

GOVERNANCE AND POLICY COMMITTEE REGULAR MEETING Public Session

AGENDA OCTOBER 4, 2022

Garry Tanuan, Chair
Trustee Ward 8

Frank D'Amico
Ex-Officio



Nancy Crawford, Vice Chair
Trustee Ward 12

MULTI-YEAR STRATEGIC PLAN
2022 - 2025
IN GOD'S IMAGE: Growing in Knowledge, with Justice and Hope

Angela Kennedy
Ex-Officio

Michael Del Grande
Trustee Ward 7



Ida Li Preti
Trustee Ward 3

MISSION

*The Toronto Catholic District School Board is an inclusive learning community uniting home, parish and school and rooted in the love of Christ.
We educate students to grow in grace and knowledge to lead lives of faith, hope and charity.*

VISION

At Toronto Catholic we transform the world through witness, faith, innovation and action.

Recording Secretary: Sophia Harris, 416-222-8282 Ext. 2293
Assistant Recording Secretary: Skeeter Hinds-Barnett, 416-222-8282 Ext. 2298
Assistant Recording Secretary: Sarah Pellegrini, 416-222-8282 Ext. 2207

Dr. Brendan Browne
Director of Education

Angela Kennedy
Chair of the Board

TERMS OF REFERENCE FOR GOVERNANCE AND POLICY COMMITTEE

The Governance Framework Committee is responsible for:

A. Ensuring that governance structures, policies, protocols, processes and performance metrics:

- i). advance the vision of the TCDSB, rooted in Catholic values and teachings.
- ii). support the achievement of our Multi-Year Plan.
- iii). conform to best practices.
- iv). provide strategic cohesion and consistency.
- v). comply with the Education Act and other pertinent legislation.

B. Providing a meta policy framework to ensure all policy formation, monitoring and evaluation follow a standard process that reflects exemplary practices in policy development.

C. Carrying out a continuous review of the roster of existing policy to ensure conformity and advancement of (A) above.

D. Identifying the supports (e.g. capacity training) needed to implement the governance framework.

E. Ensuring ongoing governance reviews of the Board.

F. Ensuring that the TCDSB By-laws and the Trustee Code of Conduct reflect the vision and mission of the Board and adhere to good governance practices, the Education Act and other pertinent legislation.

LAND ACKNOWLEDGEMENT

Out of our deep respect for Indigenous peoples in Canada, we acknowledge that all Toronto Catholic District School Board properties are situated upon traditional territories of the Anishinabek (a-ni-shna-bek), the Haudenosaunee (hoh-Dee-noh-Shoh-nee) Confederacy, and the Wendat peoples. We also acknowledge the land covered by Treaty 13 is held by the Mississaugas of the Credit First Nation and Toronto is subject to The Dish with One Spoon covenant. We also recognize the contributions and enduring presence of all First Nations, Métis, and Inuit peoples in Ontario and the rest of Canada.

La Reconnaissance du Territoire

Nous témoignons du plus grand respect pour les Peuples autochtones au Canada et nous avons à cœur de souligner que tous les immeubles du Toronto Catholic District School Board sont situés sur les terres traditionnelles de la Nation Anishinabek, de la Confédération de Haudenosaunee et des Wendats. Il est également important de noter que le territoire visé par le Traité 13 est celui des Mississaugas de la Première Nation Credit et que celui de Toronto est protégé par l'accord d'« un plat à une cuillère ». Nous tenons également à rappeler la présence pérenne et l'importance des contributions des Premières Nations, des Metis et des Inuits en Ontario, et dans tout le Canada.

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AGENDA THE REGULAR MEETING OF THE GOVERNANCE AND POLICY COMMITTEE

PUBLIC SESSION
Garry Tanuan, Chair
Nancy Crawford, Vice Chair

Tuesday, October 4, 2022
7:00 P.M.

Pages

1. Call to Order
2. Opening Prayer
3. Land Acknowledgement
4. Roll Call and Apologies
5. Approval of the Agenda
6. Declarations of Interest
7. Approval and Signing of the Minutes of the Meeting held June 7, 2022 for Public Session. 1 - 9
8. Delegations
9. Presentation
10. Notices of Motion

- 11. Unfinished Business**
- 12. Matters referred or deferred**
- 13. Staff Reports**
 - 13.a. Trustee Honorarium T.05 (Refer October 4, 2022 Addendum)
 - 13.b. Advisory Committees- Interim Report (Information) 10 - 14
 - 13.c. Update to Harassment and Discrimination H.M. 14 15 - 24
 - 13.d. Update to Occupational Health and Safety H.M. 17 25 - 32
 - 13.e. Update to Workplace Violence Policy H.M.37 33 - 40
 - 13.f. Negotiations Procedures H.M. 39 (Rescindment) 41 - 48
 - 13.g. Sweatshop-Free Purchasing F.P. 04 (Refer to October 4, 2022 Addendum)
- 14. Listing of Communications**
- 15. Inquiries and Miscellaneous**
- 16. Updating of Pending List**
 - 16.a. Monthly Pending List 49 - 57
 - 16.b. Annual Policy Priority Schedule 58
- 17. Adjournment**

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**MINUTES OF THE REGULAR MEETING OF THE
GOVERNANCE AND POLICY COMMITTEE
PUBLIC SESSION**

HELD TUESDAY, JUNE 7, 2022

PRESENT:

Trustees:

G. Tanuan, Chair
N. Crawford, Vice-Chair
F. D'Amico, Ex-Officio, Virtual
M. Del Grande – Virtual
A. Kennedy, Ex-Officio

Staff:

B. Browne
R. Putnam
C. Fernandes
F. Cifelli
M. Loberto
J. Wujek

S. Harris, Recording Secretary
S. Hinds-Barnett, Assistant Recording Secretary

External Guests:

A. Robertson, Parliamentarian
E. Roher, External Legal Counsel – Borden Ladner and
Gervais LLP

4. Roll Call and Apologies

Trustee Li Preti was absent.

5. Approval of the Agenda

MOVED by Trustee Del Grande, seconded by Trustee Crawford, that the Agenda be approved.

The Motion was declared

CARRIED

6. Declarations of Interest

There were none.

7. Approval and Signing of the Minutes

MOVED by Trustee Crawford, seconded by Trustee Kennedy, that the Minutes of the Meeting held May 10, 2022 be approved.

The Motion was declared

CARRIED

13. Staff Reports

MOVED by Trustee Kennedy, seconded by Trustee Del Grande, that Item 13a) be adopted as follows:

- 13a) Insurance for School Volunteers Policy I.01** that Policy I.01 be revised as per Appendix A of the report.

MOVED in AMENDMENT by Trustee Del Grande that Staff review whether volunteers should drive vehicles.

There was no seconder.

MOVED in AMENDMENT by Trustee Del Grande that Staff review whether volunteers should be provided with proper insurance protection in situations such as Human Rights complaints and lawsuits, and that they be reimbursed if they succeed in their defence.

There was no seconder.

Results of the Vote taken on the Main Motion, as follows:

In Favour

Trustees Del Grande

Opposed

Crawford
Kennedy
Tanuan

The Main Motion was declared

FAILED

MOVED by Trustee Crawford, seconded by Trustee Kennedy:

1. That Insurance for School Volunteers Policy I.01 be rescinded; and
2. That an annually-updated information pamphlet be included in the Excursion Handbook for the benefit of volunteers.

Trustee Del Grande requested that the Question be split.

Results of the Vote taken on Part 1 of the Motion, as follows:

In Favour

Opposed

Trustees Crawford
Kennedy
Tanuan

Del Grande

Part 1 of the Motion was declared

CARRIED

Results of the Vote taken on Part 2 of the Motion, as follows:

In Favour

Opposed

Trustees Crawford
Del Grande
Kennedy
Tanuan

Part 2 of the Motion was declared

CARRIED

MOVED by Trustee Del Grande, seconded by Trustee Crawford, that Item 13b) be adopted as follows:

- 13b) Recommendations from the By-Law Ad Hoc Committee** that the Governance and Policy Committee accept the proposed changes to the Toronto Catholic District School Board Operating By-Law 175 (as amended on April 21, 2016) as outlined in paragraph 3 of the background section of the report; however Staff does not recommend that a new provision on audio/visual recording as outlined in paragraph 2 of the report be adopted, and that the Governance and Policy Committee refer this report back to the By-Law Review Ad Hoc Committee.

