

# FTA VOICE

*A Publication of the Frontier Teacher's Association*

November 2005

## **Duty Free Lunch**

**Erin Williams, FTA President**

Since the beginning of the school year I have had many questions from teachers and administrators concerning ARTICLE 31 – DUTY FREE MEAL PERIOD. According to the Collective Agreement, “Except in cases of emergency, or unforeseen similar circumstances, every full-time teacher shall be entitled to an uninterrupted meal period, of fifty-five (55) minutes duration, between 11:00 a.m. and 2:00 p.m. daily, unless the majority of the teachers in a particular school and the administration responsible for that school agree to a different arrangement respecting lunch periods.” So what does this mean exactly? In response to this question I have composed the following list of questions and answers in the hope that it may clarify some of the concerns.

### ***Question:***

In the past I have had a chess club during lunch hour. Can I continue to do this?

### ***Answer:***

Yes, a teacher can choose to conduct a co-curricular activity (e.g. art club, basketball practice) during his or her lunch hour if they so desire. The thing to remember in this situation is that the activity must be voluntary. A teacher cannot be assigned to hold a co-curricular event during his or her meal period. The time spent volunteering can be counted towards a co-curricular leave day.

### ***Question:***

I am the Phys. Ed. teacher in my school. In the past, I have been directed to develop and implement an intramural program during the lunch hour. Will I still have to do this?

### ***Answer:***

A Phys. Ed. Teacher may be asked to hold intramurals during the lunch hour. However, this teacher **MUST** have a 55-minute,

uninterrupted meal period at some time between 11:00 a.m. and 2:00 p.m. For example, if a school normally breaks for lunch at 12:00 p.m. and class resumes at 12:55 p.m. and during this time the Phys. Ed. teacher is expected to hold intramurals; the Phys. Ed. teacher must have an alternate lunch break, for example they could break between 11:00 a.m. and 11:55 a.m.

### ***Question:***

What does “Except in cases of emergency, or unforeseen similar circumstances” refer to?

### ***Answer:***

There may be occasions that arise throughout the year (e.g. fires, bomb threats) when it will be impossible for you to be released from your teaching post to have a lunch break for obvious reasons. During these extreme situations your priority will be the protection of the students in your care. More detailed information regarding the procedures that must be followed during such incidents will likely be outlined in your school’s Emergency Response Plan.

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*The FTA Voice is a quarterly publication designed to inform and enlighten! Questions, concerns, comments and editorials should be directed to [FTAVoice@hotmail.com](mailto:FTAVoice@hotmail.com)*

**Question:**

As a teacher, can I apply to be a lunch supervisor and get paid to do duty at lunch?

**Answer:**

No, absolutely not. According to MTS, "No individual member has the right to contract himself/herself outside of the Collective Agreement and the employer has no right to bargain working conditions or rates of pay with individual employees. The Association is the exclusive bargaining agent for the teachers in the Division and the employer is bound by law to deal with it. This is a principle of labour law that has been affirmed by the Supreme Court of Canada". If a situation like this was to occur or an individual teacher or administrator was to volunteer to do duty at lunch hour they would be working outside the Collective Agreement. Should the Association become aware of this it would have to be addressed and there could be legal implications for the individual and the Association.

**Question:**

Our school currently has a 45-minute lunch period. Can we have a duty free lunch period that is 45 minutes long?

**Answer:**

No, the Collective Agreement states that the lunch period is to be 55 minutes in duration. If the majority of teachers in your school wish to have a duty free meal period it will be 55 minutes long and may result in alterations to your currently existing school day.

**Question:**

I feel that teachers should be doing the duty at lunch hour because local people do not have enough experience working with children. If only local people supervise at lunch don't you think the teachers will be facing more behavior problems during their afternoon classes?

**Answer:**

I don't know about you but when I was taking my Bachelor of Education there were no courses offered on "How to Supervise Duties". Like many of my colleagues, some of whom are "local teachers", I learned how to supervise

duties in the field, literally. I don't think that my education impacted my efficacy as a duty supervisor in any significant way. It was a skill I learned through experience. Keep in mind, 80% of the teachers in the Province of Manitoba have a "duty free meal period", we know that in most places local community members are supervising these lunches at an average pay rate of approximately \$9.00 per hour. If a person required a university degree to do this job I would suspect that the rate of pay would be much higher. In addition to this, I would not assume that local people do not have experience working with children. After all, many local people are parents themselves and do a fine job supervising their children during Christmas, Spring, and Summer Break and during the 18 hours a day that their children are not in school.

