupils at least fifteen minutes before the commencement of classes in the school in the morning and, where applicable, five minutes before the commencement of classes in the school in the afternoon.

Teachers' federations and organizations

As a professional, it is important for you to be familiar with how teachers are governed. As a certified teacher in Ontario, you are a member of a teachers' federation and must also be a member of the Ontario College of Teachers (OCT). What follows is a chart of professional federations to which each occasional teacher belongs as a member of ETFO.

As of May 2002, approximately 24 million members, in 304 teacher organizations in 155 countries and territories across the globe, belong to Education International. You are one of those members.



Elementary Teachers' Federation of Ontario (ETFO)

ETFO is a federation serving over 65,000 elementary teachers and education workers from across the province. Ontario's public school elementary occasional teachers are equal partners of ETFO. Together we are a strong, unified, professional organization. You are part of this powerful federation!

ETFO is

- a leader in the field of protective services,
- a leader in professional development programs for elementary teachers,
- an advocate of equity and social justice issues, and
- governed by an Executive elected by members' teaching peers.

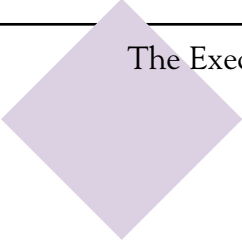
FEDERATION OBJECTIVES

ETFO's objectives are many and varied:

- to regulate relations between employees and their employers, including, but not limited to, securing and maintaining, through collective bargaining, the best possible terms and conditions of employment;
- to advance the cause of education and the status of teachers and educational workers;
- to promote a high standard of professional ethics and a high standard of professional competence;
- to foster a climate of social justice in Ontario and continue a leadership role in such areas as anti-poverty, non-violence, and equity;
- to promote and protect the interests of all members of the Federation and the students in their care; and
- to co-operate with other organizations in Ontario, Canada, and elsewhere, that have the same or similar objectives.

ETFO EXECUTIVE

Every August, key decisions regarding the Federation are made at its Annual Meeting. Fourteen Provincial Executive members are elected, many resolutions are submitted and debated by members, a budget is developed for the coming year, and reports are given from political leaders.



The Executive consists of 14 members.

ETFO Executive

Provincial ETFO President

Immediate Past President

First Vice-President

Two Vice-Presidents
(one of the positions shall be open to women only)

Ontario Teachers' Federation Representative

Executive members, as necessary to complete the executive
(four of the positions shall be open to women only)

ETFO SERVICE AREAS

ETFO's provincial office is in Toronto and employs a staff of approximately 100 people organized into service areas. These service areas work together to increase the involvement of the membership and carry out its decisions. As a member of ETFO you pay union dues and have the right to ask for the support of these services throughout your occasional teaching career.

Collective Bargaining Services

- works with locals to provide strong collective bargaining agreements
- provides statistical analysis, clausal analysis, and summaries of agreements
- assists in contract maintenance and enforcement
- advises and assists locals in formulating and processing grievances
- assumes responsibility for bargaining if a local reaches a negotiation impasse

Equity and Women's Services

- is unique among teacher organizations across Canada
- provides provincial and local opportunities for equity initiatives
- offers a broad range of programs geared to unique member needs
- educates, stimulates, and transforms ETFO to be responsive to the diverse needs of the membership
- works in community partnerships to be a social conscience
- develops and produces resources that address a variety of equity issues

Professional Development Services

- provides educators with access to high-quality, lifelong learning opportunities
- provides current, relevant, and multi-faceted programs
- attempts to meet future needs of members through surveys, focus groups, and task forces
- staff members serve on committees of the Ontario College of Teachers (OCT), Education, Quality and Accountability Office (EQAO), and other groups that seek the input of teachers
- is a voice in the Ontario Teachers' Federation (OTF)
- produces programs to support student development
- provides members with high-quality leadership courses

Professional Relations Services

- provides information, advice, and support to members who are experiencing professional problems not covered by the provisions of their collective agreement
- becomes directly involved if members have

- been accused of misconduct or sexual abuse;
- been informed by the OCT that a complaint has been filed against them;
- been placed “on review”;
- received written communication from board officials either warning or advising of disciplinary action or possible termination of a contract; or
- been accused of any criminal matter (e.g., fraud, theft, possession of illegal drugs, etc.).

