

MEMORANDUM OF SETTLEMENT

BETWEEN:

The Durham Catholic District School Board
(hereinafter referred to as "the Board")

- and -

The Association of Professional Student Services Personnel, Durham Chapter
(hereinafter referred to as "APSSP")

- 1) The parties herein agree that the term of the Collective Agreement shall be for the period of September 1, 2012 to August 31, 2014.
- 2) The parties herein agree that the said Collective Agreement shall include the terms of the previous Collective Agreement that expired August 31, 2012, provided, however, that the attached amendments are incorporated.
- 3) This Memorandum of Settlement is subject to ratification by the Association and the Board of Trustees.
- 4) The parties agree to recommend acceptance of this tentative agreement to their respective groups.
- 5) The parties agree that the details of the tentative agreement shall remain confidential until both parties have ratified the agreement.
- 6) The parties agree that upon ratification by their respective groups, each shall submit this tentative agreement to the Ministry of Education for approval.
- 7) The parties agree that this Memorandum of Settlement addresses all issues agreed upon through local bargaining.
- 8) All articles are effective on the day following the date of ratification, unless otherwise specified in this agreement.

BETWEEN:

The Durham Catholic District School Board
(hereinafter referred to as "the Board")

- and -

The Association of Professional Student Services Personnel, Durham Chapter
(hereinafter referred to as "APSSP")

Page 2

Dated at Oshawa, Ontario this 19th day of December, 2012.

For the Board:

Kathy LeFort, Trustee

Mary Ann Martin, Trustee

Karen Valentine, Trustee – Ex officio

Michael Gray, Resource

Anne O'Brien, Resource

Marilyn Midlige, Resource

Carla Baetz, Resource

Shelly Pheonix, Resource

Kathy Bazley, Resource

Jaime Sheepwash, Resource

For APSSP:

Larry Robbins, Consultant

Stacy How, Chief Negotiator

Norman Bodach, Bargaining Committee

Diane Mullane, Bargaining Committee

Kristin Adamcewicz, Bargaining Committee

**Agreed Upon Items
between
Durham Catholic District School Board
- and -
APSSP Durham Chapter**

✓ **Letter of Understanding – Re: Partnerships with External Agencies**

Replace current Letter on page 52 with the following:

“The Board will consult with the Association through the current PPM 149 Committee on its partnerships with external agencies in the areas of regulated health professionals, social service professionals and paraprofessionals for the delivery of services and/or programs to students with special needs and/or at risk students. The Board’s Policy PO438 and Administrative Procedure AP438-1 dated June 25, 2012 Partnerships with External Agencies for Provision of Services By Regulated Health Professionals, Regulated Social Service Professionals and Paraprofessionals shall guide these discussions.”

✓ **Letter of Understanding – Re: Benefits**

Agree to delete letter of understanding on page 47 and update Article 16:01 to reflect the benefit enhancements from 2010 as follows:

- a) Paramedical services maximum is \$400 per benefit year;
- b) Vision care (100% cost of contact lenses, eyeglasses including both lenses and frames or laser eye correction surgery) maximum is \$400 for each insured adult in any 24 month period;
- c) Psychologist or Psychiatrist services maximum at \$350 per benefit year.

✓ **Letter of Understanding – Re: Provincial Committees**

Add the following paragraph to the end of the letter:

“In the case of Provincial Committees arising out of the July 30, 2012 Memorandum of Understanding, employee’s salary and benefits shall be kept whole for all time spent. In the event the time spent is not funded by the Provincial government, the Association will cover the costs.”

✓ **Appendix B** – replace “the Ontario Association of Social Workers/Ontario College of Social Workers” with “Ontario College of Social Workers and Social Service Workers”.

✓ **Letter of Understanding – Re: Staffing** (page 50)

Add the following sentence to the beginning of this letter and renew:

The parties understand that for the 2012-2014 collective agreement, this following letter is subject to ongoing funding from the Ministry of Education as contemplated in the 2008 PDT Agreement.