**Question:**

Can we as teachers vote to do the lunch duty in our schools?

**Answer:**

Yes, if the **MAJORITY** of the teachers in your school vote **NOT** to have a duty free meal period then none of the teachers in your school will be entitled to have one. I however, would strongly discourage this. I cannot speak for you but throughout my years as a teacher I have experienced days during which I have not had an opportunity to eat during the lunch hour or use the bathroom because incidents arose during my lunch duty that needed immediate attention. Perhaps you yourself have experienced a similar situation. Duty free lunch is a right that most teachers in this province and in this country have. Teachers in Frontier Division have been requesting that the FTA Executive pursue the provision for a duty free meal period through the Collective Bargaining process for many years. Personally, I feel that the teachers in this Division deserve a Duty Free Meal Period and I encourage you not to give up this right. I am aware that some teachers may have a different opinion regarding this issue than I do and I certainly respect the fact that they too have the right to exercise their voice.

## Grievances and Disputes – What's Involved?

Issues that are brought forth to be dealt under the G and D portfolio fall into two basic categories.

- 1) Interpretation of the collective agreement (pay, travel, housing, isolation, sick leave, bereavement, etc.)
- 2) Policy items as stated in the policy manual.

When an issue is brought to my attention, my first course of action is to refer the member to appropriate channels with the aim of getting a satisfactory resolution of the issue (the payroll dept., the area superintendent, the housing chair). At this time the member is asked to gather as much documentation as possible. On contractual issues the matter is often referred to an MTS staff officer.

When the issue remains unresolved, it may be taken to grievance arbitration. The details are presented to executive and the merits of the items in dispute are discussed. The advice of the MTS staff officer is sought. The executive then must pass a motion to formally proceed to arbitration. An association representative to the panel is then selected, and the division will select a representative. These two will then select the chair of the arbitration panel. If the representatives cannot agree on a chair, application is made to the chief justice to appoint a chair. An arbitration date is then set and both sides prepare by arranging witnesses and assembling their documentation, to be presented by staff officers or lawyers.

Of the many cases that are presented very few go to arbitration, many are resolved by simply clarifying the issues with the appropriate individuals.

## Welcome to Wendell Head– FTA Rep

Wendell Head has been with Frontier School Division for more than five years now, has taught at both the intermediate and high school levels, and is currently teaching Math and Computers at HBOIERC in Norway House. Originally from outport Newfoundland, he graduated from Memorial University of Newfoundland with a B.A.(Hons) and B.Ed. in 1995. In 1999, he completed a diploma in Information Technology, which led to subsequent teaching positions in Math and Computers. He has taught in Newfoundland, East Asia, Ontario, and in 2000, he and his wife accepted positions in Norway House, where they have been teaching ever since, and where they have become very happy parents.

Wendell takes the role of representing teachers on the FTA seriously. He has many experiences, skills, and qualities that can prove helpful. With his background in teaching in small, isolated communities, he has an understanding of the many concerns and issues that teachers in Frontier may have, and is willing to work very hard to assist other teachers within Frontier.

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**"Quite frankly, teachers are the only profession that teach our children."**

**"We're going to have the best-educated American people in the world."**

Compliments of Dan Quayle.

## Workplace Safety and Health Reminders

All schools and workplaces should have their workplace safety and health committees in place by now. Guidelines for formation of these committees, how often they have to meet, procedures for complaints, etc. are all included in the latest WPSH handbook. This handbook was sent out to all schools this past spring by MTS. Please check to see if it is in your school and accessible to all staff, as well as your school's WPSH committee. If not please phone Linda Smerch at Cranberry Portage Elementary School, 1-204-472-3250.