MOVED in AMENDMENT by Trustee Crawford, seconded by Trustee Kennedy, that the two-year retention period for PUBLIC Board meeting recordings be struck.

Time for business expired.

As per the will of the Committee below, time was extended to complete the debate on the Item, as per the TCDSB's By-law:

Results of the Vote taken, as follows:

In Favour

Trustees Crawford
Kennedy
Tanuan

Opposed

Del Grande

MOVED by Trustee Kennedy, seconded by Trustee Crawford, that the report be referred back to Staff for consideration of the retention of PUBLIC Board meeting video recordings, Agendas and Minutes, and that Staff come back with a report to GAP Committee.

Trustee D'Amico joined the virtual room at 8:01 pm.

Results of the Vote taken on Referral, as follows:

In Favour

Trustees Crawford
Kennedy
Tanuan

Opposed

D'Amico
Del Grande

The Referral Motion was declared

CARRIED

Trustee Del Grande left the virtual room at 8:39 pm and returned at 8:42 pm.

MOVED by Trustee Crawford, seconded by Trustee Kennedy, that Item 13c) be adopted as follows:

- 13c) Accessibility Standards for Services and Facilities - A.36** that the Governance and Policy Committee recommend to Board that the revised and merged Policy A. 36 (Appendix A of the report) Accessibility Standards for Services and Facilities be adopted and posted on the public website.

Results of the Vote taken, as follows:

In Favour

Trustees Crawford
D'Amico
Del Grande
Kennedy
Tanuan

Opposed

The Motion was declared

CARRIED

MOVED by Trustee Crawford, seconded by Trustee Kennedy, that Item 13d) be adopted as follows:

- 13d) Real Property Policy R.01 Update** that the Governance and Policy Committee recommend to Board that the revised Real Property Policy R.01, outlined in Appendix A of the report, be adopted.

Results of the Vote, as follows:

In Favour

Opposed

Trustees Crawford
D'Amico
Del Grande
Kennedy
Tanuan

The Motion was declared

CARRIED

MOVED by Trustee Kennedy, seconded by Trustee D'Amico, that Item 13e) be adopted as follows:

- 13e) Rental of Surplus School Space Policy B.R 01 Annual Policy Metric** received.

Results of the Vote, as follows:

In Favour

Opposed

Trustees Crawford
D'Amico
Del Grande
Kennedy
Tanuan

The Motion was declared

CARRIED

16. Updating of Pending List

MOVED by Trustee Kennedy, seconded by Trustee Del Grande, that Items 16a) and 16b) be adopted as follows:

16a) Monthly Pending List received; and

16b) Annual Policy Priority Schedule received.

Results of the Vote taken, as follows:

In Favour

Opposed

Trustees Crawford
D'Amico
Del Grande
Kennedy
Tanuan

The Motion was declared

CARRIED

17. Adjournment

MOVED by Trustee Kennedy, seconded by Trustee Crawford, that the meeting be adjourned.

Results of the Vote taken, as follows:

In Favour

Opposed

Trustees Crawford
D'Amico
Del Grande
Kennedy
Tanuan

The Motion was declared

CARRIED

SECRETARY

CHAIR



REPORT TO

GOVERNANCE AND POLICY COMMITTEE

ADVISORY COMMITTEES – INTERIM REPORT

“For I know that my Redeemer lives, and that at the last he will stand upon the earth;” Job 19:25

Drafted

May 2, 2022

Meeting Date

October 4, 2022

John Wujek, Superintendent of Schools - Area 5, Policy and Governance

Maria Meehan, Superintendent of Special Services

Ryan Peterson, Superintendent of Education – Equity, Diversity, Indigenous Education, and Community Relations (Interim)

INFORMATION REPORT

Vision: *IN GOD’S IMAGE: Growing in Knowledge, with Justice and Hope.*

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MULTI-YEAR STRATEGIC PLAN
2022 - 2025

IN GOD’S IMAGE: Growing in Knowledge, with Justice and Hope



Brendan Browne
Director of Education

Adrian Della Mora
Associate Director of Academic
Affairs & Chief Operating Officer

Derek Boyce
Associate Director of Facilities,
Business & Community Development

Ryan Putnam
Chief Financial Officer & Treasurer

A. EXECUTIVE SUMMARY

This is an interim report to advise the Governance and Policy Committee of a forthcoming report and draft policy which will provide parameters for Board Advisory Committees.

The cumulative staff time required to prepare this report was 6 hours

B. PURPOSE

1. This report offers initial scope with some details to establish the base of a draft template to be used by all advisory committees for their Operational Guidelines and Terms of Reference. (Appendix A)
2. Discussion will elicit feedback at GAP to inform further discussion by staff in preparation for the final report.
3. The final report will also suggest conditions for consideration and consolidation of advisory committees as well as their retirement.
4. The eventuality of a draft policy will offer clarity for advisory committees and improved understanding of their role.
5. To emphasize the importance of community, parent, student and stakeholder input and expertise in advising the Board.

C. BACKGROUND

1. From March 10, 2022 Corporate Services – ACTION AFTER included:
FURTHER BE IT RESOLVED THAT: Procedural, governance and reporting issues related to Advisory Committees be referred to the Governance and Policy Committee for review
2. From April 19, 2022 – Governance and Policy – AGENDA included:
BE IT RESOLVED THAT: Procedural, governance and reporting issues related to Advisory Committees be referred to the Governance and Policy Committee for review
3. From April 19, 2022 – Governance and Policy:
RECEIVED AND REFERRED TO STAFF – for a report to come back at the May 10, 2022 Governance and Policy Committee Meeting.

4. Currently, the TCDSB Operating By-Laws are being updated by the Ad-Hoc By-Law Review Committee. Information added or removed from the current By-Laws may be considered in current and future committee establishment.
5. On May 10, 2022 at Governance and Committee, a preliminary report was tabled to highlight existing Terms of Reference among the current 18 Advisory Committees. The report also sought to differentiate between statutory and advisory committees.
6. Senior staff in key positions relative to this topic offer input to this matter.

D. EVIDENCE/RESEARCH/ANALYSIS

1. After analysis of the existing Terms of Reference from various Advisory Committees, a general template is presented here. The goal will be to present a complete template (with drop downs in key areas) with the final report.
2. The final product will seek to encompass best practices found in the Terms of Reference from other Advisory Committees.

E. METRICS AND ACCOUNTABILITY

1. Some committees are subject to employment collective agreements and may require further consultation and special input, as such staff will embark on a consultation process and report back for a future Governance and Policy meeting.
2. Staff will paper a report for the review of the Governance and Policy Committee in November which will include:
 - a) Terms of Reference
 - b) TCDSB Operation By-Law Cross Reference
 - c) *Education Act* Cross Reference
 - d) How a committee is constituted, and other relevant Committee information

F. CONCLUDING STATEMENT

This report is for the information of the Committee.

Advisory Committees – Interim Report – Appendix A

Terms of Reference Template for Board Advisory and Special Advisory Committees

PREAMBLE

- Statement of vision of the advisory committee
- Statement made in context in the wider vision of education of the TCDSB
- Outline of resource documents associated the vision and purpose of the advisory committee

MANDATE & OBJECTIVES

- Statement of advisory committee's mandate
- List of goals and objectives

METHOD OF REPORTING AND ADVISING BOARD

- Consideration of minutes and motions - format and public record
- Consideration of staff role in advising Board
- Consideration of Annual Report

RESOURCES TO BE PROVIDED

- Consideration of staff positionality and technical resources beneficial to the advisory committee's work

ELECTION OF LEADERSHIP

- Process and term length for Chair

COMPOSITION AND MEMBERSHIP

- Scope of roles and quantity of community members appropriate for membership
- Scope of roles and quantity of staff and trustee membership
- Voting rights
- Considerations for membership – criteria, approval mechanism

QUORUM

- Defined for this advisory committee

TERMS

- Qualifications for membership
- Application form
- Selection vetting process for members
- Term of membership

MEETINGS

- Number of meetings
- AGM
- Rules of minimum attendance
- Minutes – format, approval, posting
- Public, guest attendance, observers

