

NEWFOUNDLAND AND LABRADOR TEACHERS' ASSOCIATION

T H E

# bulletin

TEACHERSCHANGELIVES.CA

Vol. 63/No. 5

May/June 2020



STAY  
SAFE



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# Up Front from the President



*And it's a great day to be alive  
I know the sun's still shining  
When I close my eyes  
There's some hard times in the neighborhood  
But why can't every day be just this good.*  
~ Travis Tritt

None of us would take the position that this spring has been one that we would have wanted. There have been disruptions to all our lives. Our classes have been suspended. We have had to immerse ourselves in a world that we aren't accustomed to. Economic concerns for many are real and dramatic, and creating a level of concern our generation has never seen.

One thing I do know for certain is that people are resilient. NLTA members have stepped up to maintain a "new normal" and learning for students is continuing as a result of the efforts that all of you are making. For the future of our province it is critically important that we continue to do this. The collaboration between the Department, the school districts and the NLTA have allowed the education system to continue to function. We know that it can't be business as usual and what has been established is remote learning to provide a continuity of contact that students, parents and teachers absolutely need as we traverse the challenges before us.

In order to address these challenges it is imperative that we rethink how we interact with our colleagues and our families.

Using various video streaming platforms has allowed us to stay together while we stay apart. Easter dinners done via Zoom, concerts streamed through Facebook live, choirs performing beautiful renditions of our National Anthem have all become means by which we maintain some semblance of "normality".

As we move through May and into June there are other annual events that happen in our schools. Our graduating students would be preparing for and holding their graduation ceremonies, but these are going to be held in a different manner. This is an important milestone for students, parents and an opportunity for our province's teachers to share in this momentous event. As teachers we are all very proud of the accomplishments of our students. In many ways as teachers, graduation marks a celebration of our accomplishments as well. To all of you – be proud of what you have done with your students. Your influence on them at various stages of their journey, from Kindergarten to Grade 12, is what played a tremendous role in their reaching this stage. While the formal event may be different this year, the reason for the event is not. We all wish the graduating class of 2020 the very best in their futures.

There are also many of you who are concluding your career in education this year. I am sure that when you began your career, this was not the way you envisioned that you would conclude it. The

spring cycle of retirement functions will also be altered. But just as with our students, altering the means by which this milestone is acknowledged does not alter the significance of it. You have contributed to so many students for many years. I wish you all the very best in whatever your next stage will bring. Thank you for your contributions.

As I write this, I know that we are moving to what would be the beginning of the summer break. What the summer will bring is an unknown. It will be a different summer, but that doesn't mean it can't be an enjoyable one. I hope all of you find the time to make it what you want it to be. Take the time to recharge and rejuvenate. Be good to yourselves and your family. Unless we start with that, we can't be good to any other part of our lives – personally or professionally.

Until next time...

*Whether we remain the ash or become the Phoenix is up to us. ~ Ming-Dao Deng*

[Click here for President's Year-end Message 2019-20](#)

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**bulletin**

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The Bulletin is published five times a year during the school year by the Newfoundland & Labrador Teachers' Association, 3 Kenmount Road, St. John's, Newfoundland, Canada, A1B 1W1. Tel: 709-726-3223; 1-800-563-3599 labrowne@nlta.nl.ca www.nlta.nl.ca Follow us on FaceBook and Twitter @NLTeachersAssoc

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Deadlines for material are: September/October: September 8 November/December: November 2

ISSN-1189-9662  
Printed on Recycled Paper



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The NLTA wishes to assure all members that Employee Assistance Program (EAP) Coordinators are available through telephone and email to serve teachers and provide support during this unprecedented COVID-19 pandemic. EAP Coordinators are still sending referrals to counsellors who have adjusted their platform of service during this time. Members will have counselling options in the format with which you feel more comfortable (i.e. telephone or e-counselling). Please reach out to EAP with your needs and questions at this time.

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**BETH-ANN SARAH (PITTMAN) YOUNG, 1980 – 2020**

Beth-Ann (Pittman) Young

Beth-Ann Sarah (Pittman) Young, devoted wife and loving mother of three beautiful children, passed away on March 25, 2020, at the age of 39, at Western Memorial Hospital in Corner Brook, NL.

