

H D E A A 'S Guide to Work-related Terms 5.0



H D E A A
"Together We Make A Difference"

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"HDEAA WORKING FOR YOU"



Introduction !

- ❖ As you look for answers to questions or concerns, HDEAA advises to always ask yourself,

Do I need to talk to my Union first?

If in doubt, make a quick call or email to us in the Union office first, before you talk to anyone else. Friends, coworkers, and Facebook are not reliable sources of information. Are you willing to risk relying on a wrong answer?

- ❖ However, some questions may be best asked to and answered by
 - THE BOARD– the departments at the school board offices
 - Your Supervisor – (Principal, Vice Principal, Manager)
 - Your Union – HDEAA
 - Your Health and Safety Representative in the workplace
 - An outside agency such as Service Canada

- ❖ Here is a guide to help you decide where to take your questions, so the answers are accurate and put you first! Symbols next to the topic will represent whether it is a Board, Supervisor, Union or outside agency area. You can decide who you might ask or who you should ask first based on your understanding of the question. When in doubt contact the Union 1st.

 this involves the Board

 this involves your Supervisor

 this involves the Union

 this is an outside agency

 identifies persons and groups who have roles in an Educational Assistants work world.



- ❖ Information is organized alphabetically by topic for your convenience



this involves the Board



this involves your Supervisor



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identifies persons and groups

A



Abilities Form

The purpose of this HDSB form is to provide the HDSB with information to assess whether an employee is able to perform the essential duties of their position and understand any restrictions and/or limitations to assess workplace accommodation options. There are three types of ability forms: general, pregnancy related illness, and surgery

see also [Abilities Specialist](#), [Accommodation](#), [Disability management](#), [Doctor's note](#), [Return to work](#)



Abilities Specialist

(Part of Disability Management) works directly with employees and their supervisors. Their role can include but is not limited to:

- Case management of medical documentation
- Develop Return to Work plans
- Clarify and request sufficient and reasonable medical information
- Discuss concerns with employee and Principal/Manager/Supervisor
- Maintaining confidentiality of personal medical information

Abilities Specialists are assigned according to geographic school location whenever possible. See also, [Abilities Form Accommodation](#), [Disability management](#), [Return to work](#)



Absence Code

Is the Job related absence code entered into Smartfind when recording an absence and shown in

Smartfind or your ESS. Codes, other than 01 sick, may require a budget code as well. see also [Attendance Management](#), [Smart Find](#), [ESS](#)



Accommodations

Supporting an employee's medically assessed restrictions and/or limitations in the workplace is considered accommodation. It is a "reasonable change or adjustment to an employee's work, workplace environment or both to enable the employee to productively perform the essential duties of an existing job in a healthy and safe manner." "Accommodation at work refers to using all reasonable efforts to prevent and remove barriers that impede individuals with disabilities from participating fully as employees of the Board." [See HDSB Admin Procedure 'Individual Work Accommodation \(Medical\)'](#)

HDEAA advises you contact the Union if you are involved in seeking or receiving accommodations at work. see also [Ability Form Abilities Specialist](#), [Disability Management](#), [Return to Work](#)



Admin Council

Admin Council (or Administrative Council) is comprised of the Corporate and Academic Superintendents, the Associate Director and the Director of the HDSB. The Manager of the Director's Office and the Manager of Communications also sit on Admin Council. Weekly discussion items pertain to the operation of the HDSB in both academic and corporate matters, including but not limited to preparation of reports and recommendations to the Board, school issues, budget preparation and the review and revision of admin procedures. A smaller group comprised of Academic Superintendents and the Associate Director meet weekly to deal more specifically with school issues, including admin transfers/placements. [Staff may receive emails around HDSB required training from Admin Council](#). See also [Training](#)



Administration

Principals and Vice-Principals at the HDSB are often called "Admin" or Administration by staff and in 'Work' documents. This term can also include Upper Management such as Superintendents, Managers and Directors at the HDSB. see also [Supervisors](#)

HDSB Administrative Procedures

"Administrative Procedures outline the operational steps to implement Board Policies" www.hdsb.ca

HDSB Admin Procedures are found on www.myhdsb.ca and hdsb.ca

Annual Declaration

Found on ESS, this annual declaration to the Board is caused by the Provincial Government enacting "the Safe Schools Act 2000 (Bill 81) and Ontario Regulation 521/01 (amended to Ontario Regulation 322/03), Collection of Personal Information. For the purposes of ensuring the safety of pupils, every Board must collect a "personal criminal history", in the form of an Offence Declaration, from every employee by September 1st of each year, providing that a satisfactory Criminal Background Check and/or Offence Declaration has been previously collected from the individual." [hdsb](http://hdsb.ca)

- You must make this declaration annually to work at the HDSB.
- **The Union recommends that you do this when the messaging is sent by the HDSB in the preceding Spring** See also ESS

AP see also HDSB Administrative Procedures

Asked to do at Work

If you have any questions or concerns around task or work you are being asked to do while at work, please talk to your immediate supervisor. If you have further questions or concerns, please contact the Union. If you do not feel comfortable speaking to your supervisor first, call the union for clarification around your concerns. Please know, you have the right to refuse work you feel may cause an imminent or immediate risk of injury. See also [Assignment](#), [Health and Safety](#), [Supervisor](#), [Work Refusal](#)

Assignment

is usually the task or work you are assigned to as part of your schedule. If the task or work has a risk of immediate or imminent injury see Work Refusal If you have questions or concerns around appropriateness, contact the Union. The Board uses the term to describe an EAs Work Location combined with their FTE see also [Schedule](#)

Attendance Management

Attendance Management and Support Program counts '01 Illness codes. The intent of the Attendance Management program is to provide non-disciplinary and supportive assistance to Halton District School Board employees who exceed the established absence threshold at each of the program's levels. [The Attendance Management Program is outlined in its Administrative Procedure.](#)

Employees enter the Program if they exceed nine (9) Code 01 absences coded in a 12-month working period. A letter from the analyst invites EAs to check their absences to identify what each absence was used for. Attendance Management seems complicated however, if an EA keeps good notes around absences, the process is easier. '01' absences used for an underlying medical condition, specialist appointments and absences of 5 consecutive days or greater are also not counted. Code 01 is only for personal illness, injury or medical care. The usual challenge involves using the appropriate leave time rather than coding an absence as "illness" The HDSB program which monitors employee attendance includes meetings with the employee. **It is strongly recommended by us here at HDEAA that you take your union representative with you to all meetings.** See also [Leaves of Absence](#), [Sick Time](#),

Health & Wellness – Attendance Management Staff See [myhdsb](http://myhdsb.ca)

B Behaviour Intervention Plan

"is a comprehensive plan to support positive change in behaviour for a student. The plan describes specific behaviours of a student, identifies a student's triggers, contributing factors, perceived function of the behaviour, hypothesized lagging skills and the appropriate strategies and interventions working with the student." This definition is contained the HDSB "Managing Violent and Aggressive Behaviour of Students with Special Needs" **Please note, a behaviour plan should not include aggressive behaviours without a corresponding safety plan in place.** See also [Behaviour Log](#), [Safety Plan](#), [Managing Violent and Aggressive Behaviour of Students with Special Needs](#)

Behaviour Log

is a HDSB form that “shall be used to record a student’s aggressive behaviours and events that occur before and after the behaviour to develop and understanding of the student’s needs.”

Behaviour Management Systems

HDSB provided training for managing student behaviour including physical intervention. BMS certification is required for all EAs and is mandatory when working with students who have a safety plan. Training opportunities are found on pdplace See also [Safety Plan](#), [Violence](#), [Managing Violent and Aggressive Behaviour of Students with Special Needs](#)

Benefits

Health and Dental Care Benefits are designed through the EWAO-ATEO trust for HDEAA members managed through OTIP and paid out through Manulife. Permanent EA working full time (35 hours per week) have Benefits included as part of their compensation. Permanent members working half time qualify to receive benefits, however, are responsible to pay half the premiums. LTO’s qualify for benefits after 90 working days in the position. This coverage is retroactive to the beginning of the contract. All personal questions should be first directed to OTIP. If there are questions or concerns, contact HDEAA who can ask for issues to be solved by the OTIP Escalation Team. See also [OTIP](#), [OTIP Escalation Team](#)

The BOARD

Common name for the entire Halton District School Board organization

Board of Trustees

This term identifies the elected municipal officials charged with the governance of the School Board with attention to the public purse. This Board meets the 1st and 3rd Wednesday of every month. The Halton District School Board is responsible for the development and review of policies that reflect the Board’s mission, vision and values for the governance and operation of the school system.” www.hdsb.ca

Bodily Fluids

The HDSB has an Administrative Procedure available to protect staff against hazards which may contain infectious substances. Bodily fluids include blood, vomit, spit (Saliva), urine, feces, vaginal secretions, semen, and nasal secretions See also [Health and Safety](#), [PPE](#), [Work Refusal](#)

C

CA see also [Collective Agreement](#)

Cancer Care Path

is an assistance program offered to HDEAA members and their immediate family who need help with the complexity of cancer care This program is available as part of the OTIP-LTD Insurance plan. Help is a phone call away. 1-800-290-5106

CAS

Halton Children’s Aid Society has the responsibility of investigating any report of abuse or neglect that has been forwarded to them. EAs work with vulnerable children and may also be in vulnerable situations. EAs may find that they have contact with the CAS (Children’s Aid Society). The HDSB Administrative Procedure on Child Abuse – Reporting Procedure includes key points that all members should be aware of. *Excerpts from the AP are in red italics.*

- ❖ **Making a Report;** *All school personnel have the duty to report when there are reasonable grounds to suspect that a child has suffered, or there is a risk that a child is likely to suffer abuse or neglect. If a Board employee or volunteer has reasonable grounds to suspect that a child is or may be in need of protection, the person must immediately report the suspicion, and the information upon which it is based, to the Children’s Aid Society. If making such a report in your role as an EA, you are also required to inform the school principal that a report will be or has been made. It is your decision if you feel there are reasonable grounds to call whether others have a different opinion on whether the call is necessary.*
- ❖ *As the individual making a report you “if specifically requested by CAS, will provide additional information to aid in the determination of whether a child is in need of protection. The final determination of whether an investigation will result is the decision of*

the Children's Aid Society. The anonymity of the referral source cannot be guaranteed".