## New Teacher Contracts

Effective December 19, 2004 Manitoba Education changed the name of and some of details included in, both permanent and term teacher contracts. These changes will impact teachers newly hired after December 18, 2004. These teachers will be placed on one of two contracts:

- General contract
- Limited Term contact

These relate to the previous Form 2 and Form 2A contracts respectively. The primary change relates to the notice period. When teachers are resigning, notice must be received no later than April 30, when the resignation is effective June 30. This is different from the May 31 date which is expected from teachers hired previous to December 18, 2004.

It is very likely that there will be two applicable resignation dates within Frontier schools depending on when individual teachers have been hired. Please be aware of the type of contract you are on and when you must resign by if you wish to terminate your contract.

## Negotiations Committee Report

### *Back Pay*

By now, any errors or miscalculations on back-pay should have been resolved. For members employed prior to the fall term 2005, depending on the various collective agreement articles, your location and whether you were employed in Frontier School Division from fall 2002 or later, you should have received back pay on the following items:

- Salary
- Administrative allowances
- Housing (non-divisional)
- Maternity leave top up
- Isolation allowance

If you do have any questions/concerns it is important to deal with them as soon as possible. Please contact Sue Green, Human Resources, at Frontier School Division Office.

### *Disability Benefits Plan*

If you were a member who began to receive Disability Plan benefits from fall term 2002 and any time up to August 31, 2005, the Disability Benefits Plan will be adjusting your compensation. The contact person is Mark Betcher, Payroll, at the Disability Benefits Plan Office (1-800-504-9373).

### *Deductions on Allowances & Reimbursements*

Numerous members have called FTA reps and/or MTS staff with concerns that income tax, EI, CPP, Pension, etc. are being assessed on the above items.

FTA has been informed that FSD, many years ago, received a tax ruling from Government. So far, this rather old tax ruling has not been shared with FTA. It is our understanding that FSD is in the process of seeking an updated tax ruling. As a result, FTA through MTS, is awaiting financial advice as to the accuracy of FSD's position regarding deductions on

allowances, reimbursements, etc. More information will follow in the next edition of *The Voice*. As well, your Negotiations Committee will be studying the issue in preparation for the next round of negotiations which will commence late spring 2006.

### ***Preparation of Opening Package***

Preparation of the opening package for the next round of negotiations for the collective agreement for July 1, 2006 to June 30, 2007 have begun.

Members of the Negotiations Committee were finalized at the October 29, 2005 FTA Executive meeting. They include:

- A
- B
- C
- D
- E

You will be receiving a request for items for consideration into the next opening proposal. Your feedback is needed as soon as possible. Thank you for taking the time to respond. For your information, seven associations have settled for 2006-2007. The salary and allowances increase has been three percent.

## **Manitoba Teachers Society**

Immediately Contact a MTS staff  
officer for advice if you are faced  
with allegation of abuse or assault.

1-800-262-8803  
or  
1-204-888-7961

## **Back Pay Calculations**

Many FTA members have expressed concern and confusion over the payment of back-pay associated with the signing of the new collective agreement. The FTA would like to encourage all of its members to take a very close look at the amount of back-pay they received. There have been incorrect amounts paid out associated with several items.

In order to attempt to calculate the back-pay that you were entitled to, you will need a copy of both the new and old collective agreements. From there it is a comparison of amounts that are applicable to you for the years you were employed with the division. A basic example is provided below:

A FSD employee, who is a Class 4 teacher, with five years of experience in 2002/03, who was employed for the years up to 2004/05.

### ***Was Paid:***

2002/03 - \$49 145  
2003/04 - \$51 262  
2004/05 - \$53 391 divided by 26 multiplied by 24 =  
\$49 284

### ***New Pay Scale:***

2002/03 - \$50 619  
2003/04 - \$54 384  
2004/05 - \$58 599 divided by 26 multiplied by 24 =  
\$54 091

### ***Bay Pay Owning:***

2002/03 - \$50 619 - \$49 145 = \$1 474  
2003/04 - \$54 384 - \$51 262 = \$3 122  
2004/05 - \$54 091 - \$49 284 = \$4 807  
**Total Owning            \$9 403**

Similar calculations can be made for other items that are subject to back pay. See the Negotiations Report in this issue for more information.