She was born on September 2, 1980, in Corner Brook, to John and Georgina Pittman, and on this day her instant and life-long bond was created with her only brother, Christopher.

Upon graduation from high school, Beth-Ann continued on with her studies at Memorial University of Newfoundland where she graduated with a Bachelor of Education (Primary/Elementary) in 2002. After graduation, she moved to Dartmouth, NS, with Michael, where she worked as a school teacher. Beth-Ann primarily worked in primary education and early literacy. She also became a certified Reading Recovery teacher during her time in HRM. She loved working with children, and they loved her back equally. She received ultimate pleasure in seeing her children succeed and took all of their personal education and home life situations to heart.

In 2004, Beth-Ann married her high school sweetheart, Michael. They grew their family and Noah, Olivia and Maggie were born. While raising a family, working full time and expecting her third child, Maggie, she obtained her Master of Education in Literacy in 2011 from Mount Saint Vincent University.

In 2012, the family decided to move home to Deer Lake, NL, so that Noah, Olivia and Maggie could be close to family and spend time and grow up with their grandparents and cousins. Beth-Ann continued to work part-time at the schools in Deer Lake and fully enjoyed her teaching career in NL. Her love of children also inspired her to be a Sunday School teacher and a Girl Guide Leader.

In the past few years Beth-Ann became a board member and active volunteer of the Islaview Foundation in Deer Lake supporting families of children with life-threatening conditions.

Beth-Ann was predeceased by her father John (December 2011) and her mother-in-law, Jean Young (December 2011). She will be forever loved and remembered by her husband and best friend, Michael, and their precious children, Noah, Olivia and Maggie, by her mother Georgina, and her brother Christopher (Nichole). She also leaves to mourn her father-in-law, Freeman Young (Juanita), brother-in-law Wade Young (Dana), sisters-in-law, JoAnne Peckford (Jay Marche), Jackie Swantee, Jenna Young-Blanchard (Keith) and Shelley Coleman (Drew). Beth-Ann will also be fondly remembered by her nephews Andrew, Ethan, Caden, and Conor and nieces Emily, Allison, Callie, and special cousin Sophie, and extended family and her many dear friends.

Beth-Ann will be remembered for her loving personality, her commitment to her family and her zest for life. Her life motto was 'Always Be Kind.'

(Submitted by Michael Young)

## *In Memoriam Submission Guidelines*

Submissions to In Memoriam should be a **maximum of 250 to 300 words** and may contain a photo of the deceased. In Memoriams should be submitted within a timely manner – normally within the same school year (if possible) of the death of the teacher.

Please submit to: Lesley-Ann Browne, Editor, *The Bulletin*, [labrowne@nlta.nl.ca](mailto:labrowne@nlta.nl.ca), Newfoundland and Labrador Teachers' Association, 3 Kenmount Road, St. John's, NL, A1B 1W1; Fax: 709-726-4302 or 1-877-711-6582 (toll-free in province).

Please be sure to include a contact name, school or business name, mailing address, telephone number and e-mail address.

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*"Teacher's pet?  
That's me."*



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## *COVID–19 Pandemic*

# NLTA's Members' First Response to the Public Health Emergency

by STEVE BROOKS

March 13 seems like such a long time ago, and so much has happened in our province and in our world in a relatively short period of time. As you will recall, this date marked the beginning of the COVID–19 pandemic response measures in this province. The provincial government, under the advice of the Chief Medical Officer for Health, began limiting access to recreational facilities and warning against large group gatherings. Your Association raised concerns about how this would impact schools. On March 16, the NLTA publicly questioned the wisdom of continuing in-school instruction when physical distancing was being recognized as the best response to the pandemic. The NLTA headline was, *Schools Should Not Be Treated as a Convenience*. Later that same day, government announced that in-school classes would be suspended immediately.

Throughout this unprecedented event, your Association has been guided by four principles: that the safety of students, teachers and administrators was paramount; that at-home learning plans needed to be flexible and allow teachers to exercise their professional judgement; that NLTA members should not be financially disadvantaged by the suspension of in-school instruction; and, that the best way to minimize anxiety among members would be through regular and timely communications.