- ❖ **If YOU have been named in an allegation; "the Principal/Vice Principal will meet with the employee to notify them that a CAS complaint has been filed and will advise the employee that they may contact their union representative."** Usually, at this time, the employee will be sent home pending the investigation.
- ❖ **EMPLOYEES should CONTACT THE UNION OFFICE AT 905-639-3680 IMMEDIATELY. DO NOT discuss the details of the complaint with anyone else, including your administrator, before you have been advised by HDEAA. The Union is only notified that someone has been sent home. The Union does not know who to reach out to until the EA contacts us.**
"When assigned home with pay, the employee

- *Is not to have any contact with the student, parents or staff in HDSB and they should not discuss the allegations with anyone other than their Union Representative while the investigation is underway,*
- *Will receive formal correspondence from the Board regarding the matter,*
- *Will be informed that support is available through the Board's Employee and Family Assistances program (EAP)*

Casual (supply) employees are assigned home with pay for committed assignments only or in accordance with their collective agreement.

- ❖ CAS will contact the EA via telephone to set up an interview appointment at a CAS office. **Coordinate this with the Union.** HDEAA is familiar with most of the CAS case managers and will accompany you to your interviews. CAS will conduct its investigation, interviewing all pertinent individuals. You may be called in for a second meeting – with the HDEAA rep. – to be informed of the results. This will be followed by a written confirmation of their findings. Most CAS investigations take 2-6 weeks but there is no required timeline.
- ❖ After receipt of the CAS findings, the Board may determine a need to conduct its own investigation. Be aware that the CAS and the Board have different intents in their investigations and although CAS may decide the allegation is NOT VERIFIED, the Board will still likely pursue its own case looking for employment issues/concerns.
- ❖ The EA will be contacted to come in for an HDSB interview conducted by a Board Labour Relations Officer. A **Union representative will attend the**

meeting as well. The Board may interview whomever they deem necessary including co-workers. During this process, the EA will likely still be at home with pay and all previous cautions still apply. When the investigation is complete the EA will attend a "findings" meeting to hear the report and be informed if any disciplinary measures will follow. This meeting may be attended by the Exec. Officer of HR or designate. This process usually takes more time than the CAS process.

- ❖ **called to an interview as a Witness: "Once the call has been made to the CAS, all Board employees/volunteers are required to cooperate fully with the CAS/Police Investigative Team.** If the CAS comes to the school to conduct interviews of co-workers/staff an EA **HAS THE RIGHT to request union representation** during the interview, even as a **witness.** This is also true of the Board investigations. **Throughout the entire process EAs are strongly advised to access Union representation and advice.**
- ❖ **YOUR UNION IS HERE TO HELP AND SUPPORT YOU THROUGH THE PROCESS CALL 905-639-368**



- ❖ **CEAO** (Coalition of Educational Assistants of Ontario) members include HDEAA, Dufferin-Peel Educational Resource Workers (DPERWA) and the Waterloo Regional District School Board Educational Assistants Association (WRDSB EAA). These independent unions representing educational support staff meet regularly to facilitate best practise within their own unions and collaborate on problem solving.



- is the contract between the Union and the Employer and is fundamental to the employer -employee relations. Part B: **Local terms are determined with the Halton District School Board** and Part A: **Central terms are determined with the Crown and the CTA. Together they form the Collective Agreement. The Current Collective Agreement in force from Sept 1st, 2019 to August 31st, 2022. Copies are available on both HDEAA.com and myhdsb.**



Collective Bargaining

Collective Bargaining in **Ontario's Education Sector:**

- ❖ Worker representation in Collective Bargaining for the Ontario Education Sector begins with the School Boards Bargaining Act. Here "Teachers" are assigned by law to membership in specific Unions. Because of this law, these Unions have a complement of members who, by law, cannot leave to be part of another union. This law determines union membership, protects these specific Unions from raids by other unions and denies the collective rights of those members to choose to join or form another union to support their bargaining rights as guaranteed in the Labour Relations Act
- ❖ **'Teachers' in Ontario**
- ❖ From the "School Boards Collective Bargaining Act, 2014, S.O. 2014, c. 5 "

""Bargaining Agents

Bargaining agents for teachers

AEFO

10 (1) L'Association des enseignantes et des enseignants franco-ontariens is designated as the bargaining agent for employees in each of the following teachers' bargaining units, as described in section 5:

1. Every elementary school teachers' unit and elementary school occasional teachers' unit at a French-language district school board.
2. Every secondary school teachers' unit and secondary school occasional teachers' unit at a French-language district school board.
3. Every French-language teachers' unit and French-language occasional teachers' unit at a school authority other than a board established under section 68 of the *Education Act*.
4. The teachers' unit and occasional teachers' unit at the Centre Jules-Léger Consortium. 2017, c. 34, Sched. 12, s. 14 (3).

ETFO

(2) The Elementary Teachers' Federation of Ontario is designated as the bargaining agent for employees in each of the following teachers' bargaining units, as described in section 5:

1. Every elementary school teachers' unit and elementary school occasional teachers' unit at an English-language public district school board.

2. Every elementary school teachers' unit and elementary school occasional teachers' unit at a board established under section 68 of the *Education Act*.
3. Every English-language teachers' unit and English-language occasional teachers' unit at a board of a district school area.
4. Every English-language teachers' unit and English-language occasional teachers' unit at a board of a Protestant separate school.

OECTA

(3) The Ontario English Catholic Teachers' Association is designated as the bargaining agent for employees in each of the following teachers' bargaining units, as described in section 5:

1. Every elementary school teachers' unit and elementary school occasional teachers' unit at an English-language separate district school board.
2. Every secondary school teachers' unit and secondary school occasional teachers' unit at an English-language separate district school board.
3. Every English-language teachers' unit and English-language occasional teachers' unit at a Roman Catholic school authority.

OSSTF

(4) The Ontario Secondary School Teachers' Federation is designated as the bargaining agent for employees in each of the following teachers' bargaining units, as described in section 5:

1. Every secondary school teachers' unit and secondary school occasional teachers' unit at an English-language public district school board.
2. Every secondary school teachers' unit and secondary school occasional teachers' unit at a board established under section 68 of the *Education Act*.
3. Every secondary school teachers' unit and secondary school occasional teachers' unit at a board of a secondary school district established under section 67 of the *Education Act*.
4. The teachers' bargaining unit at the Provincial Schools Authority.

Certification of bargaining agents, deeming

(5) Each bargaining agent designated by this section is deemed to be certified as the bargaining agent for the teachers' bargaining units indicated.

Same

(6) No trade union is entitled to apply for certification under the *Labour Relations Act, 1995* as the bargaining agent for a teachers' bargaining unit.

Same

(7) No person is entitled to apply for a declaration under the *Labour Relations Act, 1995* that a bargaining agent designated by this section no longer represents the members of the applicable teachers' bargaining unit.

Status of bargaining agent, deeming

(8) A bargaining agent designated by this section is deemed to be a trade union for the purposes of the *Labour Relations Act, 1995*."

Education Support Workers in Ontario?

"Bargaining agents for other employees

11 (1) For bargaining units of employees of a school board who are not teachers, the bargaining agents are determined under the *Labour Relations Act, 1995*."

Education Support workers in Ontario are Educational Assistants (EA), Designated Early Childhood Educators (DECE), Child and Youth Workers (CYW), Custodial staff, Office and Clerical staff, Library Technicians and others whose rights as a member of a Union are governed by the Labour Relations Act. In Ontario, these workers are members of the following Unions or Locals listed below to the best of our knowledge:

- Canadian Union of Public Employees (CUPE)
- Canadian Office and Professional Employees Union (COPE)
- Halton District Educational Assistants Association (HDEAA)
- Elementary Teachers Federation of Ontario (ETFO)
- Educational Assistants Association of the Waterloo Regional District School Board (EAA)
- Ontario Secondary School Teachers Federation (OSSTF)
- Ontario Public Service Employees Union (OPSEU)
- Service Employee' International Union (SEIU)
- Unite Here
- Association of Professional Student Services Personnel (APSSP)
- Association des enseignantes et des enseignants franco-ontariens (AEFO)
- Unifor

Bargaining in Ontario

Ontario created a 2-tier negotiation model laid out in legislation by the province. Individual locals and/or independent unions must come together to form a

negotiation 'table' as per the legislated requirements. The latest School Boards Bargaining Act Regulation

O. Reg. 59/19: THE 2019 ROUND OF COLLECTIVE BARGAINING outlines the 5 central tables that represent Education **Workers That Are Not Teachers**. Teachers do not sit at central tables with non- teaching staff, however ETFO and OSSTF are unions which have both a Teaching and Support Staff central table. The Central Tables for Employees other than teachers are:

- CUPE central table – Canadian Union of Public Employees
- ETFO central table – Elementary Teachers' Federation of Ontario
- OSSTF central table – Ontario Secondary School Teachers Federation
- EWAO-ATEO central table – Education Workers' Alliance of Ontario members are:
 - **Halton District Educational Assistants Association**
 - L'Association des enseignantes et des enseignants franco-ontariens.
 - Association of Professional Student Services Personnel.
 - Dufferin-Peel Educational Resource Workers' Association.
 - Educational Assistants Association.
 - Service Employees' International Union.
 - Unite Here.
- OCEW central table- Ontario Council of Education Workers members are:
 - COPE Ontario.
 - Educational Resource Facilitators of Peel.
 - Essex and Kent Counties Skilled Trades Council.
 - Labourers' International Union of North America.
 - Maintenance and Construction Skilled Trades Council.
 - Ontario Public Service Employees Union. OPSEU
 - Unifor.



