

Provincial Executive Liaison Report

To: District 10 Executive & Council

From: Jeff Denys, Treasurer

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1. Equity Update Since April 2023

OSSTF/FEESO continues to be engaged in several activities as per the Action Plan to Support Equity, Anti-Racism, and Anti-Oppression. A few of the completed and ongoing actions are found below.

- In 2019, the United Nations Office at Geneva launched their United Nations Disability Inclusion Strategy. These guidelines have been prepared by the United Nations Office at This Strategy is aimed at removing barriers and engaging persons with disabilities in all spheres of work and life in order to achieve sustainable and transformative progress on disability inclusion. The Federation is in the process of reviewing the guidelines and recommendations enclosed in this document to support understanding and eliminating barriers that may affect Members living with disabilities.
- [The Women’s Advocate Program](#) was developed to provide support to Members experiencing or impacted by domestic violence. In addition to the training provided to advocates in May 2023, additional sessions will be provided in June and in the late summer of 2023. Please refer to D/BU #158 for more information.

- The inaugural Bargaining Unit Equity, Anti-Racism, and Anti-Oppression Officer Triennial Conference will take place from October 13-14, 2023, at the Hilton Toronto/Markham Suites Conference Centre & Spa. Registration will be open on June 12, 2023.
- As part of the Federation's commitment to enhancing public education, social justice, and equality through international solidarity work, OSSTF/FEESO, as part of the Trinational Coalition for the Defense of Public Education alongside the British Columbia Teachers' Federation (BCTF), Equipo Logistico, Chicago Teachers' Union (CTU), CoDevelopment Canada (CoDev), Sección 22, SNTE, Trinational Coalition – Mexican Section, United Teachers Los Angeles (UTLA), and Trinational Canada hosted a public webinar on Saturday, May 13, 2023, to share strategies for involving communities in actions that strengthen public education.
- In October 2022, hosted the OSSTF/FEESO Inclusion Symposium at the Sheraton Toronto Airport Hotel & Conference Centre. This event provided an opportunity for individuals with diverse knowledge about inclusive education, including education workers, teachers and administrators, caregivers, parents, and people with academic and research backgrounds, to explore major concerns and best practices related to inclusion. Please visit the provincial website under the [Equity Matters tab](#) to view a copy of the Inclusion Symposium Report.
- Districts and Bargaining Units are reminded to submit all applications for [Account #2016 \(Anti-Racism and Equity Training for Members\)](#) and [Account #2018 \(Anti-Racism and Equity Training\)](#), approval letter(s) and copies of related paid expenses by June 30, 2023. Payments will be deposited to the District's Bank account.

2. **Bargaining Unit Equity, Anti-Racism, and Anti-Oppression Officer Training – Union Training Academy (UTA) Update**

On April 5, 2023, 35 Bargaining Unit Equity, Anti-Racism, and Anti-Oppression Officers attended Union Training Academy (UTA) virtual training.

The meeting agenda included:

- an opportunity for officers to network,
- an introduction of the members of the in-house equity team,
- an introduction of members of the Addressing Anti-Black Racism/Racism Committee, Equity Advisory Work Group, and Writing Team for the Bargaining Unit Equity, Anti-Racism, and Anti-Oppression Officer Resource,
- a review of the Provincial Website (i.e., Educational Services Department Resources, OSSTF/FEESO Action Plan to Support Equity, Anti-Racism, and Anti-Oppression, Equity Matters Tab, etc.),
- a review of the OSSTF/FEESO Financial Handbook and training opportunities,
- preliminary discussions related to the Bargaining Unit Equity, Anti-Racism, and Anti-Oppression Officer Triennial Conference in October 2023, and
- a Question and Answer period.

The Equity.Officer@OSSTF.CA email address was provided to participants. Staff will continue to connect with these Bargaining Unit Officers to identify other training opportunities of interest.

3. **Women's Advocate Training Plan**

The OSSTF/FEESO Women's Advocate Program new advocate training was to begin in April 2020 and was delayed due to the COVID-19 pandemic until November 2020. At that time, a two-day training session occurred in conjunction with the Centre for Research and

Education on Violence Against Women and Children (CREVAWC). An additional day of training, in February 2021, was needed to cover some of the regional and local components of the program and create some opportunities for advocates to role play. In July 2021, an additional two days of training was offered, again led by the CREVAWC, for advocates who were not able to attend the training in November and February. Due to the pandemic, training was held through Zoom.

At the time, Zoom training was our only option to train advocates and push the program to begin in September 2021 to run for a two-year pilot. While Zoom met our needs during the pandemic, it was not the optimal training that we had hoped to provide for this important role and program.

We are heading toward the end of the two-year pilot for this program, and we have surveyed advocates who have communicated clearly that they prefer the face-to-face training to optimize the program to meet the needs of our members and to provide the exemplary type of support that OSSTF/FEESO Members are accustomed to receiving.

We propose that our next training of advocates is done regionally. We propose to have face to face training with advocates, where we can provide the best model of training, meet the advocates, and ensure that we have fully prepared them for their roles, which are expanding in Districts due to uptake in use of the advocates. Adopting the regional model is cost saving as it asks Members to travel within their communities to attend the up to three (3) day training sessions.

Our proposed model would follow our original training plan which occurred over three days using two days to train new advocates and a third day for all advocates to get together in their regions as an opportunity for Region/District planning and role playing.

Training of New Advocates

May and August 2023 are the dates for Women's Advocates training, following a regional model. Not all Districts trained their full complement of advocates in 2020 and some advocates have left the role, therefore new advocates will need the two-day initial training. New advocates will now be trained by Tracey Marshall and Tracey Germa, the two staff members now trained to deliver the program created by CREVAWC and the CLC. Having staff trained to deliver the training allows us to cost-save using the regional delivery model.

Refresher Training of Current Advocates

These dates would also offer an opportunity to gather all current advocates for retraining, to work in regional groups with new advocates and to work with a women's shelter worker in their area to gain further expertise.

Training Timetable

| | | |
|-----------------------|-----------------------------------|--|
| Day 1 – New Advocates | 10:00 am to 5:00 pm (Tuesday) | CREVAWC training part 1 |
| Day 2 – New Advocates | 9:00 am to 5:00 pm (Wednesday) | CREVAWC training part 2 |
| Day 3 – All Advocates | 9:00 to 1:00 pm (Thursday) | Short refresher of CREVAWC training, District needs, Role Playing, Q and A, Regional |

| | | |
|--|--|-----------|
| | | breakouts |
|--|--|-----------|

Total Complement of Advocates by Region

Region 1 – Thunder Bay – Total Advocates – 10

Region 2 – TBD - Total Advocates - 19

Region 3 – Mississauga area – 37 (combined with Region 4)

Region 4 – Mississauga area – 49 (combined with Region 3)

Region 5 – Kingston – 27

Proposed dates for this training are:

Region 1 – May 23, 24, 25

Region 2 – May 29, 30, 31

Region 3 and 4 in August – confirming dates

Region 5 in August or early September – confirming dates

4. Ontario Coalition for Better Child Care – June Day of Action

Child Care is Worth More! has been the rallying cry of the Ontario Coalition for Better Child Care this year. Tuesday, June 20, 2023, will be another Day of Action and the Coalition has updated their resources for those wanting to plan events.