As we watched other jurisdictions suspend collective agreements and enhance management rights in response to the pandemic, your Association chose to work collaboratively with the Department of Education and Early Childhood Development, the Newfoundland and Labrador English School District and the Conseil scolaire francophone provincial, to advance these principles. It was not surprising or unexpected, as decisions were being made hourly in what was and still is a fluid and dynamic situation, that misunderstandings occurred. The NLTA was quick to reassure members that teachers and

administrators could not be required to clear out student lockers or clean school property. Likewise, it was determined by March 20 that teachers and administrators would not be required to remain in their school communities as long as they could demonstrate that they would continue to be available for their students and colleagues and work from home.

**“...the Association publicly defended its members under the headline *NLTA Supports COVID–19 Education Plans That Put Families First.*”**

The NLESD worked with the Association in communicating its home learning plan, which ensured that student/teacher contact and learning would continue without unnecessarily exaggerating student learning inequities that have resulted from the suspension of in-school classes. When certain media outlets began exploiting the differences between the NLESD and CSFP home learning plans, the Association publicly defended its members under the headline, *NLTA Supports COVID–19 Education Plans That Put Families First*.

When the provincial government approached the NLTA with concerns about securing child-care for school-aged children of essential workers, your Association negotiated a fair and reasonable Memorandum of Understanding that provided full salary and benefits in replacement contracts for substitute teachers and compensation for administrators, as well as assurance that substitute teacher and administrator participation in the program is strictly voluntary. This MOU limited the groupings of students to six and ensured that no teacher would be providing care without a colleague. The feedback

we have received from the substitute teachers who volunteered has been very positive. This is in stark contrast to the manner in which similar issues have been addressed in other jurisdictions.

As soon as the suspension of in-school classes was announced, the NLTA immediately began lobbying and advocating for economic relief for its most vulnerable members, our substitute teachers. At the federal level, this advocacy included meetings with the Employment Insurance Commissioner for Workers and our provincial Member of Parliament in the federal cabinet, the Honourable Seamus O'Regan, Minister of Natural Resources. Likewise, letters have been sent to all Newfoundland and Labrador MPs as well as: the Federal Ministers of Families, Children and Social Development; Labour, Employment, Workforce Development and Disability Inclusion; Rural Economic Development; Finance; the Minister responsible for the Status of Women; and, the Prime Minister.

In these lobbying efforts, the Association has focused on four main objectives: decreasing the number of insurable hours required for regular EI benefits eligibility; expanding the maximum number of weeks of eligibility for regular EI benefits; increasing allowable earnings thresholds for those who still have part-time employment income during the suspension of regular K–12 in-school instruction; and, decreasing the number of insurable hours required for EI maternity and parental benefits. Following the meeting with Minister O'Regan, the federal government did announce an increase in allowable earnings under the Canada Emergency Response Benefit (CERB). The Association is continuing advocacy at the federal level on all four objectives.

At the provincial level, the Association has repeatedly called for relief for substitute teachers who have been negatively impacted by the suspension of in-school instruction. This advocacy has included requests to the Minister of Education and the Premier. Unfortunately, to date there has been nothing positive to report on that front, other than the limited employment opportunities created through the childcare MOU. Appreciating the financial stress this situation has placed on our most vulnerable members, on April 6, the Association instituted the NLTA COVID–19 Substitute Relief Grant Fund to provide some immediate financial assistance to substitute teachers. To date, nearly 1000 substitute teachers have applied and received the \$625 relief grant. NLTA worked with our auditors and Service Canada to ensure that this money would not be considered income for either income tax or EI reporting purposes. The NLTA COVID–19 Substitute Relief

Grant is an excellent example of how the pooled resources of the membership can be used to assist select groups during times of crisis.

**“...the Association instituted the NLTA COVID–19 Substitute Relief Grant Fund to provide some immediate financial assistance to substitute teachers.”**

NLTA staff have worked tirelessly to achieve the fairest and most flexible family friendly at-home learning expectations in the country while maintaining members' rights. Staff will continue to work on trying to alleviate the financial uncertainty that this pandemic has created for our substitute teachers, including those in part-time contracts. Likewise, staff have responded to hundreds of questions and concerns from members in a timely fashion while having to work from home. The Association has moved quickly to provide accurate information and to address misunderstandings when they arise. While much has been done, there is more to do, and your Association continues to support the needs and interests of the membership.

