



**Elementary Teachers' Federation of Ontario (ETFO)**

Fédération des enseignantes et des enseignants  
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## **Teacher and Occasional Teacher Salary Arbitration: Frequently Asked Questions**

### ***What was the Board of Arbitration's decision (the "Kaplan Decision") on compensation for the 2022-2026 Teacher and Occasional Teacher Collective Agreement?***

The total compensation award is as follows:

- For Year 1 (Sept. 1, 2022 to Aug. 31, 2023)
  - **3.0%**
- For Year 2 (Sept. 1, 2023 to Aug. 31, 2024)
  - **3.0%**
- For Year 3 (Sept. 1, 2024 to Aug. 31, 2025)
  - **2.75%**
- For Year 4 (Sept. 1, 2025 to Aug. 31, 2026)
  - **2.5%**

This means that the total wage increase for 2022-2026 collective agreements is 11.25%. Compounded, the total percentage increase is 11.73%.

In addition, the Board decided that all daily occasional teacher (OT) rates will be adjusted up to a baseline average rate as of September 1, 2024. All ETFO locals with daily OT rates lower than the baseline average rate will increase to the new average rate plus receive the 2.75% awarded for the 2024-2025 school year. Any locals with a daily OT rate that is higher than the new baseline average rate will continue at that rate, plus the 2.75% awarded for 2024-2025. All daily OT rates will then increase by an additional 2.5% in 2025-2026.

It is expected that 17 ETFO OT locals will be affected by the establishment of a new baseline average rate for September 2024. ETFO will be working to confirm the average rate as quickly as possible.

Over the course of the agreement, we expect the compounded compensation increase for daily OTs moving to the new baseline average rate effective September 1, 2024, to be in the range of 14-15%. The compounded compensation increase for all ETFO OT locals overall should be above 13%. This is a significant increase for daily OTs who represent some of our lowest-paid teacher members.

## QUESTIONS ABOUT COMPENSATION INCREASES

### ***Can you please explain who is eligible to receive compensation increases?***

Eligibility is limited to those individuals who worked as ETFO members (in teacher and/or occasional teacher roles only) at any time between September 1, 2022, and the present. This includes members who received paid sick leave during this period of time.

### ***I started working as an ETFO member after September 1, 2022. Will the compensation increases be applied to my wages?***

Yes, salary grids, wage schedules, applicable premiums and allowances, and the daily OT rate will be revised to reflect the increases in the compensation award. However, members will only receive retroactive pay back to the date they started working for their school board.

## QUESTIONS ABOUT RETROACTIVE PAY

### ***What retroactive pay will I receive?***

For teachers being paid on the grid (long-term occasional teachers and permanent teachers), boards are required to pay retroactively from September 2022-2023 (3%) and 2023-2024 (3%) to the point at which retroactive payments are made, similar to Bill 124 retroactive payments.

For daily OTs, daily OT rates will be adjusted retroactively going back to 2022-2023 (3%) and 2023-2024 (3%) to the point at which retroactive payments are made, similar to Bill 124 retroactive payments.

### ***When should I expect to receive retroactive pay owed to me as a result of the compensation award?***



Under the School Boards Collective Bargaining Act, compensation is not payable until a fully ratified Collective Agreement (both central and local terms) is achieved.

Members who have already ratified their local agreements should expect to see retroactive increases 30 days following the Kaplan decision (by June 29, 2024). Grid and rate adjustments will be made and retroactive payment will occur for 2022-2023 and 2023-2024.

In locals where local bargaining is ongoing, retroactive compensation will be paid no later than 30 days following the ratification of local terms.

### ***Who is eligible to receive retroactive pay?***

All ETFO teacher and OT members who have been employed at any point during the term of the current collective agreement (September 1, 2022 to present) will be eligible for retroactive pay increases.

An ETFO member who has been receiving compensation from a school board since <b>September 1, 2022</b> , and has continued to receive pay until the date their school board pays out the compensation award.		The member's total retroactive pay will cover the period from <b>September 1, 2022</b> , to the date the school board issues the compensation award.
An ETFO member was hired after <b>September 1, 2022</b> , and has continued to receive pay from a school board until the date their school board pays out the compensation award.		The member's total retroactive pay will cover the period <b>from their date of hire</b> to the date the school board issues the compensation award.

