

May 2008

No. 316

# RTU-SER Newsletter

## ***This month!***

- *Board rules in favour of union*

- *Absences*

- *Surplus teachers*

- *Forced resignation*

- *No Annual evaluations*

### **THE ARBITRATOR FINDS FOR THE UNION**

The Arbitration Board ruled in favour of the union with respect to a grievance filed on behalf of a teacher in one of our elementary schools. The grievance contested the School Board's refusal to grant a sick day to the teacher, who consequently lost a day's pay. The School Board had decided that the teacher's absence had simply been a means of extending the weekend by an extra day. The arbitrator found that the *employer did not act reasonably under the circumstances*. The Arbitration Board ordered the School Board to reimburse the teacher for the lost pay.

### **DELEGATES' MEETINGS**

At the April meeting, several delegates voiced their frustration and disappointment with the School Board, particularly with respect to its policy on absences. A growing number of teachers are complaining about how they are treated when they have to take time off, even when the absence is for just one day. While the Board's desire to reduce absenteeism is understandable, it can only be achieved with the teachers' help. That said, the teachers feel that the Board's cavalier attitude toward them is causing tension and hindering labour relations. Is the only way for the Board to achieve financial savings to forsake the teachers' working conditions? The union's executive committee and the delegates are looking for a more human approach by the board. Our request for a meeting with senior management on this subject has been granted. We'll keep you informed of any developments.

### **SURPLUS TEACHERS**

The School Board has identified 30 surplus teachers at the elementary level and 2 at the high school level. In mid-April, these teachers were notified and were given the opportunity to apply for a vacant position, either in their current school or by requesting a transfer to another school. The Board will assign surplus teachers to vacant positions in their respective schools by May 18. Teachers transferred to another school will be advised by June 1.

### **FORCED RESIGNATION**

A teacher from one of our elementary schools was forced to resign her position in early April after the Board refused to grant her a leave without pay. The teacher in question, who had been off work for 5 months due to an illness, had requested a leave without pay until the end of the school year so as not to disrupt the routine established in her Grade 2 class (known to be difficult) and to avoid a relapse of her illness. She was told that she had to resign, since only regular teachers are eligible for leaves without pay... We had hoped that the Board would be more understanding, but it appears that it has taken a hard line and, in the end, the teacher resigned.

### **NO ANNUAL EVALUATIONS**

As opposed to what some teachers have heard, **Learning and Evaluation Situations (LES) do not have to be administered at the end of this year** unless it marks the completion of a cycle. School boards can impose internal testing, but **only at the end of a cycle** (*Education Act, section 231*). Any other evaluations are at the teachers' discretion, as stipulated in the Act, which was amended over 10 years ago to recognize teachers' autonomy, for example,



Deadline  
combined  
classes May  
30<sup>th</sup>, 2008

• Electronic pay  
slip – follow  
up

• Integration  
limits

• Absences

• Prestigious  
Award

with respect to strategies and assessment methods (*section 19*). One of the reasons for the reform was to remove the burden of ongoing student evaluations... In fact, if all of Quebec schools took full advantage of the provisions in the Education Act, there would be as many options as there are schools!

#### **DEADLINE: COMBINED CLASSES**

If you have submitted a request to use the \$426 attributed to combined classes, note that the **DEADLINE FOR SUBMITTING REQUESTS FOR REIMBURSEMENT FROM THE SCHOOL BOARD IS MAY 30, 2008.**

#### **SCHOOL LEVEL COMMITTEES: STUDENTS WITH LEARNING DIFFICULTIES**

The School Committee makes the decisions regarding the organization of services for students with learning difficulties. It is important that all decisions be recorded in the meeting minutes, for future reference as needed. These minutes are read by the Joint Committee and may be subject to discussion. Note that school administrations cannot act unilaterally by organizing services as they see fit.

#### **ELECTRONIC PAYSリップ: FOLLOW-UP**

Apparently, despite being told the contrary, employees have not been receiving a paper copy of their payslips during the 4-month trial of the new electronic version. Whatever the case, at the delegates' meeting in April, we asked delegates to consult teachers in our schools on their opinion of the new system. We will subsequently submit the results to the School Board. For your information, the **Act respecting labour standards** (section 46) stipulates the following: *At each pay, the employer must issue the worker a payslip providing the information necessary to check the calculation of his/her pay.*

#### **ARE THERE LIMITS TO INTEGRATION?**

The delegates who attended workshops in Magog last October had taken part in a province-wide consultation on the integration of students with difficulties in so-called regular classes. The results of that consultation form the basis of the QPAT's request that the government amend the *Education Act* to limit integration. The QPAT underscores the urgency of taking action now, in order to ensure that all students have access to services to which they are entitled. The current situation is not sustainable, since teachers are left to bear the burden of integration and have to fight for services. The QPAT is requesting that the *Education Act* be amended so as to:

- Take into account the class makeup and limit the number of students with learning difficulties to 10-20% per class.
- Require that the school boards analyze the impingement on students' rights, particularly their right to a quality learning environment.
- Require that the school boards demonstrate that there is no **undue hardship** or violation of students' rights due to integration.
- Limit integration to one (1) student per class in cases where the student has been diagnosed with severe behavioural difficulty, psychopathological disorders, pervasive developmental disorders (PDD) or atypical disorders.

Minister Courchesne is expected to announce an action plan for students with learning difficulties in the near future. We'll keep you updated.

#### **ABSENCES**

If the Board refuses to grant you an absence or changes the absence code you entered on the form, notify us immediately by calling 450 465-2523, so that we can do a follow-up.

---

**'Learning and  
Evaluation  
Situations (LES) do  
not have to be  
administered at the  
end of this year'**

---

**CONGRATULATIONS!**

Kevin Wright of Chambly Academy recently won a prestigious award. On April 7, the ATEQ (**A**ssociation of **T**eachers of **E**nglish in **Q**uebec) recognized him for his outstanding contribution to the teaching of English in Quebec. Congratulations, Mr. Wright!

Michel Gagnon  
President,  
Riverside Teachers Union