- advises members who are being investigated due to an allegation on how to respond. The advice is NOT to consent to an interview with the police or Children's Aid Services (CAS) without first consulting the Federation. A member who is being investigated should state that “I am willing to cooperate but, on the advice of the Federation, I am unable to comment until I contact the Federation and legal counsel.”

Strategic Services

- fosters a strong, active membership; effective leadership; high public visibility; and credibility for the Federation
- communicates regularly with members through periodicals such as *ETFO LINK*, the *Women's Issues Newsletter*, and *VOICE*, as well as through the ETFO website (www.etfo.ca) and, via the locals, with *Queen's Park Report*
- coordinates leadership development programs for the organization
- builds member identification
- builds ETFO into a strong, effective voice for public elementary education in Ontario

ETFO REGIONAL LOCALS

Within your own occasional teacher local, an executive is elected by you and your peers to conduct the local's day-to-day business. Few occasional teacher local presidents are fully released from their teaching positions to carry out their duties. Because occasional teachers are a mobile group, communication between the local presidents and their members is essential. Occasional teachers lack one central, daily meeting place to share information and offer peer support. To overcome this, many occasional teacher locals employ a variety of strategies to communicate with their members, such as

- local websites,
- e-mail,
- monthly newsletters,
- board-owned message board systems,
- bulletin board space in each school,
- general and annual membership meetings, and
- professional development programs throughout the school year.

A local executive comprises both elected and appointed members from within its occasional teaching membership. Appointed members are usually part of a wide variety of standing committees that have been implemented through each local's own constitution. Examples of such standing committees may include

- Collective Bargaining,
- Health and Safety,
- Professional Development,
- Goodwill,
- Awards,
- Constitution,
- Liaison,
- Communications,
- Political Action, and
- Public Relations.

YOUR REGIONAL LOCAL EXECUTIVE

Elected executive members

President

Vice-President

Secretary

Treasurer

Professional Development Chair

(+ Other positions as defined locally)

Standing committees

- chairs may be appointed or elected depending on the local's constitution
- committee members volunteer from the general membership and may be remunerated for their work on the committees

Contact your local to become involved. Active members ensure productive, strong occasional teacher locals. Strong locals advocate for better working conditions within the schools. In addition, locals offer many professional development programs that will enrich your professional learning and build your personal portfolio.

Beyond ETFO – Other important organizations

Several other educational organizations also support occasional teachers.

The Ontario Teachers' Federation (OTF)

OTF was established by the *Teaching Profession Act* of 1944 as the professional organization for teachers in the province of Ontario. All teachers (as defined by the *Teaching Profession Act*) are required to belong to OTF as a condition of teaching in the province. Each teacher in Ontario belongs to one of OTF's four affiliated organizations: Association des Enseignantes et des Enseignants Franco-Ontariens (AEFO), ETFO, Ontario English Catholic Teachers' Association (OECTA), and Ontario Secondary School Teachers' Federation (OSSTF). Each affiliate works within its own constitution and sends representatives to the OTF Board of Governors, which is OTF's governing body.

The Canadian Teachers' Federation (CTF)

CTF is the national and international voice of Canadian teachers. It promotes quality education, the status of teachers, and equal opportunity through education. CTF also co-ordinates and facilitates the sharing of ideas, knowledge, and skills among its 14 provincial/territorial member organizations, which collectively represent about 241,000 teachers across the country.

The Ontario College of Teachers (OCT)

OCT was established by the *Ontario College of Teachers Act* in 1996. Acting in the public interest, OCT licenses and regulates the practice of teaching. Anyone wishing to teach in a publicly funded school in Ontario must be a member in good standing of OCT. The College is funded entirely by its members' annual fees. OCT has the authority to suspend, place limits on, cancel, revoke, and reinstate a teacher's certificate of qualification.