***Can you tell me exactly the amount of retroactive pay I should expect to receive due to the compensation award?***

The amount of retroactive pay received will vary from member to member, depending on how long the member receiving pay between September 1, 2022, and the date their school board issues the compensation award and their grid placement.

The amount of retroactive pay could be affected by different types of paid work done by a member with the school board on or after September 1, 2022, including:

- moving from full-time to part-time work (or vice versa)
- moving from occasional work to permanent work (or vice versa)

The amount of retroactive pay will also be affected if a member took an unpaid leave of absence, a sick leave, or a statutory leave. It will also be affected by members' grid steps and if there has been grid movement.

All these changes in work status and their impact on pay will be captured in the school board's payroll system.

***Does the compensation award apply to responsibility allowances, degree allowances, teacher-in-charge allowances, etc., received on or after September 1, 2022?***

The compensation award applies to any salary grids, wage schedules, and applicable premiums and allowances that were increased annually in the previous ETFO collective agreement (i.e., 2019-2022).

***How will I know if my school board has provided me with the full retroactive pay owed to me as a result of the compensation award?***

Members who have questions about the retroactive pay they receive should contact their Payroll department as soon as possible after the payment is issued by the school board.

Members should ensure that their questions to Payroll are provided in writing (i.e., by email) and that they receive a response in writing from their Payroll department.

Members who have concerns about the response they receive from Payroll about their compensation award payment should contact their ETFO local. Be prepared to provide the local with a copy of the written communication to Payroll, as well as their written response.

***Can the award on compensation be challenged in court by ETFO, OPSBA or the government?***

No. There is no basis to challenge the Kaplan decision in court.

<b>QUESTIONS ABOUT LEAVES OF ABSENCE AND RETIREMENTS</b>
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***How will the compensation retroactive payment be made if I am currently on an unpaid leave of absence?***

Members on leave will be placed on the applicable, revised compensation grid upon their return to work. Any retroactive payment owing will be made through each school board's regular payroll system, regardless of leave status.

Members on an unpaid leave of absence who have additional questions about their specific situation should contact their school board.

***I am on a self-funded leave (e.g., a "four over five" leave, a "three over four" leave, etc.) this school year. How will I receive the compensation award?***

Members with questions about their specific entitlement should contact their school board directly.

***What impact will the compensation award have on members who are on long-term disability (LTD)?***

A member's LTD payment is based on their insurable earnings as of their **LTD start date**. If a member was on claim prior to September 1, 2022, their claim payment will be unaffected. The Ontario Teachers' Insurance Plan (OTIP) will adjust for retroactive salary increases on LTD claim payments if the LTD start date is on or after September 1, 2022. Those on claim will have their payments adjusted as a result of the increases to insurable earnings. Once the compensation award is issued, it will take OTIP some time to review increased grid rates and adjust the LTD payment accordingly, where applicable.

***I am currently on a leave and receiving Employment Insurance (EI) benefits. How will the retroactive pay owed from the compensation award affect me?***

Retroactive pay is specifically excluded from consideration as earnings during the benefit period, as it is considered income earned during the period worked. However, if a member's insurable

earnings were less than the maximum insurable amount, their EI benefits could be adjusted upwards slightly based on the increased earnings.

The maximum insurable amounts in the last few years have been:

- 2024: \$63,200
- 2023: \$61,500
- 2022: \$60,300

If members have questions about specific entitlements, they should contact Service Canada directly.

***I recently retired. Am I eligible for a compensation retroactive payment?***

If a member was receiving compensation as an ETFO teacher or occasional teacher between September 1, 2022, and the date on which they retired, they are eligible for a retroactive wage adjustment. Any retroactive payment owing will be made through each school board's regular payroll system to the bank account they have on file. If a member has not changed their banking information, no action is required. If this information has changed, members should contact their school board to ensure their banking information is updated.

Retirees who have additional questions about their specific situation should contact their school board.

***Will the compensation award be applied to my pension?***

Yes, the compensation award is pensionable income and will count toward members' pension credit calculation. However, the Ontario Teachers' Pension Plan (OTPP) are not able to recalculate pensions until the additional income is reported by the school board.

Retirees who have additional questions about their specific situation should contact the OTPP.