



March 2018

## **OCTU**

# **FREQUENTLY ASKED QUESTIONS**

This document has been created to help guide members with responses to frequently asked questions. Many members reach out with similar questions and/or experiences that they need to seek guidance on.

We have broken down this document into two sections. The first containing all the questions that were submitted directly by members in preparation for the OCTU PD Day 2018 "FAQ's" session with responses. The second section contains questions and responses as well as a few created questions to draw members attention to helpful areas of the collective agreement.

We look forward to adding to this document as more frequently asked questions are collected. Please submit any suggestions you may wish to see added this document to Samantha:

[octupres@osstf21.ca](mailto:octupres@osstf21.ca)

We hope you find this document beneficial to all OCTU members. Please feel free to share with your fellow OCTU colleagues.



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## Section 1 – Questions e-mailed for FAQ session at PD Day

### Casual Questions:

#### **1) Where do I get information about casual benefits, or what casuels get in lieu of benefits? How do I find this information?**

Casuals who work in a continuous assignment for 6 months or more have access to \$75 per month worked in lieu of benefits. This \$75/month is paid at the END of your assignment. Please keep clear records of your time in assignments to ensure you do not miss accessing money that is yours. You may need to send an e-mail to Brenda Maxwell in HR to request these funds at the end of your assignment.

This is the only access for casuals to benefits now.

This, and more information specific to OCTU Casual members can be found near the back of the Collective Agreement under "Schedule C – Casual and Temporary Members"

The benefit information is listed under Schedule C – 7

#### **2) Do Casuals have access to sick days? Is there a difference between being in an assignment (LTO) vs day to day casuals and access?**

If you are a casual in an assignment (LTO), you do have access to sick days. You earn sick days as you work, and earn 1.1 paid days at 100%, and 12 paid days at 90% per month worked. If you are working an assignment where the length of it is known (commonly a maternity leave, etc.) you should be granted the days at the beginning of your assignment. If you are in an assignment where the length is unknown, you earn the days as you work.

If you are a casual working day to day and not in 1 continuous assignment, unfortunately you do not have access to paid sick days.

How to access these paid sick days for LTO's:

On your time sheet, complete it as if you attended work on the day. In the comment field, you can make a note that you were in fact away on medical for this/these days.



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### **3) Vacation Days for Casuals/LTO's – Is there access?**

Casual OCTU members receive their vacation pay on each pay even if they are in an LTO. If an LTO wants to take vacation time, this is done by requesting the unpaid leave of absence with their Principal/Manager and Human Resources. A timesheet should not be submitted for the period of the unpaid leave.

Please note that if the unpaid leave abuts a statutory holiday, the LTO will not receive the stat pay as they are required to work the day before and after the statutory holiday to receive the stat day pay.

### **4) As a casual on-call employee is there a minimum number of days or hours I need to work? Is it a strike against me if I decline or hang up on calls for a job?**

There is no minimum number of days or hours you need to work to remain on the casual list.

### **5) Is there opportunity for casuals to work in the summer?**

Yes! There may be opportunity to work in secondary school and/or board office buildings. We have many 12-month members in our bargaining unit that may need coverage over the summer months. We do not supply casual support to cover vacation, however there may still be members needing leaves of absence, or off on medical, or additional support in departments needed. HWDSB will call casuals for this reason.

One issue is that SFX shuts down for all occupational groups over the summer for making calls to find coverage. To solve this issue, HR has just created a new form posted in your web portal that allows all casual members to indicate their availability to work over the summer months. HR will be able to use this information to phone casual members if/when work is available.



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#### **6) Can Casual Members apply for EI over the summer?**

OCTU casuals are required to request the ROE through Payroll. This can be done via an e-mail to [payroll@hwdsb.on.ca](mailto:payroll@hwdsb.on.ca). However, they are considered 12-month employees and are eligible to work

Although not technically laid off the same as a 10-month member, if a casual member has obtained the proper number of eligible hours to qualify for EI, they may complete the application. EI is never guaranteed and is awarded on a case by case scenario.

Section 1 continued – Questions e-mailed for FAQ session at PD Day

All Member Questions:

#### **1) I currently have two 0.5 LTO's and need confirmation as to if I am entitled to a lunch break?**

Yes! Regardless of you having to travel between 2 positions, you are entitled to a lunch break. Technically you should work for 3.5 hours at each location and take a 15-minute break at each location (1 morning and 1 afternoon). Your travel time is not your lunch break! You truly have to watch yourself and ensure you are giving yourself a 1-hour break.