Bargaining Unit Presidents are asked to support – and encourage members to support - social media and community initiatives as childcare workers across the province continue to push the Ford government to recognize the need for a sufficient and stable funding formula to give Ontario’s children the high quality child care they deserve.

5. From Special Needs to Special Rights: Report from OSSTF/FEESO’s Symposium on Inclusive Education

OSSTF/FEESO is pleased to release a final report on our Inclusive Education Symposium. Reflecting a highly resonant theme from the Symposium, the report is titled: *From Special Needs to Special Rights: Report from OSSTF/FEESO’s Symposium on Inclusive Education*. Provincial Councillors received the Report on June 2nd, and the report will be available on the OSSTF/FEESO website following June Provincial Council.

In October 2022, OSSTF/FEESO held its first ever Inclusion Symposium. The Symposium was an opportunity to bring together academics, board representatives, teachers, education workers, and community members to discuss a vision for inclusive education and the obstacles to achieving that vision.

Panelists and attendees participated in – indeed, contributed to – a series of vibrant and exciting discussions on key elements of inclusive education. To capture those discussions, President Littlewood’s welcoming address, Dr. Clinton’s keynote address and the two panels were recorded and transcribed. Following the panel discussions, attendees were invited to participate in facilitated discussions at the following tables:

- Board staff and Trustees (two tables)
- Community Group representatives (two tables)
- Labour Affiliates (two tables)
- Teachers (eight tables)
- Education Workers (five tables working in English; two tables working in French)

Note-takers (volunteers from OSSTF/FEESO’s Health and Safety/Workplace Safety Insurance Act Committee and OSST/FEESO’s Educational Services Committee as well as

staff from Provincial Office) captured discussions at the discussion tables.

Using the transcripts and notes, staff undertook a qualitative analysis of the Symposium. This involved Educational Department staff working together to identify qualitative codes. Staff then developed a formal codebook and coded the data using MAXQDA. Following coding, a thematic analysis was undertaken to distill the data into cross-cutting themes and major focus areas.

A draft of the report was then reviewed internally by staff assigned to the Equity Team as well as the Equity Coordinator. Next, external volunteers with strong backgrounds in inclusive education were asked to review the report to ensure it accurately and coherently reflects the Symposium itself. Feedback from these review processes were then incorporated into the final report.

OSSTF/FEESO hopes the report will make a useful and positive contribution to ongoing efforts to ensure special education and inclusive education practices provide full supports to all students. The report will be sent directly to all participants in the Symposium and to all members through a D/BU memo. It will also be highlighted in *Update* and on social media.

6. CoDevelopment Canada Colombian Delegation: Schools as Territories of Peace in October 2023 – Update

CoDevelopment Canada continues to plan for the upcoming delegation to Colombia in partnership with [Federación Colombiana de Educadores \(FECODE\)](#). In 2022, OSSTF/FEESO committed to sending up to three (3) representatives to join the delegation.

Because of the pandemic and other factors, the delegation visit to Colombia was delayed by a year. The date of the delegation visit to Colombia has been confirmed. The Canadian delegation will visit from October 1 to October 8, 2023.

OSSTF/FEESO has worked with CoDevelopment Canada on the Schools as Territories of Peace project for the past five years in partnership with the Colombian Teachers' Federation (FECODE). This project focusses on creating schools as territories of peace as Colombia emerges from years of internal conflict and violence. The project has been in partnership with the British Columbia Teachers' Federation (BCTF), Centrale des syndicats du Québec (CSQ), and the Surrey Teachers' Association. OSSTF/FEESO has a longstanding relationship with CoDev Canada and FECODE, and we have witnessed positive change in Colombia because of our contributions.

7. CLC Request for Solidarity with ACTRA

On April 21, 2023, OSSTF/FEESO and other members of the CLC Canadian Council received a request for solidarity for ACTRA in their more than 1 year-long fight against advertisement agencies that have “shamefully locked out the workers instead of negotiating a fair deal.”

Communication from CLC outlines ACTRA's boycott campaign, targeting brands who are still employing the particular agencies who have locked out ACTRA members. The boycott aims to put pressure on the employers to end the boycott and to return to the bargaining table. The CLC Canadian Council endorsed the boycott campaign at its April 13, 2023, meeting.

OSSTF/FEESO will be issuing a DBU to all members encouraging them to support ACTRA's campaign and will share the campaign via our social media channels, amplifying messaging from ACTRA directly.

Details on ACTRA's boycott can be found at this link <https://www.actra.ca/nca/boycott/>
The brands targeted in this campaign are:

- H&R Block
- Canadian Tire
- Rogers
- Wendy's
- Home Hardware
- Sleep Country

As per the campaign, ACTRA is rotating targets on a weekly basis. The campaign website has a letter generator and a bilingual poster available, and affiliates are encouraged to share these with their membership.

In November 2022, OSSTF/FEESO sent a letter of solidarity to Marie Kelly, National Executive Director and Alistair Hepburn, Executive Director, ACTRA Toronto and received an email of thanks in response.

8. French as a Second Language Labour Market Partnership Committee – Spring 2023 Update

The French as a Second Language Labour Market Partnership Committee (FSL-LMPC) has been meeting since 2017, exploring ways to address labour shortages in French language educators. Over the course of those years, several projects have been completed – each with varying levels of success.

The group is comprised of representatives from the Ministry of Education, from employer groups (deans, directors, superintendents, principals) and from employee groups (federations, unions). For a brief summary of the work of this group, please visit: <https://www.opsba.org/advocacy-and-action/french-as-a-second-language-fsl/>

Many best practices have been shared, and new ones discovered, as yearly projects have been created, implemented and reviewed. Approved projects this year were:

- A. Collaborators - School of Education, Laurentian University, Rainbow District School Board and Sudbury Catholic District School Board, District School Board Ontario North East:
 - Creation of a dual - credit course entitled: Introduction à l'éducation et à l'enseignement en français langue seconde
 - Development and implementation of French as a second language workshops for teacher education students
- B. Collaborators - Ontario Public School Boards' Association, Ontario Catholic School Trustees' Association:
 - Mobilizing Research and Higher Yield Strategies - FSL Teacher Recruitment Hiring, Professional Support and Retention

- C. Collaborators - Ontario Public School Boards' Association, Ontario Catholic School Trustees' Association + lead teams from the 3 Teacher Recruitment and Retention Strategy in French Immersion and French Second-Language Programs initiatives
- Updating FSL Awareness to Action Issues 1- 8
- D. Collaborators - Ontario Teachers' Federation (OTF) and affiliates
- Ici on parle français
- E. Collaborators - Ontario Principals' Council & Catholic Principals' Council of Ontario:
- Developing One-Day Online Learning Modules
- F. Collaborators - Ontario Principals' Council & Catholic Principals' Council of Ontario:
- Developing 2-week Online Learning Modules

This year, over \$75,000 has been sent to OTF-affiliated educators looking to improve their French language skills. Of that group, 43 OSSTF/FEESO members, from 15 different boards, have been supported in their professional development just this school year. All FSL-LMPC OTF grant recipients will come together, online, in early May to share their learning.