.....  
*Steve Brooks is Executive Director of the NLTA,  
 sbrooks@nlta.nl.ca.*



# A Summary of NLTA Advocacy Efforts and COVID–19 Financial Assistance Response Measures

by DEANA HATCHER

On March 13, I was facilitating a financial wellness PL session at a school. Fast forward seven weeks later, and I was facilitating the same session online through Google Meet for a different school. That was a first for me and no doubt this has been a period of firsts for many NLTA members. The COVID–19 pandemic has presented opportunities to try out new things; however, the NLTA is adamant that financial hardship should not be one of them.

To provide a bit of perspective, the 2018 poverty line for before tax household incomes in Canada (calculated by Statistics Canada as low income cut-offs (LICOs)) were as follows:

- 1 person: between \$17,844 and \$22,324
- 2 persons: between \$22,214 and \$27,790
- 3 persons: between \$27,309 and \$34,165
- 4 persons: between \$33,158 and \$41,481

[Ref: <https://doi.org/10.25318/1110024101-eng>]

The general public likely has the impression that teachers, like many others, are either working from home and getting paid their *usual* income, or they are not working and are receiving at least \$2,000/month under the Canada Emergency Response Benefit (CERB). However, the reality is not quite that straightforward.

Consider the teachers in this province who are working in part-time contracts. A new teacher in a 25% position earns about \$13,500 (gross) per year, around \$700 bi-weekly. The teacher in this very real example may not qualify for regular Employment Insurance (EI) benefits or the CERB because their part-time salary exceeds the allowable earnings thresholds. At the same time, they are unable to do what they normally do – supplement their income through substitute work. This hybrid partial contract/substitute employment structure is not uncommon in education. Make no mistake, these teachers are not making their *usual* income right now. Indeed, my “sample” early career, quarter-time teacher is now living below the poverty line. This is a problem that

needs to be addressed. To this end, the Association has engaged in focused and ongoing lobbying efforts, explaining the unique circumstances of substitute and part-time teachers to provincial and federal government officials and advocating for appropriate responses to address those unique needs.

The purpose of this article is to share an overview of what the Association has been doing to advocate for members and to highlight the main points about the financial assistance options currently available to members. As we assess government responses, we are continuing to lobby for responses to the serious gaps and inequities which remain.

## FEDERAL ADVOCACY EFFORTS

The Association has lobbied for four enhancements to EI benefits: decrease the number of insurable hours required for regular EI eligibility; expand the maximum number of weeks of eligibility for regular EI benefits; increase allowable earnings thresholds for those who still have part-time employment income during the suspension of regular in-school instruction; and decrease the number of insurable hours required for EI special benefits (maternity and parental).

On March 18, the Federal government announced a COVID–19 emergency support benefit (the CERB). That same day, President Dean Ingram wrote to federal MPs advocating for changes to EI regulations to further address concerns for members, including those with insufficient insurable hours to qualify for regular EI or special EI benefits, such as maternity and parental benefits. On March 20, the Association took part in a national teleconference between labour organizations and the federal Office of the Commissioner for Workers, part of Employment and Social Development Canada (ESDC). President Ingram brought forward recommendations and shared the unique concerns of substitute teach-



ers. The Commissioner made a point in his closing comments, stating “Education is definitely a concern we’re aware of”. Government reworked the original plan and in late March, details of the Canada Emergency Response Plan emerged.

