

# The Apple Core

Oct 2021

## Upcoming Events

- Oct. 20 - Early Dismissal
- Oct. 21 - CB Committee Meeting
- Oct. 22 - MTS PD Day
- Oct. 23 - Presidents' Council
- Oct. 26 - Liaison Meeting
- Oct. 28 - GVTA-GVSD Fall BBQ
- Oct. 29 - Dental Benefits Vote
  
- Nov. 2 - GVTA Executive meeting
- Nov. 3 - ESJ Book Club
- Nov. 11 - Remembrance Day
- Nov. 15 - Presidents' Learning Series
- Nov. 16 - PD Committee Meeting
- Nov. 17 - Mini Mel Myers Conference
- Nov. 17 - Early Dismissal
- Nov. 18 - CB Committee Meeting
- Nov. 19 - K-8 Admin Day
- Nov. 19 - 9-12 PD Day
  
- Dec. 1 - ESJ Book Club
- Dec. 2&3 - K-8 Student involved Conferences
- Dec. 3 - 9-12 Admin Day
- Dec. 7 - GVTA Executive Meeting
- Dec. 9 - CB Committee Meeting
- Dec. 15 - Early Dismissal
- Dec. 21 - PD Committee Meeting
- Dec. 22 - Last day of classes in 2021
- Dec. 23 - Jan. 5 - Schools Closed
  
- Jan. 11 - GVTA Executive Meeting
- Jan. 12 - ESJ Book Club
- Jan. 13 - CB Committee
- Jan. 15 - Presidents' council
- Jan. 17 - Presidents' Learning Series
- Jan. 18 - PD Committee Meeting
- Jan. 19 - Early Dismissal
- Jan. 20 - Liaison Meeting
  
- Feb. 1 - GVTA Executive Meeting
- Feb. 2 - ESJ Book Club
- Feb. 4 - No Classes

Hello GVTA members,

This past week, we had some unfortunate [news from our Bill 28 court challenge](#). Manitoba's Court of Appeal found that Bill 28, which limits all monetary compensation increases to 0%, 0%, 0.75%, and 1% over a 4-year "sustainability period", is constitutional. [The decision from the Court of Appeal](#) overturns the initial ruling from the Court of Queen's Bench in which the legislation was described as "draconian". The next step for the challenge would need to take place in the Supreme Court of Canada. For those who might be new to this court challenge or may have lost track of this thread, I wanted to write to let you know what has happened and why we need to keep fighting.

### The General Premise of Our Court Challenge

In multiple provinces, legislation has been introduced that limit what public sector workers can receive as pay increases. Many of these pieces of legislation, often called wage restraint legislation, put in specific numbers for the allowable increases. In Manitoba, Bill 28 stipulates all compensation increases must be capped at 0%, 0%, 0.75%, and 1% within a 4-year sustainability period. These imposed values would not match inflation and would mean that your salary would not be able to purchase as much next year as it did this year. This is concerning as it is part of the mission of MTS to advance and safeguard the economic status of the teaching profession. The larger issue here is the undermining of the bargaining process which is the major process used to safeguard and advance the economic status of the teaching profession. Therefore, on behalf of members, court challenges have been filed by unions against each province's wage restraint legislation.

These challenges are rooted in the [well-documented precedence](#) that the charter-protected right to freedom of association includes *the right to good faith and meaningful collective bargaining*. Significant interference in collective bargaining is considered an infringement on this charter right as it eliminates the possibility of achieving the goals of the employees. Predetermining the outcome of bargaining through wage restraint legislation is a removal of the necessary bargaining requirements of good faith, fairness, and meaningfulness. This makes wage restraint legislation like Bill 28 that remove good faith and meaning from the bargaining process an infringement upon the right to collective bargaining and therefore unconstitutional. [The Manitoba's Court of Queen's Bench agreed with this rationale.](#)

## **Court of Appeal Decisions**

Nearly identical wage restraint legislation to Manitoba's Bill 28 has already made its way through the courts in Nova Scotia. The Supreme Court of Canada [chose not to hear the case](#) in Nova Scotia without commenting as to why. This made the [Nova Scotia Court of Appeal's decision](#) to allow for the legislated interference final. Since Nova Scotia is a little ahead of us, we get to learn a little from their missteps. This has allowed for our arguments, selected evidence, and the resultant rulings to speak more to the heart of the issue than Nova Scotia's challenge did.