OTF and affiliates have been somewhat frustrated of late with the lack of transparency within the committee regarding some of the projects. For example, this video ([26](#)) [Learning from the FSL Labour Market Partnership: a Leadership Conversation on Professional Learning - YouTube](#) was produced by OPSBA and OCSTA without any input from OTF affiliates. While the topic is « leadership conversation on professional learning », OTF and affiliates have expressed their frustration that OTF members were used in the video, and we were neither asked to contribute nor to review. We have, confidentially, within committee, expressed concern about the emphasis on typing up projects, producing products and checking off boxes to complete reports to ensure continued funding.

Assigned Educational Services Staff will continue to liaise with the FSL-LMPC to bring both information and opportunities to OSSTF/FEESO.

9. **Technological Education Board Leads (TEBL) Spring Symposium, March 30, 2023**

Assigned Educational Services staff attended the 2023 TEBL Spring Symposium on Thursday, March 30 in Ottawa. Attendees who provided updates included: TEBL Executive, representatives from universities with technological teacher education programs, OSSTF/FEESO, OCT, QECO, the Ministry of Education, and the Ontario Council for Technology Education (OCTE).

Items of interest

- There was a congratulatory spirit in the air as various stakeholders welcomed the government announcement of a mandatory technological studies course as a high school graduation requirement.
- Most of those present spent time focusing on the challenges of making a mandatory high school tech credit a reality: from the lack of sufficient qualified technology teachers available, to the number of outdated or altogether missing

tech shops in many high schools across the province.

- After OSSTF/FEESO and QECO presentations, there was discussion about what could be done to recruit more trades professionals to teaching, with some focus on salary grids. The amount of related experience credit applicable to tech teachers varies significantly across the province. Some questioned whether or not this was a central or local bargaining priority in current and pending negotiations. OSSTF/FEESO staff explained that priorities are generally those identified by the majority of the provincial or local membership, so related experience isn't likely to make the list. They also noted that the Ministry of Education was in the room and is also hearing the concerns and the suggestion of improved related experience credit for tech teachers as one solution.
- QECO staff present also noted that there would be implications for future teacher members who go directly into apprenticeships after grade 10, as the current teacher evaluation charts allow for 4U and 4M courses to count towards QECO evaluations.
- The Ontario Council for Technology Education (OCTE) reviewed a number of initiatives, including surveying School Board Tech Leads and faculties of Education regarding technological studies staffing and equipment needs. They will share their findings with the Ministry of Education. Their Spring Conference will take place in London at Fanshawe College from May 11-13. They are currently creating resources to be piloted in 16 school boards. Any board is welcome to use the resources, but 16 have arranged to be surveyed and evaluated after the pilot project. There are 60 tech teachers involved in this teaching resource writing project. Anyone interested in their current resources can find them at: <https://www.octe.ca/en/resources>.

10. Mental Health Collaborations – Update

As part of the Ontario Coalition for Children and Youth Mental Health, OSSTF/FEESO meets regularly with Coalition members and with School Mental Health Ontario (SMHO) regarding advocacy as well as resource creation.

While all members of the Coalition used advocacy/lobby days in the fall to express concern regarding lack of funding for mental health initiatives, and all politicians lobbied greeted those concerns with “yes, we understand”, Coalition members remain doubtful the impact that understanding will lead to new dollars. The resource for those lobby days was the contents of the White Paper (https://www.opsba.org/wp-content/uploads/2022/11/Lets-put-our-heads-together-2022_online-1.pdf) produced by the Coalition.

Many Coalition members have updated and/or created resources since the pandemic. Of note:

- Kids Help Phone bilingual Feel Out Loud anthem performed by 50+ music artists from around Canada <https://kidshelpphone.ca/get-involved/our-impact-supporters/artists-for-feel-out-loud-supports-the-youth-mental-health-movement-with-anthem/>
- Centre for Innovation in Campus Mental Health – Anger Infosheet has had a huge uptake since Spring 2022 release: <https://campusmentalhealth.ca/infosheets/anger-and-mental-health/>
- Student Voices on Mental Health – Final Report from School Mental Health Ontario: <https://smho-smsso.ca/online-resources/hearnowon-2021-student-voices-on-mental-health-final-report/>

Because we know that education workers want to be (and are) using their material, School Mental Health has been trying to work more directly with directors, superintendents, and administrators to make sure that their work gets out to boards; mostly trying to combat the private “comprehensive toolkits” that some boards are purchasing. As this has become even more pressing with recent announcements, any push Coalition members can make of SMHO materials will be beneficial.

Two conversations have taken place with the Ministry of Education: one with Nancy Naylor and Staff and one with Stephen Lecce and Staff. Ultimately, the ministry didn’t want to “hear” anything, but rather state what they are looking for: more money to go into mental health literacy, system coordination and clear indication of what group needs the most support. The largest frustration was that Minister Lecce obviously used the Coalition’s White Paper, but only to support his plans. His comment at the end of the meeting was “So, I can count on your support.”

Ultimately, the Coalition is not responsible for actually DOING anything, but we should be used as a resource as we try to balance our requests within a roadmap to which politicians can actually adhere.

11. OADE/OTF & Affiliates Meeting Regarding the Re-Visioning of Teacher Education

On Monday, April 17, staff attended the OADE/OTF & Affiliates meeting regarding the re-visioning of teacher education. It was attended by representatives of OADE, CODE, OPC, OTF and the affiliates.

Background

Over the summer, without the input of OTF and the affiliates, the Ontario Association of the Deans of Education (OADE) and Council of Directors of Education (CODE) worked together to create a new vision for teacher preservice (Teacher Candidate education) in Ontario. This was met with great opposition by OTF and the affiliates. OADE and CODE backed down and agreed to scrap their plans and begin again with the input of more stakeholders.