Ontario Teachers' Insurance Plan (OTIP/RAEO)

OTIP/RAEO was founded in 1977 by Ontario's five original teacher affiliates as a non-profit trust, serving only education employees' insurance needs. It has developed an unparalleled understanding of the needs and requirements of Ontario's education community. Its board of trustees includes two appointed members from each of the four OTF affiliates. Some occasional teacher locals do not have group benefit plans, but OTIP/RAEO offers a full line of individual insurance products and mutual funds.

Ontario Teachers' Pension Plan (OTPP)

OTPP is a co-sponsored partnership between OTF and the Ontario government. The teachers of Ontario share the management of the plan and the financial responsibility for it. Each partner appoints four directors to the board of directors and they jointly select the neutral chairperson. Occasional teachers pay into the plan through a deduction taken directly from each paycheque. After working more than 10 days in a school year, an occasional teacher achieves a full year of qualifying year of credit toward the "85 factor."

Occasional teaching is unique in terms of pension complexities that vary from individual to individual.

An occasional teacher's pension is calculated on the basis of the best-5 annual rates of salary. This is multiplied by 2% per year of actual credit. For example, a teacher with "85 factor" retiring on a best-5 annualized salary average of \$60,000 and who has 33 years of credited service, would receive a pension of \$39,600.

$$(2\% \times 33 \times \$60,000 = \$39,600)$$

Qualifications Evaluation Council of Ontario (QECCO)

QECCO objectively presents and administers an organized, uniform basis on which to evaluate teacher qualifications. It is a co-operative project of OTF's three elementary panel affiliates. The evaluation program represents the affiliates' official position with respect to the assessment of teacher qualifications.

The program is divided into categories: pre-degree categories (D, C, B, and A) and categories A1, A2, A3, and A4. Your occasional teacher local's collective agreement will indicate which of two programs (program 4 or 5) has been negotiated for use in determining how the QECCO categories will be related to salary scales within your board.

The QECCO Statement of Evaluation

Occasional teachers should apply for a QECCO Statement of Evaluation as soon as they are hired by a school board. After a certain number of consecutive days within a Long-Term Teaching Opportunity (LTO) assignment, you will be paid based on your salary, **not** on the daily rate that your local has negotiated with the board. If you do not have your QECCO rating, you will be paid according to the lowest category based on the program your board uses. This may mean a great deal less money for you!

Many occasional teacher local collective agreements allow members a certain amount of time within the school year of the LTO to apply for and receive QECCO evaluation. Retroactive pay based on an occasional teacher's actual salary category is then forwarded from the board. However, QECCO applications may take up to 10 weeks or longer to process. Consider this timeframe when waiting for an evaluation to be processed. Find out what your local collective agreement says!

Your local and you

OCCASIONAL TEACHER LOCALS

Every public district school board in Ontario has an occasional teacher local within its public elementary panel. Each local is responsible for

- providing local professional development programs,
- providing access to ETFO's provincial professional development programs,
- providing up-to-date communications about a wide variety of educational issues,
- providing access to professional relations services from the provincial office,
- negotiating for the best possible language within local collective agreements to improve working conditions, and
- dealing with many other issues that make employment as a teacher the best professional experience possible.

Remember, programs and negotiations can only be strong and successful with your support.

Did you know?

Your local collective agreement is legally binding on you – its provisions are binding under the law.

Committees, task forces, focus groups, surveys, and evaluations keep your local working for you.

Your local's role is to educate you, stimulate you, and transform itself to meet your needs.

YOUR COLLECTIVE AGREEMENT

Your collective agreement is the basis of your employee-employer relationship with your school board. It clearly defines

- your rights;
- the union's rights;
- the board's rights;
- definitions;
- basic procedures for both sides to follow regarding issues such as probationary status, filing a grievance, termination, clearing your employee file, working conditions, rates of pay, and long-term assignments;
- Letters of Agreement (i.e., issues the union and the board will investigate followed by a report that is provided within a defined length of time); and
- evaluation procedures.