The Court of Appeal in Nova Scotia and the Court of Appeal in Manitoba use the standard of constitutionality set out in a [cornerstone case](#) from the Supreme Court of Canada. This case involved ununionized RCMP officers fighting wage restraint legislation within a constitutionally inadequate labour relations framework. According to this cornerstone case, this specific wage restraint legislation was deemed constitutional for four reasons:

1. The legislated agreement reflected similar wage increases to those in comparable sectors—therefore meaning that it may have been a bargained result without the imposed legislation.
2. Wages were restrained but other compensation/remuneration was able to be bargained (for example, the value of service increments increased by 50%).
3. The bargaining process continued unimpeded
4. The collective pursuit of workplace goals was not impaired

Using this test, it is hard to see how the Court of Appeal in Manitoba ended up with the conclusion that Bill 28 was constitutional. While wage increases of 0%, 0%, 0.75%, and 1% are present in Manitoba, they are only present in agreements within the impacted public sector due to claw back provisions written into Bill 28. To the second item on the test, the judge is correct that restraining wages and not full compensation is consistent with the case law. However, Bill 28 caps both wages and any other compensation by stating, “no collective agreement or arbitral decision may provide for an increase to existing additional remuneration — or for any new additional remuneration — for any employees” unless approved by the treasury board. Please note, the treasury board is a sub-committee of cabinet that would all be bound to the wage restraint goals in their mandate letters from the premier. Since all compensation and not just wages are capped, Bill 28 fails to meet the standard of the second part of the test from the cornerstone case.

Speaking to the third item of the test, bargaining halted for nearly three full years with the introduction of Bill 28. Talks ceased and only began again after the ruling of from Court of Queen's Bench ruled Bill 28 unconstitutional. As for item 4, workplace goal discussions were impaired as provincial bargaining legislation was tabled and to avoid having pay frozen at 2018 levels, collective agreements across the province only negotiated salary- not working conditions.

This whole test is to see if it is even possible for the process to produce a result where the goals of both the employer and the employee is possible. With the legislation put forward by the Manitoba government, such a result would be illegal and clawed back. Having failed all 4 items on the test that the Court of Appeal used, I do not understand how Bill 28 was seen as constitutional. However, no matter how illogical it seems to me, this is the law of the land unless the Supreme Court of Canada says otherwise.

## **What Happens Next?**

While the government is signalling that our most recent agreement (ending in June 2022) will not be clawed back, it will depend on the goals of the next Premier of Manitoba and what goals she will send in her mandate letters to her selected cabinet members.

If the Supreme Court of Canada chooses not to hear our challenge, the law of the land in Manitoba is that the provincial government can dictate the maximums possible through negotiations of collective agreements and therefore make meaningful progress at the bargaining table nearly impossible. However, if the Supreme Court of Canada does hear the case, it could echo a related and relatively [recent ruling in B.C.](#) In this case between the B.C. Teachers' Federation and the B.C. government, the court both opened and closed the case in only a

Garden Valley Teachers' Association members work on the traditional lands of the Anishinaabe, and the homeland of the Métis nation. GVTA respects the Treaties that were made on this territory.

manner of hours. The final decision was an incredibly rare one paragraph decision that simply agrees with the trial court judge. The trial court judge found that the “province did not consult in good faith, and that infringement of freedom of association [is] not justifiable.” Our challenge comes down to the same argument, wage restraint legislation removes the necessary concept of good faith from bargaining.

From the start of this challenge, it was likely that we would need to resolve this issue before the Supreme Court of Canada. Even if we fail to have our case heard in Manitoba, Ontario is over a full year behind us in the process and will be able to learn from any of our missteps. This will help them improve their chances of going through Ontario’s judicial system and getting before the Supreme Court of Canada. We only need one ruling from the Supreme Court to settle this issue and so we must keep pushing forward to protect our rights and the economic status of the teaching profession.

In Solidarity,

Mike Urichuk

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## Slick Advice

Mary Eberling-Penner, WSH representative.

The weather is changing! Beware of conditions that might cause falls.