Before the meeting OADE distributing the guiding principles that they proposed for this new working group, and they included:

- Teacher education emphasizes the inherent importance of all students to be fully included in their educational experiences, ensuring student well-being, responding to students’ strengths and needs, and including a curriculum of Indigeneity, equity, diversity, inclusion, and accessibility.
- Teacher education provides a disciplinary, and cross-disciplinary, foundation for all teachers, creating an understanding of the student and their development and needs; of sound pedagogy, assessment, and evaluation; and of the Ontario curriculum, to provide flexibility for teachers in their practice.
- Teacher education develops and supports educators who cultivate knowledge, critical thinking, transferable skills, and responsible action among learners as part of the profession’s responsibility to foster an inclusive, healthy, diverse, and equitable society.
- Teacher education fosters the relational experience and responsive practice of teaching, while emphasizing the importance of reflective practice in developing existing strengths and fostering potential growth as individuals, as part of the school community, and as part of the teaching profession.
- Teacher education is one step along a continuum in the ongoing and iterative

learning, growth, and development of educators. It reflects the stages of lifelong learning and acknowledges that teachers, as professionals, will continue to learn, to specialize, and to deepen their knowledge of teaching and learning.

In a roundtable discussion participants expressed concerns about the re-envisioning project and its process including the following questions:

- Will any proposed changes address actual problems with teacher pre-service or is it simply addressing minor procedural inconveniences?
- Will any proposed changes be evidence-informed, and will research be a part of the initiative?
- Will the focus be on preparing Teacher Candidates for the Ontario curriculum or on a more general mandate?
- Is this initiative looking to fine tune a system that is already successful or is it looking at large wholesale changes?
- Will Teacher Candidates themselves have representation in future discussions?
- What other groups and voices are missing at this table?

All these concerns will be addressed and discussed at the next meeting.

12. Toronto Youth Cabinet Statement on Food Insecurity

The Toronto Youth Cabinet (TYC) reached out to President Littlewood in early May requesting that OSSTF/FEESO sign on to a statement addressing the issue of food insecurity facing children and youth in Ontario. The statement is in the form of a letter to the Minister of Children, Community and Social Services, Michael Parsa, and Minister of Education, Stephen Lecce.

The statement includes data from Feed Ontario, and data from a recent study by the University of Toronto, which found that one in five children are food insecure in Canada. In addition, one in four users of the Daily Break Food Bank in Toronto were children in March 2023. The statement calls on the Province of Ontario to provide universal free school breakfast and lunch programs to all Ontario students. It also says that the province must guarantee that schools are provided with sufficient infrastructure, resources, and funding to hire and train staff who will be responsible for preparing nutritious meals.

According to a UNICEF Report Card in 2017, Canada ranked 37 out of 41 wealthy countries on children's access to healthy food.

OSSTF/FEESO has indicated its support for these calls to address food insecurity facing children and youth and has signed on to this statement.

13. Radio Ads Promoting Kids Help Phone – Pride Month 2023

The Communications/Political Action (CPA) Department purchased radio broadcast space in communities across the province promoting the Federation and the Kids Help Phone during Pride Month. The Federation has participated in similar radio ads promoting Kids Help Phone several times over the past three years. They provide an opportunity to promote the Federation and our designated charity for 2022/2023 – Kids Help Phone.

The ads are scheduled to air on various radio stations starting on June 5 for one week.

Radio ads will occur in the following communities:

| | | |
|----------------------|--------------------------|---------------------|
| Toronto (2 stations) | Hamilton (2 stations) | Ottawa (2 stations) |
| Newmarket | Windsor | London |
| Kitchener | Barrie | Peterborough |
| Kingston | Belleville | Sault Ste. Marie |
| Thunder Bay | Woodstock/Norwich County | |

The thirty-second ads mention the Ontario Secondary School Teachers' Federation twice while promoting the services Kids Help Phone offers, with specific mention of 2SLGBTQ+ youth. While these ads will support OSSTF/FEESO's designated charity, they will also promote OSSTF/FEESO's name recognition and connections to the community.

14. **Trinational Coalition for the Defense of Public Education – Update (May 2023)**

Members of the Trinational planning committee held a webinar on May 13, 2023.

The topic of discussion explored strategies of involving schools and their respective communities in strengthening public education. Jennifer Seif represented the Canadian Section of the Trinational at the event.

The recorded livestream of the event is available on the [Trinational Facebook page](#)

15. **CLC Convention**

From May 8 - 12, over 70 OSSTF/FEESO members joined over 2,000 workers from unions across the country at the 39th Constitutional Convention of the Canadian Labour Congress in Montreal, Quebec. The federation delegation was comprised of delegates based on district allocations along with the 10 fully funded members who self-identified as Sovereign (First Nations, Métis, and Inuit), Equity Seeking, and/or Young Worker. Also present were OSSTF members who were there through their respective labour councils. The theme of the convention was *Canada's Unions – Lifting Everyone Up*. OSSTF/FEESO delegates actively engaged in the action-packed agenda and came home energized, inspired by the activism, and rejuvenated by the solidarity garnered within the national House of Labour.

Delegates passed action plans on affordability, Indigenous justice, climate crisis, care economy, building up Canada, and organizing, as well as resolutions to combat Homophobia and Transphobia, support reconciliation with Indigenous Peoples, and address systemic racism. Delegates discussed the urgent need to ban scab labour and strengthen labour laws, protect public health care, and tackle the climate crisis. They also passed resolutions combatting homophobia and transphobia, in support of reconciliation with First Nations, Métis and Inuit peoples, and to tackle systemic racism.

CLC President Bea Bruske (UFCW), Secretary-Treasurer Lily Chang (OPSEU), and Executive Vice-Presidents Siobhán Vipond (IATSE) and Larry Rousseau (PSAC) were re-elected for another term as the Congress Executive Board.

OSSTF/FEESO members were active in the CLC Canadian Council elections, further demonstrating front line member engagement and leadership within the National Labour movement. Thanks to the efforts by the Federation delegation, and those members who attended at Labour Council members and presidents, OSSTF/FEESO successfully increased the dialogue of education sector issues and education union representation in the congress.

OSSTF/FEESO District 21 member, and Hamilton-Wentworth District Labour Council president, Anthony Marco was re-elected as the Ontario Labour Council Representative to

Canadian Council. District 25 Ottawa-Carleton member, Melodie Gondek, ran a very competitive campaign for Vice President of the Workers of Disability Caucus. Robert Deonarine from District 19 Peel was successfully elected as the alternate Vice-President of the Persons of Colour Caucus.

Numerous OSSTF/FEESO delegates, including many first-time delegates, contributed to debate and dialogue on the convention floor. Members' powerful comments and speeches highlighted our commitment to public education and services, and to their advocacy to continue building communities that are progressive and equitable.

From here, the CLC will now focus on the action plans and resolutions passed by delegates. OSSTF/FEESO delegation was impactful in all facets of the CLC and moving forward, the Federation will reflect, embrace, and engage with these plans as part of our ongoing activism and organizing efforts, specifically the Don't Shortchange Public Education and Better Schools, Stronger Communities campaigns.

