

1981

c 27 Leeds and Grenville County Board of Education and Teachers Dispute Act, 1981

Ontario

This Bill was passed by the Legislature after the the 31st day of December, 1980 and before the Revised Statutes of Ontario, 1980 came into force. It is shown here in the form in which it was passed, before its revision by the commissioners under the authority of section 4 of The Statutes Revision Act, 1979. It is published in its revised form as chapter 27 in the public acts section of this volume.

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BILL 124

1981

(Chapter 27)

**An Act respecting
The Leeds and Grenville County
Board of Education and Teachers Dispute**

WHEREAS The Leeds and Grenville County Board of Education and its secondary school teachers have been negotiating terms and conditions of employment; and whereas a strike by the secondary school teachers against the board began on the 7th day of May, 1981; and whereas the board and its secondary school teachers have been unable to make an agreement as to terms and conditions of employment; and whereas the public interest requires that means be found for the settlement of the matters in dispute between the board and its secondary school teachers;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "board" means The Leeds and Grenville County Board of Education;
- (b) "branch affiliate" means the organization composed of all the teachers employed by the board who are members of The Ontario Secondary School Teachers' Federation;
- (c) "Commission" means the Education Relations Commission established under *The School Boards and Teachers Collective Negotiations Act, 1975*; ^{1975, c. 72}
- (d) "lock-out" has the same meaning as in *The School Boards and Teachers Collective Negotiations Act, 1975*;
- (e) "parties" means the board and the branch affiliate;
- (f) "school day" has the same meaning as in Ontario Regulation 546/73;

- (g) "selector" means the selector appointed under this Act;
- (h) "strike" has the same meaning as in *The School Boards and Teachers Collective Negotiations Act, 1975*;
- (i) "teachers" means the secondary school teachers employed on permanent or probationary contracts by the board.

Resumption
of
employment
and
operation
of schools

2.—(1) The teachers who are on strike against the board shall, on the first school day following the day this Act comes into force, return to and resume their duties in accordance with their contracts of employment and the written collective agreement in effect on the 31st day of August, 1980 with the board and the board shall, on the first school day following the day this Act comes into force, resume the employment of such teachers in accordance with such contracts and written collective agreement and resume the normal operation of the schools in which the teachers are employed.

Strike or
lock-out

(2) During the period from and including the first school day after the day this Act comes into force until the day an agreement that includes the decision of the selector comes into effect, no teacher shall take part in a strike against the board and the board shall not lock out a teacher.

Exception

(3) Nothing in this Act precludes a teacher from not returning to and resuming his duties with the board for reasons of health or by mutual consent in writing of the teacher and the board.

Final offer
selection

3.—(1) The parties shall be deemed to have agreed,

1975, c. 72

(a) to refer all matters remaining in dispute between them that may be provided for in an agreement under *The School Boards and Teachers Collective Negotiations Act, 1975* to a selector for determination under and in accordance with Part V of that Act; and

(b) to not withdraw from the proceedings.

Appointment
of selector
by
Commission

(2) The Commission shall appoint the selector forthwith after this Act comes into force and shall give notice of the appointment to the parties, and the notice shall set out the name and address of the person appointed and the date of the appointment.

Application
of 1975, c. 72

(3) Except as otherwise provided in this Act, *The School Boards and Teachers Collective Negotiations Act, 1975* applies to the selector, to the proceedings conducted before him, to the parties and to the teachers.

4.—(1) Notwithstanding subsection 1 of section 51 of *The School Boards and Teachers Collective Negotiations Act, 1975*, the agreement giving effect to all matters agreed upon by the parties and the decision of the selector shall be for the period commencing on the 1st day of September, 1980 and expiring on the 31st day of August, 1983. Term of agreement 1975, c. 72

(2) The Commission may, with the concurrence of the selector and the parties, reduce any period of time referred to in section 41, 42, 44, 45 or 48 of *The School Boards and Teachers Collective Negotiations Act, 1975*. Reduction of time periods

5.—(1) Every person or party that contravenes any provision of this Act is guilty of an offence. Offences

(2) The provisions of *The School Boards and Teachers Collective Negotiations Act, 1975*, respecting offences and penalties and the procedures relating thereto apply in respect of a contravention of any provision of this Act. Idem

6. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor and is repealed on the day on which the collective agreement made under this Act comes into force. Commencement and repeal

7. The short title of this Act is *The Leeds and Grenville County Board of Education and Teachers Dispute Act, 1981*. Short title