There’s a lot you can do to avoid slip-and-fall injuries, such as:

- Wear appropriate winter footwear.
- Test your travel path for slickness.
- Do the penguin shuffle.
- Slide your shoe or boot on a path before proceeding.
- Use walkways that have been salted or shoveled.
- Don’t take shortcuts over snow piles or in areas where snow and ice removal isn’t feasible.
- Footwear should be well insulated and waterproof, and have a nonslip, thick sole and a wide, low heel. Ice grippers can also improve walking on ice or snow.
- Walk flat-footed. Take short steps to maintain your center of balance over your feet. Keep your head up and don’t lean forward. Walk slowly.
- Step down, not out. When getting out of your car, it's important to step down, not out. To do this, swing both legs out of the door, place both feet on the ground, flat footed. Grab onto the door frame or steering wheel to support you as you stand up. Use at least three points of contact, two feet and one hand. When stepping down from a curb, step flat footed off the curb to minimize your forward momentum. Don’t allow the leading foot to land heel-first.



Stay safe!

Submitted by Mary Eberling-Penner, WSH representative.

# Social & Teacher Wellness

Brenda Richer & Brandy Springer

*“Intelligence plus character- that is the goal of true education”*

~Martin Luther King Jr.

## What's New

This year's New Teacher Dinner was a great opportunity to relax and take a moment to meet some of the new staff. Thank you to all who participated in making it a success!

Brandy and I are hoping to add some “Social” back in this committee, if PHO allows. What might we be cooking up, you ask? Go to Instagram @GVTeach or keep your eyes on the Applecore for the latest events.

Do you have favorites from last year or do you want to do something new? Let us know, as we are working for you!

Fall is here and I couldn't be happier! Fall has always been my personal favorite... the changing leaves, the crisp autumn breeze and the start of a brand-new school year. As Canadians we know what comes next... but instead of dreading the next season let's think of ways that we can enjoy fall and soak up some of the beautiful fall days.

- Take a walk with a friend or colleague. Lunch time walks are great for relieving work tension and breaking up your day if you find yourself sitting in a desk for long periods of time. After work walks with friends can be great for reconnection and building a good work-life balance.
- Visit a local pumpkin patch or corn maze with your family
- Find the fun in your yard work... you're never too old to jump into that pile of leaves
- Read a book outside – curl up with a blanket and a cup of something warm

Spend time with the people that bring you joy. Disconnect to reconnect – the job will be there waiting, enjoy the season with those you love.

What ways do you plan to enjoy the season? Happy Fall y'all!

## Awesome Recipes for Pumpkin Seeds

By [Wholefully.com](http://Wholefully.com)

### Salt and Pepper Roasted Pumpkin Seeds

These pumpkin seeds prove just how spicy black pepper can be! For a full nose-tickling kick, add the full amount; for just a little bit of black pepper flavor, add less. Since the black pepper is the predominant flavor in these seeds, fresh cracked is the way to go!

To make salt and pepper pumpkin seeds, for each half cup of raw pumpkin seeds, you'll need:

- 1 teaspoon olive oil
- 1/2 teaspoon sea salt
- 1/8–1/2 teaspoon black pepper

### Cinnamon Sugar Pumpkin Seeds

Crunchy and sweet, these are my favorite pumpkin seeds of the lot! The brown sugar in these has a tendency to burn in the oven, so keep a close eye on them. You might be tempted to skip the salt here, but it really helps develop the flavor and sweetness. It doesn't make the seeds taste salty or savory, it just adds a nice depth to the flavor.

To make cinnamon sugar pumpkin seeds, for each half cup of raw pumpkin seeds, you'll need:

- 1 teaspoon olive oil
- 1 tablespoon brown sugar
- 1/2 teaspoon cinnamon
- Pinch of salt

## Ranch Roasted Pumpkin Seeds



It takes a little bit of a lot of different spices to get the classic ranch flavor! If you end up liking this mixture, you can make it up in bulk and stash it in your pantry in a jar (these Ball spice jars are my favorite for seasonings like this). Ranch can be a hard flavor to replicate at home, so if you have a specific powdered ranch dressing packet or recipe that you like, you can also just toss the seeds with that after they have their olive oil bath.

To make ranch pumpkin seeds, for each half cup of raw pumpkin seeds, you'll need:

- 1 teaspoon olive oil
- 1/2 teaspoon sea salt
- 1/4 teaspoon onion powder
- 1/4 teaspoon parsley
- 1/4 teaspoon garlic powder
- 1/4 teaspoon dill
- 1/8 teaspoon dry mustard
- 1/8 teaspoon celery seed
- 1/8 teaspoon paprika
- 1/8 teaspoon black pepper

## Pizza Roasted Pumpkin Seeds

These are my absolute favorite of the savory pumpkin seeds! The Parmesan cheese gets such an awesome, nutty flavor during roasting. Feel free to swap out the Parmesan for nutritional yeast if you want to make these pumpkin seeds vegan. If you happen to have some tomato powder kicking around (yeah, I know, only us weirdo food preservers do), adding a pinch or two of that to the pizza mix is delicious!