16. 2023-24 Grants for Student Needs and Priorities and Partnership Funds

The 2023-24 Grants for Student Needs (GSNs) were released on April 17, 2023. Along with the Priorities and Partnership Funds (PPFs), these provide the bulk of the funding to school boards. The projections, technical paper, B-Memos, and other documents are available at: <https://www.ontario.ca/page/education-funding-2023-24>.

For 2023-24, the province projects to spend a total of \$27.1 billion on GSNs. Additional funding of \$516 million is provided through the PPFs, with \$372 million going to school boards and the rest to third parties. PPFs are funding that is for a special purpose and usually for a set time and is not usually expected to continue past its expiry, though in most years a few PPF programs are moved into the GSNs to make them more permanent.

The \$27.1 billion in total GSN funding for next year is an increase of \$383 million (1.4%) over the most recent revised estimates of spending for the current school year. Note however that the government reports that Base GSN Funding increased by \$693 million (2.7%), which is arrived at by removing the one-time COVID-19 Learning Recovery Fund and Debt Service Costs from last year's total. Reporting a subtotal that ignores the elimination of this additional GSN funding – that the government used last year to show a higher GSN increase – allows the government to report a higher increase this year as well.

Average Daily Enrolment (ADE) is projected to increase by 0.6%, with a 0.3% increase in elementary and a 1.3% increase in secondary enrolment. The total per pupil funding for GSNs in 2023-24 is \$13,288, an increase of only \$110 (0.8%). Again, the government reports base GSN funding per pupil as \$13,125, an increase of \$264 (2.1%) from the current year's revised estimates.

By any measure, with average annual inflation of 6.8% for 2022 and average monthly inflation of 4.3% as of March 2023, this is a reduction in real funding for education. As Ricardo Tranjan from the Canadian Centre for Policy Alternatives (CCPA) points out "Taking inflation into account, school boards will receive, on average, \$1,200 less per student in the 2023-24 school year than what they received in 2018-19."

It is important to understand that there is some obfuscation between the GSNs and PPFs. The new programs announced by the government leading up to the release of the GSNs are mostly funded through Priorities and Partnerships Funding (PPFs). These programs

are related to early reading (\$109 million), math (\$72 million), and de-streaming (\$104 million). This represents about \$200 million in new funding for teacher positions. The government says that this funding will support the hiring of about 1,900 teachers. This new funding and staffing implications are insufficient to offset the expiry of the one-time \$303 million COVID-19 Learning Recovery Fund. For reference, this fund was a time limited GSN Grant that provides temporary additional staffing supports to continue to hire teachers, early childhood educators, educational assistants, and other education workers to address learning recovery, the implementation of the first year of a fully de-streamed Grade 9, the delivery of remote learning, supports for special education, and maintaining enhanced cleaning standards.

A large chunk of the increased funding for 2023-24 is also needed to support increases to the salary benchmarks across all GSNs. In 2022-23, there was a 1% increase to salary benchmarks that school boards could only spend to support negotiated salary increases following the settlement of new collective agreements. This amount was retroactively increased for all education workers to support the \$1 per hour pay increase negotiated by some education worker groups. For 2023-24, a further increase of 1.5% for teachers and another \$1 per hour pay increase for education workers is supported with updated benchmarks. Given that approximately 80% of GSN funding supports the compensation of employees through benchmark updates, these increases to teacher and education worker benchmarks will represent at least a 1.6% increase in the GSNs.

The expiry of the \$303 million COVID-19 Learning Recovery Fund, which was used by school boards to hire staff in various job classes, could result in significant job losses. At least 3,000, and possibly as many as 5,000 positions may be impacted. The \$200 million in new PPF funding announced will fund 1,900 positions, according to the Minister. However, the new funding seems to be entirely for teaching positions and may skew toward elementary positions.

Also, the Supports for Students Fund remains and is funded with a 1.04% overall increase to reflect a 3.17% increase in the education worker portion for 2023-24 that was negotiated in some education worker collective agreements. A 3.24% increase for education workers was retroactively applied to the 2022-23 GSNs. The Supports for Students Fund portion for teachers and occasional teachers remains funded at the same level as the prior year.

The 2023-24 GSNs also contain \$317 million in unallocated funding that the government has labelled Planning Provision and includes the following note, "GSN provincial total funding in the 2022-23 and 2023-24 school years includes a planning provision that contains amounts for possible in-year funding changes and forecasts which are impacted by external factors and where there is limited information available at time of publication. A portion of the provincial total planning provision is included in the totals for specific grants, with the remaining portion shown on the planning provision line." The Ministry has not indicated for what purpose these funds will be used.

As reported previously, the government has a 10-year plan for education infrastructure that the Financial Accountability Office of Ontario found represents a decline of 14% in real 2021 dollars on infrastructure assets compared to the previous 10-year period. The amount of capital funding provided through the School Condition Improvement and School Renewal Allocation is projected to be about \$1.4 billion for 2023-24.

The memo *2023: B03, Better Outcomes for Students*, provides an overview of initiatives the government is funding. The memo lists key investments, many of which are being re-

announced or highlighted as ongoing investments.

As reported as part of the 2023 Budget, several job-readiness initiatives have been re-announced and a few have expanded funding, such as the expansion of dual credits, strengthening co-op for students with special education needs, supporting the implementation of adult education programs, including Personal Support Worker programs, and creating better connections between schools and local employers to prepare students for in-demand jobs.

The Pupil Foundation Grant sees a slight increase due to enrolment increases and updated salary benchmarks for education workers and teachers, offset by the third year of a four-year phase-in of differentiated funding for online learning, which reduces the funding to school boards based on mandatory e-learning and a larger class size of 30:1 for online learning. This reflects an assumption that 22.5% of secondary students will take an online course in the next school year. This reduced funding does not reflect the actual number of online courses taken by students. This decrease would result in a reduction of 0.12 teachers per 1,000 Average Daily Enrolment (ADE) in base teacher positions funded based on class size. Also, the benchmark for occasional teachers was increased by 1.5%.

The government is providing funding to school boards of \$10 million to support the administration of remote learning schools through the School Foundation Grant. Remote learning will generate funding to support the cost of administration, school office support, and information technology.

The Special Education Grant increases by \$124 million (3.8%), with the transfer of \$8.3 million for the funding of Early Math Intervention into the GSNs from the PPFs. Interim funding for Special Incidence Portion (SIP) continues to be based on historical SIP funding for school boards with a growth rate applied. This grant has increased by 3.8%, reflecting increases in enrolment and shifts in demographics.

The Indigenous Education Grant increases by 1.9%. The Indigenous Education Grant comprises the following three allocations: Indigenous Languages Allocation – \$14.8 million (\$1.9 million increase over 2022-23 GSN projections); First Nations, Métis, and Inuit Studies Allocation – \$4.8 million (\$79.9 million decrease); and Board Action Plan (BAP) Allocation – \$118.1 million (\$95.2 million increase). The funding methodology for the First Nations, Métis and Inuit Studies Allocation and Board Action Plan is being revised as part of a realignment within the Indigenous Education Grant.