Constant Contact

Constant Contact is HDEAA's direct messaging platform for delivering Union information and updates to our members in a timely manner. HDEAA messaging includes union updates for members and surveys that steer Union decision making. To receive Union messaging, members are asked to forward a personal email to the Union office to request Constant Contact messaging. [See Also HDEAA](#)

  **Critical Path**

is the time table indicating relevant dates of the development and implementation of the staffing process for educational assistants encompassing a school year. See also [Collective Agreement](#)

D

 **Doctor's note**

Is commonly misunderstood by EAs. Please note, the Health and Wellness Department will ask for an Abilities form not a Doctor's note. If a Doctor's note is requested, it is typically needed to prove that a medical appointment occurred, inferring that a worker was in medical need and could not be at work. A Doctor's note may 1) prove a patient was there and 2) detail a person's reason for being there. Please know, many medical providers charge for Doctor's notes. Unless you have been asked by the HDSB for a Doctor's note, simply ask that the Doctor put in their visit notes that you missed work to attend the appointment. If you need documentation to that effect later, you will be able to refer to this information. If you need a Doctor's note as it has been requested to prove you were sick (medically unfit to work), it is reasonable to provide a note from the Clinic/office saying you attended an appointment rather than a note containing medical information. Doctor's notes are requested to prove to the employer that they can use your sick time to pay you. They do not need to know the medical details. **DO NOT GIVE ANY MEDICAL INFORMATION TO YOUR SUPERVISOR.** If the HDSB asks for a Doctor's note, they will pay for it so remember to ask how to submit the receipt for payment. see also [Abilities Form](#), [Medical Documentation](#)

  **Disability Management** see also [Health and Wellness](#)

  **Disability Management staff** (part of Health and Wellness) are responsible for developing and maintaining policies and procedures; WSIB claims administration; early and safe return to work from occupational and non-occupational related injury and illness.

  **Discipline!**

Meetings may be called with Administration with or without Human Resources. **In every case an employee has the right to Union representation and we strongly recommend an Employee takes Union Representation to any meeting where performance at work or work actions may be discussed.**

  **Discrimination**
See [Respectful Workplace](#)

 **Duty**

Often, when EAs use the term 'duty', they mean any work assignment outside of instructional time, including nutrition break, eating time, outside or indoor 'break' time, bus duty, cross walk duty etc.

The HDSB sees the time that the EA is assigned to support the student, regardless of the time of day or location of the work, as a regular part of an EA day. This time is not considered a 'duty' by the HDSB. A duty then, according to the HDSB, is only such time as an EA is working with the general school population in non-instructional time.

Currently, there is no limit to the amount of time an EA can be assigned to such tasks. However, HDEAA expects

- that such assignments are assigned equitably among the staff eligible to perform them.
- that the work is safe.
- that the Collective Agreement is upheld. 20.06 states "Employees may be expected to participate in the supervision of student on the regular rotation of duties such as bus duty and nutrition breaks, unless such an assignment would result in concurrent supervisory duties. It is understood that such duties are considered part of seven (7.0) hour paid day. 7.24 Concurrent Duty Overlapping supervision duty, in non-instructional time, whereby and Educational Assistant is assigned a specific student(s) and is assigned general supervision duty at the same time." See Also [Assignment](#), [Schedule](#)

E



Early Intervention Program (EI)

Is a program offered through OTIP as part of the Long-Term Disability Insurance which seeks to assist HDEAA members who have been absent from their workplace for 20 working days to return to a “productive lifestyle in the workplace as quickly and safely as medically possible. An OTIP Early Intervention Rehabilitation Consultant (EIRC) will contact the HDEAA member as the result of a referral by the HDEAA office. HDEAA makes every effort to consult with the Employee so this referral may be made. See also LTDI



Edvantage

is a program which brings discounts and opportunities to persons working in Education. The program can help you save on cell phone use, gym memberships, travel, tickets, and many other needs and wants. *If you do not have an Edvantage card yet, please contact us in the HDEAA office.*



EIRs

EIRs are Employee Incident Reports These are the only official documentation of an incident which belongs to an EA. Each incident is important as these records are the basis for WSIB claims and the Supervisor is responsible for addressing whatever caused the illness or injury to occur. EAs must be given worktime to complete these forms and debrief with the Supervisor. An Employee Incident documents physical injury and/or mental harm. Exposure over time can be documented as well as incidents which are a ‘near miss’.

- You can access the online reporting system for the forms via [myhdsb – Applications – Employee Incident Reporting.](#)
- Video and print tutorials are also available at [myhdsb – Departments – HR – Health & Safety](#)
 - You must be given paid time to fill out the form
 - Best practice is to report within 48 hrs, the sooner the better. You have 6 months.
 - There are no longer different forms for EIRs and EIR-As.
 - There is no signature required. You will not have the opportunity to review the principal’s input before it is submitted.

- HDEAA officers follow up on all health care and/or lost time incidents.



Employee and Family Assistance Program

is a **confidential** support program for HDSB employees, and their families offered at no cost through the HDSB. *Check out EFAP on [myhdsb](#) where you will find a great overview of the help available.* <https://www.myhdsb.ca/HumanResources/Health-and-Wellness/Wellness/Pages/EFAP.aspx>



ER Employee Relations Committee

From the Collective Agreement:

- ❖ Article 2.05 “An Employee Relations Committee shall be established with no more than four (4) representatives each from both the Union and the Board to discuss matters of concern. The Committee shall meet as required at the request of either party to discuss matters of concern. No employee shall suffer any loss to their earnings for time spent at these meetings. Should an additional representative be required by the Union based on the agenda of the meeting; they will be released by mutual agreement”
- ❖ The goal is to meet once a month. Typically, the HDEAA President, Vice-President and 2VP attend. HDSB is represented by the Human Resources (EA) Manager Paula Rosina and the Senior Manager, as well as the Superintendent and Principal of Student Services



ESS Employee Self Service

The ESS Portal is the Board’s online ‘Personal File’ for employees. It is the place where EAs login to maintain their personal contact information, see the Board’s classification of our position, refer to the record of sick time allotted (both used and available), to access required training modules, receive our payment records, and do the annual declaration required by law.

ESS <https://ess.hdsb.ca>

ESS has 6 relevant linked pages: Personal, Positions, Absences, Training, Pay and Declaration. **Be aware that you need to login as this site contains your private information.**

Employment Insurance (EI)

are benefits and leaves coordinated by the Federal government. This program contains but is not limited to support for Laid off workers and maternity/parental benefits. Any questions or concerns should be directed to Service Canada as well.

EWAO

The Education Workers Alliance of Ontario (EWAO) was founded in response to the Government of Ontario's decision to create a two-tiered collective bargaining process. 11 Unions with 27 bargaining units came together as a central bargaining unit and successfully signed a central Collective Agreement in that was extended to August 2019. As the Central Table Representative, EWAO became the coordinators for members in the new Employee Life and Health Trust (ELHT) as the Government of Ontario transferred the provision of benefits to employees in the education sector from the School Boards to ELHTs managed through the Education Sector Unions.

EWAO-ATEO (Education Workers' Alliance of Ontario) members are:

- Halton District Educational Assistants Association.
- L'Association des enseignantes et des enseignants franco-ontariens.
- Association of Professional Student Services Personnel.
- Dufferin-Peel Educational Resource Workers' Association.
- Educational Assistants Association.
- Service Employees' International Union
- Unite Here

F

Feeling Better Now

is an online mental health tool offered through OTIP as part of the Long-Term Disability Insurance that helps HDEAA members and their families to identify mental health issues as soon as possible in order to get everyone started on the path to feeling better now.

Fill rates

Fill rates are the number of absences reported by Educational Assistants which are filled or not filled by a supply EA. Fill rate is a term referring to the rate at which open jobs/assignments are filled and subsequently how many open spots there are with no EA supply in place. A low fill rate means that jobs are going unfilled on a regular basis and as such means that students are left unsupported or supported as best as possible in the

circumstances by understaffed schools. Absences occur due to illness, leaves, professional development, and job-related absences. In response, leaves may be denied and pd or job-related absences may be cancelled or rescheduled.

An EA denied a leave of absence or whose pd or job-related absence is rescheduled is advised to contact the Union office for conversation around best practices and next steps. There is an appeal process, and we can help you navigate it. Denials have been reversed.

See also Attendance, Leaves of Absence

First Aid

Every school or workplace provided by the Halton District School Board must be capable of providing First Aid to an injured employee. It is highly recommended by HDEAA that a first aider be consulted for every workplace injury, even a paper cut. First Aiders provide informed care and are witnesses to the workplace event. Please do not let anyone including yourself leave the school due to head injury without seeing a first aider.

Provision of First Aid AP: "Each school and administrative location is required to provide for the administration of first aid to staff and students" It outlines the legal responsibility for the number of first aiders and first aid kits, insurance coverage, and how-to procedures'

See also Health and Safety

G

Green Sheets

An HDSB slang term for the Safe Schools form required for reporting student behaviour which violates the Education Act. This reporting is now an online process. see also Safe Schools Reporting

Grievance

When HDEAA feels our collective agreement, rights have not been followed for an individual, group or policy, HDEAA may file a Grievance or Grievances. Article 9 of our Collective agreement says It is the mutual desire of the parties to adjust disagreements and complaints relating to the interpretation, application, administration or alleged violation of this Collective Agreement as quickly as possible. See also Collective agreement, Labour Relations

H

Harassment/Conflict

“workplace harassment” means,

(a) engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome, or

(b) workplace sexual harassment.

“workplace sexual harassment” means,

(a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or

(b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome;

See also Respectful Workplace

HDEAA & HDEAA Executive

- ❖ **HDEAA** (Halton District Education Assistants Association) is the Union which represents Educational Assistants within the Halton District School Board.
- ❖ 100% of dues paid by this bargaining unit support HDEAA members.
- ❖ HDEAA Executive are HDEAA members elected by HDEAA members to support the needs and rights of HDEAA member.
- ❖ As HDEAA members, the officers intimately understand the needs and wants of the membership.
- ❖ **As a member to HDEAA you have a vote.**
- when voting for Union leaders, including those who will support you in situations like Discipline, CAS, Accommodations and more!
- to ratify your Collective Agreement and whether to approve strike action.
- Every member-in-good standing may attend HDEAA meetings and vote on motions including Union dues rates. This voting right is not available in all unions Some Unions give votes only to delegates, not all members.



As HDEAA Members, you have a voice and your Union listens.

- Any member can speak directly to HDEAA and receive support. Members in good standing can attend the AGM, the Fall Financial, Town Halls and Workshops and fill out surveys.

❖ Your HDEAA Executive members will:

- Attend Executive meetings scheduled both during and after the regular workday
- Attend assigned HDEAA committee meetings after the workday
- Attend HDEAA/HDSB committee meetings during and after the regular workday
- Attend evening Board and SEAC meetings on a rotation schedule
- Assist with the day to day function of the Union and/or with preparation of HDEAA sponsored events and activities
- Represent HDEAA to various groups/organizations as directed by the President
- Assist the President in any manner in which the President requests in accordance with the Constitution.
- Participate in courses and professional development as directed by the President
- Submit reports to Executive and member meetings as required
- All Executive are required to sign a confidentiality agreement and an oath of office pledging support for HDEAA and its Constitution & Bylaws.

❖ HDEAA Membership Supports:

- **Job Security-** Unionized workplaces have defined articles in their collective agreements which cover how and why employees may be terminated or laid off. The Union has a grievance process to disagree with an Employer’s action. A HDEAA EA can be assured that their job is protected by our Collective agreement.
- **Health and Safety-** HDEAA supports the highest standard of Health and Safety at work and fulfills its role under the Ontario Occupational Health and Safety Act. Members with questions around a safety concern may turn to their JHSC Worker rep in the school, their HEART Representative in the School or call the HDEAA Office.

- Collective Bargaining allows the voices of HDEAA members to be heard when seeking an agreement with the Employer.
- HDEAA provides representation and information to members **It is our recommendation that a member always have a Union representation in a meeting with the employer and that the union and the employee discuss the situation prior to the meeting.**
- PD Professional Development is key to staying current and well in our jobs. HDEAA offers in-house PD and supportive funding for relevant courses.

❖ HDEAA Finance Committee

The Finance Committee will assist the Executive in fulfilling all its financial oversight responsibilities and in overseeing administration of the HDEAA on the following matters: financial sustainability, unaudited financial reports, banking, borrowing and investments, and financial risk management oversight. The Committee will ensure that all Constitutional Articles and Bylaws relating to the financial management of the Union are current. The Committee will also prepare a report on its work for the Fall Financial Meeting and the spring AGM. Any proposals developed by the committee must be vetted and approved by the Executive Committee.

❖ HDEAA Elections Committee

Elections Committee will develop and implement proposals for updating HDEAA's election processes to ensure they are fair and transparent and continue to meet the needs of the membership. The Committee will ensure that all Constitutional Articles and Bylaws relating to the election of HDEAA executive are current and adhered to. The Election Committee shall be called upon to manage the annual election process as well as any by-elections which are required. The Committee will also prepare a report on its work for the spring AGM. Any proposals developed by the committee must be vetted and approved by the Executive Committee.

❖ HDEAA Social Engagement Committee:

With input from the membership, the Committee will initiate, receive, prepare, present, and develop proposals for engaging the HDEAA membership in social and team building activities. This shall include the organization and implementation of an annual dinner or recognition event. The Committee may work in tandem with other HDEAA committees, such as Wellness, to plan joint activities.

❖ HDEAA Constitution Committee:

With input from the membership, the HDEAA Executive, and legal counsel, the Committee will initiate, receive, prepare, present and develop specific proposals for updating our constitution and bylaws to ensure they continue to meet the needs of the membership. The Committee will ensure that all constitutional and bylaw amendments passed at an Annual Meeting are properly incorporated into the Constitution and Bylaws and a copy is retained in the HDEAA office. The Committee will also prepare a report on its work for the spring AGM.



Where is the Union office?

The Union office is in Burlington in the South-west corner of the Region of Halton. The nearest major intersection is at Harvester and Walkers Line just south of the QEW.

This location, while not central to Halton Region, is located a short drive from the HDSB head offices at the JW Singleton Center on Guelph Line and the central location for Student Services on New Street in Burlington at the New Street Education Centre. Many EAs know the latter location from PD days and UMAB and BMS training.

HDEAA welcomes EAs at our offices for Professional development, social and union activities. The door is also always open for EAs who have questions or concerns that the Union may be able help with.

HDEAA.com

is HDEAA's website which contains information specific and confidential to union members. Each new HDEAA member is given a login and the office is available to assist with access.



Health and Safety

Refers to protections for workers against health and safety hazards on the job. A workplace is encouraged to use the internal responsibility system which includes the employer, the supervisor, and the workers to develop and maintain a safe workplace. This includes Joint Health and Safety Committees. See also [Administrative Procedures](#), [Violence](#), [WSIB](#)

[Arbitration](#) process outlined in the CA and under the Labour Relations Act through the quasi judicial system organized through the Ontario Ministry of Labour.

● **Investigations**

- Labour Relations works to support the employer managing its staff around Human Rights, a Respectful Workplace, and Safety.
- The Employer needs to investigate complaints around occurrences, between staff, the public or with students, especially those occurrences related to CAS.
- These situations are investigated confidentially by the Labour Relations Officers.
- Complainants, Respondents, Witnesses are interviewed.
- Anyone interviewed has the right to, and should, have a Union Representative present at the interviews
- Information gathered is kept confidential within Labour Relations.
- The Labour Relations Officers will write reports as to their findings.
- All participants in the investigations are required to sign letters of confidentiality
- Any respondents assigned home for the duration of the investigation are required to not contact anyone related to their workplace and cannot enter any HDSB site without special permission.
- Interviews are typically held during regular work hours. Labour relations will provide a special code to staff so that they are able to attend the interviews.
- Administration is rarely notified of an investigation occurring unless they are already aware of the circumstances or are part of the investigations themselves.



Labour Relations staff

See [myhdsb](#)



Leaves of Absence:

Always consult with the Union first if you are thinking of requesting a leave of absence

An approved "leave of absence" (LOA) from work is permission for time away from work with job protection. The understanding is that you will be

returning to work. This time away may be **paid** or **unpaid dependant on the leave.**

- ❖ A leave of absence opportunity may be the result:
 - Federal law (Employment Insurance Act)
 - Provincial law (i.e. in the Employment Standards Act)
 - HDEAA's Collective Agreement contractual language
 - Some leaves may be affected during bargaining -always check for updates status.

- ❖ Look closely at each LOA as each one has special rules. Be sure to study the details. Taking and understanding leaves of absence can be complex. "An employee may be entitled to more than one leave for the same event." Each leave is separate and the right to each leave is independent of any right an employee may have to the other leave(s).



Leaves for an employee to support themselves and others



Leaves for an employee to support themselves



Leaves for an employee to support others

- ❖ Please know that when our collective agreement includes leaves that are better than the right or benefit that is guaranteed under Ontario's *Employment Standards Act* (ESA), the Collective Agreement rights and benefits are used. When the ESA (or other legislated provisions) are available or better, these are used.

- ❖ The Fill rate in our worker group may influence whether a particular leave may or may not be granted unless the leave is guaranteed by law. The Fill rate is the percent of open jobs due to absence that are filled by Educational Assistants on the Supply List.

❖ ***Ontario Employment Standard Act Leaves of Absence.***



Pregnancy and Parental Leave

- The ESA supports employees who are pregnant or are new parents with the right to take **unpaid** time off work.
- Please know that the **federal Employment Insurance Act supports eligible employees with maternity and/or parental benefits that may be payable to**

the employee during the period they are taking an ESA pregnancy or parental leave.

- The rules for the ESA Pregnancy and Parental Leave may be different than the rules for the federal employment insurance payment of maternity and parental benefits. It is always best to pay close attention to details and call Service Canada if you have a question
- Our CA captures this leave in Article 15 of the Local Agreement
- **Maternity leave may be topped up by supplemental benefits from the Employer (CA Letter of Agreement 2 Part A)**
- **Article 15.04 states the Board shall , upon the written request of the employee, grant immediately following and in addition to the Pregnancy, Adoptive and/or Parental Leave, a leave of absence for personal family reasons for a period not to exceed one (1) year provided that the Leave ending coincides with a natural break in the current school year.**



Family Responsibility Leave

- This ESA leave gives " the right to take up to three days of **unpaid job-protected** leave each calendar year because of an illness, injury, medical emergency or urgent matter relating to certain relative". Your Collective Agreement guarantees (1) **paid** Family Emergency day per school year. In this case, the ESA has better language for this specific need for number of days.



Family Caregiver Leave

- This ESA leave gives up to 8 weeks **unpaid** job protected leave to support to provide care or support to certain family members for whom a qualified health practitioner has issued a certificate stating that they have a serious medical condition. This leave is very flexible in how the time is taken (1/2 day up to full week) and when (consecutively and interrupted).



Family Medical Leave

- This leave is an **unpaid** job-protected leave of up to 28 weeks in a 52-week period to care for certain family member or close friends who have a serious medical condition with a significant risk of death occurring. Family Medical Leave is available whether or not the employee chooses **to apply for compassionate care benefits (EI)** under the Federal

Employment Insurance Act which allows benefit for the same criteria as Family Medical Leave



Critical Illness Leave

This leave is an **unpaid** job-protected ESA leave of absence of up to 37 weeks in relation to a critically ill minor child, or 17 weeks in relation to a critically ill adult within a 52-week period. **An employee is entitled to apply for the Employment Insurance benefits for caregivers of critically ill minor children or adults who are family members.**



Infectious Disease Emergency Leave

This leave has two options:

- Up to 3 **paid** is an **unpaid**, job-protected leave where the employee is unable to perform the duties of their position because of an infectious disease set out in Ontario Regulation 66/20 as declared by the Lieutenant Governor in Council or the Premier and the employee meets one of the eligibility criteria. This leave is very flexible in how the time is taken (hours up to full week) and when (consecutively and interrupted). **This leave is unique, as EWAO Health and Dental Benefits continue through this time.**



Organ Donor Leave

- This leave is an **unpaid**, job-protected leave of up to 13 weeks in order to undergo surgery to donate all or part of certain organs to a person. Such a leave may be in some cases, extended for up to an additional 13 weeks. **A permanent EA would access 'sick time' to be paid during this leave.**



Reservist Leave

- This leave supports Canadian reservists who are deployed to an international operation or an operation within Canada which meets emergency criteria. This leave has unique rules around eligibility, return to work and benefits. **Reservists are eligible for pay from their Department of National Defense employer.**