If you are forced to travel between 2 positions due to the position you are covering, you would also be entitled to collected mileage. This is only however if you are forced, not if you have picked up 2 different positions (this is for permanent and casual members)



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**2) I've heard HWDSB employees get a discounted GoodLife fitness membership - is this only for full time employees or do casuals get this too?**

This is true, OSSTF members receive discounts at Goodlife Fitness, and many other places such as Great Wolf Lodge, discounts on phone bills, and more. You can access these deals through Edvantage. In order to do this, you need your Membership ID number. This is found on your OSSTF Member Card. If you do not have this card (you may still be waiting to receive one since you were hired, or may have lost it) you can contact Provincial OSSTF at 1-800-267-7867 and ask for "Membership Services". They will be able to assist you. To access Edvantage it is your membership ID and name. There are great discounts for members. Visit [www.edvantage.ca](http://www.edvantage.ca) to see all the deals!

**3) Why have I been called in for an "Attendance" meeting? What do I do?**

The HWDSB has a program called Total Attendance Support (TAS) which is a way of monitoring employee absences and look for ways to offer support in hopes of having good attendance at work. The union does not necessarily agree with this program and wants to be sure to be in attendance when members are called to such meeting by their supervisors.

A member will show up on their supervisors' monthly report once they have reached 10 INSTANCES. 1 Instance is 1 absence (meaning if you have a half day absence, this is 1 instance, if you have a full day absence, this too is 1 instance). It does not have to be consecutive instances to show up on this report, any member that hits the number of 10 instances will show up and will be called to a meeting.

Unfortunately, these meetings are seen more as uncomfortable more than anything.

A member never has to disclose of any medical diagnosis to their supervisor or anyone at HWDSB.

It is incredibly important to notify me (Samantha) if you are requested to attend one of these meetings. I have been attending a number of these meetings with members over the last little while and will continue to do so.

These meetings typically only last about 5-10 minutes and I am there more to ensure the supervisor does not ask for medical information they are not privy to, or that they



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do not instruct a member incorrectly (by telling to submit a doctors note if it has been less than 6 consecutive absences, etc.).

#### **4) Is there anything that can be done about rigged hiring practices?**

First thing that can be done, is bring it to the attention of your union! Your executive has regularly scheduled Labour Relations meetings with HR every 6 weeks to discuss on-going issues/concerns for the unit. We have raised hiring concerns/questions, use of co-op students, and other items that directly affect our members. Samantha also has weekly touch base meetings with Leticia Goddard in HR to discuss more in depth and specific items. We do have language in our collective agreement around hiring for job postings. The only way something can be acted upon is if it is brought to our attention. We can not promise to fix situations, however we can continue to raise concerns and shed light on issues. If issues continue, there may be ways to address them through local negotiations as well.

## Section 2 – FAQ's and Helpful Information for All OCTU Members

### Frequently Asked Questions by Members:

#### **1) How do I apply for a leave of absence?**

There are a few different types of Leaves of Absence members can apply for. Most of our 10-month members ask how to apply for unpaid leaves of absence (typically to be able to go away on vacation during the school year). These types of leaves can be found in the Collective Agreement under Article 17 – Personal Leave of Absence

All requests for any type of leave should be sent to:

Leticia Goddard – Human Resources (and cc a copy to Samantha)

You should always first seek approval from your immediate supervisor prior to requesting your leave through HR.



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## **2) 2a - How do my sick days work?**

Each full time permanent member has access to 11 sick days at 100% pay as well as 120 sick days at 90% pay each school year. These days are granted on September 1<sup>st</sup> of each year.

You have access to these days throughout the year, and are only required to submit a doctors note if you are away for 6 or more consecutive days. If you are 5 or less, a doctors note does NOT need to be submitted.

Your immediate supervisor has NO RIGHT To request any medical documentation from you at any time. The only person you should ever submit any medical to is Lucy DeMartino, Return to Work Coordinator for HWSDB (confidential fax number).

If you have any unused sick days from your 11 at 100% by the end of the year (June 30<sup>th</sup> for 10 months, August 31<sup>st</sup> for 12 month), these may be carried over to the next year to be used as "top up" should you fall into your 120 days at 90% the following year. Each 1 day of carry over, can be used to "top up" 10 days when you are at 90% sick leave.

If you are a casual member in an assignment, you earn sick leave as you go. You earn 1.1 paid sick days at 100% and 12 paid sick days at 90% per month in a continuous assignment. If you are in an assignment where the length is known (commonly a maternity leave, etc.) you should be allocated the sick leave as per the length of the assignment (if it is a full year, it would equal the same sick leave as a permanent member).

If you are a day to day casual not working in a continuous assignment, you do not have access to paid sick days through our collective agreement.

There are however changes coming through from Bill 148 – Changes to the Employment Standards Act, that will allow for some access to sick days for day to day casuals. OSSTF and HWSDB will be getting together over the next little while to discuss these changes and how they impact each member. Communication will be sent out as this is completed.



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- 2) 2b) - If we must go somewhere for an elderly parent or a child's appointment, etc. How do we take time for this? Less concerned about being paid for an hour or two of missed work, than I am about the absence being recorded properly. I do not want to be accused of scamming the system or miss-use of sick time.**

Technically we do not have access to paid days for this type of absence. However, if it is a known appointment in advance, you may request the day to be paid as per Article 16.3 – Miscellaneous Leaves of Absence. You must obtain approval from your immediate supervisor and then request via e-mail to Leticia Goddard, cc'ing Samantha.

A member may at any time request an unpaid day through Article 17 – Personal Leave of Absence, which they could use for this reason.

A member may also have access of Family Medical Leave and/or Critically Ill Child Care Leave through the Employment Standards Act. You may be eligible for up to 8 weeks of top up pay through HWDSB if you access this leave. This type of leave must be accessed by the member through the Employment Standards Act.

- 3) My child is graduating, how do I go about getting the day for the ceremony?**

Article 16 – Miscellaneous Leaves of Absence

16.1

This article allows access to PAID days for members to attend graduations of children, or themselves. Please discuss the need for these days with your immediate supervisor and then send an e-mail to Leticia Goddard to request the day.

- 4) Do we have access to any personal days?**

Somewhat! We have the ability to request up to 3 paid days for reasons other than illness to be granted. Because we have to request these days as paid, we do have to provide some information to HR when making this request. The board has the right to approve or deny the days being paid. If they deny the day as paid, they will direct you to your ability to request the day as unpaid.





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Under Article 16.3 – you will find the language regarding the 3 paid days for reasons other than illness.

To request any unpaid day(s), you would use Article 17 – Personal Leaves of Absence.

### **5) Do we have to administer medication to students if asked/directed?**

NO!

#### **L43.0 – MEDICAL PROCEDURES**

- L43.1 Except in a medical emergency, the Board shall not require any Member to administer medication, perform any medical/physical procedures or examine students for communicable conditions or diseases. No Member shall be liable if the Member volunteers to assist the Principal/Vice-Principal in a medical emergency.
- L43.2 A bargaining unit Member who volunteers to administer medication or perform medical procedures will be fully covered by the Board's liability insurance.

### **6) What are my hours of work supposed to be?**

According to the Collective Agreement a member will work an 8-hour day with a 1-hour unpaid lunch and 2 paid 15-minute breaks.

The collective agreement spells out the start time for each panel (Admin buildings between 8:30a.m. – 5:00 p.m., Secondary School – at least 1 member to start 40 minutes prior to bell, Elementary School – 30 minutes prior to bell).

In any case, no member should begin working prior to 7:30 a.m. unless there has been prior agreement between both HR and the Union (not between the member and their supervisor).

This can be found under article 37 – Hours of Work.

### **7) What breaks should I be getting?**

Every member who works a full day is to take a 1-hour unpaid lunch and 2 – 15-minute paid breaks

*YES, EVERY MEMBER SHOULD BE TAKING A 1 HOUR LUNCH AND 2 – 15 MINUTE BREAKS EVERY SINGLE DAY.*

Every member who works a half day is to take 1 – 15-minute paid break.



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You are the only person who truly controls if you take your break. You can not be disciplined or frowned upon for taking what is rightfully yours, and what is owed to you.

You **MUST** take care of yourself as nobody will remind you to take your breaks.

Even if you work in a team and nobody else takes their breaks, be the trend setter, take your breaks!