The Ministry assures that the combination of the Pupil Foundation Grant and the supplemental First Nations, Métis, and Inuit Studies Allocation funding continues to be sufficient to support the cost of a teacher where there are at least eight students in the course in the school. Where enrolment is less than eight students, supplemental First Nations, Métis, and Inuit Studies Allocation funding is pro-rated to support a portion of the cost of a teacher, based on an average class size of 15 students. Where enrolment for a First Nations, Métis, and Inuit Studies course in a school is at least 23 students, funding to support the cost of a teacher is provided solely through the Pupil Foundation Grant.

The Board Action Plan Allocation is being revised with a supplemental amount as part of this realignment to provide a significant boost in per pupil funding with a higher generator for the NHS percentage Indigenous enrolment. Engagement with Indigenous stakeholders will help determine the Indigenous Education priorities to be supported through this new supplemental amount, and details of the supplemental amount will be shared thereafter. One time funding of \$17.1 million is being provided to partially mitigate the impacts of the

realignment within the Indigenous Education Grant for school boards that are facing a net funding reduction through the First Nations, Métis, and Inuit Studies and Board Action Plan (BAP) allocations in 2023–24 relative to the 2022–23 school year. The realignment within this grant may impact the funding and staffing of First Nations, Métis and Inuit Studies, as the new model ensures that there is only incremental funding for secondary teachers beyond what is funded through the Pupil Foundation Grant. However, school boards must still offer these secondary courses, as in the past, when a minimum of eight (8) secondary pupils of the board enroll in the course.

The combined increase in funding through the Indigenous Education Grant and the One-Time Realignment Mitigation Fund is \$19.7 million (14.6%), so boards can continue to offer the same programming as in the previous year. As in the past, excess funding generated within this grant may not be used for other purposes.

The Learning Opportunities Grant was increased by \$46 million (8.4%), with \$20 million in additional funding being provided through the Safe and Clean Schools Supplement to support the compensation of Professionals/Paraprofessionals (\$11.9 million), Education Assistants (\$4.0 million), and Custodial/Maintenance (\$4.0 million) staff. As well, \$13.2 million in funding was transferred from PPFs into the existing Specialist High Skills Major programs allocation. Also, the \$5 million for summer learning to support literacy and numeracy programs for elementary students has been transferred into this grant from PPFs.

The Continuing Education and Other Programs grant received an increase of 0.81%. This lower increase could be attributed to decreased enrollment in programs. Funding through this grant will continue the 55-hour credit upgrading summer course option available since the summer of 2020. This option enables students to review and consolidate the overall expectations of a course that they had previously passed during that school year to upgrade and/or refresh any gaps in their knowledge and/or improve their marks.

The Student Transportation Grant received an increase of \$111 million (a 9.9% increase in this grant, which accounts for a 0.4% impact on total GSN funding) as a result of an overhaul of the grant parameters, which promises to make funding more transparent with additional reporting requirements for school boards while including new parameters within the calculation of funding, such as driver compensation and school bus replacement costs.

Through the School Board Administration and Governance Grant, the government is introducing funding to enhance external auditors' capacity to include enrollment audit accountability and staffing full-time equivalent (FTE) compliance audit accountability. As well, funding of \$2.5 million is moving from PPF into the School Board Administration and Governance Grant as a new Demographic Data Gathering Allocation to support school board capacity to collect, analyze, and use voluntary student and workforce demographic data.

Within the School Facility Operation and Renewal Grant, a 2% cost update to the non-staff portion of the benchmark for operating costs is included. There is an increase of 3.61% to 98.84/m² in the benchmark for operating costs. Also, this is the final year of a five-year phase-in of funding which slightly decreases the Supplementary Area Factor to reflect the increased secondary class size of 23.

2023-24 Priorities and Partnerships Funding

In 2023-24, the Priorities and Partnerships Funding (PPF) will provide \$516 million in

funding to school boards and third parties. To facilitate school boards' budget planning for the 2023-24 school year, the Ministry is confirming approximately \$372 million of PPF to school boards and school authorities to support ministry priorities. The remaining portion of PPF may be allocated to third parties or may be allocated to school boards at a later time.

The bulk of the Minister's announcement from the day before the release of the GSNs was related to PPFs. The PPFs contain funding for pilot programs and special programs. Though some programs and funding may be moved into the GSNs in future years, most of this funding is time limited. For example, PPF initiatives include funding of \$90 million for reading, including \$65 million for school boards to hire teachers for reading intervention; \$66 million for math, including \$33 million to hire teachers as school math facilitators to work directly with Grade 3, 6 and 9 students; and the \$104 million for de-streaming supports, including \$100 million to hire teachers in Grades 7 through 10 to work directly with students. As this funding is through the PPF, it may prove to be temporary for the 2023-24 school year.

In 2022-23, the PPF provided over \$530 million in funding to school boards and third parties. Of this, \$175 million is dedicated to the Tutoring Supports Program, which has been extended to the end of the school year with an additional \$144 million in funding for other programs being provided to school boards and school authorities.

PPF priority themes are outlined below:

- French-Language Education (\$21.9 million) – to provide tailored supports, to students in Ontario's French-Language Education (FLE) system guided by the Aménagement linguistique policy (PAL).
- Indigenous Education (\$6.9 million)– to support the academic success and well-being of Indigenous students, as well as build the knowledge of all students and educators on Indigenous histories, cultures, perspectives, and contributions.
- Math (\$65.8 million) – to support students in meeting provincial math standards.
- Mental Health and Well-Being (\$20.1 million) – to support the critical linkage between mental health and well-being and student success. Also provides students with physical health and safety supports.
- Special Education (29.0 million) – to improve support for children and youth with special education needs, their families, and educators.
- Student Pathways (\$7.2 million) – to support students throughout secondary school and as they transition to postsecondary destinations, including apprenticeship, community living, college, university, and the workplace.
- Supporting Student Potential De-streaming (\$103.7 million) – to provide supports for students to be successful in de-streamed learning environments.
- Reading (\$90.0 million) – to ensure that all young learners receive the necessary foundational skills and early interventions in reading that are critical to future success.
- Additional Investments (\$26.6 million) – to support vulnerable students, including youth at risk, to stay in school, graduate and succeed.
- System Support and Efficiencies (\$1.0 million) – to provide support to help ensure that the education system is running efficiently and effectively, including labour-related commitments, administrative efficiencies, and teacher professional learning.
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2023-24 Capital Funding

Capital funding is part of a 10-year provincial plan and has not changed substantially from previous years.

For the 2023-24 school year, the Ministry will be investing an additional \$1.4 billion within the GSNs through the following two programs:

- School Condition Improvement – \$1,070 million; and
- School Renewal Allocation – about \$375 million.

The government has put a new 2.5-year limit on School Renewal Allocation funding at which point funding will expire. This is to ensure that improvements are realized in a timely manner.

Analysis

The funding provided by the GSNs continues to put pressure on school board resources. With the costs of goods and services rapidly increasing due to inflation remaining stubbornly high at 6.8% annually and increases in salaries and benefits related to bargaining, there is no additional funding to mitigate those additional costs. The most significant cut is the expiry of the one-time \$303 million COVID-19 Learning Recovery Fund. It will be replaced only temporarily by PPF investments of about \$200 million, resulting in decreased staffing in 2023-24.

Almost all of the increased GSN funding for 2023-24 are related to enrolment increases (0.6%), the updated Student Transportation Grant model (0.5%), and updated benchmarks for compensation (~1.6%) as a result of negotiated education worker increases that have been applied to the entire education worker sector and teacher increases that have been advanced to school boards in anticipation of future settlements (which school boards must apply toward future salary cost increases). The combined funding impact of these three factors is an increase of over 2.7%, higher than the 2.7% increase in base GSN funding that the government touts, and additional funding cuts in addition to the \$303 million lost with the expiry of the COVID-19 Learning Recovery Fund. This does not include the impact of inflation on other costs that put further pressure on school board resources. Boards will again have to do more with less, leading to a decrease in staffing and services provided to students, especially those who most need additional support to succeed.

The new PPF funding to support reading, math, and de-streaming will only replace some of the existing funding that has been cancelled. However, given the focus on Kindergarten to Grade 2 for reading and the focus on junior and intermediate levels for math and de-streaming, there may be a shift in staff from education workers to teachers and from secondary to elementary.

This year's GSNs cannot be seen as anything other than underfunding the system and short-changing students, parents, and the public. It is likely the government will continue to underfund and underspend, as it has in the past, resulting in less investment than projected and increasing the cumulative funding gap of \$6.0 billion that was projected in November by the Financial Accountability Office of Ontario (FAO) over the next four years. With a \$34.7 billion spending plan for the education sector, including childcare, the government has already indicated its plan to accelerate the underfunding of the sector by an additional \$2.1 billion over what the FAO had calculated previously.

It is equally important to remember that as it was pointed out in FAO's *Expenditure*

Monitor 2022-23: Q3 report published in March 2023, the government spent less than expected in all sectors. This is typical of program spending since 2020-21 and appears to be part of an intentional strategy to underfund and underspend. This austerity agenda is supported by the grossly underestimated revenues that are reported in the government's budgets.

Over the first three quarters, there was \$1.25 billion in underspending in health, \$844 million in education (\$432 million in elementary and secondary programs and \$396 million in Child Care and Early Years Programs), and \$175 million in postsecondary (\$136 million in operating grants for colleges and universities and financial aid for students). This means that if the government chooses not to use all the allocated education funding, the impact on the students, workers and the whole system might be even greater than what we can estimate right now.

17. **Naloxone Kits Regulation**

In April 2022, the *Occupational Health and Safety Act* (OHSA) was amended to require that where an employer becomes aware, or ought reasonably to be aware, that there may be a risk of a worker opioid overdose at a workplace where that worker performs work for the employer, that employer shall provide and maintain in good condition a naloxone kit in that workplace, as well as comply with any other regulatory requirements regarding the provision and maintenance of the kits and ensure the provisions of any prescribed training. These requirements came into effect on **June 1, 2023**.

The regulation, *Naloxone Kits* (O. Reg. 559/22), prescribes the contents of a naloxone kit and sets out additional information related to the provision and maintenance of naloxone kits, as well as the required training. Guidance for employers has been posted to [Ontario.ca/naloxone-workplace](https://www.ontario.ca/naloxone-workplace).

It is possible that some education sector employers will fall under the regulation and will be required to maintain a naloxone kit in the workplace.

18. **TTC Strike Ban Ruled Unconstitutional**

In 2011, the Government of Ontario enacted the *Toronto Transit Commission Labour Disputes Resolution Act, 2011, S.O. 2011, c.2 (the "TTC Act")*. The *TTC Act* eliminated the right of all unionized TTC workers to engage in strike activity of any kind. The Amalgamated Transit Union Local 113 (ATU), and the Canadian Union of Public Employees, CUPE Local 2 (collectively "the unions") challenged the *TTC Act* under s. 2(d) of the Canadian Charter of Rights and Freedoms on the basis that prohibiting the right to strike substantially interferes with their right to meaningful collective bargaining. Eight years after the *TTC act* was passed, the Superior Court of Justice, in a decision delivered on May 8, 2023, struck down the law and ruled it invalid and unconstitutional effective immediately. Here is the full decision:

<https://wemovetoronto.ca/wp-content/uploads/2023/05/ATU-v.-Ontario-Reasons-for-Judgment-May-8-2023-Chalmers-J.docx-Final.pdf>

The unions argued that the right to strike is the "powerhouse" of collective bargaining that creates a necessary balance between workers and employers and allows for meaningful collective bargaining. They also argued that the right to strike promotes the dignity of workers and allows for workers to actively participate in matters that govern their working lives. They claimed the prohibition on the right to strike set out in the *TTC Act* results in a "substantial interference" with the collective bargaining process and is therefore in breach of the freedom of association protected under s. 2(d) of the Charter. They further argued that the government failed to establish that the substantial interference with meaningful

collective bargaining is justified under s.1. of the Charter, which says that Charter rights can be limited by law so long as those limits can be shown to be reasonable in a free and democratic society.

The government argued that the *TTC Act* does not infringe s. 2(d) of the Charter because the right to strike is replaced with compulsory binding interest arbitration, which maintains the balance between workers and employers, and allows for meaningful collective bargaining. They further argued that any infringement of s. 2(d) is justified under s. 1 because removing the right to strike promotes the objective of preventing disruptions to public transit service and the health and safety, environmental and economic concerns that come with such a strike. The government stated that the “no strike/interest arbitration” model is minimally invasive to the workers and a reasonable measure to balance competing objectives and societal interests. Finally, the government argued that the negative effects the legislation were outweighed by the benefit of avoiding a public transit strike.

Justice Chalmers found that the *TTC Act* infringes the Applicants’ right to freedom of association under s. 2(d) of the Charter and was not saved by section 1. The Court found that removing the right to strike for all TTC employees, “substantially interferes” with meaningful collective bargaining.

Some of the comments made by Justice Chalmers on removing their right to strike are noteworthy:

[109] Most importantly, I find that the removal of the right to strike has had a negative effect on the negotiating process. The manner in which negotiations were conducted after the enactment of the TTC Act supports the conclusion that employees have not been on an equal footing with the TTC...the approach taken by TTC negotiators in 2011 is particularly troubling. The negotiators were more confrontational and aggressive. The negotiators stated that they had less incentive to be conciliatory because the union did not have the right to strike.