**Agreed Upon Items
between
Durham Catholic District School Board
- and -
APSSP Durham Chapter
-2-**

✓ Letter of Understanding – Re: Bill 115 – Putting Student First Act


The following is Subject to Bill 115 – Putting Students First Act and appropriate supporting Regulations with which the Board and the Association shall comply.

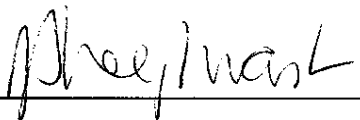
The Board and the Association reserve their bargaining rights and contractual obligations should the Provincial Government or a Court of Law take action or make a decision that materially affects the content of Bill 115- Putting Students First Act or a Regulation in part or in its entirety.

Dated at Oshawa, Ontario this 19th day of December, 2012.

For the Association:

For the Board:





**Agreed Upon Items
between
Durham Catholic District School Board
- and -
APSSP Durham Chapter**

✓ **Letters of Understanding**

Legal Liability (page 41) – renew
Equivalency (page 42) – renew
Pay Equity Maintenance (page 43) – renew
Replacement of Employee's Internally (page 45) – renew
Professional Development (page 46) – delete
Benefits (page 49) – delete

✓ **Article 6:01** – Amend "twenty (20) copies" to "fifteen (15) copies".

✓ **Article 9:02** – Amend title of Committee to "Joint Consultation Labour Relations Committee".


✓ **Article 4:01** - The parties agree to comply with the current established administrative procedure (AP401) regarding employee access to their personnel file and in addition: (remainder of Article to stay status quo)

✓ **Housekeeping** – amend "Employer" to "Board"

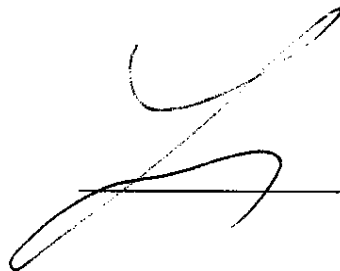
Dated at Oshawa, Ontario this 30th day of November, 2012.

For the Association:

For the Board:



Chief Negotiator
APSSP.



**Agreed Upon Items
between
Durham Catholic District School Board
- and -
APSSP Durham Chapter**

Letters of Understanding

Committee to Review Caseload Issues (page 44) – delete – Article 2:04 is status quo.

Letter of Understanding – Re: Safe Storage of Records and Electronic Documentation

“The Board and the APSSP agree to collaborate through a working group established to review and address issues related to safe storage of records and electronic documentation and any future adoption of an electronic documentation system. The working group will report its findings to the Joint Consultation Labour Relations Committee. The working group will dissolve thereafter.”

Article 14:01

When a vacancy is created (either in an existing position or as a new position within the scope of this collective agreement) for either a permanent position or a temporary position which is expected to be for a period of six (6) months or more, including an extension to a temporary position if that extension is expected to be for a period of six (6) months or more, the job will be posted for five (5) working days on the Board’s website. In addition, the Board shall send an electronic job posting to all employees of the bargaining unit to advise them of that fact.

Where the Employer decides not to fill a vacancy in the bargaining unit, the Employer agrees to notify the Association in writing of this decision.

Article 20:01 – (second paragraph)

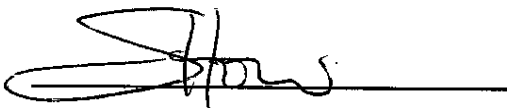
Salary shall be paid on the basis of 1/26 x applicable yearly salary and allowance. Pay day shall be every second Thursday or the preceding day in the case Thursday is a statutory holiday, commencing with the first **instructional** Thursday in the school year.

Article 20:03(b)

In order to maintain the requirements of their respective disciplines, employees will be provided with at least four (4) half days per month during working hours to complete documentation and required reports. The times arranged for this purpose will be completed in conjunction with the **respective Manager**. Additional time may be granted by the Superintendent of Education - Student Services for the respective disciplines.

Dated at Oshawa, Ontario this 19th day of December, 2012.

For the Association:



For the Board:

