



**Employer's Proposals
for the Renewal of Agreement E5
2020-2023**

Presented by the

Management Negotiating Committee for English-Language School Boards (CNPCA)

to

**the Quebec Provincial Association of Teachers (QPAT)
on behalf of the teachers it represents**

**Within the scope of the *Labour Code* (CQLR, chapter C-27)
and the *Act respecting the process of negotiation of the collective agreements in the
public and parapublic sectors* (CQLR, chapter R-8.2)**

DECEMBER 15, 2022

Subject to amendments, additions and adjustments during the negotiation

TABLE OF CONTENTS

FOCUS AREA 1	ADDRESS THE LABOUR SHORTAGE	4
	EQUIP THE NETWORK WITH THE TOOLS IT NEEDS TO ADDRESS THE ISSUES OF ATTRACTING AND RETAINING TEACHERS	4
	FOSTER A HEALTHY WORKPLACE AND PRESENCE AT WORK	5
FOCUS AREA 2	FOSTER EDUCATIONAL SUCCESS FOR ALL STUDENTS	7
	FOSTER THE INCLUSION OF STUDENTS WITH HANDICAPS, SOCIAL MALADJUSTMENTS OR LEARNING DIFFICULTIES (STUDENTS WITH SPECIAL NEEDS)	7
	REVIEW CERTAIN GROUP FORMATION RULES.....	8
	PROMOTE PROFESSIONAL DEVELOPMENT TO MAINTAIN A HIGH LEVEL OF COMPETENCY.....	8
FOCUS AREA 3	PROVIDE AN ORGANIZATION OF WORK THAT IS ADJUSTED TO THE NEEDS OF SCHOOLS	10
	ENSURE THAT THE TEACHING WORKLOAD AND ITS STRUCTURE ARE ADJUSTED TO THE REALITIES OF ALL SECTORS, AS WELL AS TO THE NEEDS OF THE STUDENTS AND COMMUNITIES SERVED	10
	MATCH REMUNERATION TO THE RESPONSIBILITIES HELD AND THE WORK ACTUALLY DONE.....	11
	PROVIDE FOR APPROPRIATE MOBILITY OF TEACHERS IN THE CONTEXT OF THE LABOUR SHORTAGE	12
FOCUS AREA 4	ADAPT THE AGREEMENT TO NEW EDUCATIONAL AND TECHNOLOGICAL REALITIES.....	13
	ALLOW FOR ACCESS TO A REMOTE SUPPLY OF EDUCATIONAL SERVICES.....	13
	EXPAND ACCESS TO EDUCATIONAL SERVICES IN ADULT EDUCATION AND VOCATIONAL TRAINING.....	13
FOCUS AREA 5	UPDATE AND REVISE CERTAIN PROVISIONS TO REFLECT THE EVOLVING NEEDS OF SCHOOLS	15
CONCLUSION.....		16

PREAMBLE

In the last round of negotiations, the Management Negotiating Committee for English-Language School Boards (CPNCA) and the Quebec Provincial Association of Teachers (QPAT) came to an agreement which clearly showed that the parties consider educational success and the key role of teachers to be priorities. The improvements to the Agreement focused mainly on two major elements: a significant improvement to salaries, and a re-shaping of the educational workload.

Other important steps forward were also made by the parties in terms of asserting the value of the profession – for example, the measures relating to workplace integration and mentoring, which highlight the expertise of teachers recognized by their principals and peers. At the same time, it is important to note that some of the inter-round committees have yet to finalize their work, and it is difficult in numerous respects to assess the impacts of the improvements agreed upon in the 2020-2023 Agreement.

Today, the CPNCA is filing its submission for renewal of Provincial Agreement E5 2020-2023 (the “Agreement”) applicable to teachers. The fundamental base of this extremely important exercise has included daily contacts with different participants in the education network, consultations with school board managers, school management and the *Ministère de l’Éducation* (MEQ), and various individual committees in the English network. The Minister’s current tour should help to confirm the network’s issues and concerns for which solutions will need to be found during the negotiations, even though this is likely to be a complex task.

The proposals on the sector-based topics in this proposal should be seen as forming part of an entity, with the proposals tabled by the employer party on December 15, 2022, on inter-sector topics and government priorities (forums). The sector-level discussions should take into account the progression of the work done by those forums.

The backdrop to the forthcoming negotiations comprises a number of unavoidable considerations. These considerations are the challenges that the parties must address together, for the benefit of the educational mission.

They include compliance with success targets determined by the MEQ, maintenance and improvement of the educational services available to students, the pandemic’s impacts on educational success, labour shortages and the shortage of legally qualified teachers. They also include compliance with various legal and educational network frameworks, including the MEQ’s plan of action for special education and the policy on educational success.

It is also important to consider that the world of work is in constant evolution, and the parties must adjust to it by allowing themselves to innovate and review working conditions in a constructive way, so that the process of promoting the value of teachers can continue.

The CPNCA is therefore beginning the negotiation process with an open mind and, with respect to all the issues presented in this proposal, seeking solutions jointly with the union party, in order to improve the conditions in which the teaching profession is exercised where possible. In this respect, discussions between the parties in the classroom team forum that the government wishes to set up may well prove to be productive.

The foundations of this approach to the negotiation are built mainly on the following five focus areas, each composed of negotiating topics and objectives:

- Address the labour shortage
- Foster educational success for all students
- Provide an organization of work that is adjusted to the needs of schools
- Adapt the Agreement to new educational and technological realities
- Update and revise certain provisions to reflect the evolving needs of schools

The CPNCA (as the representative of the MEQ and school boards) and the Government Negotiating Office (BNG) are in an excellent position to transmit and assert the priorities and concerns of the organizations they represent throughout the negotiating process, while taking into account the particular features and characteristics of the English school network, at both the local and provincial levels. These priorities and concerns can be translated into two fundamental values: educational success for all students, and appreciation of the teaching profession.

Focus Area 1 Address the labour shortage

Equip the network with the tools it needs to address the issues of attracting and retaining teachers

The primary mission of schools is to impart knowledge, foster social development and provide qualifications. As the main stakeholders and core participants in this mission, teachers support the students and must provide them with the good quality educational services they are entitled to expect in order to develop their full potential. Teachers carry out this role in collaboration with various other educational community stakeholders.

To fulfill their mission, school boards need additional means to recruit and offer conditions of employment that will attract and retain qualified teachers, who can then help to maintain the quality of the educational services provided and hence contribute to the success of all students.

These means must be real and adjusted to the current labour shortage. For example, certain functions or measures that, to be implemented, would require teachers to be released and replaced, put additional pressure on school boards and schools. They also affect the stability of the staff members in direct contact with the students, and impact the ability to maintain good quality educational services. These functions or measures should therefore be called into question and addressed from different standpoints.

At the same time, the means available to school boards and teachers must have an impact throughout the teachers' careers, to take into account the development of their expertise and changes to their profession.

While teachers are the main people in contact with students, they also work with other people in the educational community. The need for complementary expertise should be represented more fully in the general function of teachers.

In addition, asserting the value of the teaching profession while taking the teachers' expertise into account, among other things by entrusting them with value-added professional functions and activities that will help the students to succeed, will also play a role in attracting and retaining qualified, motivated staff.

Developing and promoting the teaching profession is a collective responsibility. If all the stakeholders assert the value of the teaching profession and promote its image, this will be a significant lever in attracting and retaining personnel.

In recent years, the labour shortage has led to an increase in the hiring of teachers without legal qualifications, who are entrusted with tasks and student groups for which they are not qualified. This has an impact on the services provided to students and on other staff members, and also generates an additional need for support and assistance.

The current context justifies the importance for school boards to have the flexibility and leverage they need to facilitate the assignment of "difficult" positions, or to recognize a situation as being exceptional. Similarly, the school boards would like the assurance that they will be able to entrust new teachers with workloads and groups consistent with their level of expertise and experience.

Lastly, the contracts offered in the educational network are not always attractive, especially for teachers just beginning their careers who would prefer full-time employment and a certain amount of stability. In addition to the labour shortage, the size of the areas covered by certain school boards is a challenge in attracting and retaining qualified teachers.

Objectives

- 1.1 Attract more teachers and encourage them to offer as much availability as possible within a flexible organization of work.
- 1.2 Ensure that more teachers remain in the profession, among other things by offering an organization of work that provides more opportunities for them to progress and contribute fully, and to develop professionally throughout their careers as a result of their experience and expertise.
- 1.3 Update some of the Agreement's general principles.
- 1.4 Update some of the characteristic assignments of teachers, among other things to enhance their educational role.
- 1.5 Continue the effort to assert the value of the teaching profession.
- 1.6 Provide that the provincial parties recognize the need to assert the value of and promote the teaching profession and Québec's public schools, and commit to helping them through concrete actions.
- 1.7 Provide for greater recognition of classroom needs and teachers' expertise when assigning and preparing workloads, throughout the year.
- 1.8 Adjust working conditions to give school boards the flexibility they need to organize their educational services.

Foster a healthy workplace and presence at work

The parties are concerned about the general health of teachers. After the 2020-2023 agreement came into force, a number of local general health projects were implemented.

The connection between an individual's health and well-being and their performance at work needs no further proof. In the context of the current labour shortage, a significant effort is needed to help attract and retain teachers. Healthy employees play a role not only in ensuring presence at work and maintaining safe and healthy workplaces, but also in attracting new teachers.

In recent years the school boards have faced significant problems with respect to the organization of educational services. Labour issues have affected every sector of education (youth general education, adult education and vocational training). It is apparent from the first day of the school year that vacant positions are difficult to fill, and the situation tends to become worse during the year, among other things due to absences and leaves.

The school boards therefore need some leverage to foster increased presence at work. Thought is also needed to identify measures that would help ensure staff stability during short, moderate and longer periods of absence, and when teachers return to work after an absence.

Lastly, labour relations are in constant evolution. The way in which problems are addressed is changing, as are organizational cultures. Workplaces have much to gain by applying a collaborative approach aimed at preventing and resolving workplace disputes. This cannot be done without the stakeholders' commitment, at both the local and provincial levels. This negotiation offers an opportunity to promote this approach even further.

Objectives

- 1.9 Review the provisions of the Agreement to provide for innovative ways of managing presence at work and reducing short, moderate and long-term absences.
- 1.10 Improve presence at work.
- 1.11 Continue to promote the development of prevention and dispute resolution methods.

Focus Area 2 Foster educational success for all students

Foster the inclusion of students with handicaps, social maladjustments or learning difficulties (students with special needs)

Inclusive education for all students is an approach that is firmly entrenched in the school board network. It has taken concrete form in a vision of equality of opportunity and a personalized approach to address the intellectual, physical and social development of every student. This individualized approach is consistent with the MEQ's Policy on Special Education and the related document on the organization of services for students with special needs.

The document entitled *Special Report – Putting Students First*¹, published by the Québec Ombudsman in June 2022, recommends that school staff members should be encouraged to participate and collaborate more in the organization of services for students with special needs. However, applying a multidisciplinary approach in schools and encouraging everyone to use their expertise in a complementary way is challenging, in particular with respect to the preparation and monitoring of individualized education plans.

Successful inclusion relies among other things on the active and collaborative role of all school team members, to provide the best educational services to all students. This collective responsibility should form part of their everyday practices. It is therefore essential to maintain and encourage the mobilization, commitment and involvement of teachers in their school teams, so that they are able to contribute fully to the educational success of all students.

Support services are increasingly specialized, diverse and customized. There are more specialist staff members working in schools than ever before, and new measures have been introduced to allow for the provision of services that meet the needs of teachers to offer the service to students.

The Agreement's provisions concerning students with special needs have not been revised substantially for almost 20 years. They need to be revised and adjusted in order to better address the range of needs of these students, and to reflect the evolution of best educational practices and ministerial orientations.

In addition, numerous provisions of the agreements maintain a category-based approach that is not consistent with the inclusion of students with special needs and constitutes an obstacle to the implementation of sufficient means to ensure their educational success. For example, the provisions on *a priori* weighting presume that all the students concerned have the same service needs profile for the purposes of being included in a regular class. While these provisions should not be removed, they should be revised.

Lastly, some of the Agreement's provisions complicate the task of forming student groups, sometimes with no objective justification. Accordingly, the negotiation should allow for a revision of the provisions that are not consistent with the progress made towards student inclusion and the introduction of services suited to their needs and abilities.

¹ Special Report — Putting Students First: For Adapted Educational Services for Students with Special Learning and Adjustment Needs (protecteurducitoyen.qc.ca)

Objectives

- 2.1 Review and update the provisions applicable to students with special needs, to ensure that they are consistent with the inclusive approach required by the legal framework, as well as to foster educational success for all students and provide better access to support services.
- 2.2 Update some of the provisions relating to the roles and duties of teachers, to foster a joint approach by multidisciplinary teams, in particular with respect to collaborative practices, in order to address the requirements of students with special needs.

Review certain group formation rules

Given the labour shortage and the parties' shared desire to ensure the educational success of all students with due regard for the particular features of the school boards, for example in terms of the areas served, a revision of some of certain group formation rules is now required.

Among other things, it would be useful to begin discussions on the factors for exceeding the maximum number of students per group, to allow for greater flexibility in the group organization process and address the needs of schools. It is possible and necessary to consider potential solutions other than the current factors.

Objectives

- 2.3 Revise and update certain provisions relating to student group formation.
- 2.4 Ensure better consistency between some of the Agreement's provisions and the actual situation in schools, to address the school teams' wishes and the students' needs and abilities.

Promote professional development to maintain a high level of competency

Teachers must maintain a high level of competency throughout their careers. This should translate into a formal, ongoing professional development process that has a direct impact on the services provided to students.

In addition, the teaching profession is in constant evolution, meaning that teachers must continually update their knowledge and skills. In addition, and throughout their careers, teachers must become familiar with new programs, update their disciplinary expertise, adjust to the students' needs, adapt to new technologies and take new orientations and best educational practices into account.

The *Special Report – Putting Students First*¹, published by the Québec Ombudsman in June 2022, highlights the central role played by teachers in the provision of services to students. Among other things, it mentions the importance of continuous training and support for teachers, to help them understand and address the needs of their students and classes. This suggests that professional development is an inherent employment necessity for teachers.

During the consultations conducted by the CPNCA, network managers raised an important problem caused by the lack of time for training and coordination of teachers, and the difficulty of releasing and replacing teachers during the school year. Solutions must be found, especially given the current labour shortage.

Objectives

- 2.5 Promote professional development and refresher training and make sure they meet the needs of teachers, students (including students with special needs), schools and school boards.
- 2.6 Provide for ways of ensuring that the school boards have the flexibility they need to foster professional development.

¹ Special Report — Putting Students First: For Adapted Educational Services for Students with Special Learning and Adjustment Needs (protecteurducitoyen.qc.ca)

Focus Area 3 Provide an organization of work that is adjusted to the needs of schools

Ensure that the teaching workload and its structure are adjusted to the realities of all sectors, as well as to the needs of the students and communities served

Teachers are core players in individual student success, and additional means must be implemented to promote and recognize the teaching profession in Québec. It is important for teachers to be mobilized, committed and involved in their school teams in order to contribute fully to the educational success of their students.

At the preschool and elementary levels, some tasks, including some aspects of supervision, are still performed by teachers. However, in the current context where the promotion of the teaching profession is a priority and must be considered in light of the labour shortage, it would be appropriate to continue the process of reflection and examine the possibility of targeting other means of achieving this same objective.

During the renewal of the 2015-2020 Agreement, the provisions concerning the teaching workload and its structure, as well as the regular working week, were amended substantially. The amendments were part of a shared perspective regarding the professionalization of the teaching workload and recognition of professional autonomy.

Although the changes to the workload only came into force at the beginning of the 2022-2023 school year, some problems have been encountered by schools and need to be discussed.

In addition, the average teaching time framework has not been revised for several decades, and constitutes an additional constraint when assigning value-added tasks to teachers.

Lastly, for the adult education and vocational training sectors, despite the changes made to the workload in the preceding round of negotiations, the conditions applicable to the regular work week do not adequately address the needs of students or the realities of the programs and the employment market. Because of the nature of certain programs and the profile of the clients served, the school boards need more flexibility in the organization of educational services. This is also necessary to foster student enrollments and help them reconcile their studies with their personal and professional lives.

Objectives

- 3.1 Revise certain provisions relating to the teachers' workload and its structure, to ensure that it matches the situation in schools and addresses the needs of the different sectors to foster student success.
- 3.2 Revise the concept of average teaching time to provide additional flexibility in order to better address the organization of a quality service for students.
- 3.3 Revise certain conditions of the regular working week for teachers in adult education and vocational training.

Match remuneration to the responsibilities held and the work actually done

The different remuneration and compensation methods set out in the Agreement are a source of concerns with respect to teachers paid by the lesson or by the hour and occasional supply teachers. There are some significant differences between sectors (preschool, elementary, secondary, adult education and vocational training) and between teacher statuses (supply teacher, hourly-paid teacher, teacher paid by the lesson, part-time teacher) in terms of the amount paid for the same working time.

The remuneration model is not adjusted to the current situation. In addition, the current rules do not encourage stability in classrooms and do not reflect the value of the role that teachers play.

In the current context of the labour shortage, the school boards also need levers to encourage and acknowledge teachers who are willing to accept course and lesson workloads (group responsibility) in excess of a full workload. This measure would allow students to receive quality services from legally qualified teachers, throughout the school year. This same reflection could also address situations in which teachers are given responsibility for other professional tasks, in addition to their annual workloads

Objectives

- 3.4 Modernize the provisions relating to the remuneration of teachers so that they reflect the realities of the work done and the responsibilities held (time worked-time paid).
- 3.5 Revise certain provisions applicable to remuneration in order to make them fairer and easier to understand.
- 3.6 Clarify the rights, benefits and duties of teachers paid by the lesson or by the hour, and of supply teachers.
- 3.7 Give recognition to teachers who are willing to take on responsibilities over and above those that form part of their annual workload, in order to provide a good quality service.

Provide for appropriate mobility of teachers in the context of the labour shortage

School boards must have the flexibility they need with respect to movement of staff, job security and teacher assignments and transfers. In particular, the size of the areas covered by some school boards and the distance between schools in rural areas complicate or render impossible the application of teacher mobility rules, both for surplus teachers and teachers placed on availability.

Objective

- 3.8 Revise the provisions concerning job security and movement of staff to provide for mechanisms that allow for greater flexibility when assigning and transferring teachers.

Focus Area 4 Adapt the Agreement to new educational and technological realities

Allow for access to a remote supply of educational services

Technology is an essential tool for reaching students and supporting their educational success. During the pandemic, the school network was able to become familiar with these new digital tools and introduce innovative alternative teaching methods to ensure the continuity of instruction during the period when schools were closed.

As a result, new opportunities became available to the school boards, to organize educational services in light of the particular educational needs of certain students, certain groups and certain sectors, while being both creative and innovative.

The situation revealed that it is possible to maintain educational services in different circumstances, in particular thanks to the use of information technologies. For example, some students or groups of students are not able to be in the classroom at all times, or for specific periods, because they are in hospital or convalescing. It may also be difficult to organize specific courses in certain schools or centres, thereby depriving the students of the prerequisites they need for future programs of study. With this in mind, an alternative teaching method should be applied and made available to students, so that they have access to the educational services to which they are entitled.

Given the context, this is an important issue and the parties must ensure that the provisions of the Agreement allow for continuity of educational services and fair access for all students.

Objectives

- 4.1 Clarify the provisions of the Agreement to ensure that educational services are maintained in all circumstances.
- 4.2 Provide for the requirement to use digital tools to support learning and to carry out certain pedagogical and administrative responsibilities.

Expand access to educational services in adult education and vocational training

Our education system should be able to adjust to its clientele and their needs.

In vocational training and adult education, alternative teaching methods may help to address some of the issues caused by the labour shortage. For example, many vocational training teachers have jobs in their respective sectors, making it difficult for them to reconcile their two sets of activities. The Agreement should contain provisions to facilitate recruitment and retention through greater flexibility in the organization of work.

At the same time, the adult education and vocational training sectors offer large numbers of programs, and the provisions of the Agreement should not be an obstacle to providing fair access to educational services for all students. At the present time, some program launches are either slow or compromised altogether because not enough students are able to enrol, for a variety of reasons. For example, a worker wishing to improve his or her skills in a given sector may face difficulties in terms of program availability, scheduling conflicts or travel distances.

Objective

4.3 Update some of the provisions of the Agreement to provide fair access to all educational services for as many students as possible.

Focus Area 5 Update and revise certain provisions to reflect the evolving needs of schools

Teachers form a natural recruitment pool for numerous positions, including professional and managerial jobs. The school boards face major challenges when filling the vacancies that arise because of this.

In addition, the school boards regularly implement specific, fixed-term projects covering periods of more than one school year. When a teacher is appointed to this type of project, the school boards must be able to ensure that he or she is present for its full duration.

For occasional union releases, the union reimburses the school board for the salary paid to the person who replaces the released teacher. These people are often casual supply teaches and their remuneration is generally less than the remuneration of the person they replace. In addition, when the release time occurs outside the time when students are present, a replacement is not needed and the school board is therefore not reimbursed.

These releases often occur without much prior notice, and the school board is not always able to find a legally qualified teacher to fill the position, especially in the current context of the labour shortage.

Lastly, some appendices or letters of agreement contain expiry dates or are applicable for specifically identified school years. Other appendices are not part of the negotiation, but serve as guidelines for the parties with respect to different elements of the Agreement's application. Some appendices have become obsolete due to the passage of time, or because they are either not useful in scope or the results they target have been achieved.

The renewal of the Agreement is an opportunity to adjust certain clauses or appendices to reflect the realities of today and allow the parties to revise or correct errors that may have slipped into the text over the years.

Objectives

- 5.1 Revise the duration of temporary assignments so that they can be spread over more than one school year.
- 5.2 Revise the duration of the prior notice required for occasional union releases.
- 5.3 Provide that the reimbursement paid to the school board includes all amounts paid to the released teacher and any amount paid for or on behalf of the released teacher.
- 5.4 Review certain provisions whose content is difficult to apply or interpret, to make them easier to understand and manage.
- 5.5 Remove appendices or letters of agreement whose period of application has expired.
- 5.6 Remove appendices that are used as guidelines and that are not the subject of negotiation.
- 5.7 Remove appendices that are no longer relevant.
- 5.8 Revise certain appendices.

CONCLUSION

The contributions of all education network stakeholders or partners and all categories of staff are vital to the success of the educational mission, for the benefit of students and society as a whole. There is no doubt that teachers have a positive impact in this respect.

The CPNCA is beginning this negotiation with an open mind, seeking joint, creative and innovative solutions, with an even greater awareness of the importance of promoting the value of the education network and the people who work in it. This promotional task, which is everyone's business, goes hand-in-hand with the task of maintaining fair, equitable and advantageous working conditions that will help to attract and retain the human resources who constitute the core elements of the educational mission, even in the context of the labour shortage.