[110] I also find that interest arbitration substantially interfered with the ability of the parties to reach voluntary settlements. As noted by Professor Hebdon, binding interest arbitration can result in “chilling” and “narcotic” effects. That has also been borne out by the evidence. The TTC and its largest union, Local 113 have been unable to reach voluntary agreements without assistance in three of the last four bargaining sessions.

The Court also examined whether the government could establish “that preventing the disruption caused by a strike, was a “pressing and substantial” objective that justifies the removal of the right to strike.” The Court found the government failed to establish this and ultimately found that the TTC was not “an essential service as that term has been defined in the caselaw. I find that a TTC strike would not “threaten serious harm” or “endanger the life, personal safety or health” of the whole or part of the population.” The Court also held that the government did not establish that there are “serious” and “especially injurious” economic consequences from a TTC strike.

The government requested to delay the implementation of the decision for 12 months, but this was refused as unreasonable because, if implementation was suspended for one year, the parties would be required to negotiate the next collective agreement under the current system. The current collective agreement between the ATU and the TTC expires in March 2024.

It is not yet known if the government plans to seek leave to appeal this decision.

19. **Supreme Court of Canada Dismisses Suit Filed by Former Chilliwack, BC School Board Trustee**

Below is a summary of a recent Supreme Court of Canada decision in a case where a public school board trustee (Neufeld) sued a former British Columbia Teacher Federation president (Hansman) for defamation. The lawsuit was filed after Hansman forcefully and publicly criticized Neufeld's comments opposing a provincial initiative to promote inclusion. The full decision is available at this link: [2023 SCC 14 \(CanLII\) | Hansman v. Neufeld | CanLII](#).

This case arose out of the public debate around the British Columbia Ministry of Education initiative "*Sexual Orientation and Gender Identity 123*" (SOGI 123). The aim of SOGI 123 was to foster inclusion and respect for students who may face discrimination in school because of their gender identity or expression by equipping educators with resources to teach students about sexual orientation and gender identity.

Neufeld, an elected public school board trustee in Chilliwack, B.C., publicly disapproved of the initiative in online posts, which began with a Facebook post where Neufeld said he supported "traditional family values" and that allowing children to "choose to change gender is nothing short of child abuse." His comments triggered significant controversy including calls for him to resign. Many people in the community considered his statements derogatory of transgender and other 2SLGBTQ+ individuals.

Mr. Glen Hansman, a gay man, teacher and former president of the British Columbia Teachers' Federation, denounced Mr. Neufeld's views, including to the news media, calling them bigoted, transphobic and hateful. He accused him of undermining safety and inclusivity for transgender and other 2SLGBTQ+ students in schools and questioned whether he should remain a school board trustee.

Mr. Neufeld sued Mr. Hansman for defamation. In response, Mr. Hansman asked the court to dismiss the lawsuit under the province's *Protection of Public Participation Act* (the Act). He argued that Mr. Neufeld had launched a "strategic lawsuit against public participation" (SLAPP) with the goal of silencing him and suppressing debate on matters of public interest. The Act aims to thwart SLAPPs by allowing the courts to dismiss such lawsuits when it is determined that protecting free debate on matters of public interest outweighs harm to the plaintiff.

The British Columbia courts initially dismissed Mr. Neufeld's defamation lawsuit, finding that it had the effect of suppressing debate on matters of public interest, and further, that the value in protecting Mr. Hansman's expression outweighed the harm Mr. Neufeld likely suffered. The Court of Appeal disagreed, however, and reinstated the defamation suit. Mr. Hansman appealed to the Supreme Court of Canada.

Writing for a 6-1 majority, Justice Karakatsanis of the Supreme Court restored the first judge's order dismissing Mr. Neufeld's defamation suit. The Court decided the public interest in protecting Mr. Hansman's speech outweighed the public interest in remedying the reputational harm to Mr. Neufeld.

Mr. Hansman, spoke out to counter what he and others perceived to be discriminatory and harmful speech against transgender and other 2SLGBTQ+ youth, "groups especially vulnerable to expression that reduces their worth and dignity in the eyes of society and questions their very identity". His response to Mr. Neufeld's statements was neither

disproportionate nor gratuitous. In fact, the Court affirmed that "counter-speech motivated by a desire to promote tolerance and respect for a marginalized group in society is deserving of significant protection."

The Court further explained, "the closer the expression lies to the core values of [freedom of expression], including truth-seeking, participating in political decision-making and diversity in the forms of self-fulfillment and human flourishing, 'the greater the public interest in protecting it,' concluding Mr. Hansman's speech aligned with these values.

"I hope this decision makes things easier for anyone speaking in defence of a marginalized community, particularly those speaking in defence of 2SLGBTQ youth and trans people generally, without having to be fearful of retaliatory legal action," said Hansman, who continues to work as an elementary school resource teacher in Vancouver.

20. **OMERS Sponsor Corporation (SC) and Administration Corporation (AC) PC Report – June 2023**

AC Board Appointment

Following a nomination by CUPE Ontario, Ms. Susan Arab was appointed to the Administration Corporation (AC) Board effective April 18, 2023. Ms. Arab will complete the current term ending December 31, 2023, which was vacated earlier this year, as well as the following three-year term ending December 31, 2026.

Governance Manual Update

At its May 11, 2023 meeting, the Sponsors Corporation (SC) Board approved a revised Governance Manual which includes, among other things, the Funding Management Statement (FMS) and an updated SC Board Competency Framework. The addition of the FMS into the Governance Manual is being made as part of OMERS commitment to enhance engagement and transparency with sponsors and stakeholders. While the FMS is not binding, it is meant to provide guidance to the SC Board in making decisions with respect to pension funding. The Governance Manual is available on the OMERS website.

Plan Risk Assessment Meetings

OMERS is currently offering dedicated meetings with interested sponsors and stakeholders regarding plan risk assessment. The purpose of these meetings is to share information, have an open dialogue and to gather perspectives and input. OSSTF/FEESO has expressed interest and will be participating in this process with OMERS.

21. **DBU Memos Issued**

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| 160 | ONIWG Rally 2023 |
| 161 | OMERS Advisory Work Group - Call for Applications |
| 162 | ELHT Advisory Workgroup Vacancies |
| 163 | Pension Workshop Requests 2023-2024 |
| 164 | Environmental Advisory Work Group Vacancies |
| 165 | New Member Engagement Advisory Work Group 2023 -Vacancy Call Out |
| 166 | OSSTF/FEESO Study on Workplace Violence |
| 167 | Member Mobilization and Engagement Funding |
| 168 | Ministry Correspondence - Enrolment for Fresh from the Farm, 2023 |
| 169 | Toronto Pride 2023 |
| 170 | Strategic Action Plan 2023-2024 Submissions |
| 171 | OMERS Update |