Agreements are unique to each local. Many agreements contain similar language; however, local negotiating teams search for the “best language” found in all occasional teacher collective agreements from across the province. But, even if you are working under one of the best collective agreements, it is still only as good as the support it receives from the membership.

The following cases present two examples of language you may find in your agreement. They are issues that often generate conflict between occasional teachers and school administrators.

Example 1 – Yard duty

Sample agreement: No occasional teacher shall be assigned yard duty prior to the commencement of class on the first morning of an assignment or prior to commencement of the afternoon class on the first day, if it is a half-day assignment.

If you perform yard duty you are violating your agreement and making it difficult for other members who teach at that school site to support it.

Example 2 – Lunch period

Sample agreement: Each occasional teacher is entitled to a lunch period of a minimum of 40 consecutive minutes. Whenever possible, an occasional teacher who is assigned a half-day assignment shall not be responsible for lunchroom supervision.

A member is asked by a principal to take a middle lunch duty that would prevent the member from having 40 consecutive minutes for lunch. Under the *Education Act* the administrator has the right to ask a teacher to do this and you are required to follow the administrator's request; however, depending on your collective agreement, it may be grievable. In this scenario, the collective agreement clearly states that the board has agreed with your local in a binding legal document that this request should not be made.

If you choose not to inform your local president, this particular administrator may continue to violate this article and possibly other articles within your local agreement. Again, this makes it difficult for other members who do notify the local president. If you ever have concerns or questions about something a principal asks you to do, contact your local president. Remember, it is the local that files grievances, not members.

No one wants to cause waves, particularly when you may be working on a casual basis, or if your pocketbook depends on you working as much as possible.

However, healthy, supportive working conditions and environments are what we all look for in our employment – teaching included. Teachers continually, and happily, sacrifice their time and energy for their students. Peers and administrators should not, though, assume occasional teachers will sacrifice their legal rights and responsibilities as defined in their agreements.

All schools should have copies of the Occasional Teacher Collective Agreement from their particular board. Contact your local president if you do not have a copy of your collective agreement.

It is imperative that you support your collective agreement. The terms of your agreement are legally binding on you, your local, and your employer – its provisions are enforceable under law. Grievance procedures are in place to give members the opportunity to resolve differences.

HIGHLIGHTS OF OCCASIONAL TEACHER COLLECTIVE AGREEMENTS ACROSS ONTARIO

Here are examples of “best language” from some collective agreements between locals and boards across the province. Take a look at your own agreement to see what your local has negotiated.

Benefits

Members on long-term contracts of over three months are eligible for extended health and basic dental per the teacher agreement OR \$5.00/day in lieu of benefits.

Reporting pay

Upon cancellation of an assignment by the board, the member is entitled to a half-day pay if the member arrives and remains at the school site to teach.

Long-term assignments and salary

After a member teaches in one assignment for more than 10 consecutive days, the member is entitled to pay based on the member’s individual salary placement, including retroactive pay from the first day of the same assignment.

Parental leave

Unpaid or paid leaves for a set number of days, as per the *Employment Standards Act*, will be granted to the occasional teacher for parental leave.

Just cause

No occasional teacher shall be disciplined, demoted, or discharged without ‘just cause’.

Timetable

The primary responsibility of the occasional teacher is to fulfill the timetable of the teacher being replaced.

Evaluation

Members on long-term assignments may request an evaluation.

Professional development

Members on long-term assignments are expected to attend professional development sessions. Money is provided to the local by the board for professional development.

Workplace issues

As an occasional teacher you should be aware of your responsibilities as a member of the Federation. The ETFO code of conduct and your legal duty to report suspected child abuse are part of your professional responsibilities.

ETFO CODE OF PROFESSIONAL CONDUCT

The ETFO provincial constitution, and possibly your own local constitution, contain a detailed list of behaviours expected from members. This list includes

- adhering to the constitution and bylaws of the Federation;
- not undertaking or supporting actions that undermine established bargaining procedures;
- honouring the terms of your local collective agreement;
- striving to uphold the honour, dignity, and ethical standards of the teaching profession; and
- supporting a strike authorized by your local executive (failure to do so could result in a fine of up to \$500/day).

This list is not exhaustive. Visit www.etfo.ca for a complete version of the provincial constitution, and ensure you adhere to the Federation's code of conduct.

Disciplinary procedures

Also included in the provincial constitution, and perhaps your local constitution, is a description of the disciplinary procedures that may be taken against a member who has allegedly violated the ETFO's code of conduct. In the event of an alleged infraction, the General Secretary of ETFO investigates the allegation and presents a report with recommendations to the Professional Relations Committee.

Possible sanctions for members found in breach of Federation policy include

- dissemination, in a Federation publication, of the name of a member who is in breach of policy;
- suspension of the right to hold office in the Federation for a period of years; and
- suspension for a period of years of all services normally provided by the Federation.

In the event of sanctioning, Federation dues would continue to be collected from a member in breach of policy.

CHILD ABUSE – DUTY TO REPORT

Occasional teacher members have a statutory obligation under the *Child and Family Services Act* to report to the Children's Aid Society (CAS) when "a child is or may be in need of protection." Physical, sexual, or emotional abuse or a pattern of neglect of a child may result in your need to report. The failure of a member to report suspected child abuse or a pattern of neglect could result in charges under the Act with a fine, upon conviction, of up to \$1,000.

Section 43: Criminal Code of Canada

“Every school teacher, parent or person standing in the place of a parent is justified in using force by way of correction toward a pupil or child as the case may be who is under his care if the force does not exceed what is reasonable under the circumstances.”

Your statutory obligation to report suspected child abuse

- applies to every person who performs professional or official duties with respect to a child, including teachers, principals, supervisory officers, and members of the support staff;
- arises if there are “reasonable” grounds to suspect a pattern of neglect or abuse or the risk of neglect or abuse, regardless of whether one believes the information; and
- requires a report to be submitted directly to the local CAS, not through the principal or vice-principal.

Most school boards will have their own procedures to follow within a school. Occasional teachers should become familiar with their board’s procedures.

ALLEGATIONS AGAINST YOU

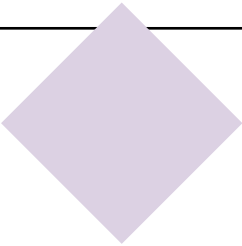
If a complaint of sexually or emotionally abusing a student is made against a teacher, CAS is called and begins investigating the teacher.

The Federation provides legal assistance to defend members against allegations that are directly related to the member’s employment responsibilities. If you are contacted by the police or CAS regarding an allegation against you

- DO NOT participate in or consent to an interview;
- DO NOT make a statement to anyone regarding the allegations/charges;
- say “I’m willing to co-operate but I am unable to comment until I contact the Federation and legal counsel”; and
- call Professional Relations Services at 1-888-838-3836 or 416-962-3836 and state that your call is urgent.

AFTER-HOURS EMERGENCY LEGAL ASSISTANCE

If you require “emergency” legal assistance outside of ETFO office hours, a voice message will provide you with the necessary instructions to reach an operator. The operator will ask you a few questions and will, if appropriate, contact a criminal lawyer.



FLOWCHART OF CHILDREN’S AID SERVICES, POLICE, AND SCHOOL BOARD INVESTIGATIONS

You may be called to the principal’s office if you are still in the school when the alleged incident is reported.

You may receive a phone call at home from either the school principal where the alleged incident occurred, or from the board.

You may be asked to supply a statement – **DO NOT SUPPLY A VERBAL OR WRITTEN STATEMENT AT THIS TIME.** Say: “I’m willing to co-operate but I am unable to comment until I contact the Federation and legal counsel.”

You may be asked to leave the school.

You will be removed from your board’s occasional teaching call-out system until the investigation is complete and you have been found innocent.

Immediately call your local president and Professional Relations Services at 1-888-838-3836 or 416-962-3836.