AGENDA

- Format - Order
- Notice
- Approval

RULES OF ORDER

VOTING

- Considerations of members

SUB-COMMITTEES

- Consideration of function, membership, reporting

GLOSSARY

- Consideration of the listing of terms commonly associated with this advisory committee



REPORT TO

GOVERNANCE AND POLICY
COMMITTEEUPDATE TO HARASSMENT AND DISCRIMINATION
H.M. 14

For surely I know the plans I have for you, says the Lord, plans for your welfare and not for harm, to give you a future with hope (Jeremiah 29:11)

Drafted

September 26, 2022

Meeting Date

October 4, 2022

Corrado Maltese, Coordinator, Occupational Health and Safety

Isolina Varano, Coordinator, Conflict Resolution

Lynda Coulter, Executive Superintendent, Human Resources, Leadership, Equity

RECOMMENDATION REPORT

Vision: *IN GOD'S IMAGE: Growing in Knowledge, with Justice and Hope.*

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MULTI-YEAR STRATEGIC PLAN
2022 - 2025

IN GOD'S IMAGE: Growing in Knowledge, with Justice and Hope



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Ryan Putnam
Chief Financial Officer and Treasurer

A. EXECUTIVE SUMMARY

This report recommends updating the current Policy on Policy H.M.14, Harassment and Discrimination, to align with the 2022-2025 Multi-Year Strategic Plan and Meta Policy Template. No substantive changes are made to the content of the Policy.

The cumulative staff time required to prepare this report was 3 hours

B. PURPOSE

1. This Recommendation Report is on the Order paper of the Governance and Policy Committee as it recommends policy revision.

C. BACKGROUND

1. This policy was approved in May 2007 and has not been amended since August 2016.
2. The Occupational Health and Safety Act (OHSA) requires that the employer prepare and review a written policy with respect to workplace harassment and to review the policy as often as necessary, but at least annually.

D. EVIDENCE/RESEARCH/ANALYSIS

1. This policy has been amended in consultation with staff from the Facilities and Communications Departments, Field Superintendents and Legal Services. Staff also consulted the various labour parties on the Board's three Multisite Joint Health and Safety Committees.

E. METRICS AND ACCOUNTABILITY

1. Staff will review this policy annually in consultation with the three Multisite Joint Health and Safety Committees.
2. There is a requirement under OHSA to post this policy on the Health and Safety Bulletin Board in every school and TCDSB workplace.

F. STAFF RECOMMENDATION

Staff recommends to the Governance and Policy Committee that the revised Policy H.M. 14, Harassment and Discrimination provided in this Report, Appendix A be adopted.



POLICY SECTION: Human Resources
SUB-SECTION: Miscellaneous
POLICY NAME: Harassment and Discrimination
POLICY NO: H.M. 14

Date Approved:	Date of Next Review:	Dates of Amendment:
May 2, 2007	August 2018	April 23, 2015 August 25, 2016- Board

Cross Reference:*Education Act, Sections 301-303**Ontario College of Teachers Act**Occupational Health and Safety Act**Municipal Freedom of Information and Protection of Privacy Act**Human Rights Code*

H.M. 19 Conflict Resolution

H.M. 24 Catholic Equity and Inclusive Education Policy

H.M.30 Complaint Against a Staff Member

H.M. 28 Sexual Harassment (consolidated herein)

S.S. 09 Code of Conduct Policy

Police School Board Protocol

Appendix A: The Respectful Workplace- Guidelines Addressing Workplace Harassment and Discrimination (2016)**Purpose:**

This Policy commits the TCDSB to providing an environment that promotes professionalism and ethical behaviour consistent with its Code of Conduct. The policy affirms the Catholic teachings that all ~~women, men and children~~ **human beings** share a common dignity and deserve to be treated with the respect and consideration worthy of followers of Christ. It therefore, requires all persons to exercise behaviour that facilitates the creation of an environment that is conducive to the achievement of excellence and the development of one's potential.



POLICY SECTION: Human Resources
SUB-SECTION: Miscellaneous
POLICY NAME: Harassment and Discrimination
POLICY NO: H.M. 14

Scope and Responsibility:

This Policy extends to all Board employees, contract employees, parents, students, volunteers and Trustees who are employed by or perform functions for the Toronto Catholic District School Board and recognizes that similarly, each of these groups has the right of freedom from harassment and discrimination in the workplace. The Director of Education, supported by the Human Resources department, is responsible for this policy.

Alignment with MYSP:

~~Living Our Values~~

~~Inspired and Motivated Employees~~

~~Strengthening Public Confidence~~

Learning – Growing in Knowledge

Continue to develop a Christ-centered learning organization in pursuit of knowledge, innovation, and responsiveness

Equity – Growing in Knowledge with Justice

Apply Catholic Social Justice to nurture a community focused on equity, diversity, inclusion, anti-racism, and anti-oppression

Well-Being – Growing in Knowledge with Justice and Hope

Strengthen an environment rooted in Gospel values that nurtures hope and well-being



POLICY SECTION: Human Resources

SUB-SECTION: Miscellaneous

POLICY NAME: Harassment and Discrimination

POLICY NO: H.M. 14

Policy

The Toronto Catholic District School Board is committed to ensuring harassment and discrimination as defined by legislation and within this policy will not be tolerated by the Board. In keeping with its values and legal responsibilities as an employer, the Board will treat any complaint of harassment, sexual harassment and discrimination as a serious matter. Investigation of any complaint will be completed in a way that is objective, free from conflict of interest or power-based bias.

Regulations:

1. The TCDSB document, The Respectful Workplace: Guidelines Addressing Harassment and Discrimination, 2016, will govern the operational procedures and set out the program with respect to workplace harassment and discrimination in the workplace.
2. A complaint may be initiated by an individual who believes that he/she has been harassed or by those who are covered by this policy who have witnessed directly or have reasonable grounds to suspect that harassment is occurring.
3. Any complaint must be filed within six (6) months following the incident(s) of harassment; however, the time limit may be extended at the discretion of the Board.
4. There shall be both a mediated process and a formal complaint resolution process available



POLICY SECTION: Human Resources

SUB-SECTION: Miscellaneous

POLICY NAME: Harassment and Discrimination

POLICY NO: H.M. 14

5. To protect TCDSB stakeholders from harassment and/or discrimination, the TCDSB will ensure that:
 - a. An investigation is conducted into incidents and complaints of harassment/discrimination that is appropriate in the circumstances;
 - b. The TCDSB stakeholder who has allegedly experienced harassment/discrimination and the alleged harasser, if he or she is an employee of the TCDSB, will be informed in writing of the results of the investigation and of any corrective action that has been taken or that will be taken as a result of the investigation; and
 - c. The Respectful Workplace- Guidelines Addressing Workplace Harassment and Discrimination, the TCDSB's written program implementing this policy, will be reviewed as often as necessary, but at least annually, to ensure that it adequately implements the policy.
6. Individuals who engage in harassment/discrimination may be disciplined up to and including dismissal or issued letter of trespass.
7. Any determination arising from an investigation will be subject to an appeal process.
8. Complaints made in a frivolous or vexatious manner or in bad faith will be subject to a disciplinary process



POLICY SECTION: Human Resources

SUB-SECTION: Miscellaneous

POLICY NAME: Harassment and Discrimination

POLICY NO: H.M. 14

9. All persons involved in a harassment/discrimination investigation shall maintain confidentiality to the fullest extent practicable and appropriate under the circumstances. Any breach of confidentiality is subject to appropriate disciplinary action.
10. Information obtained about an incident or complaint of harassment, including identifying information about any individuals involved, will not be disclosed unless the disclosure is necessary for the purposes of investigating or taking corrective action with respect to the incident or complaint, or is otherwise required by law.
11. All investigations will be conducted in a manner that ensures objectivity and as such, investigations may include the use of trained board personnel, such as staff from the Conflict Resolution Department, Administrators (in the cases involving parental harassment) and/or external consultants, as appropriate.
12. Records will be retained in keeping with the requirements of relevant legislation.
13. The Director of Education will develop and implement protocols and procedures that discourage harassment and ensure that suitable awareness and training is available to all those covered by the policy.



POLICY SECTION: Human Resources
SUB-SECTION: Miscellaneous
POLICY NAME: Harassment and Discrimination
POLICY NO: H.M. 14

Definitions:

Discrimination

Unfair treatment because of race, sex, colour, ancestry, place of origin, ethnic origin, marital status, sexual orientation, age, disability, citizenship, family status, record of offences, religion (creed), gender identity or gender expression.

Harassment

- (a) engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome, or
- (b) workplace sexual harassment;

A reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

Workplace Sexual Harassment

- (a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- (b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome;



POLICY SECTION: Human Resources

SUB-SECTION: Miscellaneous

POLICY NAME: Harassment and Discrimination

POLICY NO: H.M. 14

Workplace

The workplace is any place where employees, contract employees, parents, students, volunteers and trustees and other users perform work or work-related duties or functions. Schools and school-related activities, such as extracurricular activities and excursions, comprise the workplace, as do Board offices and facilities. Conferences and training sessions are included within this policy.

Evaluation and Metrics:

1. There will be an annual review of with the Joint Occupational Health and Safety Committees comprised of employee and board representatives of this policy and related procedures with a report to the Board every year.
2. There will be an annual report to the Student Achievement committee on the statistics, number of complaints lodged by group and the status of complaints.



REPORT TO

GOVERNANCE AND POLICY
COMMITTEEUPDATE TO OCCUPATIONAL HEALTH AND
SAFETY H.M.17

For surely I know the plans I have for you, says the Lord, plans for your welfare and not for harm, to give you a future with hope (Jeremiah 29:11)

Drafted

September 26, 2022

Meeting Date

October 4, 2022

Corrado Maltese, Coordinator, Occupational Health and Safety

Lynda Coulter, Executive Superintendent, Human Resources, Leadership, Equity

RECOMMENDATION REPORT

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A. EXECUTIVE SUMMARY

This report recommends updating the current Policy on Policy H.M. 17, Occupational Health and Safety, to reflect amendments in safety legislation that took effect on July 1, 2022 with respect to provincial fines for safety violations. This revised Policy also aligns with the 2022-2025 MYSP and current Meta Policy Template.

The cumulative staff time required to prepare this report was 3 hours

B. PURPOSE

1. This Recommendation Report is on the Order Paper of the Governance and Policy Committee as it recommends policy revision due to amendments to Ontario's Occupational Health and Safety Act (OHSA) that came into effect on July 1, 2022.

C. BACKGROUND

1. The OHSA legislates worker safety and requires that the employer prepare and review annually a written occupational health and safety policy.
2. This policy was first approved in April 2009 and has not been amended since May 2014.
3. Changes to this policy reflect alignment with OHSA. On July 1, 2022, amendments to OHSA came into effect that dramatically increased Ontario's occupational health and safety fines for workplace safety violations, making these fines the highest in Canada.
4. If convicted, the maximum fine that may be imposed on a corporation is \$1,500,000.00, an increase from the previous fine of \$500,000.00.
5. The maximum fine that can be imposed on individuals is \$500,000.00 and / or imprisonment for a term of not more than 12 months. The previous fine for individuals was a maximum of \$25,000.00 and / or jail term up to 12 months.
6. The maximum fine for directors and officers of a corporation has increased from a maximum of \$100,000.00 to a maximum of \$1,500,000.00 and / or up to 12 months imprisonment.
7. Ten aggravating factors were added to OHSA, which the courts shall consider when determining the appropriate penalty for workplace safety violations. Typically, these new fines will be levied for egregious offences for employers and

individuals who are reckless, deviate from a reasonable standard of care, show wanton disregard for the safety of their employees and lack remorse, particularly if the negligent behaviour contributed to a workplace fatality or serious injury or illness.

8. TCDSB has not been fined under OHSA. The highest fine imposed on an Ontario school board for a safety violation was \$250,000.00.
9. Limitations for the Ministry of Labour to prosecute has also increased from one to two years of when the safety infraction occurred or when the Ministry of Labour was aware of the infraction.

D. EVIDENCE/RESEARCH/ANALYSIS

1. This policy has been amended in consultation with staff from the Facilities and Communications Departments, Field Superintendents and Legal Services. Staff also consulted with various labour partners on the Board's three Multisite Joint Health and Safety Committees.

E. METRICS AND ACCOUNTABILITY

1. There is a requirement under OHSA to review this policy annually. As such, staff will review this policy in consultation with the three Multisite Joint Health and Safety Committees.
2. There is also a requirement under OHSA to post this policy on the Health and Safety Bulletin Board in every school and TCDSB workplace.

F. IMPLEMENTATION

The updated policy as approved will be posted on the TCDSB policy register

G. STAFF RECOMMENDATION

Staff recommends to the Governance and Policy Committee that the revised Policy H.M. 17, Occupational Health and Safety provided in this Report, Appendix A be adopted.



POLICY SECTION: HUMAN RESOURCES

SUB-SECTION: MISCELANNEOUS

POLICY NAME: OCCUPATIONAL HEALTH AND SAFETY

POLICY NO: H.M. 17

Date Approved: April 29, 2009	Date of Next Review: September 2023	Dates of Amendments: May 27, 2014
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Cross References:

Occupational Health and Safety Act

H.M. 37, Workplace Violence

H.M. 14, Harassment and Discrimination**Purpose**

This Policy reinforces the Board's commitment in maintaining an occupational health and safety program that helps to reduce workplace injuries and illness to staff, students, and visitors. This Policy is created to comply with the Occupational Health and Safety Act **(OHSA)**.

Scope and Responsibility

This Policy applies to all Board employees, contractors, summer students, co-op students, visitors, and volunteers. The Employer, through the Director of Education with the assistance of senior staff and the Occupational Health and Safety Department, is responsible for this Policy.

Alignment with MYSP:~~Living Our Values~~~~Fostering Student Achievement and Well Being~~~~Inspiring and Motivating Employees~~**Learning - Growing in Knowledge**

Continue to develop a Christ-centered learning organization in pursuit of knowledge, innovation, and responsiveness.



POLICY SECTION: HUMAN RESOURCES

SUB-SECTION: MISCELLANEOUS

POLICY NAME: OCCUPATIONAL HEALTH AND SAFETY

POLICY NO: H.M. 17

Equity - Growing in Knowledge with Justice

Apply Catholic Social Justice to nurture a community focused on equity, diversity, inclusion, anti-racism, and anti-oppression.

Well-Being - Growing in Knowledge with Justice and Hope

Strengthen an environment rooted in Gospel values that nurtures hope and well-being.

Policy

1. The Toronto Catholic District School Board's mission is to provide a safe and welcoming learning environment that is an example of Christian community. As such, the TCDSB considers the health and safety of all employees, students, and visitors to be of paramount importance and shares concerns related to the personal suffering, property damage and financial loss associated with workplace injuries and occupational diseases.
2. The TCDSB is committed to continuous improvement towards zero workplace injuries and occupational illnesses through effective administration, supervision, education, and training. The TCDSB shall continually demonstrate by attitude and example that health and safety is an integral part of every academic, operational and core business function.
3. The Internal Responsibility System (IRS) is the cornerstone of the ~~Occupational Health and Safety (OHS) Act~~ **OHSA**. The Board and its employees share responsibility for workplace health and safety. Every Board employee regardless of job title has direct responsibility and accountability for safety as an essential part of his or her job.



POLICY SECTION: HUMAN RESOURCES

SUB-SECTION: MISCELLANEOUS

POLICY NAME: OCCUPATIONAL HEALTH AND SAFETY

POLICY NO: H.M. 17

4. Employees, contractors, constructors, summer students, co-op students, visitors and volunteers shall comply with the OHS Act and all applicable legislation, regulations, TCDSB safety procedures and generally accepted safety standards.
5. The TCDSB's vision is that all employees will become safety leaders by promoting the IRS, by demonstrating through attitude and behavior that safety is part of the job and by working in partnership with their immediate supervisor in recognizing, evaluating, and controlling workplace hazards and risks.

Regulations:

1. The Director of Education shall maintain an occupational health and safety program that complies with all applicable health and safety legal requirements and meets Canadian Standards Association (CSA) Standard, CAN/CSA Z1000-0614: Occupational Health and Safety Management System.
2. The Occupational Health and Safety Department and the Staff Development Department shall provide appropriate resources to facilitate the training of all appropriate employees with respect to their rights, duties, and responsibilities towards safety.
3. The Planning and Facilities Department shall ensure that all applicable health and safety legislation as well as TCDSB safety procedures are implemented into the planning, construction, and maintenance of buildings and facilities.
4. Supervisors shall place health and safety as a standing agenda item in all staff meetings.
5. Supervisors shall follow-up on health and safety concerns.



POLICY SECTION: HUMAN RESOURCES

SUB-SECTION: MISCELLANEOUS

POLICY NAME: OCCUPATIONAL HEALTH AND SAFETY

POLICY NO: H.M. 17

6. Supervisors shall ensure that staff under their jurisdiction complies with the provisions of the OHSAA Act and TCDSB safety procedures
7. Workers shall follow safe work procedures and report health and safety hazards to their immediate supervisor.
8. Workers shall report immediately to their supervisor all workplace-related injuries and occupational illnesses.
9. The TCDSB shall maintain Joint Health and Safety Committees (JHSC) as per the requirements outlined in the OHSAA Act or by order from the Ministry of Labour. JHSC's shall:
 - a. Foster and promote the IRS by functioning effectively.
 - b. Meet and inspect **the physical condition of the workplace** regularly **at least once a month** as per the duties outlined in the OHSAA Act and the Committee's Terms of Reference **(TOR)**.
 - c. Report to and advise the Employer through written recommendations ~~on health and safety matters~~ **for the improvement of the health and safety of workers**.
 - d. Submit an annual report to the Director of Education outlining objectives, goals, activities, and accomplishments.
10. All applicable meeting minutes, inspection reports and other health and safety reports and information pertaining to a specific school shall be sent to the principal, who then shall share the information with their workers and the Catholic School Advisory **Parent** Council.



POLICY SECTION: HUMAN RESOURCES

SUB-SECTION: MISCELLANEOUS

POLICY NAME: OCCUPATIONAL HEALTH AND SAFETY

POLICY NO: H.M. 17

11.If the Catholic School ~~Advisory~~ **Parent** Council so desires, a school may be inspected once per year by the Catholic School ~~Advisory~~ **Parent** Council executive or equivalent representative group of members of the local community and the principal at a mutually agreed time.

Financial Impact:

Maximum fine for a contravention of the Occupational Health and Safety Act is \$500,000.00 **\$1,500,000.00 for a corporation, fine up to \$1,500,000.00 for a director or officer of a corporation and /or up to 12 months imprisonment, and a fine up to \$500,000.00 for an individual and / or up to 12 months imprisonment** ~~with the possibility of jail time.~~ There are Workplace Safety and Insurance Board (WSIB) costs associated with workplace injuries and illnesses to staff and legal costs associated with student and third part injuries and illness.

Evaluation and Metrics:

This Policy shall be reviewed annually by staff in consultation with the Board's three **Multisite** Joint Health and Safety Committees. This will ensure that this Policy remains current, is responsive to the health and safety obligations of the Board and reflects Ontario's health and safety legislation.



REPORT TO

GOVERNANCE AND POLICY
COMMITTEE

UPDATE TO WORKPLACE VIOLENCE POLICY H.M.37

For surely I know the plans for you, says the Lord, plans for your welfare and not for harm, to give you a future with hope (Jeremiah 29:11)

Drafted

September 26, 2022

Meeting Date

October 4, 2022

Corrado Maltese, Coordinator, Occupational Health and Safety

Lynda Coulter, Executive Superintendent, Human Resources, Leadership, Equity

RECOMMENDATION REPORT

Vision: *IN GOD'S IMAGE: Growing in Knowledge, with Justice and Hope.*

Mission: *Nurturing the faith development and academic excellence of our Catholic learning community through the love of God, neighbour, and self.*



MULTI-YEAR STRATEGIC PLAN
2022 - 2025

IN GOD'S IMAGE: Growing in Knowledge, with Justice and Hope



Brendan Browne
Director of Education

Adrian Della Mora
Associate Director of Academic
Affairs & Chief Operating Officer

Derek Boyce
Associate Director of Corporate
Services and Chief Commercial Officer

Ryan Putnam
Chief Financial Officer and Treasurer

A. EXECUTIVE SUMMARY

The report recommends updating the current Policy on Policy H.M. 37, Workplace Violence to reflect amendments in safety legislation. This Policy also aligns with the 2022-2025 MYSP and current Meta Policy Template.

The cumulative staff time required to prepare this report was 3 hours

B. PURPOSE

1. This Recommendation Report is on the Order Paper of the Governance and Policy Committee as it recommends policy revision due to amendments to Ontario's Occupational Health and Safety Act (OHSA).

C. BACKGROUND

1. The OHSA legislates worker safety and requires that the employer prepare and review annually a written workplace violence policy as often as necessary, but at least annually.
2. The policy was first approved in September 2010 and has not been amended since November 2015.
3. Changes to this policy reflect amendments to OHSA. The definition of worker now includes interns and co-op students who are now provided the same right to a safe workplace and protection from all hazards, including workplace violence.
4. OHSA provides safety protection for TCDSB co-op students who are assigned with different employers. The previous definition for worker in OHSA only included employees who performed work or supplied services for monetary compensation.
5. Changes to this policy also reflects the dramatic increase in the maximum fine for health and safety violations that took effect on July 1, 2022, which includes egregious violations that lead to serious injury to workers from workplace violence.

D. EVIDENCE/RESEARCH/ANALYSIS

1. This policy has been amended in consultation with staff from the Facilities and Communications Departments, Field Superintendents and Legal Services. Staff

also consulted with various labour partners on the Board's three Multisite Joint Health and Safety Committees.

E. METRICS AND ACCOUNTABILITY

1. There is a requirement under OHSA to review this policy as often as necessary, but at least annually. As such, staff will review this policy in consultation with the three Multisite Joint Health and Safety Committees.
2. There is also a requirement under OHSA to post this policy on the Health and Safety Bulletin Board in every school and TCDSB workplace.

F. STAFF RECOMMENDATION

Staff recommends to the Governance and Policy Committee that the revised Policy H.M. 37, Workplace Violence provided in this Report, Appendix A be adopted



POLICY SECTION: HUMAN RESOURCES
SUB-SECTION: MISCELLANEOUS
POLICY NAME: WORKPLACE VIOLENCE
POLICY NO: H.M. 37

Date Approved: September 29, 2010	Date of Next Review: September 2023	Dates of Amendments: May 27, 2014 November 19, 2015- Board
Cross Reference: Occupational Health and Safety Act H.M. 17 Occupational Health and Safety H.M. 37 Workplace Violence		
APPENDIX A: Workplace Violence Incident Report Form		

Purpose

This Policy reinforces the Board's commitment in addressing all forms of workplace violence that can injure workers. This Policy is created to comply with the Occupational Health and Safety Act **(OHSA)**.

Scope and Responsibility

This Policy applies to all Board employees, contractors, summer students, co-op students, visitors and volunteers. The Employer, through the Director of Education with the assistance of senior staff and the Occupational Health and Safety Department, is responsible for this Policy.

Alignment with MYSP:

~~Living Our Values~~
~~Inspired and Motivated Employees~~

Learning - Growing in Knowledge

Continue to develop a Christ-centered learning organization in pursuit of knowledge, innovation, and responsiveness.



POLICY SECTION: HUMAN RESOURCES

SUB-SECTION: MISCELLANEOUS

POLICY NAME: WORKPLACE VIOLENCE

POLICY NO: H.M. 37

Equity - Growing in Knowledge with Justice

Apply Catholic Social Justice to nurture a community focused on equity, diversity, inclusion, anti-racism, and anti-oppression.

Well-Being - Growing in Knowledge with Justice and Hope

Strengthen an environment rooted in Gospel values that nurture hope and well-being.

Policy

1. The Toronto Catholic District School Board's mission is to provide a safe and welcoming learning environment that is an example of Christian community. As such, the TCDSB is committed as an Employer to the prevention of workplace violence by taking every precaution reasonable in the circumstances to protect all workers.
2. TCDSB shall address workplace violence toward workers from all possible sources (co- workers, supervisors, students, parents, visitors, volunteers, contractors, permit holders, strangers, intruders and perpetrators of domestic violence). Violent behaviour towards workers in the workplace is unacceptable.
3. The Internal Responsibility System (IRS) is the cornerstone of the ~~Occupational Health and Safety Act~~ (OHSA). The TCDSB and its employees share responsibility for the prevention of workplace violence. Every board employee regardless of job title has direct responsibility and accountability for violence prevention as an essential part of his or her job. Ultimately, the Board as the employer is responsible for all workers.



POLICY SECTION: HUMAN RESOURCES
SUB-SECTION: MISCELLANEOUS
POLICY NAME: WORKPLACE VIOLENCE
POLICY NO: H.M. 37

Regulations:

1. The Director of Education through the Occupational Health and Safety Department shall develop and maintain a workplace violence program that implements this Policy. The program shall include the following:
 - (a) measures and procedures to assess risk and to protect employees from workplace violence
 - (b) means of summoning immediate assistance
 - (c) protocol for employees to report workplace violence
2. The Occupational Health and Safety Department and the Staff Development Department shall provide appropriate resources to facilitate training programs on workplace violence for all employees. Workplace violence prevention programs shall be integrated into the overall health and safety training program for all employees, including orientation training for new employees and summer students.
3. All forms of workplace violence shall be addressed by the Employer and the immediate Supervisor **and if necessary**, in consultation with law enforcement authorities and in consideration of the ~~Occupational Health and Safety Act~~ **(OHSA)**, Education Act and applicable Regulations, Policy and Memoranda
4. TCDSB and its Supervisors shall investigate and deal with all incidents, complaints, or threats of workplace violence in a timely, fair, and equitable manner. TCDSB shall take every precaution reasonable for the protection of workers by developing a safety plan that may include limited disclosure of information pertaining to individuals with a history of violent behavior. The privacy of all concerned shall be respected to the extent possible as per applicable legislation. Individuals dissatisfied with the outcome of an investigation can report to the Ministry of Labour.



POLICY SECTION: HUMAN RESOURCES

SUB-SECTION: MISCELLANEOUS

POLICY NAME: WORKPLACE VIOLENCE

POLICY NO: H.M. 37

5. Supervisors shall provide information and instruction on workplace violence to their workers.
6. Workers shall follow the internal responsibility system and report all incidents of workplace violence involving co-workers and visitors using the ~~Workplace Violence Incident Report (Appendix A)~~, **online Workplace Violence and Harassment Reporting Form** including disclosures of domestic violence pertaining to workers to their immediate supervisor. Workers shall **also** report incidents of workplace violence involving students using the appropriate **special services** / safe school reports.

Definitions from the Occupational Health and Safety Act

Workplace: land, premises, location or thing at, upon, in or near which a worker works

Worker:

- **a person who performs work or supplies services for monetary compensation**
- **a secondary school student who performs work or supplies services for no monetary compensation under a work experience program authorized by the school board that operates the school in which the student is enrolled.**
- **a person who performs work or supplies services for no monetary compensation under a program approved by a college of applied arts and technology, university, private career college or other post-secondary institution.**



POLICY SECTION: HUMAN RESOURCES
SUB-SECTION: MISCELLANEOUS
POLICY NAME: WORKPLACE VIOLENCE
POLICY NO: H.M. 37

- such other persons as may be prescribed who perform work or supply services to an employer for no monetary compensation;

Supervisor: a person who has charge of a workplace or authority over a worker

Workplace Violence:

- a) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- b) an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to a **the** worker;
- c) a statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against a worker, in a workplace, that could cause physical injury to a **the** worker.

Financial Impact:

Maximum fine for a contravention of the Occupational Health and Safety Act is \$500,000.00, **\$1,500,000.00 for the Employer, up to \$500,000.00 for an individual and / or up to 12 months imprisonment** with the possibility of jail term particularly for negligence leading to a workplace fatality as a result of workplace violence. There are Workplace Safety and Insurance Board (WSIB) costs associated with injuries from workplace violence.

Evaluation and Metrics:

This Policy will be reviewed annually by staff in consultation with the Board's three Joint Health and Safety Committees. This will ensure that the Policy remains current and reflects Ontario's health and safety legislation.



REPORT TO

GOVERNANCE AND POLICY
COMMITTEENEGOTIATIONS PROCEDURES H.M.39
(RESCINDMENT)

Not only so, but we also glory in our sufferings, because we know that suffering produces perseverance; perseverance, character; and character, hope.

Romans 5:3-4

Drafted

September 26, 2022

Meeting Date

October 4, 2022

Lynda Coulter, Executive Superintendent of Human Resources, Leadership and Equity

RECOMMENDATION REPORT

Vision: *IN GOD'S IMAGE: Growing in Knowledge, with Justice and Hope.*

Mission: *Nurturing the faith development and academic excellence of our Catholic learning community through the love of God, neighbour, and self.*



MULTI-YEAR STRATEGIC PLAN
2022 - 2025

IN GOD'S IMAGE: Growing in Knowledge, with Justice and Hope



Brendan Browne
Director of Education

Adrian Della Mora
Associate Director of Academic
Affairs & Chief Operating Officer

Derek Boyce
Associate Director of Corporate
Services and Chief Commercial Officer

Ryan Putnam
Chief Financial Officer and Treasurer

A. EXECUTIVE SUMMARY

This report recommends this rescindment of the Negotiation Procedures Policy - HM 39.

The cumulative staff time required to prepare this report was 2 hours

B. PURPOSE

1. This Report is on the Order Paper of the Governance and Policy Committee pursuant to the policy review schedule.

C. BACKGROUND

1. The *School Boards Collective Bargaining Act 2014* introduced in or around 2014 governs the procedures around both local and central collective bargaining.
2. While the Board of Trustees must be informed of the status of local bargaining, a policy outlining negotiation procedures is no longer advisable.

D. EVIDENCE/RESEARCH/ANALYSIS

3. The *School Boards Collective Bargaining Act 2014* greatly reduced the scope of local bargaining which no longer includes monetary items.
4. A formal policy governing the terms of local bargaining is unnecessary and, instead, Staff recommends that the Ad Hoc Labour Relations Committee continue to receive and share information regarding local bargaining as part of Board reports and/or meetings.

E. METRICS AND ACCOUNTABILITY

5. The Director of Education through the Executive Superintendent of Human Resources, Leadership & Equity will monitor negotiations and assess the need for a formal policy, as appropriate.

F. STAFF RECOMMENDATION

Staff recommends to the Governance and Policy Committee that the Negotiation Procedures Policy - HM 39, attached as **Appendix A**, be rescinded.



POLICY SECTION: HUMAN RESOURCES
SUB-SECTION: MISCELLANEOUS
POLICY NAME: NEGOTIATION PROCEDURES
POLICY NO: H.M. 39

Report – Appendix A
 (Rescindment)

Date Approved: March 5, 2008- Board	Date of Next Review: November 2022	Dates of Amendments: November 16, 2017
Cross References: <i>School Boards Collective Bargaining Act, 2014</i> <i>Labour Relations Act, 1995</i> Good Governance: A Guide for Trustees, School Boards, Directors of Education and Communities (http://cge.ontarioschoolTrustees.org/en/collective-bargaining.html) (OPSBA) Catholic Trustee Modules: Good Governance for School Boards (OCSTA/OESC)		

Purpose:

This policy outlines roles and responsibilities regarding collective bargaining negotiation procedures at the Toronto Catholic District School Board.

Scope and Responsibility:

This policy applies to Trustees, the Director of Education and all board staff who prepare for and participate in collective bargaining negotiations with unions or associations representing current staff. The Director of Education is responsible for implementing this policy.

Alignment with MYSP:

Living Our Catholic Values
 Strengthening Public Confidence
 Achieving Excellence in Governance
 Providing Stewardship of Resources
 Inspiring and Motivating Employees



POLICY SECTION: HUMAN RESOURCES
SUB-SECTION: MISCELLANEOUS
POLICY NAME: NEGOTIATION PROCEDURES
POLICY NO: H.M. 39

Policy:

The Toronto Catholic District School Board recognizes the need to maintain practices that reflect the leadership role of the Catholic Trustee. Due to the significant impact on budget and the ensuing human resource management implications, it is essential that all Trustees be involved in the decision making process in regards to contract negotiations.

Regulations:

1. The Director of Education will inform the Board of Trustees of impending negotiations.
2. The Director of Education will prepare a recommendation for the Board of Trustee's consideration containing budgetary implications, impact of operations, improvements, savings, rationale, etc.
3. Matters may be referred to a Bargaining Committee or Working Group as approved by the Board of Trustees from time to time.
4. The Board of Trustees, as a whole, will deliberate any administrative recommendation(s) and, from its findings, approve the parameters for the ensuing negotiations.
5. The Board of Trustees will instruct the Director of Education to proceed with negotiations based on the understanding that staff must return to the Board of Trustees for further instruction if these approved parameters are not reached and a settlement remains unlikely.
6. The Director of Education is expected to keep the Board of Trustees informed of its progress at subsequent and/or special Board meetings.



POLICY SECTION: HUMAN RESOURCES
SUB-SECTION: MISCELLANEOUS
POLICY NAME: NEGOTIATION PROCEDURES
POLICY NO: H.M. 39

7. The Board of Trustees may appoint Trustees to a local Board bargaining committee.
8. The Roles and Responsibilities of the Board of Trustees include:
 - a. Advise the employer bargaining agency of the Board's proposed central bargaining parameters as the agency develops its central bargaining mandate;
 - b. Bring the Board's concerns to the bargaining agency throughout the central bargaining process;
 - c. Participate in the ratification process of central terms;
 - d. Approve/modify the local bargaining mandate;
 - e. Ratify settlements of locally negotiated terms and conditions of the Board's agreements;
 - f. Authorize lockouts at the local tier; and
 - g. Pay any fees required by regulation under the School Boards Collective Bargaining Act to a school board/Trustees' association to carry out central bargaining duties.
9. The roles and responsibilities of individual Trustees include:
 - a. Bring forward to their respective Boards of Trustees the concerns of parents, students, and supporters of the Board with respect to collective bargaining;
 - b. Participate in the decision-making process of the local Board;



POLICY SECTION: HUMAN RESOURCES
SUB-SECTION: MISCELLANEOUS
POLICY NAME: NEGOTIATION PROCEDURES
POLICY NO: H.M. 39

- c. Uphold the implementation of any Board resolution after it is passed by the Board; and
- d. Inform the Board of Trustees if requested to take part in central or local bargaining negotiations.

10. The roles and responsibilities of the Director of Education include:

- a. Participate in developing recommendations for issues to be included in the central mandate to be considered by the local Board;
- b. Develop the local bargaining mandate for approval by the local Board;
- c. Bargain in good faith and make every reasonable effort to agree upon local terms with local bargaining units; and
- d. Implement the approved terms and conditions of the collective agreement including both central and local terms.



POLICY SECTION: HUMAN RESOURCES
SUB-SECTION: MISCELLANEOUS
POLICY NAME: NEGOTIATION PROCEDURES
POLICY NO: H.M. 39

Evaluation and Metrics:

The effectiveness of the policy will be determined by measuring the following:

The Director provides regular updates to the Board of Trustees as required during rounds of collective bargaining negotiations.

GOVERNANCE AND POLICY COMMITTEE

PENDING LIST TO OCTOBER 4, 2022

#	Date Requested & Committee/Board	Report Due Date	Destination of Report Committee/Board	Subject	Delegated To
1	Mar-2017 Governance and Policy	TBC	Governance and Policy	Report regarding consultations with CLSIT and conversations with the Archdiocese in regards to the content of the policy (Update to Chaplaincy Program Policy)	Superintendent Fernandes
2	June-2017 GAP	TBC	Governance and Policy	Staff to bring back after the Ministry of Education's Transportation report is considered (Update to Transportation Policies S.T.01, 03, 04 and 05)	Superintendent Fernandes
3	Mar-2018 Regular Board	TBC	Governance and Policy	That the matter be referred to the Governance and Policy Committee (Photographing and Filming of Individuals at Board and Committee Meetings)	Superintendent Fernandes
4	May-2018 Governance and Policy	TBC	Governance and Policy	Staff was requested to add the policy to the Governance and Policy Committee work plan for the development of an Omnibus policy (Update to School Events Communications and Invitee Protocols Policy (S.02)).	Superintendent Fernandes
5	Jun-2018 Corporate Services	TBC	Governance and Policy	That the Pupil Accommodation Review Policy and Operating Procedures be referred to the Governance and Policy Committee to be updated to reflect changes to the Pupil Accommodation Review Guidelines with extensive community and Section E Implementation, Strategic	Superintendent Fernandes

#	Date Requested & Committee/Board	Report Due Date	Destination of Report Committee/Board	Subject	Delegated To
6				Communications and Stakeholder Engagement Plan (Ministry Memo 2018: B10 – Final Pupil Accommodation Review Guidelines and Updated on Integrated Planning and Supports for Urban Education)	
	Jan-2019 Governance and Policy	TBC	Governance and Policy	That all existing and new policies be reviewed to reflect the Ontario Human Rights Commission (OHRC) Accessible Education for Students with Disabilities Policy Document and that once completed, that they be brought back to GAP Committee; and That staff develop a policy reflective of the OHRC Accessible Education for Students with Disabilities Policy Document (SEAC Minutes, 2018-09-19, Item 9g) Ontario Human Rights Commission (OHRC) Policy Document Article on Special Education Inclusion)	Superintendent Fernandes
7	Mar-2019 Special Board	TBC <i>Subject to NEW Ministry policy/regulation dealing with student exclusions</i>	Governance and Policy	That the TCDSB establish a comprehensive policy regarding the refusal to admit special education students and those with special needs and disabilities to school; and That a refusal to admit policy should depend on the TCDSB ensuring that students excluded from attending school are provided an equivalent educational program; and That students should not be excused unless it can be demonstrated that the student presents an	Superintendent Fernandes

#	Date Requested & Committee/Board	Report Due Date	Destination of Report Committee/Board	Subject	Delegated To
				<p>imminent risk to health or safety; and</p> <p>That the policy include:</p> <p>Circumstances when a refusal to admit is permitted, and when it is not permitted;</p> <p>Procedures that must be followed when refusing to admit a student;</p> <p>Timelines dictating the maximum number of consecutive days a student can be excused from school;</p> <p>An appeal process; and</p> <p>Data documentation and process for reporting to SEAC and Board.</p> <p>That the policy should include where the TCDSB refuses to accommodate students with special education disabilities in regular classrooms without needed supports or services, the principal be required to provide written notice and rationale of this to the family and that the Superintendent be copied; and</p> <p>That a refusal to admit policy be referred to the Governance and Policy Committee; and that staff prepare a comprehensive report on the</p>	

#	Date Requested & Committee/Board	Report Due Date	Destination of Report Committee/Board	Subject	Delegated To
				implementation of a refusal to report policy (Accountability Framework for Special Education 2018-19)	
8	July 2020 Special Board	TBC	Governance and Policy	That the Strategic Reserves Policy be directed to the Governance and Policy Committee to consider a revision to this policy to allow for increased funding of the playground Reserve (2020-21 Budget Estimates Overall and Instructional)	Superintendent Fernandes
9	August 2020 Regular Board	TBC	Governance and Policy	That the draft documents in Appendix A and Appendix B of the report be referred to the Governance Committee and Policy Committee and the By-Law Committee for their consideration (Revision of Toronto Catholic District School Board (TCDSB) By-Law #175 to Include the Authority of the Integrity Commissioner in the Governance Model)	Superintendent Fernandes
10	February 2021 Corporate Services	TBC	Governance and Policy	That the policy on playground reserves be referred to the Governance and Policy Committee in order to change the criteria based on surplus budgets (Playground Reserve Update)	Superintendent Fernandes
11	June 2021 Corporate Services	TBC	Governance and Policy	<p>WHEREAS: Notices of motions/motions and amendments are used to bring proposals for consideration by Trustees;</p> <p>WHEREAS: Notices of motions/motions and amendments are submitted in writing;</p> <p>WHEREAS: Preamble clauses are whereas</p>	Superintendent Fernandes

#	Date Requested & Committee/Board	Report Due Date	Destination of Report Committee/Board	Subject	Delegated To
				<p>explanatory notes that precede the be it resolved clauses;</p> <p>WHEREAS: Using a preamble or whereas explanatory notes gives the mover to list the reasons for the resolution;</p> <p>WHEREAS: Preamble clauses (whereas) should support the resolved statement(s);</p> <p>WHEREAS: Comments made in the preamble should be factual and verifiable;</p> <p>WHEREAS: Preambles must be as specific as possible about the issue and demonstrate the relevance of the resolution;</p> <p>WHEREAS: Commentary in the whereas paragraphs exemplify why action should be taken;</p> <p>WHEREAS: The TCDSB recently adopted a revised Trustee Code of Conduct that states in part:</p> <p>Trustees have a duty to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation;</p> <p>WHEREAS: Trustees should be committed to performing their functions with integrity,</p>	

#	Date Requested & Committee/Board	Report Due Date	Destination of Report Committee/Board	Subject	Delegated To
				<p>impartiality and transparency;</p> <p>WHEREAS: Trustees shall be respectful of the role of staff to advise based on political neutrality and objectivity and without undue influence from any individual Trustee or faction of the Board;</p> <p>WHEREAS: Trustees as leaders of the community, are held to a higher standard of behaviour and conduct;</p> <p>WHEREAS: Trustees shall not maliciously or falsely impugn or injure the professional or ethical reputation or the prospects or practice of staff, and all Trustees shall show respect for the professional capacities of the staff of the Board;</p> <p>WHEREAS: Trustees share a common basis and understanding for acceptable conduct of Trustees, in concert with and beyond the minimum standards of behaviour set out in the existing legislative framework;</p> <p>WHEREAS: Negative preambles should be avoided;</p> <p>WHEREAS: Members are not endorsing whereas comments when voting for a resolution; and</p>	

#	Date Requested & Committee/Board	Report Due Date	Destination of Report Committee/Board	Subject	Delegated To
				<p>WHEREAS: Negative motions or resolutions should not be considered.</p> <p>THEREFORE BE IT RESOLVED THAT: Trustees in presenting notices of motions, motions and amendments adopt the following principles effective immediately:</p> <ul style="list-style-type: none"> a) preambles will be factual and verifiable; b) preambles will be as issue specific as possible; c) negative preambles to notices of motions, amendments and resolutions will be avoided; d) resolutions and preambles to notices of motions/motions or amendments will not maliciously or falsely impugn the professional or ethical reputation of staff or trustees; and e) resolutions and preambles to notices of motions/motions or amendments will respect the professional Board staff and trustees <p>FURTHER BE IT RESOLVED THAT: The aforementioned be referred to the Governance and Policy Committee and to staff for necessary amendments to the present policies.</p> <p>(Consideration of Motion from Trustee Rizzo regarding Notice of Motions)</p>	

#	Date Requested & Committee/Board	Report Due Date	Destination of Report Committee/Board	Subject	Delegated To
12	June 2021 Regular Board	TBC	Governance and Policy	That the revised Terms of Reference for the 2SLGBTQ+ Advisory Committee (Appendix A of the report) be approved. Staff was directed to refer the matter of having consistency with respect of determining Terms of Reference before approval of Committee membership and meetings to the Governance and Policy Committee (Approval of 2SLGBTQ+ Advisory Committee Terms of Reference)	Superintendent Fernandes
13.	October 2021 Corporate Services	May 2023	Governance and Policy	That the Board request that Policy SM04 Fund Raising in schools be referred to the Governance and Policy Committee for an urgent review to assist Catholic School Parent Councils in determining proper procedures for fund raising in a pandemic (Return to School Update)	Superintendent Fernandes
14.	December 2021 Governance and Policy	TBC	Governance and Policy	That the Update to Operational Procedures on Selection Process for Community and Parent/Guardian Membership on Advisory/Ad Hoc Committees be referred back to staff to incorporate all the amendments and to provide a comprehensive policy on recruitment processes for all types of Board Committees involving community members including Advisory, Ad hoc and Statutory Committees (Update to Operational Procedures on Selection Process for Community and Parent/Guardian Membership on Advisory / Ad Hoc Committees)	Superintendent Wujek

#	Date Requested & Committee/Board	Report Due Date	Destination of Report Committee/Board	Subject	Delegated To
15.	April 19, 2022 Governance and Policy	TBC	Governance and Policy	<p>Received and referred to staff to come back with a Policy:</p> <p>1. Be It Resolved That: This report be referred to the Governance and Policy Committee to be used in the formation of a draft policy on days and months of recognition, dedication and/or commemoration in the TCDSB; and</p> <p>2. Be It Resolved That: Staff provide a summary of the dates and months of dedication to the Governance and Policy Committee (Days of Recognition).</p>	Shazia Vlahos
16.	June 7, 2022 Governance and Policy	April 2023	Governance and Policy	<p>That the report be referred back to Staff for consideration of retention of PUBLIC Board meeting video recordings, Agendas and Minutes, and that Staff come back with a report to the Governance and Policy Committee (Recommendations from the By-Law Ad Hoc Committee)</p>	Superintendent Wujek

Governance and Policy Committee Draft 2022 Policy Priority Schedule Policy titles are linked to policy documents			
GAP Date	Policy or Procedure	Policy #	Key Contact (s)
January 11	Access Control	B.B.05	M. Farrell (EC)
	Flag Flying Policy	A.04	P. Matthews
February 1	Information and Communication Technology - Hardware and Software Standards	A.34	O. Malik
	Outdoor Play Environment	B.G.01	M. Zlomislic
	Public Participation Policy	T.14	P. Matthews
	Flag Flying Policy	A.04	P. Matthews
March 1	Emergency School Closure	A.16	M. Farrell
	Religious Education Course Requirement for Secondary Pupils	S.P.12	Caccamo
	Opening and Closing Exercises	SS02	P. Matthews
	Meta Policy	M.01	Corporate Serv.
April 19	Records Management & Archives	A.20	B.Shannon
	(Twenty-Five Year Club)	H.M.09	L. Coulter
	(Retirement Ceremonies)	H.M.10	L. Coulter
	NEW Recognition of Employment Service and Retirement - HM	H.M.03	L. Coulter
	Religious Education Course Requirement for Secondary Pupils	S.P.12	Caccamo
May 10	School Organization Change	S.05	M. Loberto
	Credit Union	A.10	R. Putnam
	Permit Supervisors	H.S.06	M. Loberto
	Insurance for School Volunteers	I.01	R. Putnam
	Right to Disconnect Policy	H.M.06	C. Caldwell
	Verbal Report - Parameters for Advisory Committees		J. Wujek
June 7	Real Property	R.01	M. Loberto
	Insurance for School Volunteers	I.01	R. Putnam
	Up-date from the By-Law Ad Hoc Committee on proposed changes TCDSB Operating By-Law Number 175 - Report		Wujek/Caldwell
	Accessibility Standards for Services and Facilities/ Accessibility	A.36/A.35	F. Cifelli
	Rental of School Space Policy Metric - Report	B.R.01	M. Loberto
September 6			
October 4	Trustee Honourarium	T. 05	A. Ceddia/R. Putnam
	Report - Update - Parameters for Advisory Committees		J. Wujek
	Harassment and Discrimination in the Workplace	H.M.14	L.Coulter
	Occupational Health and Safety	H.M.17	L. Coulter/I.Varano
	Workplace Violence	H.M.37	L.Coulter/C.Maltes
	Negotiation Procedures	H.M.39	L. Coulter
	Sweatshop-Free Purchasing	F.P.04	R. Putnam
November 1	Acceptable Use of Technology	A. 29	Coulter/ Caldwell
	Community Engagement	T.07	S. Vlahos/ B. Doan
	Use of School Facilities in Emergency Situations	B.R.06	M. Farrell
	International Languages (Elementary)	S.P.05	J. Bria
	Non-Union Employee Handbook	H.M.02	L. Coulter
	School Names	S.07	S. Campbell
December 6	Direction of Property Taxes for Separate Education School Support	F.M.03	M. Loberto
	Alcohol, Cannabis and Other Drugs	S.S.03	M. Caccamo /L.DiMarco
			L. Coulter/M.Meehan
	Demolition	R. 02	M. Loberto
	TTC Identification Cards	S.T. 04	M. Loberto
	Bullying Prevention and Intervention	S.S.11	M. Caccamo