The President wrote another letter on April 2 thanking government for its quick response in providing some relief to our members, while also highlighting the need for additional measures. That letter led to an invitation from Minister Seamus O’Regan to meet by teleconference on April 7. In this meeting, we focused on gaps in federal response measures to date in addressing the unique needs of teachers, particularly part-time teachers who substitute and those ineligible for EI benefits when the CERB eventually comes to an end. Minister O’Regan commented that he would not have understood teachers’ unique issues but for our explanations and that he would be taking our recommendations to Ottawa. Following that meeting, changes were introduced to increase allowable income thresholds while receiving the CERB, up from \$0 to \$1,000 per month. This was an important improvement for those substitute teachers who worked a few days since March 16 and would otherwise have been disqualified under the original CERB rules based on those hours of work. However, very few part-time teachers earn less than \$1,000 per month, so they still do not qualify for CERB benefits even under the new rules. As well, some teachers receiving the CERB now may have no assistance as early as mid-July if they do not have enough hours to qualify for EI by then. New-to-be parents who are not currently EI eligible do not have access to substitute work to gain the insurable hours needed between now and when their babies are due.

In late April, President Ingram wrote again to federal MP Gudie Hutchings, in response to her request for recommendations on improving the federal government’s response, to highlight these gaps. The Association continues to follow up with Minister O’Regan’s office on whether other measures will be forthcoming.

### FEDERAL COVID-19 FINANCIAL RELIEF MEASURES – EI AND CERB

**For members who applied for EI before March 15,** these applications are not considered COVID-19 related. You continue to receive EI and when those benefit weeks run out, you can apply for a new EI claim (if eligible to do so) or for the CERB (if not eligible for a new EI claim at that time). If you qualify for a new claim before an existing one runs out, you may have the option to cancel your existing claim

and apply for a new one. Doing so would mean that the remaining weeks under the old claim would be lost and you may be assessed for the CERB under the new claim. To explore that option, you should seek advice from Service Canada so they can review your individual circumstances with you. Rather than cancel your existing claim, you can continue with your existing claim and apply for a new Regular or Sickness EI claim when the first one runs out. On application for the new claim, you will be assessed for CERB automatically and if you qualify, you would be paid CERB first, then your weeks from that new EI claim would be available, if needed, after that time. You should note that EI benefits and the CERB cannot be received at the same time and that the CERB is currently available for the period between March 15 and October 3 only.

**For members who applied for a new Regular or Sickness EI claim starting March 15, 2020 or later,** you will most likely receive the CERB automatically, through Service Canada. You still need to report your earnings to Service Canada, similar to when filing an EI claim. You will be paid as of the first week of your claim, for a maximum of 16 weeks at \$500 per week, paid biweekly if you are filing biweekly earnings reports (\$8,000 maximum), for example. When your CERB runs out, you will be able to access any regular EI benefits that were “frozen” during the period you received the CERB. For these members, you only deal with Service Canada for both EI and the CERB. If you have not already applied for EI or CERB, and need information about eligibility criteria or how to apply, you can call an automated telephone service at 1-833-966-2099. If you have already applied for the CERB through EI and have questions, you can reach a CERB agent at 1-833-699-0299.

**For members who are not eligible for EI,** you may be eligible for the CERB. You would need to apply directly for that benefit through CRA, and after you receive CERB benefits for one payment period, you then need to reapply at the beginning of each payment period, while you remain eligible. There are seven Payment Periods (28 days each) and you can receive benefits for a maximum of four of those payment periods (\$8,000 maximum). When the CERB was first brought in, you were not permitted to have any earnings in order to qualify. Recent changes allow up to \$1,000 per month in earnings, in addition to your CERB benefits. Teachers who did not previously qualify should review the new earnings criteria to determine if they qualify for CERB benefits as the changes apply retroactively from March 15 onward.

*(cont’d. on page 10)*

### CANADA EMERGENCY RESPONSE BENEFIT (CERB) ELIGIBILITY CRITERIA

- You stopped or will stop working due to COVID-19 or are eligible for EI regular or sickness benefits
- You did not apply for, nor receive, CERB or EI benefits for the same eligibility period
- You did not quit your job voluntarily
- You reside in Canada
- You are 15 years of age or older when you apply
- You earned a minimum of \$5,000 (before taxes) income in the last 12 months or in 2019 from one or more of the following sources: employment income, self-employment income, provincial or federal benefits related to maternity or paternity leave
- You can earn up to \$1,000 per month while collecting the CERB
- CERB is available to workers who have recently exhausted their EI regular benefits and are unable to find a job because of COVID-19. This applies if you received regular EI benefits for at least one week since December 29, 2019, but are no longer eligible for EI benefits.