To make pizza pumpkin seeds, for each half cup of raw pumpkin seeds, you'll need:

- 1 teaspoon olive oil
- 1/2 teaspoon dried oregano
- 1 tablespoon grated Parmesan cheese or nutritional yeast
- 1/4 teaspoon sea salt
- 1/8 teaspoon garlic powder
- 1/2 teaspoon dried basil

## Sweet & Spicy Pumpkin Seeds

You can't beat the interesting combo of sweetness with just a touch of kick! These aren't super spicy, but the heat does build after a handful (or two). If you're afraid of the heat, leave out the black pepper. It doesn't seem like it would do much, but it adds another dimension of spicy that can be overwhelming to some palates.

To make sweet & spicy pumpkin seeds, for each half cup of raw pumpkin seeds, you'll need:

- 1 teaspoon olive oil
- 1/2 teaspoon sea salt
- 1/8 teaspoon black pepper
- 1 tablespoon brown sugar
- 1/8 teaspoon cayenne pepper

## Dill Pickle Roasted Pumpkin Seeds

I'm kinda a bit of a dill fanatic. It is absolutely my favorite herb (and is super easy to grow—do it!). These dill pickle pumpkin seeds are flecked with dill and garlic—like a crispy version of your favorite pickle. The vinegar just adds a touch of the acidic flavor that pickles are known for. If you happen to have citric acid around from canning, that will work in place of the vinegar to add that tang, too. Add just a pinch instead of the white vinegar.

To make dill pickle pumpkin seeds, for each half cup of raw pumpkin seeds, you'll need:

- 1 teaspoon olive oil
- 1 teaspoon white vinegar
- 1 teaspoon dill
- 1/2 teaspoon garlic powder
- 1/2 teaspoon sea salt
- 1/8 teaspoon black pepper



# GVTA CHANGE IN DENTAL BENEFITS VOTE

**AN ELECTRONIC VOTE WILL  
BE TAKING PLACE ON  
OCTOBER 29, 2021**

## **WHY ARE WE VOTING?**

Two reasons:

1. We have a surplus in our Dental Plan that allows for a reduction of premiums.
2. With the legislation to move to Provincial Bargaining, we ought to consider the future (and the interim) of the Dental Plan in this circumstance.



## **What do I need to know? Some Background...**

### Surplus:

We have a healthy surplus of funds in the Dental Plan that will allow us to reduce premiums for members. The size of the reduction depends on whether we want to keep the current benefits or look to increase a segment of the benefits in the plan.

### Provincial Bargaining:

All Employee Benefits are enshrined in collective agreements. The current system of one Gross Grid and one Net Grid for each Association will likely cease under Provincial Bargaining. This means Garden Valley will no longer have its own agreements and will not be able to retain its assets under the present Manitoba Provincial School Employees (MPSE) Dental plan. The good news? Being part of a larger group (Provincial) is advantageous: more participants in the plan will mitigate claims experience and thus increase the potential for lower and more stable premiums over the long term.

# Our Options

Accounting for the claims experience, assumed COLA of 2% retroactive to September 2021, our choices will be as follows:

**OPTION A** - Remain with the present coverage until amalgamated into the Provincial plan (either through Provincial Bargaining or future amalgamations).

- 80% level one - Basic category - (majority of services)
- 50% level two - Major and Restorative - major dental services like implants/inlays/onlays/crowns/ Bridges
- 50% level three - Orthodontics - for eligible dependent children
- All to a combined maximum of **\$1500/person/year**
- 13% decrease in premiums effective January 2022 **(reduction of \$15.50/month per family)**

**OPTION B** - Amend coverage and join a “new group” with claims experience based on the total group (Essentially the ‘Provincial plan’ that will result from Provincial Bargaining and/or amalgamation).

- 80% level one - Basic category - (majority of services)
- 50% level two - Major and Restorative - major dental services like implants/inlays/onlays/crowns/ Bridges
- 50% level three - Orthodontics - for eligible dependent children
- All to a combined maximum of **\$1750/person/year**
- 10% decrease in premiums effective January 2022 **(reduction of \$12.00/month per family)**

Please feel free to send any inquiries to the Employee Benefits Chair ([kirsten.carman@gvsd.ca](mailto:kirsten.carman@gvsd.ca)).