Note: The new pay scale went into effect during the 2004/05 school year after the 24<sup>th</sup> pay cheque was issued. The 25<sup>th</sup> and 26<sup>th</sup> cheques were issued using the new pay scale.

## FTA Executive

Here are your FTA Executive members for the 2005-06 school year:

President – Erin Williams  
 President Designate – Dean Elliot  
 Vice President – Michael Ferchuk  
 Past President – Robin Reed  
 Treasurer – Dodie Johnston  
 Secretary – Laurie Paterson  
 Equality In Education – Edie Turner  
 Employee Benefits – Heather Paul  
 Collective Bargaining – Scott Miller  
 Housing – Michael Ferchuk  
 Workplace Safety & Health – Linda Smerch  
 Public Relations – Trevor Reid  
 Archival – Byron Apetagon  
 Professional Development – Robin Reed  
 Grievances & Disputes – Tom Crawford  
 District 7 Rep – Shawn Hafenbrak  
 District 8 Rep – Wendell Head  
 District 10 Rep – Cindy Scott

## Electoral Districts

In addition to the listed portfolios, many of the executive members have responsibilities to the membership in their electoral district. If you have questions or concerns, feel free to contact the FTA Executive member responsible for your electoral district.

### District 1 – Scott Miller

- Gillam
- D.R. Hamilton
- Joseph H. Kerr
- Area 1 Consultants

### District 2 – Tom Crawford

- Oscar Blackburn
- Brochet
- Leaf Rapids Education Centre

### District 3 – Heather Paul

- Jack River
- HBOIERC Early Years
- Area 5 Consultants
- Winnipeg Office

### District 4 – Byron Apetagon

- HBOIERC Middle Years
- HBOIERC Senior Years
- Any other member not specifically assigned to a specific area within HBOIERC

### District 5 – Linda Smerch

- Cranberry Portage Elementary
- Frontier Collegiate Institute
- Rod Martin
- Area 4 Consultants

### District 6 – Edie Turner

- Grand Rapids
- Duck Bay
- Cormorant

### District 7 – Shawn Hafenbrak

- Wanipagow
- Lakefront
- Waterhen
- Skownan
- Rorketon

### District 8 – Wendell Head

- Disbrowe
- Cold Lake
- Matheson Island
- Granville Lake
- Peonan Point
- Pine Dock
- Stevenson Island
- Ministic
- Pikwitonei
- Bisset
- Thicket Portage
- Falcon Beach
- Pelican Rapids
- Mountain View

### District 9 – Trevor Reid

- Berens River
- Julie Lindall
- Gypsumville
- Philomene Chartrand
- Area 2 & 3 Consultants

### District 10 – Cindy Scott

- Duke of Marlborough
- West Lynn Heights
- Mel Johnson

## An Evening With Gwynne Dyer

On the evening of September 11, 2005 I had the pleasure of listening to freelance journalist, columnist, broadcaster and lecturer on international affairs Gwynne Dyer. Mr. Dyer spoke at length about the “War on Terror”, America’s role in the modern world, and the role Canada and other smaller nations can play in international affairs.

The “War on Terror,” Mr. Dyer concluded, is a plan by the United States and the neo-conservatives of the Bush administration to create a “smoke screen to divert public attention from the real issue - a plan to isolate China from international affairs, and to make sure the US holds on to its role as sole superpower in the world.”

Mr. Dyer assured us that a terrorist organization has never in recorded history overthrown a government in power. The Islamic radicals in any of the Arab nations have never taken power in any of the Arab nations. The only Islamic radicals that ever took power in an Islamic country were those in Afghanistan, and they would never have gained power without the military aid of the United States. When you think about the events that took place leading up to 9/11, it is almost surreal. The United States gave military aid to Afghan rebels to stop the Soviet occupation of Afghanistan. Arab fighters were drawn into the conflict because the Russians were waging a war against Islam. After the defeat of the Russians these fighters sought a new villain to attack, the “Great Satan” America. Which led to the attack on the Twin Towers and all of a sudden we had a War on Terrorism as if terrorism was something new on the world stage. Let us not forget that World War I began because of an act of terror by Siberian nationalists, the assassination of Archduke Ferdinand June 28, 1914. Why this

act of terror started World War I is a study in the stupidity of the human spirit.