There is a slight difference in the criteria for the first payment period, compared to subsequent ones. For instance, if you stopped or will stop working due to COVID-19 and are applying for CERB for the first time, it is required that for at least 14 days in a row during the four-week payment period, you do not expect to receive more than \$1,000 (before taxes) from employment and/or self-employment income. If you then re-apply for another period, it is required that you do not expect your situation to change during this four-week period and you do not expect to receive more than \$1,000 (before taxes) from employment and/or self-employment income. Benefits do not have to be taken consecutively. Rather, you can reapply for a benefit period a few months after the previous one, based on your personal situation.

The CERB is designed to get money into the hands of Canadians quickly, based on a self-attestation and verification of eligibility later. Teachers should review the eligibility criteria provided by the CRA and by Service Canada then reply in good faith to the eligibility questions asked of you. If a verification review later determines that you are not eligible for the CERB, you will be required to pay back any monies received. If you received a CERB benefit but your situation changed and you need to repay that benefit, you can do so as well. Information on how to repay can be found here: <https://www.canada.ca/en/revenue-agency/services/benefits/apply-for-cerb-with->

[cra.html#return](https://www.canada.ca/en/services/benefits/ei/cerb-application/questions.html). Many people feel uncomfortable applying without that certainty, which is understandable. We are gathering information for members and sharing what we learn, but unfortunately the Association cannot provide absolute assurances about any one individual's eligibility. The federal government website is updated regularly with answers to common questions, and can be found here: <https://www.canada.ca/en/services/benefits/ei/cerb-application/questions.html>. Teachers are also reminded that CERB payments are taxable but no income taxes are deducted at source. A T4 information slip will be made available for the 2020 tax year under your CRA My Account. Those with questions about the CERB may contact a CRA agent at 1-833-966-2099.

### PROVINCIAL ADVOCACY EFFORTS

The Association has also been lobbying the provincial government to provide financial relief for substitute teachers to offset income losses. To date, there's been no definitive response. When schools were asked to open their doors to accommodate childcare needs for essential workers, the NLTA negotiated an agreement ensuring voluntary participation by substitute teachers and administrators, providing for fair compensation and benefits, as well as workplace safety controls. The Association's advocacy efforts with the provincial government are ongoing and will continue. President Ingram has recently written to Minister Warr in continued efforts to secure provincial government support for substitute teachers.

### NLTA RESPONSE – RELIEF GRANT FOR SUBSTITUTE TEACHERS

On April 6, the NLTA announced that Provincial Executive had established a \$1.56 million fund for a COVID-19 Substitute Relief Grant, created to provide financial support through a one-time payment of \$625 to eligible members. Eligibility guidelines and information on how to apply can be found here: <https://lfweb.nlta.nl.ca/Forms/relief>.

When preparing to introduce its COVID-19 Substitute Relief Grant, the Association lobbied the provincial government to contribute towards this fund, which would have allowed for a higher payment amount. Such an approach, as part of a one-time relief grant payment, would have avoided government/employer support having a negative impact on federal CERB and/or EI benefits eligibility. Unfortunately, our provincial government was not willing to participate.

Please note that, if you receive EI benefits, you can include the relief grant payment under “other monies” and indicate in the comments that it is paid by the NLTA as part of the NLTA COVID-19 Substitute Relief Grant. Service Canada has reviewed the program and confirmed that the grant will not count as earnings for EI purposes.

### FINAL THOUGHTS

Every story or question members share in conversations, by email, or posting to the NLTA Teacher Voice Facebook page, reaffirms that members’ voices are key to the Association’s efforts to effect change and to providing the information and updates that teachers need. There is nothing inherently riveting about reading EI regulations or CERB eligibility criteria. However, learning of a change or finding a new nugget of information is exciting when it leads to connection with and assistance for NLTA members who

may be impacted by changes. We know that more needs to be done, and we are privileged to advocate on your behalf, both provincially and federally, for additional measures.

Substitute teachers with questions regarding financial assistance should contact an NLTA Administrative Officer at [mail@nlta.nl.ca](mailto:mail@nlta.nl.ca).

