

LETTER OF UNDERSTANDING

BETWEEN

TORONTO CATHOLIC DISTRICT SCHOOL BOARD

AND

ASSOCIATION OF PROFESSIONAL STUDENT SERVICES PERSONNEL

RE: SETTLEMENT COUNSELLORS

Whereas the decision of Arbitrator Barry Stephens dated January 22, 2012 awarded that the Settlement Counsellor job classification appropriately fell within the defined bargaining unit represented by the Association in its collective agreement with the Board; and

Whereas CIC Federal funding is determined each year by a bid submission from provincial Adult Education providers and the final CIC Federal funding distribution, as determined by CIC, is released by March 31st each year; and

Whereas the Board did not receive Federal funding from Citizen and Immigration Canada (CIC) to support the employment of Settlement Counsellors, and that therefore the Association was officially notified, on March 23, 2012, that all employees in the Settlement Counsellor job classification would be laid off, in accordance with the Association's collective agreement, as of April 5, 2012;

Therefore the parties agree to the following terms:

1. Settlement Counsellors shall be added to the list of classifications in Article 1.01 (recognition clause).
2. The Settlement Counsellors who were previously employed until April 5, 2012 by the Employer (Ms. Nasrin Hotaki, Ms. Julia Jiang, Ms. Jenny Lin, and Ms. Meera McDonald) will receive full credit for purposes of seniority back to their original date of hire by the Board as a Settlement Counsellor.
3. The above listed Settlement Counsellors are fully covered by Article 11 of the collective agreement, including entitlement to six weeks notice of layoff, and recall rights.
4. Settlement Counsellors will be added to the list of classifications in Article 11.04 [c].

5. The above Settlement Counsellors shall each receive a lump sum payment of \$1792.42 each, less all applicable deductions, in lieu of retroactivity, in addition to any other entitlement such as pay in lieu of notice.
6. In the event that the Board were to receive Federal funding from CIC to support the employment of Settlement Counsellors at any time in the future, or if the Board employs Settlement Counsellors through any other source of funding, the parties will meet to discuss their terms of employment, and in particular, compensation, hours of work, and work year, and any other matters necessary to incorporate them into the collective agreement. Any resulting agreement will become an appendix to the collective agreement.
7. The Board agrees to give the Association reasonable notice if, at a future date, the board is granted Federal funding, or funding from any other source, for the purpose of employing Settlement Counsellors.
8. The parties agree that subject to paragraph six (6) of this document, this Letter of Understanding represents the full and final settlement between the parties and fully discharges the Boards obligations with respect to Arbitrator Stephens award dated January 22, 2012.

Dated at Toronto, this 18th day of June, 2012

For the Association

[Signature]
[Signature]
[Signature]

For the Board

[Signature]
[Signature]
[Signature]



Memorandum of Settlement

Between

Toronto Catholic District School Board (the "Board")

and

Association of Professional Student Services Personnel (the "Association")

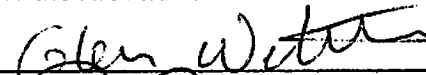
WHEREAS the parties are desirous of resolving the claim submitted by the Association that Ms. Meera McDonald, Adult Education Program- Settlement Counsellor, was entitled to an Employment Insurance waiting period allowance of \$550 per week, provided by the Board, for a two week period, at the commencement of her statutory pregnancy and parental leave under Article #16.02(a)(ii) of the APSSP Collective Agreement;


THEREFORE the parties agree to the following without prejudice or precedent to the position of either party on any future related or unrelated matter:

- 1) The Board agrees to provide Ms. Meera McDonald, through payroll direct deposit, \$1100 to compensate her for the two week Employment Insurance waiting period, at the commencement of her pregnancy leave on April 18, 2011, in accordance with the terms of the Collective Agreement under Article #16.02(a)(ii).
- 2) The parties agree that the \$1100 payment will be subject to all statutory and benefit deductions.
- 3) The parties agree that the \$1100 payment will be issued to Ms. McDonald on the April 20, 2012 pay date and will be classified as taxable income for the 2012 Revenue Canada taxation year.
- 4) The parties agree that these Minutes of Settlement fully settle the matter noted above and the Association agrees not to file a grievance or any other claim against the Board regarding this matter.

Dated at Toronto, this 27th day of March, 2012.

For the Association





For the Board

