



# Advisory

*The Council of Ontario Directors of Education (CODE) is an advisory and consultative organization composed of the CEOs of each of the 72 District School Boards in Ontario; Public, Catholic and French Language.*

## Working Effectively with Federations and Unions

### Why is it important to understand and implement positive and productive working relationships with federations and unions?

Effective working relationships between supervisory officers and each employee group are essential, and support boards in continuing to make a deep and direct contribution to the priority goals of the Ministry of Education.

The important work of improving student achievement and staff learning motivates and aligns the system's multifaceted workforce to further a common vision and plan. It is important to recognize that both unionized and non-unionized employees have an important role in the successful delivery of the board mission. Employee groups may have specific and unique issues and concerns, but all groups need to have system administrators acknowledge their importance to student success, community involvement, and high quality public education.

The director and superintendents are responsible for open, collaborative, two-way communication with employee groups and their leaders. An open and respectful relationship between system administrators and employee groups through their leaders furthers implementation of the board mission and multi-year plan.

The quality of the relationship between system administrators and the staff strongly impacts on the district and community climate. Union, federation, and non-union staff members are employees, community members, and in many cases, parents or family members of students of the board. Staff perception of the actions of supervisory officers and the relationship they believe exists on a day-to-day basis is significant in addressing any labour issues.

### What does the Ministry of Education stipulate about working effectively with federations and unions?

#### **The Education Act:**

- The *Education Act* governs the duties of teachers and principals [Part X]; teacher bargaining [Part X.1]; teacher performance appraisal [Part X.2]; induction, performance appraisal, and reporting obligations for Early Childhood Educators (Diploma) [Part X.3]; and the performance appraisal of principals, vice-principals, and supervisory officers [Part XI.1].
- The *Education Act*, under Boards: Duties and Powers, sets out paragraph 169.1 (4), describing the following duty of communication: "Every board shall take steps to,
  - (a) bring the board plan referred to in clause (1)(f) [the multi-year plan] to the attention of supporters and employees of the board; and,
  - (b) report to supporters and employees of the board about progress in implementing the plan..."



## Facts about Federations and Unions

Unions are established under the *Labour Relations Act* (<http://www.labour.gov.on.ca>) and teacher federations under the *Teaching Profession Act*.

A trade union or labour union is an organization of workers that have banded together to achieve common goals. The trade union, through its leadership, bargains with the employer on behalf of union members and negotiates labour contracts with employers (collective bargaining). This may include the negotiation of wages, work rules, complaint procedures, rules governing hiring, firing and promotion of workers, benefits, workplace safety, and policies. The agreements negotiated by the union leaders are binding on all members and the employer and, in some cases, on other non-member workers.

There are currently four teacher affiliates and approximately 13 trade unions involved in school districts across Ontario. The Ontario Teachers' Federation is the umbrella corporate body for four affiliates: AEFO, ETFO, OECTA, and OSSTF, which are known as "affiliated bodies". The federations represent all teachers in the province of Ontario.

There are also trade unions representing other employee groups. One example would be the Ontario Secondary School Teachers' Federation (OSSTF), which has a trade union unit representing, for example, early childhood educators, psycho-educational consultants, social workers, child and youth counsellors, speech-language

### Memoranda:

- PPM No. 152 Terms and Conditions of Employment for Principals and Vice-principals. Although school administrators are part of the management team and not members of a union or federation, supervisory officers must be aware of the standards of practice for negotiations with school leaders as set out in PPM No. 152. It is important to have province-wide consistency with regard to the terms and conditions of employment for principals and vice-principals.

## Other Legislation

### Boards are required to:

Boards are required to operate within the provisions of the *Education Act* and collective agreements. As well, legislation covering labour relations is found in a number of applicable Acts:

- The *Labour Relations Act* governs the bargaining process. Infractions of the Act are heard by the Labour Relations Board and issues arising out of the administration and application of collective agreements are subject to the grievance/arbitration process. Rulings of an arbitrator may be subject to judicial review.
- The *Employment Standards Act (2000)*, *Occupational Health and Safety Act (1990)*, *Human Rights Code (1990)*, and *Ontarians with Disabilities Act (2001)* also apply to and impact on labour relations in boards.
- While there is no legislative requirement that system administrators create a collaborative, cooperative and positive climate in which employees can complete their best work, it is reasonable to expect that supervisory officers recognize this as one of their primary objectives. A nurturing climate is essential to promote educational excellence and the building of public confidence. School districts that consciously and systematically develop and foster open communication and resolution of employee group concerns are far more effective in maintaining structures and leadership practices that close the gap and increase student achievement.

### Ministry of Education Leadership Frameworks

The Ministry of Education, through The Institute for Education Leadership (IEL), has designed a Leadership Framework for Principals and Vice-Principals and a Leadership Framework for Supervisory Officers to:

- inspire a shared vision of leadership in schools and boards;
- promote a common language that fosters an understanding of leadership and what it means to be a school and system leader;
- identify the practices and competencies that describe effective leadership; and
- guide the design and implementation of professional learning and development for school and system leaders.

It is important for supervisory officers to make all staff members aware that the Ministry of Education has expectations for the performance of school and system administrators.

### Additional Support for the Leadership Framework

The Ontario Ministry of Education commissioned the Ontario Education Services Corporation (OESC) to develop a series of modules to support trustees. The module, "Performance Review – Director of Education", describes the role of the director, but focuses on the same five headings set out in the Leadership Framework for Supervisory Officers to describe practices and competencies for all system administrators. The expectations are:

1. setting directions;
2. building relationships;
3. developing the organization;
4. leading the instructional program; and
5. securing accountability

Ontario Education Services Corporation. (2009). Professional Development Program for School Board Trustees. Module 5. Part A. p. 3.

<http://modules.ontarioschooltrustees.org/files/en-m5.pdf>

Each of these skills is important in developing trust, effective communications, and positive relationships with different employee groups.

## Supervisory officers are required to:

- promote a shared vision and sense of working purpose that energizes all staff members;
- be aware that the working relationship between system administrators and employee groups is usually very public, with interactions being monitored and shared among the staff;
- ensure effective working relationships with all employee groups;
- foster a positive, productive environment within the district;
- build and maintain a climate of trust and professionalism;
- engage employee groups and their leaders openly, fairly, and equitably; and
- recognize staff contributions and model that all staff members are valued.

The Leadership Framework for Supervisory Officers mentions the importance of building relationships with all partners. Supervisory officers play an essential role by putting in place supportive system practices and procedures for principals and employee group leaders. Employee group leaders are system leaders too, and their sphere of influence often extends beyond the district. Effective communication and mutual respect between supervisory officers and these other system leaders is a priority.

## What are the important practices for effectiveness?

Effective strategies to build and maintain effective working relationships with employee groups and their leaders are:

### ■ Develop trusting relationships

Supervisory officers need to clearly articulate, consistently implement, and follow up on any planned action. They need to ensure that information is accurate, avoid engaging in speculation, and focus on actions and directions that are sustainable. This encourages honesty and sincere interactions between the supervisory officer and employee groups.

### ■ Meet regularly

It is important that each group has equitable face-to-face time with the director or appropriate superintendent. Establishing a regularly-scheduled time for system administrators and employees to meet and discuss concerns and respond to questions is important. Effective meetings often:

- occur at a neutral venue;
- provide an opportunity for informal conversation;
- include an agenda for discussion of topics of mutual interest and system initiatives; and
- offer an opportunity for supervisory officers to be aware of employee group issues. Systems which have an established protocol for communication between supervisory officers and union/federation leaders are often more effective in keeping the lines of communication open and ongoing.

### ■ Involve employee leaders in the development process

Strategic development processes are more effective and long-lasting when employee group leaders/representatives are invited to provide feedback and are offered opportunities to effect positive change. Shared ownership by staff is more prevalent when:

- union leaders are involved in significant decisions which impact their members;
- unions, federations, and non-union employee groups contribute to the system multi-year plan;
- employee representatives are engaged in key initiatives; and
- system and school administrators are encouraged to have employee group representatives at planning sessions.

pathologists, continuing education teachers, instructors, office clerical technical support staff, and other support staff from several Ontario universities.

Supervisory officers need to have a good understanding of each of the cultures that define their local and provincial federation/union agreements and conditions, specifically as they relate to labour law, collective bargaining, and employment standards. This knowledge forms the basis for an effective working relationship between the system administrators and the employee groups within the district.

“Centuries ago, Confucius said that a government needs three things: weapons, food, and *trust*. If any of these have to be sacrificed, he said, the last of them should be trust. Trust is an indispensable resource for improvement.

Effective organizations depend and thrive on trust. In relationships and organizations, trust amounts to people being able to rely on each other, so that their world and relationships have coherence and continuity. When we trust, we believe others will act in a reasonably predictable way, according to agreed-on or assumed expectations, in a context of shared understanding and assumptions of good faith – even and especially when we or they are absent.”

Hargreaves, Andy & Fink, Dean. (2006). *Sustainable Leadership*. San Francisco: Jossey-Bass. p.212

## Links to Resources

Ministry of Labour:  
<http://www.labour.gov.on.ca/english/lr/pubs/index.php>

E-Laws:  
<http://www.e-laws.gov.on.ca/navigation?file=home&lang=en>

North American Association of Educational Negotiators (NAEN):  
<http://www.naen.camp8.org>

Ontario Education Services Corporation (OESC) Portal:  
[https://opsba.oescportal.ca/CookieAuth\\_dll?GetLogon?curl=22F&reason=0&formdir=3](https://opsba.oescportal.ca/CookieAuth_dll?GetLogon?curl=22F&reason=0&formdir=3)

Each school board can add staff to the portal.



### ■ Stay neutral and understand the role

It is critical that supervisory officers do not compromise the negotiating or grievance process and focus at all times on communicating system directions. Working effectively with employee groups does not mean solving all issues personally.

### ■ Know the status of outstanding issues

- *Be current locally:*  
The first priority of unions and federations is to support their members. Consultation with the Human Resources department and a regular update on current issues such as grievances, arbitrations, appeals, and complaints ensures that the director/superintendent can converse knowledgeably without complicating the process.
- *Be current regionally:*  
Speak with other supervisory officers in the region. Federations and unions communicate regularly and frequently compare issues and responses. It is helpful when supervisory officers are aware of employee group issues at the regional level.
- *Be current provincially:*  
Connecting with provincial organizations such as CODE and trustee organizations, and reviewing union/federation and association websites is an effective way to understand the provincial focus.

### ■ Be invitational

Involving employee group leaders and their members will better assist them to understand and support new initiatives. Building a system of shared responsibility is more readily accomplished when union and non-union leaders are provided with opportunities to understand, be involved, and provide leadership in board training and professional development sessions, and Ministry capacity building activities.

## How do I know that I am working effectively with employee groups?

There are a number of indicators that demonstrate effective working relationships with employee groups. These include:

- employee group representatives on key board committees and working groups;
- employee groups partner with the board in a number of key system initiatives;
- employee group leaders respond in a timely manner and with respect when asked to communicate with the director and superintendents;
- employee group leaders speak with the director before approaching trustees with issues;
- employee groups extend invitations to special events to members of the board and system administrators;
- employee group leaders attend regularly-scheduled meetings and engage in discussions in a productive manner; and
- employee group leaders attempt to resolve member/collective agreement issues through discussion prior to formally lodging a complaint.

If as a supervisory officer, I have concerns and need assistance, what should I do?

- Review concerns with the director/other superintendents in your district.
- The director can discuss the issue with the chair of the board.
- When indicators are that an employee group is no longer working effectively with system administrators, it is important to seek support through a professional organization such as the Council of Ontario Directors of Education (CODE).
- Speaking with another director/superintendent colleague can provide a different perspective for resolution of an issue.