*Deana Hatcher is an Administrative Officer in Programs and Services at the NLTA, [dhatcher@nlta.nl.ca](mailto:dhatcher@nlta.nl.ca).*

## IMPORTANT NOTICE

### NLESD Substitute Teachers

In order to be approved to the Newfoundland and Labrador English School District (NLESD) substitute lists for the upcoming 2020–21 school year, current substitute/temporary/casual employees and employees on an approved leave of absence who are employed by the NLESD at the end of the 2019–20 school year, are required to submit an internal Criminal Offence Declaration form. This is a written declaration on your NLESD profile to be prepared by the teacher listing the individual’s charges and convictions for criminal offences under the Criminal Code of Canada and provincial legislation, since last submitting a Criminal Record Check or Criminal Offence Declaration to the District, up to and including the date of the declaration.

If you have never been employed by or have severed employment with the District and are planning to substitute in 2020–21, you will need to provide a new Criminal Record Check and Vulnerable Sector Check. Upon receiving your documents, they are then valid for six months. Due to the overwhelming volume of requests to the RNC and RCMP regarding Code of Conduct/Vulnerable Sector Checks, it is recommended to apply early to avoid delays. During the pandemic, RNC and some RCMP detachments have not been accepting requests for CRC/VS Checks. As a result, the NLESD is implementing temporary procedures to address this concern. A new teacher will need to upload, to their online NLESD profile, their latest CRC/VS Check document in their possession. If the document is not dated within the last six months, the teacher must also complete the NLESD Criminal Offence Declaration form on your online profile. The Association has requested that such requirements be communicated on the Job Opportunities section of the NLESD website.

If these documents are not present on your online profile at the time of applying for the substitute lists, you will not be approved. You should refer to the information provided on the NLESD website in this regard.

If you have any questions,  
please contact an NLTA Administrative Officer in Programs & Services  
at [mail@nlta.nl.ca](mailto:mail@nlta.nl.ca)



# Accommodation: The Basics

by MIRIAM SHEPPARD

**D**o you have a disability or family requirements that interfere with your ability to work? The *Human Rights Act* and the Collective Agreements require employers (the school districts) to accommodate human rights related needs of employees to the point of undue hardship. But what does this mean? What is involved in seeking accommodation?

The duty to accommodate requires employers to make modifications or provide the accommodation (supports, equipment, etc.) necessary (short of undue hardship) in order to allow an employee to fully and equally participate in the workplace. According to the Supreme Court of Canada, accommodation requires “an individualized investigation of accommodation measures and an assessment of an employee’s needs.” [Central Okanagan School District No. 23 v. Renaud, 1992 CanLII 81 (SCC)] Every accommodation may look a little different, as accommodations should be tailored to the specific needs of the person seeking the accommodation. Some examples of accommodations in the teaching context might include:

- Jane has a knee injury and needs an adjustment to her supervision schedule so that she does not have to do outdoor supervision until she has recovered;
- Due to a medical condition, Marissa can no longer project her voice, and requires an amplification system to teach;
- Joe’s child has a serious illness requiring medical care in a different area of the province, and he needs to take a period of unpaid leave, or be transferred to a school closer to medical services, in order to access the necessary care for his child;
- Michael’s partner works offshore for weeks at a time and adequate child care services are not available in the area of the province where he lives and works; he therefore needs to reduce his hours to part time for a year, until his child is a bit older, in order to meet his parental duties; or
- Karen has a chronic medical condition and can

no longer live or work in an isolated area because necessary medical care is not accessible in that area; she needs a transfer to a different position in a location within a certain commuting distance of the medical services she needs.

As previously noted, an employers’ duty to accommodate is to the point of “undue hardship”. Undue hardship is a very high threshold as it requires the employer to prove excessive disruption of or interference with its business or operations, or undue expense. The types of circumstances that would amount to undue hardship will vary depending on the details of each situation. Each case must be assessed and decided on its own facts, but meeting the “undue hardship” test may include a consideration of a number of factors, no one of which may be determinative, including:

- Financial cost;
- Safety;
- Size of the organization;
- