



ONTARIO PUBLIC
SCHOOL BOARDS'
ASSOCIATION

Leading Education's Advocates

March 25–27, 2010

**Labour Relations
&
Human Resources**

2010

Toronto

Pre-Symposium:

Early Learning Program—What
You Need to Know

Opening Keynote Speaker:

Dr. Glen R. Whyte
Rotman School of Management
University of Toronto

Closing Keynote Speaker:

Kevin Costante
Deputy Minister of Education

Workshops on...

- Correcting Behaviours and Progressive Discipline
- Accommodating Staff: The Increasing Challenges
- Equity and Inclusivity
- Attendance Management
- Bill 168 Implications
- Principal/Vice Principal Terms & Conditions
- Representation Rights
...and more

Who should attend...

- Directors of Education
- Supervisory Officers
- Trustees
- Principals
- School business officials, labour relations and human resources staff

Sheraton Centre Hotel
123 Queen Street West

Early Bird Draw!
Details Inside

Ontario Public School Boards' Association
Ontario Association of School Business Officials

Day 1: Thursday, March 25, 2010

12:00—5:00 **SYMPOSIUM REGISTRATION**
Mezzanine Foyer

1:00—4:00 **PRE-SYMPOSIUM**
Conference B & C, Mezzanine Level

THE EARLY LEARNING PROGRAM – WHAT YOU NEED TO KNOW **JOHN-PAUL ALEXANDROWICZ** and **DAVID BRADY**, Hicks Morley LLP

On January 11, 2010, the Ministry made public its plans to provide a full day of learning to four- and five-year-olds as part of the province's broader plan to build a stronger school system and a well-educated workforce. From the perspective of students and parents, the program will be phased-in over time, starting in September 2010. However, school boards (and particularly labour relations practitioners) will have plenty to do in the meanwhile.

The Program contemplates the hiring of more than 20,000 Early Childhood Educators ("ECEs") over a five year period. Some school board collective agreements will clearly sweep these new employees within their existing recognition clauses. Others do so only arguably. In many boards, the representation rights associated with ECEs are completely "up for grabs". Disputes between trade unions, teacher federations and possibly school boards are almost inevitable.

In addition, boards will have to plan to operate their school sites in ways that will accommodate the Ministry's plans to offer extended day programs, before and after regular school hours. These programs were not contemplated when existing collective agreements (e.g., for custodial staff) and contracts (for administrators) were agreed to. Pay equity obligations, human rights issues regarding access to services, professional issues involving the College of Early Childhood Educators, statutory duties under the *Education Act* – the list goes on.

This interactive half-day session, led by experienced school board lawyers, will provide a working overview of the issues, explain the legal framework and assist you in preparing for the months ahead.

4:00—5:30 **RECEPTION**
Mezzanine Foyer

Day 2: Friday, March 26, 2010

7:45-8:45 **Buffet Breakfast** **Civic Ballroom**
Registration Continues

8:45-9:00 **WELCOME AND OPENING REMARKS**
GEOFF WILLIAMS
Director of Labour Relations
Ontario Public School Boards' Association

9:00-10:15 **OPENING KEYNOTE ADDRESS**
Civic Ballroom

DR. GLEN R. WHYTE, Professor of Organizational Behaviour and Human Resources, Rotman School of Management, University of Toronto

People rely on their capacity to negotiate to do more than simply engage in collective bargaining. Some of life's most important goals are, in fact, often best-accomplished through a process of negotiation. Strategic negotiations accomplish important objectives efficiently and effectively. Dr. Whyte will identify some of the tasks that may be used to accomplish negotiations, discuss what it truly means to have negotiated effectively, and address how to do it. At the end of this presentation, you should have a different appreciation of what it means to negotiate effectively, and an enhanced understanding of how to do this in practice.

10:15-10:45 **Networking Break**

10:45-12:00 **SERIES A WORKSHOPS**

THE EARLY LEARNING PROGRAM – "HARD CORE" SEMINAR ON UNION ORGANIZING DRIVES, VOLUNTARY RECOGNITION AND REPRESENTATION RIGHTS

Room: Simcoe-Dufferin

JOHN-PAUL ALEXANDROWICZ and **DAVID BRADY**, Hicks Morley LLP

Of all of the issues anticipated in connection with the Early Learning Program, those concerning representation rights are likely to be the most immediate, contentious and important. Boards will have to begin by identifying the outcome that is best suited to their particular circumstances. They must then understand the legalities associated with the pursuit of their preferred objectives (or at least the avoidance of their worst nightmares!). This will demand a detailed understanding of the law and processes surrounding employer communications, voluntary recognition, the assessment of your existing collective agreements and much more. This workshop will take concepts introduced at the Pre-Symposium Workshop and push them to the next level of detail.

PRINCIPAL AND VICE PRINCIPAL TERMS AND CONDITIONS

Conference B & C, Mezzanine Level

MIKE BENSON, Executive Director, Ontario Principals' Council, **JOHN BRYANT**, Executive Superintendent of Human Resources & Organizational Development, Waterloo Region DSB, **MARG CONNOR**, Director, Leadership Development Branch, Ministry of Education, **BRIAN NOLAN**, Shibley Righton LLP, and **KATHY SOULE**, Director of Education, Hastings and Prince Edward DSB

With the release of the Ministry of Education Policy Program Memorandum on Principal/Vice Principal Terms and Conditions, this timely session will look at the legal background, implications and implementation of the document. Ministry staff will provide an overview of the document and its context within the Ministry's leadership initiatives.

ATTENDANCE MANAGEMENT OR ATTENDANCE SUPPORT?

Room: Huron

DAMIAN BORRELLI, Human Resources Consultant, PeopleRight, **BYRON FRANSON**, Attendance Support Co-ordinator, School Boards' Co-operative Inc., and **DALE LECKIE**, Director of Protective Services, Ontario Secondary School Teachers' Federation

This workshop will address the critical issues in implementing and maintaining an attendance program. Is it understood? Is it supported? What are the barriers? What are the winning tactics? Where do the unions fit in? What does training look like? Focussing on the 'support' aspect. Understand best practices and dos and don'ts.

12:00-1:00

Luncheon and Early Bird Draw
Civic Ballroom

1:00-2:15

SERIES B WORKSHOPS

EQUITY AND INCLUSIVITY

Room: Simcoe-Dufferin

EVADNE MACEDO, Senior Policy Analyst, Ontario Human Rights Commission, **TOM REED**, Education Officer, Inclusive Education Branch, Ministry of Education and **DAVID WALPOLE**, Director of Program Policy, Ontario Public School Boards' Association

This session will examine the requirements of the Ontario *Human Rights Code* and the Ministry of Education Equity and Inclusive Education Strategy for school boards, and review the template policy and procedures materials, developed through the Ontario Education Services Corporation (OESC), which will be provided at no cost to all school boards this spring, to meet legislated deadlines.

CORRECTING BEHAVIOURS AND PROGRESSIVE DISCIPLINE OF EMPLOYEES—PART 1

Conference B & C, Mezzanine Level

FAYE DRENNAN, Professional Services Consultant, Ontario Principals' Council and **JACK SULLENS**, Superintendent, Human Resources Services, Waterloo Region DSB

Most supervisors and managers have access to and are familiar with the process/procedures for dealing with employee performance related concerns. However, there is less familiarity with or an absence of process/procedures to assist managers and supervisors in dealing with behaviour related concerns that negatively impact the work environment and relationships. Respect and trust in an education work environment are achieved by fair, objective and firmly enforced discipline procedures, including fair investigation techniques. This workshop will take participants through a fair, objective process which is designed as a tool for superintendents, principals, vice-principals, managers and supervisors who may be required to handle a matter of employee discipline and who may have little or no experience with this complex issue or who may wish to develop a well defined process for board use.

Part 2 of this workshop is continued at 2:45

HUMAN RIGHTS IN ONTARIO, IN THEORY AND IN PRACTICE

Room: Huron

MICHAEL HINES AND **KATHRYN BIRD**, Hicks Morley LLP

This workshop will address both substantive and procedural human rights issues. The first half of the workshop will be designed to sharpen your understanding of the relationship between the fundamental concepts of "equality rights", the duty of accommodation and the concept of "undue hardship". Reference will be made to case law examples in order to make the conceptual approach more "concrete". The session will then turn to a practical review of Ontario's new "direct access" human rights system. Is the new system effective at quickly allowing parties to address allegations of human rights violations, or is it likely to become backlogged and mired in a heavy caseload? The practical tips and tools that are available to boards in navigating this new system will be discussed.

2:15-2:45

Networking Break

2:45-4:00

SERIES C WORKSHOPS

CORRECTING BEHAVIOURS AND PROGRESSIVE DISCIPLINE OF EMPLOYEES—PART 2 (continued)

Conference B & C, Mezzanine Level

ACCOMMODATING STAFF: THE INCREASING CHALLENGES

BOB KEEL, Keel Cottrelle LLP

Room: Huron

This session will review the implications of the Charter and *Human Rights Code* with respect to the increasing duty to accommodate staff. The session will review: the need to balance accommodation and discipline for staff with mental health issues; issues involving access to health information; obtaining appropriate expert opinions; accommodation issues relating to family status; accommodation issues for staff members who are medically fragile; accommodation issues for staff with physical disabilities; the challenges of STD and LTD; the issues with respect to multiple Tribunals such as the WSIB and Ontario Human Rights Tribunal; the session will also review practical and realistic strategies with respect to such issues.

BILL 168, VIOLENCE AND HARASSMENT IN THE WORKPLACE—THE IMPLICATIONS

Room: Simcoe-Dufferin

CHRIS BROADBENT, Manager, Health and Safety, Toronto DSB, **PAUL CRAWFORD**, retired Superintendent of Education, Toronto Catholic DSB, **MEGHAN FERGUSON**, Hicks Morley LLP, and others.

This workshop will offer a helpful overview of Bill 168 and its implications for school boards, focusing on policy, procedures and training. Materials developed by the Ontario Education Services Corporation (OESC) taskforce to assist boards with implementation will be shared, as well as plans for the development of future materials. Participants will be asked for input on what would be most helpful for boards with regards to implementation.

Day 3: Saturday, March 27, 2010

Civic Ballroom

8:00-9:00

Buffet Breakfast

9:00-10:00

CLOSING KEYNOTE ADDRESS

KEVIN COSTANTE, Deputy Minister of Education

10:00-10:15

Networking Break

10:15-11:30

CLOSING PLENARY

KEN CORAN, President, Ontario Secondary School Teachers' Federation

FRED HAHN, President, CUPE Ontario

SAM HAMMOND, President, Elementary Teachers' Federation of Ontario

DOUG MORRELL, President, Ontario Principals' Council

GEOFF WILLIAMS, Director of Labour Relations, OPSBA

This session will examine current issues in Labour Relations, and provide a look into the future at issues which may emerge and the future of provincial bargaining.

11:30

CLOSING REMARKS

Early Bird Draw!

Register by March 3rd

and your name will be entered in a draw to win one of two prizes for ~

One Night's Accommodation for Two,
at the Toronto Sheraton Centre Hotel—Club Level

Labour Relations & Human Resources 2010

Register Now! 3 Easy Ways.....

- 1 **MAIL**.....Ontario Public School Boards' Association
439 University Avenue, 18th Floor
Toronto, ON - M5G 1Y8
- 2 **FAX**..... 416-340-7571
- 3 **ONLINE**.....www.opsba.org

Please photocopy for each additional delegate.

NAME _____
TITLE _____
ORGANIZATION _____
CITY _____ PROV _____ POSTAL CODE _____
TEL _____ FAX _____
EMAIL _____

REGISTRATION FEES

- PRE-SYMPOSIUM** 95.00 + 4.75 GST = 99.75
- FULL SYMPOSIUM**
 - OPSBA/OASBO MEMBER: 438.68 + 21.93 GST = 460.61
 - OCSTA/ACÉPO/AFOCSC MEMBER: 469.81 + 23.49 GST = 493.30
 - Non-Member: 565.09 + 28.25 GST = 593.34
- ONE-DAY REGISTRATION** (Friday, March 26, 2010)
302.83 + 15.14 GST = 317.97
- I have enclosed a cheque for \$ _____ made payable to the Ontario Public School Boards' Association.
(GST No. R-107800344).
- Cheque to follow by mail.

Please forward cheques to:

Ernesta Graham, Conference Co-ordinator
Ontario Public School Boards' Association
439 University Avenue, 18th Floor-Toronto, ON M5G 1Y8

HOTEL ACOMMODATIONS

A special guestroom rate of \$190.00 plus taxes (single or double) has been arranged for delegates at the Toronto Sheraton Centre Hotel. Please phone hotel reservations directly at 416-361-1000 or 1-888-627-7175 and ask for the OPSBA group rate before the **February 22, 2010** cut-off date. Reserve early as availability is limited!

SPECIAL MEAL REQUIREMENTS

If you have special meal requirements, please contact Ernesta Graham, Conference Co-ordinator at 416-340-2540, no later than 2 weeks prior to the Symposium or submit your requirements below:

CANCELLATION POLICY

A full refund will be given up to 15 working days prior to the Symposium. A partial refund (less a 50% administration charge) will be given 7 to 10 working days prior to the Symposium. No refund will be given 6 working days prior to the Symposium or to "No Show" delegates. Substitutions are accepted. Registrants are responsible for the full registration fee unless cancellation is in accordance to the terms and conditions stated above. All cancellations must be received in writing (by fax) at OPSBA within the stated timelines. Email cancellations are not accepted.