Even after the attack on 9/11 why did the United States invade Iraq? Saddam Hussein was a secular leader, not an Islamic Radical. Whether an evil man or not, Iraq was not planning a war on America. As we have learned later the country with weapons of mass destruction was not Iraq. However, the country that invaded Iraq cannot make the same statement. The only nation that has ever used weapons of mass destruction on a large scale is the United States. So why did the Americans invade Iraq if not for the war on terror or for weapons of mass destruction? Could the reason be as simple as oil? The only problem with this argument is that the easier way to get oil is to write a check. So if not for the war on terror, if not for weapons of mass destruction and if not for oil, then what could possibly have been the motivation of the United States? According to Mr. Dyer, the motivation was twofold; first was the belief that the United States had the moral right and duty to shape the world in its own image. After the decline of the Soviet Union the United States was left as the sole superpower, and the American neo-conservatives believed that they, and Ronald “Ray-Gun” had caused the death of communism and saved the world for “truth, justice and the American way”. Therefore, they must spread American democracy and American capitalism over the world. Spread is the correct word, for this task is a little like spreading manure over a field. The real question of course, is whether the Soviet Union was destroyed by the Americans under president Reagan or were the reasons as many and varied as the waves on the ocean? The next question then, is whether or not democracy can be transplanted from one place to another.

The second reason was simple for anyone who cared to look; China, with a billion or more people, has the fastest growing economy in the world. How many years would the Americans continue to be top dog before the Chinese

could offer the world another superpower equal to the Americans? Most experts believe that by 2040 China will be every bit as strong as America. Therefore the Americans had a window of 40 years to change the world. Or they could try and isolate China and give themselves a larger period of time. But how to isolate China? China's growing economy wants more oil and the price will increase. However, if the Americans controlled an oil-producing nation they may be able to influence Chinese demand. That American-ruled oil producing state could refuse to sell oil to the Chinese. But which oil producing state to attack? First we have the "axis of evil", the three nations George Bush Jr. has said can and will export terror.

North Korea, the most obvious of choices has no oil, is close to China and may have nuclear weapons. With the mountainous terrain, the Americans and their allies only just won the last war. Of course the positive for North Korea is that an "Act of War" is still in place - we have a "cease fire" not a peace. The next country is Iran, an oil producing state. It has a mountainous terrain and about 75 million people who hate the USA. They could get into Iran but may never get out. The last country Iraq, was the best choice as it was an oil producing nation, flat as a baby's bottom and had a leader hated by most of the population. So after 9/11 we (the west) invented the weapons of mass destruction and invaded Iraq to spread American freedom. It still remains to be seen whether Iraq will turn out to be a stable state with American freedoms, an American supported state with limited freedoms, or a state of anarchy. My money is on the last option.

Mr. Dyer also pointed out that over the past number of years, the United States has been making alliances with states bordering China as another means of isolation. The new agreement with India could in the future prove to be a military alliance rather than just an agreement on military bases and supports.

It is important to end at this time the letter on the lecture that Mr. Dyer gave on September 11, 2005 in Thompson, Manitoba with a little humor. Since 9/11, over twice as many people have drowned in their bathtubs than have been killed by terrorist attacks. Therefore, my wife and I have made a pact to never bathe alone.

*Scott Miller*

**Until next time enjoy these delightful anecdotes and be glad that your name isn't on the list!**

"Whenever I watch TV and see those poor starving kids all over the world, I can't help but cry. I mean I'd love to be skinny like that but not with all those flies and death and stuff."

*Mariah Carey*

"Smoking kills. If you're killed, you've lost a very important part of your life."

*Brooke Shields*

"Outside of the killings, Washington has one of the lowest crime rates in the country."

*Mayor Marion Barry*

"It isn't pollution that's harming the environment. It's the impurities in our air and water that are doing it."

*Al Gore*

"We have to pause and ask ourselves: How much clean air do we need?"

*Lee Iacocca*

We don't necessarily discriminate. We simply exclude certain types of people.

*Colonel Gerald Wellman*

"Traditionally, most of Australia's imports come from overseas."

*Keppel Enderbery*