Child death leave

- This leave is an **unpaid**, job-protected leave which provides up to 104 weeks with respect to the death of a child. An employee is ineligible if they or their child were party to the criminal activity. **This leave may be supported through the Canadian Benefit for Parents of Young Victims of Crime**

i **Crime-related child disappearance leave**

- This leave is an **unpaid** job-protected leave of absence which provides up to 104 weeks with respect to the crime-related disappearance of a child. As above, the employee is ineligible if they or their child were party to the criminal activity.
- **Canadian Benefit for Parents of Young Victims of Crime**

i **Domestic or sexual violence leave**

- The employee is entitled to domestic or sexual violence leave if either the employee or the employee's child has experienced or been threatened with domestic or sexual violence. This leave includes both **paid** and **unpaid** days and a variety of uses for the leave days. The leave does not need to be taken consecutively and is an annual leave. The leave includes both access to up to 10 days which can be taken individually or in combination (the **first 5 days are paid**) and to another **unpaid** job protected leave of 15 weeks which can be taken continuously or not,

❖ *Specific Local HDEAA/HDSB Collective Agreement (CA) Leaves of Absence*

i **Religious Holy Days CA Article 14.12**

- Up to **three (3) paid days and six (6) unpaid days** may granted for officially recognized religious holy days.

i **Bereavement Leave CA Article 14.04**

- Up to **four (4) paid days** in due to the death of an immediate member of the family as defined in the Collective Agreement.
- **One (1) day** for the purpose of attending a funeral.

i **Birth of a child Leave CA Article 14. 07**

- **Two (2) days with pay** will be granted to permit an employee to attend at the delivery of the employee's child
- An additional **one (1) day with pay, chargeable to sick leave**, may be granted on the occasion of the birth of the employee's child

i **Compassionate Leave CA Article 14.05**

- **A paid leave** to cover extraordinary circumstances(usually Bereavement related) which merit individual attention.

i **Jury Duty and Subpoena CA Article 14.01**

- **A HDEAA member is Entitled to salary** notwithstanding summons to serve as a juror or a subpoena as a witness in proceeding to which the employee is not a party or one of the persons charged. Employee **must pay to the Board any fee received as a juror or witness.**

i **Writing Examinations CA Article 14.08 (a)**

- **A HDEAA Shall be granted (1) additional day with pay** to attend the writing of their own post-secondary examinations

i **Attending Graduation CA Article 14.08 (b)**

- **One (1) additional day per year with pay** to attend the post-secondary graduation of each of the employee's children, spouse or parent or the attendance of the employee's own post-secondary graduation

i **Citizenship Exam or Ceremony CA Article 14.15**

- **Up to the equivalent of two (2) full days unpaid** to attend a citizenship exam or ceremony

i **School Closing CA Article 14.09**

- If schools are closed for a school day by the Director of Education, due to inclement weather or other emergency issues, **employees will be paid for regularly scheduled hours.**

i **Emergency Leave CA Article 14.11**

- In an emergency situation with notifications to the Principal/Supervisor, a member may be granted a leave of absence for one day per year (Sept 1st to June 30th) for a sudden illness of an "immediate member of the family" as identified in Article 14.04. **Current HR practise is that this day is a paid day.**

i **Quarantine CA Article 14.02**

- An employee is entitled to a legitimate absence from duty in any case where. because of exposure to communicable disease, this employee is quarantined or otherwise prevented by the order of the public medical health authorities pursuant to the Public Health Act, from attending upon their duties.... **to be granted with pay must have the approval** of the Executive Officer of Human Resources or designate.

i Sick Leave Benefit Plan CA Article C 6.00

- Medical leave used for personal illness or injury and medical appointments. Typically, **11 days at 100% pay per school year and 120 days at 90%**. Refresh occurs on the 1st day of school unless employee was on a medical leave at the end of the previous school year and must work 11 days consecutively to refresh the sick bank. **El Sick Benefits may be accessed where criteria are met during layoff, when sick bank is exhausted or for Casual EAs with the required number of hours.**

i Personal Leave CA Article 14.03

- **1 day paid** and **2 unpaid**. Request to supervisor 3 days in advance and requires a supply to be booked. There are black out periods.

i Unpaid Leave of Absence CA Article 14.14 i & ii

- i up to 15 days **unpaid** absence subject to approval by Human Resources.
- ii is a leave of absence for the school year. CA speaks to applying by April of previous school year; however, HR continues to look at each request and grant where possible. Once your leave is approved, you cannot decide to return early. Employees on a Personal leave may work as a supply EA.

i Temporary Job Change Leave of Absence Article 14.12 iii

- **an unpaid leave for the remainder of the school year** for the purpose of accepting a temporary position in another bargaining unit. (EA must have 3 years seniority)

i Scheduled Unpaid Leave of Absence (SULP)

- Pursuant to agreement on central terms, permanent members are able to apply for scheduled unpaid leave of up to 2 working days to be taken without pay. These days are designated by the HDSB and in the 2020-21 school year they are February 5th and April 23rd, 2021. Days may be full or half days. Absence approval form deadline is Sept 30th, 2020.

i Long Term Disability Insurance CA Article 18.08

- **income replacement on medical leave**. HDEAA has a long-term disability policy for its members. Members within 12 weeks of the end of their STIP are encouraged to work with the Union office to apply for this support.

i WSIB CA Article 14.06

- **income replacement on medical leave** when the cause of the absence is a workplace injury. Employers may top up WSIB using sick leave.

i Long Term Disability Insurance

- **LTDI** is Long Term Disability Insurance which is paid to a worker if the injury or illness preventing the worker from working meets criteria under the insurance plan.
- HDEAA's LTDI supports qualifying members whose sick time and short-term disability is exhausted. It is delivered through OTIP for the Union. **To access LTD, a HDEAA member must apply through the Union office.**
- Members of HDEAA pay monthly premiums to be a part of the plan.
- HDEAA's LTDI has seen no premium increase since inception.
- **Please note, it takes time to process a claim so please try to apply at least 8-12 weeks before your HDSB Sick benefits run out. Contact us in the office for an application See also sick time**

M

i Manager:

Is someone having supervisory responsibility over employees, usually a team or area.

i Medical Documentation

Is submitted to the employer using the following options to ensure confidentiality :

- Confidential fax at **905-315-8257**
- Medical e-mail address: **hdsbmedicals@hdsb.ca** (Scans only)
- Dropped off to JWS in a sealed envelope marked

CONFIDENTIAL: Health and Wellness

Do not submit medical information including Doctors note to your Supervisor

Do not send medical documentation to individual e-mail addresses or through inter-office mail. See also Abilities Form, Doctors note

 **myHDSB**

The official HDSB online information website for staff including contacts and resources for HDSB employees.

N

   **Negotiations**

Discussion between parties aimed at reaching a collective agreement. See collective bargaining

   **Negotiations Team**

Is comprised of HDEAA members negotiating with the HDSB to come to an agreement for local issues. HDEAA's President and Vice President negotiate as part of EWAO around the central terms of the Collective agreement.

O

 **OMERS**

Ontario Municipal Employees Retirement System is the pension plan fund paid into by HDEAA members meeting the eligibility requirements to join - either permanent employment or 2 years consecutively working 700+ hours as a casual employee. Members continue to pay into the Pension plan as long as they are employed by the HDSB unless there has been a break in service, or the member retires and chooses to begin withdrawing their pension. [See also Retirement](#)

 **OTIP**

Ontario Teachers Insurance Plan administers the group health, dental and life insurance for the EWAO ATEO employee health trust including HDEAA members. Payment is managed through Manulife. OTIP provides long term disability insurance for HDEAA members administered through the HDEAA office. OTIP also manages the Edvantage program and give special insurance rates to education workers.

   **OTIP Escalation Team**

Solves insurance issues for HDEAA members. Please contact the Union office to initiate the team response. [See also Benefits, OTIP](#)

P

   **Pay rates**

EAs in Halton are paid an hourly wage outlined on the HDEAA Pay Grid

- Please note wage rates vary for staff working in Ontario School Boards as Educational Assistants may or may not be doing the same work as HDSB Educational Assistants.
- Some differences are due to differing qualifications, tasks, and/or categories which are specific to a school board and their Collective Agreement.
- most wage differences are from historic **education funding practises** as each School Board determined their need for support staff and had total authority for establishing those allocations and hiring. Boards had the ability to collect local property taxes and to increase those taxes as needed to meet their financial commitments and plans. Collective bargaining for salaries was handled at the local level between School Boards and their specific employee groups. As a result, Boards in areas with large tax bases and high costs of living, e.g. Toronto traditionally had larger budgets and greater staff compensation including wages.
- In 2008, the provincial government stepped into the collective bargaining process, taking over responsibility for setting financial items such as salaries. One reason given was to "address issues of equity" including the historic discrepancies in compensation. The province was faced with a challenge – how to achieve this equity? Increase all salaries to the highest level? Decrease all to the lowest level? Choose something in the middle? Realizing that any choice could be political suicide, the province chose to do nothing and allow the differences to stand. Now, Education Workers all receive the same "negotiated" increases in our central collective agreements.
- Unfortunately, 1.5% of \$22/hr. is not the same as 1.5% of \$40/hr., and so the disparity continues to grow.

   **Payroll Department**

Information around Pay and Payroll stubs are available on your password protected ESS account.

- Pay date is the date of the direct deposit into your bank account.
- Gross Pay, Net Pay and Deductions are dollar amounts

- Reference is the link to your personal pay stub for that pay period. If you need your pay stub, this is where you access it. It will include your name, employee number, Salary Rate, Pay Period, Amounts, Deposit information and a lot of information around pay.

See also [Vacation Pay](#)



Payroll & Pension Staff

See [myhdsb](#)



pdplace

A web-based registration location of HDSB professional development opportunities including BMS



Pension see (OMERS)



Performance Appraisal process

- Educational Assistant Growth and Performance Appraisal will be conducted by the Supervisor. Process will be outlined in a Board Administrative procedure currently in development.



The Personal



is an insurance company that gives preferred rates to HDEAA members for Auto, House and Pet insurance and provides sponsorship funds.



Personal Information

<https://ess.hdsb.ca/Personal.php>

- ❖ To maintain accurate 'Contact Information' for the **HDSB** – Name, address, telephone, and if you wish, personal e-mail. Outdated or inaccurate information can cause delays or problems receiving mail or contacts from the School Board
- ❖ To maintain accurate contact information for **HDEAA** message office@hdeaa.com or call 905 639 3680. The HDSB does not provide the Union with updates on Employee contact information.
- ❖ **Always include apartment and unit numbers!**



PPE Personal Protective Equipment

Personal Protective Equipment is equipment selected by the Employer that is worn by an Employee to protect against injury. PPE required by the Employer must be

worn by the employee. PPE is personal, so each employee has their own, and must be fitted to the intended user and the user must be trained around using it. Required PPE is usually documented in Safety Plans, the 2020-21 Reopening plan and other related HDSB policies, procedures, and protocols. See also [Reopening Plan, Safety Plan, Health and Safety](#)



Postings

Open positions for Educational Assistants. Postings are posted to the Board sites including EA talk and to Apply to Educate. Eligibility to apply is governed by the collective agreement.



Pregnancy

If there are medical issues or Health and Safety concerns, please call the office for advice around leaves of absence and human rights



Professional Boundaries

- ❖ The role of an Educational Assistant is a professional one
- ❖ The professional relationship between an educator and student is characterized by a fiduciary relationship and an ethos of care.
- ❖ The Supreme Court of Canada defines the essence of a fiduciary relationship as "one party exercises power on behalf of another and pledges him or herself to act in the best interests of the other."
- ❖ An ethos of care "obliges professionals to place clients' (students') interests first. All the boundaries that exist in a professional-client relationship exist to protect this core understanding."
- ❖ A caring professional relationship always helps a student to learn and grow. This relationship has boundaries of time, place, purpose, and activity.
- ❖ EA Actions may cause CAS allegations.
- ❖ Do not presume that any touch is acceptable to a student. Non-intrusive gestures to comfort a student can look like; a hand on a shoulder, congratulating a student by shaking hands for efforts well done by verbal praise, high fives etc. As per the HDSB Administrative Procedure Health Support Services in School Settings, services such as lifting, positioning, and assistance with mobility, feeding and toileting will be provided for students with physical disabilities. General Assistive/Maintenance Exercises will be provided for students by Educational Assistants for students that are under the care of a Physical or Occupational Therapist during school hours

Some Examples of Crossing Professional Boundaries:

- **Taking pictures of students on your personal cell phone.**
- **Accepting parent or student-initiated "friend" requests, Facebook conversations/pictures, and social media.**
- **Becoming too personally involved with students as confidante, and surrogate parent.**
- **Students sitting on your lap, massaging student's necks/back/arms etc.**
- **Giving gifts or money to students.**
- **Inviting students to one's home or cottage.**
- **Driving individual students in your personal vehicle.**
- **Being alone with a student behind closed doors, i.e. gymnasium, classroom.**
- **Sharing personal information about a student with a third party (staff room, another parent etc.)**
- **Becoming personally involved with student's parents (texting, calling, Friends on Facebook)**



Professional Development

- ❖ **Professional Development is an activity which improves a person's professional knowledge, competence, skill, and effectiveness.**
- ❖ As part of HDEAAs Collective Agreement, HDEAA has access to a Professional Development Fund which may be used to support HDEAA member access to PD as a group or individually.
 - Most group activities are run on HDSB PD Days or through HDEAA.
 - Personal PD funding is available from HDEAA. Funding requires contacting the HDEAA president before committing to the opportunity as it will be assessed for eligibility based on the explanation of the PD and why it is valuable to you as an Educational Assistant.
 - Successful completion of the PD opportunity including documentations as to the cost/payment, the completion/certification and the HDSB CTR-11 expense form are needed to process reimbursement. This information can be
- ❖ **HDEAA/HDSB PD Committee:**
This committee, outlined in Article 25.01 of our Collective Agreement, includes 3 members representing the HDSB and 3 members representing

HDEAA, to determine Professional development and training for the Bargaining Unit members. This Committee meets during the workday. Decisions are by collaboration and consensus subject to the approval of Student Services.

- ❖ **HDEAA PD Committee:**
This HDEAA Committee is looking at what PD is and is not and planning how to best support PD for HDEAA members now and in the future. The Goal is to promote and support lifelong learning for our members.
- ❖ **HDSB Information Services:** As a HDSB Staff, you should have a 'Library Card' just like the students. This card gives you access to Professional Resources provided by the HDSB to its employees. If you are having trouble finding what you are looking for, contact Information Services at the HDSB for help.
- ❖ **Union Training:** An effective Union safeguards its members. To do this well, HDEAA provides and accesses training on topics and procedures that support our members.

R



Reopening Schools Plan

Is a comprehensive plan of protocols and procedures to support a safe return for staff and students. This is an organic document which is updated and changed regularly. Changes may occur due to requirements from the Province of Ontario, including the ministries, public health, or the HDSB. The document is found on myhdsb.



Resignation (complete)

Resignation from the job occurs when an employee chooses to give up a job at the HDSB severing the employee -employer relationship with the HDSB. To resign as an employee from the HDSB, an employee needs to send official notification of this to the Manager of Human Resources for Educational Assistants.



Resignation to supply (perm to supply)

Resignation from the permanent job occurs when a permanent Educational Assistant chooses to give up their permanent job at the HDSB, **requests and is granted the right to be transferred to the supply list** of Educational Assistants who work casual and LTO assignments at the HDSB.

  **Respectful Workplace**

Respectful Workplace Free of Discrimination and Harassment AP:

“outlines the process for the reporting and investigation of disrespectful and objectionable behaviour, discrimination and harassment, including sexual harassment, and applies to all workers (including paid, volunteer or Trustee) or students who wishes to address these behaviours in any workplace of the Board” Forms related to this procedure at myhdsb-Form Library

  **Retirement**

occurs when an Employee is over 55 years of age and chooses to resign from a permanent position.

- To process a retirement, the HDSB requires a signed letter of intent. You may send an email, but the signed letter needs to be forwarded to Human Resources. Once your request is processed, the HDSB will be in touch with you regarding your retirement.
- When a HDEAA member retires, their benefits end on their retirement date. You will have 30 days to apply to Manulife to purchase your life insurance policy without a medical.
- You may purchase benefits through OTIP. You can reach them at online:
 - <https://www.otip.com/RTIPRetirement-Insurance>
- Contact OMERS to get information about your OMERS plan and how the date of your retirement may affect your pension. The Board will forward notification to OMERS following your last pay cheque.

Notice of Retirement – Sample Letter

Paula Rosina, HR Manager
Halton District School Board
2050 Guelph Line, Burlington, Ont., L7R 3Z2

Dear Ms. Rosina,
Please accept this as notification of my retirement as an Educational Assistant with the Halton District School Board. My retirement date will be DD/MM/YY. Please forward me all necessary documentation and information pertinent to the retirement process. I would also like to be added to the Supply Educational List (if you intend to supply).

Please indicate your receipt of this letter at your earliest convenience.

Thank You
Jane/John Doe

Cc: School Admin
HDEAA President

  **Retirement to supply**

Is the same process as resignation to supply as above, including request to be transferred to the supply list upon approval by HR. Such employees are still required to contribute to the OMERS pension plan.

  **Return to Work process:**

The Union, the Employee and Ability Specialists from HDSB Health and Wellness work together as required by Ontario Law to make sure that the employee is supported and accommodated as they come back to work from a personal or workplace injury or illness. **It is strongly recommended by us here at HDEAA that you involve the union representative right from the start. See also Ability specialist, Disability Management**

S

 **Safe Schools Report** see Green Sheets

 **Safety Plan**

A safety plan is described in the HDSB Administrative Procedure as a plan “developed as soon as the Principal has evidence that the student’s current behaviors pose a risk of injury to the student and/or others. It is a planned response to escalating behaviors.” Safety plans may contain PPE. If you have questions or concerns around violent or other hazardous behaviors, please call the Union office for advice. **See also, Health and Safety, Violence, Work Refusal**

The HDSB will also support a Staff member in need of a Safety Plan due to Domestic Violence. Notify your Supervisor of your concern and call the Union office for advice.

Scents

- the Halton District School Board has a guideline document re "Scented Products in the Workplace"?

The purpose of the guideline is to

- Increase awareness about the potential impact of scented products or fragrances on health, wellbeing, productivity, and lifestyle of those affected.
- Ask for voluntary co-operation towards a scent-reduced environment.
- Assist Principals/Supervisors with implementing a scent-reduced workplace.

Schedule

For EAs a schedule is usually an outline organized by time of an individual or groups assignments for a period. I.e. daily, weekly, monthly

An EA daily schedule must:

- Include a start and end time- if the times need to change, the supervisor must give you 5 working days notice.
- Include 7 hours paid time plus a 30-minute uninterrupted eating period for EAs working full days
- Include 3 ½ hours paid time for EAs working half days
- Include a fifteen (15) minute paid rest break period during each half of a normal workday-this can be combined with your eating period for full day EAs
- Include an unpaid lunch break of a minimum of thirty (30) consecutive minutes each day free from supervision and assigned duties.
- Follow the Employment Standards Act, the eating period must

Begin at or before the 5th hour of the workday- i.e. if an EA starts at 8am then lunch must begin at or before 1pm

begin at or after 5 ½ hours from the end of the day- i.e. if you end at 3:30 you must start your lunch no earlier than 10am

SEAC Special Education Advisory Committee

is established by the HDSB (Under regulation 464/97) to provide important advice on special education to the HDSB to further the interests and well being of exceptional children or adults. SEAC is charged with making recommendations on special education programs and services.

Seniority list

Found on the HDEAA.com (HDEAA's website) is the official list of HDSB Permanent EAs in order of date of permanent hire. Rules around seniority qualification, inclusion and tie breakers are contained in the Collective agreement.

Sick time:

01 Illness is the code entered by an employee in Smartfind for an absence when the employee is unable to attend work due to illness, injury, or medical appointment.

01 Illness is not to be used for any reason other than an employee's own medical need. Absences for other reasons might be granted, and codes entered for the appropriate leave.

Sick time is 'paid time' available to an employee for absences coded '01 illness' in Smartfind. **Sick time**, or sick leave benefit, sometimes known as **short term disability**, is paid time which provides paid time to provide protection when we are ill or injured.

What sick time may be used for, how it is counted and refreshed, is outlined in our Collective Agreement. Your 'sick time balance' (also known as sick bank) is available on your ESS. It is measured in hours.

Sick time includes the first 11 days at 100% pay and the next 120 days at 90%. The 120 days is also known as STIP (Short Term Insurance Plan). For most Permanent EAs, the sick time refreshes on the first day of the school year. LTOs also have sick time prorated to the length of their contract.

- Sick time may be used for reasons of personal illness, personal injury, personal medical appointments or personal dental emergencies.
- Sick time cannot be used to support a Family member or any other use without permission of the Employer.
- Permanent Employees are allocated 120 days at 90% at the beginning of the year or the first day of employment.
- Employees in Long Term Occasional assignments are entitled to sick time and short-term disability in proportion to the time worked
- If an employee is absent from work using sick leave or short-term disability at the end of the previous school year, the employee **MUST WORK 11 CONSECUTIVE DAYS** to refresh the sick bank.

If the employee does not work 11 consecutive days at their regular working hours, they continue using the previous years sick time and short-term disability allocation.

- An employee returning from WSIB or LTD must also complete 11 consecutive days to refresh their sick leave if these carry over from the previous year.
- **Please note:** An employee may take time off for a medical appointment related to the condition that caused the sick time, short term disability, long term disability or WSIB. The day before and the day after are counted as consecutive.
- An employee working a Long-Term Occasional assignment may only use sick leave and short-term disability in the year they are allocated. Sick days allocated during an LTO assignment may be carried and used in another LTO assignment if it is in the same year

On ESS, the table tracking the use of sick time is personal to the employee and includes

- **"Abs** – This balance is displayed in hours available to you paid at 100% of your salary. If you have a balance remaining in this account at the end of the school year, it will be rolled over and becomes your STIP Top Up. Your Abs allocation is pro-rated based on your FTE and a new allocation is granted at the beginning of every school year.
- **STIP** – This balance is displayed in hours available to you paid at 90% of your salary. When your Abs Account balance reaches zero, your absences will be charged to your STIP account. There is no carryover to the next school year. Your STIP allocation is pro-rated based on your FTE and a new allocation is granted at the beginning of every school year.
- **STIP Top Up** – This balance is displayed in credits. **0.1 credit = 1 (one) day.** If you are accessing your STIP account and have a balance in your STIP Top Up account, a credit can be accessed to top your 90% paid absence to 100% paid. The starting balance for your STIP Top Up account is derived from any unused hours in your Abs account from the previous school year." <https://www.myhdsb.ca/HumanResources/Documents/Sick%20Leave%20Explanation%20Document.pdf>

- **The Union can help you through the process around sick time, short term disability, long term disability and WSIB. The sooner you contact us the better we can help you. Start out with an email or call to the office**

i Smartfind Express (Attendance reporting system):



- ✓ Enter your absence information carefully ensuring that the **start/end time, and AM/PM** designations are correct BEFORE creating the absence. (The system will ask if you are entering an absence for longer than a regular day, please do not click yes, but verify the hours are entered correctly.) A full day absence for EAs is 7.5 hrs
- ✓ If the start/end time is different for the supply, please make the adjustments before creating the absence.
- ✓ Please enter your absences as soon as you know you are going to be absent.
- ✓ If the absence has been filled by a supply, but you no longer need to be absent, please do not cancel the absence after 10PM. Call the school as soon as possible in the morning and they will cancel the absence for you
- ✓ When creating an absence for partial days, please remember not to include lunch in the total hours absent.
- ✓ When specifying or pre-arranging a supply please make sure they are registered HDSB supply EA. It is possible in the system to specify/pre-arrange a supply teacher who should not be coming in as a supply EA. There are many board employees with the same home.

Doing it right the 1st time makes the entire system work better for everyone involved.



Attendance – Smartfind Staff

See [myhdsb](#)



Special Education Services

Is a department that has overall responsibility for special education programs and services and related administrative procedures



Staffing and Recruiting

See [myhdsb](#)



STIP Short Term Insurance Program



Strikes and Job Actions

- **If another union is on strike in the workplace**

Members should remember that our rights and obligations under the collective agreement do not change when another union is on strike. Article 6.03 states, *“When other Board employees are on strike or lockout, an Educational Assistant shall carry on their regular duties to the best of the employee’s ability, without assuming any functions or responsibilities that are normally discharged by the Board employees who are on strike or lockout.”* Until or unless HDEAA is in a lawful strike position, members are required to report to work and complete their duties.

- **my workplace is closed or partially closed because of another union’s job action**

If the Board decides to close all or part of the workplace because of another bargaining unit’s job action, you will be advised by the Board and the union. You retain your rights to wages and benefits under the collective agreement. Unless instructed differently, you must report to work as scheduled. You may deploy to another location.

- **if my workplace is still open while another union participates in job action?**

A strike that does not result in workplace closures may give rise to issues and concerns regarding work duties.

- Your supervisor should not ask you to perform duties normally assigned to members of other unions. Inform your supervisor that you object to performing the work of another bargaining unit. Ask that they reconsider. However, the “obey now, grieve later” rule requires members

to follow employer instructions or face discipline. This does not apply to instructions and assignments that pose a health & safety risk.

- Health & Safety requirements must be respected during any work stoppage. Members should be vigilant about protecting their safety. If you require assistance, call the HDEAA office.
- **if there are picket lines outside my workplace?**

It is possible that one may be faced with picket lines as one goes to work. We encourage you to treat the picket lines of other unions with respect. Understand that they may delay your entry to the workplace and plan accordingly. Take their pamphlets. Listen to their concerns and issues with the same respect you would expect if the situation were reversed. Outside of your working hours you may support them as you choose.



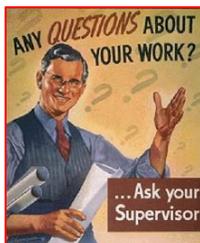
Supervisor

In schools, Principals and Vice Principals are the designated supervisors of Educational Assistants. Regional Team EAs are supervised by Manager, of their team, and, by the on-site Principals and Vice Principals when present in a school.

Supervisors are defined by the Occupational Health and Safety Act (OHSA) as a “person who has charge of workplace or authority over a worker”

- **A Supervisor shall (under section 27 of the OHSA)**
 - ensure sure workers work in compliance with the OHSA and regulations
 - ensure that workers use any equipment, protective devices or clothing the employer requires
 - inform workers of any workplace health and safety hazards that a supervisor is aware of. This includes the duty (section 27 & 32) to advise a worker of information, including personal information, related to the risk of work place violence from a person with a history of violent behaviour if the worker can expect to encounter that person during their work and if the risk of workplace violence is likely to expose the worker to physical injury
 - take every precaution reasonable in the circumstances for the protection of the worker.

- **Our employer, the Halton District School Board is required by law to appoint a ‘competent’ supervisor.** A competent supervisor must have the necessary knowledge, training, and experience to organize the work.
- **The Ontario Ministry of Labour has [an objective test](#) to determine who is a supervisor and who is not.** If the employer assigns someone supervisory duties, giving a person charge of a workplace and/or charge over a worker, then the employer must ensure that this person is competent to fulfill the legislated duties under the Occupational Health and Safety Act. The designated supervisor also must also understand they are legally responsible for their duties under the Act.
(<https://www.labour.gov.on.ca/english/hs/pubs/gls/supervisor.php>)
- Although EAs work closely with Special Education Resource Teachers, Classroom Teachers, Community Center Assistants (CPP) and High School Department Heads, **these roles are not designated as Supervisors by the Halton Board.**



1. Appraisal, Evaluation of Work, Discipline and/or conduct concerns:

- Only a Supervisor may perform these functions including

comment on attendance, work quality or hours of work.

2. Health and Safety and Working Conditions:

- Any concerns around Health and Safety or working conditions are to go to your Manger, Principal or Vice Principal. This includes concerns around Violent Behaviour and development or changes to Safety Plans.
- Only a Supervisor may investigate Employee incidents (EIRs).
- A worker choosing to use their right to refuse unsafe work must communicate their refusal to their Supervisor.
- Safety Equipment, including PPE, must be assessed, selected, and approved by the Supervisor although it may be ordered by another individual

3. Scheduling–

“A person could still be a supervisor as defined in the OHSA if he or she has some of the following responsibilities:

- determining the tasks to be done and by whom
- deciding the make up of a work crew
- deciding on and scheduling hours of work “

The HDSB designates Principals, Vice-Principals and Managers as Supervisors so the organizing tasks above are their responsibility. The task of assigning work also includes the necessity to know of the restrictions and limitations of worker being accommodated at work due to medical restrictions. Due to the individual’s right to privacy, this knowledge is given only to the Supervisor.

As the tasks above belong to supervisors, legal action determines how persons who are not supervisors may participate in scheduling. Non-supervisors may participate in scheduling workers if the scheduling is determining tasks following a standard protocol or relaying a Supervisor’s instructions and reporting back to that Supervisor.

Supervisor input is necessary into assigning and scheduling EAs so

- that the employee’s restrictions and limitations are accommodated
- that the employee has the necessary information and training to work with a student.
 - BMS
 - Student ‘s safety plan
 - Lifting
 - Student specific plans including Fire Safety Plans
- that changes on a day due to school need still allows the supervisor to fulfill their duties under the OHSA.

If you have any questions or concerns around supervision in your workplace, please contact us in the Union office.

Surgery

Should you need to be off work due to surgery, Health and Wellness processes this need using a special abilities form. **HDEAA recommends you contact the Union office for support through this process.** see also [Disability Management](#), [abilities form](#), [abilities specialist](#), [Health and Wellness](#), [Return to work](#), [Accommodations](#)

System Calendars

HDSB Calendars setting out days, weeks, and months of the school year to identify particular information. These include the AB Calendar, Days of Significance, PA Days and School Holidays, School Year Calendar, and the Switch Day Calendar. [Found on myhdsb.ca](#)

T

Termination

The decision of the employer to end the employer-employee relationship. HDEAA may grieve the termination of a HDEAA member at Step 2 of the Grievance process.