You may receive pay for any pre-booked teaching days you had scheduled during the time you are not allowed to teach, or you may receive daily pay for each day you are not permitted to teach.

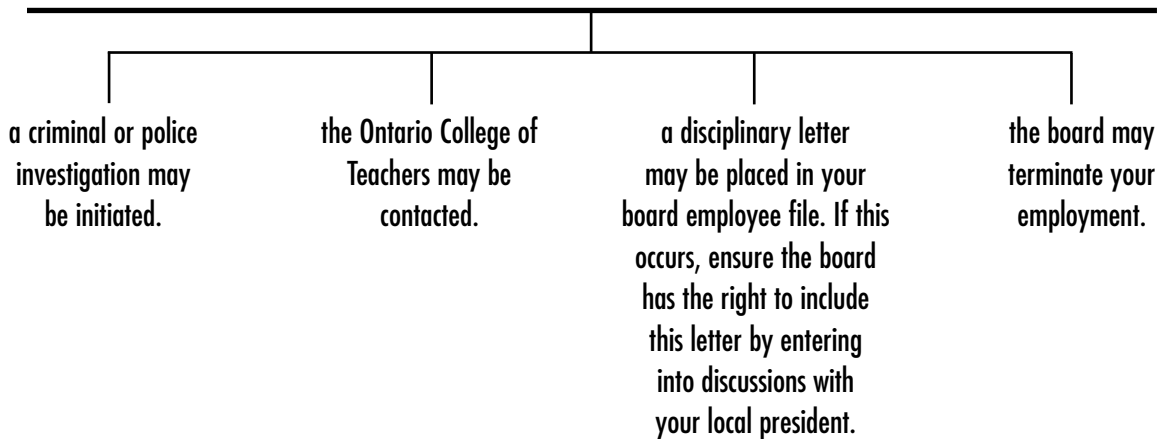
The CAS investigation may take two weeks or longer to complete.

The police may wish to complete a report and may request a statement from you.
Do not agree to this without first contacting the Federation.

Do not agree to meet with CAS or the police without someone from the Federation present to support and guide you.

If you have been cleared by CAS, the matter may be over or your board may attempt to place a disciplinary letter in your employee file – this may be grievable and should be dealt with by the Federation.

If the CAS determines that they believe the allegation is true, several avenues may be followed depending on the severity of the alleged abuse:



PERFORMANCE APPRAISAL OR EVALUATION

Performance appraisal procedures for occasional teachers vary from board to board across the province. Some occasional teacher locals have negotiated evaluation procedures; some are in the midst of developing procedures; and some are still without any.

In the absence of formal evaluation procedures, some boards provide the opportunity for occasional teachers to request an evaluation of their teaching performance during placement in long-term assignments.

The Ontario government is in the process of implementing Bill 110: *The Quality in the Classroom Act*, which establishes one province-wide performance appraisal process for all full-time teachers. It does not apply to occasional teachers or to those on long-term assignments.

As an occasional teacher or someone on a long-term assignment, you do have rights during the evaluation process. These include the right to

- know the evaluation process,
- know what standards of performance are expected,
- be given adequate notice and feedback,
- demonstrate improvement and receive assistance, and
- have enough time to implement the required improvements as well as other rights as defined in your local collective agreement.

Do not hesitate to contact your local president or ETFO's Professional Relations Services at any time to seek advice about the evaluation process.

TERMINATION

A school administrator may terminate the employment of an occasional teacher who may be teaching on a long-term contract without anything more than five teaching days notice (plus or minus a few days depending on your collective agreement) or five days pay in lieu of notice (this figure may vary as well). Termination may occur without the support of an evaluation process.

Some occasional teacher agreements contain the following standard clause, usually under "management rights":

“the board’s rights shall include the right to discipline, dismiss, demote, transfer, suspend, or withhold salary for just cause. It is recognized that a lesser standard of just cause (basic procedural fairness) applies to the dismissal of probationary occasional teachers.”

Other agreements have language that provides occasional teachers with the same termination language as the permanent teacher locals.

