

JOINT STATEMENT

ETFO, OECTA reach settlements in unfair labour practice complaints against Ford government

For Immediate Release – August 23, 2023

TORONTO, ON – The Elementary Teachers’ Federation of Ontario (ETFO) and the Ontario English Catholic Teachers’ Association (OECTA) issued the following statement after settling unfair labour practice complaints against the Ford Conservative government:

“Two weeks ago, ETFO and OECTA filed unfair labour practice complaints with the Ontario Labour Relations Board (OLRB), asserting that the Ford government violated its legal obligation to bargain in good faith by implementing [Program/Policy Memorandum \(PPM\) 168: Reading Instruction and Early Reading Screening](#), as this issue has been a topic of discussion at the bargaining table.

Prior to the start of the OLRB hearing, which was scheduled for this week, the Crown made an offer to settle the complaints. In our view, this is a – belated, but welcome – recognition by the government that the unilateral implementation of PPM 168 contravened collective agreements, violated the statutory freeze period during bargaining, and circumvented the bargaining process.

Our associations firmly believe that every child has the right to learn to read – to literacy – and we recognize that the acquisition of literacy skills disproportionately lags behind for students from equity-deserving communities. However, ETFO and OECTA central agreements include language that confirms the ability of teachers to exercise their professional judgement when choosing and conducting diagnostic tests to meet student needs. PPM 168 contravened those collective agreements because it required teachers to use a mandatory Early Reading Screener Tool in Year 2 of Kindergarten, Grade 1, and Grade 2.

Furthermore, in its changes to literacy education, the government has not provided the investment needed to properly ensure student success, ignoring the critical recommendations from the Ontario Human Rights Commission’s *Right to Read* report.

Since bargaining for new central agreements is ongoing, a statutory freeze on collective agreement language remains in effect. This means that the terms and conditions of ETFO and OECTA expired collective agreements remain in force, and must be respected by the involved parties until a new collective agreement is reached. When the Ministry of Education released PPM 168 during central bargaining, it violated the good faith duties imposed on all parties under the law.

On August 22, ETFO and OECTA reached settlements with the government. In those settlements, the government confirms that the use of the Early Reading Screening Tool by teachers is no longer mandatory for the 2023-24 school year – educators will continue to use their expertise to identify and address students’ unique individual needs. The government also commits to returning to the bargaining table to resolve the issue in good faith. The government will be issuing a memorandum to school boards to advise of the change in direction.

We call on the Ford Conservative government to learn from this error in judgement and bargain in good faith. Our message to the government is clear: keep bargaining issues at the bargaining table or we will continue to take swift action to protect our members’ bargaining rights and public education. Both of our associations will continue to work toward realizing a fair, negotiated agreement that supports all students, educators, and families.”

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