Toileting

- HDSB and HDEAA released [a joint toileting memo](#) which provides some direction. Further clarification and discussion re toileting.
- Neither the Ministry nor the Board require children to be toilet-trained before starting school. Kindergarten parents in Halton are asked to indicate whether their child *“uses the toilet independently/with support/not ready.”*
- ECEs in Halton may assist with **independent toileting**. This means they can certainly give verbal direction to students, provide supervision or a second set of eyes. EAs can do the same thing. Only EAs, however, can provide hands-on support where needed.
- EAs are NOT funded solely through Special Education dollars and can be deployed to assist students where needed, including those who do not have any formal identifications/IEP. Students in FDK may still be developing skills re personal care.
- EAs may be responsible for personal care for children where needed. **We are not responsible for cleaning facilities.** There is [an Administrative Procedure for Handling Bodily Fluids](#).
- “Accidents” may happen from time to time for young children. These can often be handled by the

ECE as these are generally neurotypical children who have the physical and cognitive ability to manage themselves with verbal direction. If you are called to provide support in these situations, then always begin with a verbal prompt. We want to encourage independence in children – even if they are perhaps not as adept as we might be.

- As EAs we often provide support in intimate personal care for the students we are assigned to. The “details” are usually clearly spelled out and understood by all. This may not be the case when supporting FDK students with whom we do not generally work. You may be called upon to support such students on a daily, ongoing basis. If this situation exists in your school, we encourage you to have a dialogue with the administrator and the kindergarten team to clarify the following.



1. **Communication** – Who makes the determination to call in the EA? How is the call sent out? – through walkie-talkie, over the PA from the office, etc.
2. **Responsibility** – Is there a specific EA or EAs who are required to respond to the call? There should be some consistency for the sake of all concerned.
3. **Assignment** – What is to be done with the student to whom the EA is assigned? – i.e. left in class with teacher, taken to the office, handed off to another EA?
4. **Reporting** – is the toileting activity to be recorded and communicated to parents? Who is responsible for this?
5. **Safety** – 2 people are not required to be in the actual bathroom during the FDK toileting IF there is no lifting, no behaviour/safety plan, the bathroom is inside the kindergarten class, the door is left slightly ajar, there is another adult in the immediate vicinity who is aware of the activity and able to visually support if needed. If you must go to another location – i.e. the special needs washroom, or you are in the kindergarten classroom, but it is not occupied, then 2 people should be present. Have parents been made aware that it is not the teacher or ECE who will be attending to the intimate care of their child? Do they know and have given permission for non-kindergarten personnel to change their child?
6. **Equipment** – The toileting memo speaks to gloves, disposal, and ergonomic issues. It is the school’s responsibility to provide you with gloves, covered garbage cans, etc. It is the parent’s responsibility to provide clean clothes, wipes, diapers/pull-ups, etc. Who will be responsible for

communicating when supplies are needed? What will be provided by the school so that you are not kneeling on bathroom floors? What will be provided to protect the clothing of staff in extreme situations?

As EAs we are often called upon to provide intimate care for students in our care. We are not, however, substitute school nurses. If a child, who does not normally require any toileting support has the flu and an episode of diarrhea, that should be treated no differently than a child who vomits. The child is sick. The parent is called, and the child is sent home. If, despite all precautions taken, you come in contact with bodily fluids, follow proper hygiene methods and complete an EIR for exposure. If you have questions, contact the HDEAA office.

Training

Two types of Training:

(1) Mandatory BOARD Training) ESS is the location for mandatory Board training required for Health and Safety or legislated by the Ontario Government,

ESS

- Provides link to training
- Records completion date
- Employees are advised by email from Admin Council the required training to be done by an employee.
- Be aware that the system does re-set at the beginning of the year and training records can change at this time. Wait to be asked to do trainings!
- FAILURE TO COMPLETE REQUIRED TRAINING MAY RESULT IN A SUSPENSION

(2) Training required for your work to ensure Health and Safety and to provide planned support for students. These include but are not limited to lifting, safety plan. BMS, student specific programming, safe use of required equipment, technology ... Speak to your Supervisor.

Contact the Union if you have questions or concerns.

U

Union card

A HDEAA union card certifies your membership in good standing in HDEAA and is used when attending Union meetings and votes. Union cards are mailed to

new members and replaced by the Union office upon request. See also HDEAA

Union Office and Officers

Refers to the 4 seconded persons who staff the Union office location. These are currently President, Kezia Motluk, Vice President's Sandra McVeety and Jennifer Reid and Director Keri Powers. See also HDEAA

V

Vacation Pay

Vacation Pay is the % added to your hourly rated that you receive in lieu of Vacation time. This % is paid according to years of 'Service' in accordance with Article 17 of our Collective Agreement up to the maximum of 12% for those employees with greater than 24 years continuous service. Vacation entitlement is assessed every October 1st. Casual employees employees receive Vacation entitlement as per the Employment Standards Act which is currently 4% up to 5 years of service to the HDSB and 6% after 5 years. The years of service within the ESA is years worked for an employer, not necessarily as an EA.

Violence

Workplace Violence is defined in the Occupational Health and Safety Act. It is specifically

“workplace violence” means,

(a) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker,

(b) an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker,

(c) a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

Managing Violent and Aggressive Behaviour AP:

“provides direction to assist principals and their staff with meeting the safety and behavioural needs of exceptional pupils, while ensuring the safety of staff and

students". Includes roles and responsibilities, actions, tools and responses in order to manage violent and aggressive behaviours related to a student's exceptionality. Key tools profiled here: Safety Plan, Behaviour Plan, School entry, Behaviour log, Containment. Key response: Injury or Assault of a Staff Member. Related forms can be found under myHDSB-Student Services-Behaviour-BMS, CPS, Safety Plans, Violence [see also Violence, Work Refusal](#)

Violence Threat Risk Assessment AP:

Outlines the HDSB response "to all student behaviour that pose a potential risk to any students, staff, or members of the community". This procedure identifies roles and tools and is a gateway procedure to the use of the "Halton Community Violence Treat Risk Assessment Protocol and Operating Guide" Safe and Accepting schools is the department responsible for implementing and overseeing 'VTRA' Key response overview.

Working Alone AP: This procedure is "established to reduce the risk of injury from occurring while working alone" It defines working alone and related concerns including time of day

[See also Health and Safety, Supervisor, Violence, Work Refusal](#)

W



Working Conditions

are the conditions within which an employee works and so can vary from person to person. This can include the physical environment, noise levels, degree of safety of danger, hours of work, rest periods, staff members and roles and responsibilities. **Any question or concerns around working conditions should be addressed by your supervisor and/or your union.**

Working Conditions are at the heart of our day to day experience at the HDSB. Our working conditions are a combination of working time (hours of work, break time and scheduling) remuneration for our work (pay), where we work, how we work, what we do, who is responsible for us and how we can be assigned, moved or let go. Working Conditions are all the physical and mental demands placed on us at work.



Work Refusal

A worker in Ontario, is required by law to notify their Supervisor if they think something is unsafe in their work

so that the Employer may make the Workplace safe. An Employer in Ontario is required, and this is a simple paraphrase of many requirements, "to maintain a safe workplace for the worker." However, situations occur when the danger is immediate so the Right to Refuse Unsafe Work is supported in Ontario Law.

- ❖ Educational Assistants have the full right to refuse unsafe work under the Ontario Occupational Health and Safety Act, Section 43.
- There are 3 situations that can cause a worker/EA to refuse unsafe work:
 - When equipment, thing, or device the worker is to use will endanger the worker or another worker
 - When the physical workplace is likely to endanger the worker
 - When workplace violence is likely to endanger the worker.
- ❖ **When:** A refusal can be done when the worker decides a situation is unsafe as they are working. OR, in the case of Workplace Violence, a worker may refuse work even before they are doing the work, if they have a reasonable expectation that workplace violence is going to occur and put the worker at risk of injury
- ❖ **WHAT HAPPENS** The worker must tell a supervisor something like "I am refusing to work with ___ as I feel it is unsafe" or "I am refusing to _____ because I feel it could injure me" It is important to know 2 things'
 - A worker might say this to another worker first, eg. a teacher or a SERT however, the Act requires that the refusal to work is reported to the **supervisor** promptly and
 - The HDSB supervisors are Principals, Vice-Principals or Managers **NOT** teachers, SERTS or Department Heads
- ❖ **Next** a worker must be either given a safe place to be or assigned other work until a worker representative, usually the Joint Health Safety Representative Certified Member, who has knowledge about the work, can come and support the Supervisor as they investigate the refusal forthwith to decide if the work is unsafe or not.



Next steps which may happen:

- The Supervisor can decide, “Yes, the work is unsafe” and then the Supervisor is responsible for making the work safe, including training etc. before the workers will be asked if they are ready to return to work. **OR**
- The Supervisor can decide the work is safe BUT the Worker Representative believes it is not safe and so the Ministry of Labour will be called in by either party to decide on the situation. At this point, the work may be offered to other workers in front of the Worker Representative, however, **the workers must be told there is a Work Refusal and why it is considered unsafe work.**
- Sometimes a Supervisor does not immediately recognize a Work Refusal. Feel free to clarify what you are saying and/or, notify the Union so we can support the recognition of the refusal. However, please, do not go back to work because a Supervisor does not recognize a Work Refusal. It is your right to be safe at work away from danger and without fear of reprisal for exercising your legal rights.

- HDSB submits a WSIB form 7 to WSIB generated from the EIR, Form 8 is submitted by a medical practitioner and the employee is responsible for submitting their Form 6. Please contact the Union immediately for support and advise when you are supported for health or lost tie claims.



WSIB Claims Adjudicator (part of Health and Safety) works as a liaison for the employer with the Workplace Safety and Insurance Board as a claim’s administrator.

See myhdsb

If you have concerns about an unsafe situation or for more information: contact the Union at **905 639 3680**
If you or another EA, has done a refusal please contact us so that the Union is aware that a Work Refusal is occurring or has occurred. HDEAA attends work refusals and is notified by the Board but however the sooner we know the better and sometimes, the Union notifies the Board if a supervisor does not follow the steps required in this situation.



WSIB

WSIB is commonly understood as paid time from the Workplace Safety and Insurance Board which supports a worker for lost wages as the result of a workplace accident.

- WSIB is the term for support under the Workplace Safety and Insurance Act. While, WSIB includes treatment, medications and other therapies, the term is often used for the wage replacement funded by the WSIB insurance.
- WSIB can be the only Wage replacement or may be received in conjunction with sick benefits in individual circumstances

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