Find out whether evaluation and termination procedures are in place in your collective agreement. If you ever feel that you have been wrongfully dismissed, contact your local president and discuss the possibilities of filing a grievance against the board.

BOARD POLICIES, PROCEDURES, AND REPORTS TO LOOK FOR

- Children's Aid Society protocol
- Workplace Injury and Accident Report
- Student Incident or Occurrence Report
- Harassment and Discrimination policy – Statement and procedure for reporting
- Medical or physical procedures for students
- Joint Health and Safety In-School Reports
- Performance Appraisal/Evaluation procedure
- Hiring of permanent and long-term occasional positions
- List of recognized religious holy days
- Anti-Racism and Ethnocultural Equity Policy statement
- Procedure for using non-certified personnel in the absence of a teacher
- Safe School procedures
- Criminal Background Check procedures
- Workplace Safety and Insurance Board procedures

Additions:

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-
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Ask for copies of your board's policies and procedures from your board, local, or a school administrator.

Important addresses

Your ETFO local

President: _____

Website: _____

Office phone: _____

ETFO Provincial Office
1000 – 480 University Avenue
Toronto, Ontario
M5G 1V2
1-888-838-3836
416-962-3836
FAX: 416-642-2424
www.etfo.ca

Ontario Teachers'
Federation (OTF/FEO)
200 – 1300 Yonge Street
Toronto, Ontario
M4T 1X3
1-800-268-7061
416-966-5450
FAX 416-966-5450
www.otffeo.on.ca

Association des Enseignantes
et des Enseignants
Franco-Ontariens (AEFO)
681, chemin Belfast
Ottawa, Ontario
1-800-267-4217
613-244-2336
FAX 613-563-7718
www.franco.ca/aefo

Ontario English Catholic
Teachers' Association
(OECTA)
400-65 St. Clair Avenue West
Toronto, Ontario
M4T 2Y8
1-800-268-7230
416-925-2493
FAX 416-925-7764
www.oecta.on.ca

Ontario Secondary School
Teachers' Federation (OSSTF)
60 Mobile Drive
Toronto, Ontario
M4A 2P3
1-800-267-7867
416-751-8300
FAX 416-751-3394
www.osstf.on.ca

Ontario College of
Teachers (OCT)
121 Bloor Street East
6th Floor
Toronto, Ontario
M4W 3M5
1-888-534-2222
416-961-8800
FAX 416-961-8822
www.oct.on.ca

Ontario Teachers'
Insurance Plan (OTIP/RAEO)
125 Northfield Drive West
Box 218
Waterloo, Ontario
N2J 3Z9
1-800-267-6847
519-888-9683
www.otip.com

Qualifications Evaluation
Council of Ontario
(QECO/COEQ)
1300 Yonge Street
2nd Floor
Toronto, Ontario
M4T 1X3
1-800-385-1030
416-323-1969
www.qeco.on.ca

Ontario Teachers'
Pension Plan Board
300 – 5650 Yonge Street
Toronto, Ontario
M2M 4H5
1-800-668-0105
416-226-2700
www.otpp.com
(Note: have your SIN # ready.)

Governance bibliography

ETFO. (2002). *Analysis of ETFO Occasional Teacher Collective Agreements*. Toronto: ETFO. A comparative analysis in chart form of all of the public elementary occasional teacher collective agreements that have been ratified as of January 2002.

ETFO. (2001). *Reference Book, 2001–2002*. Toronto: ETFO. A concise overview of ETFO, including the Federation's constitution, services, supporting organizations, associations, and boards.

Gilbert, V. K., Martin, R. A., & Sheehan, A. T. (1991). *A Hard Act to Follow: Notes on Ontario School Law*. Toronto: The Ontario Institute for Studies in Education. Offers detailed summaries of legislated regulations and curriculum material that pertain to educators in Ontario.

Sullivan, B. (1996). *Teachers: A Tribute*. Kansas City, MO: Andrews McMeel. A selection of quotable tributes to teachers.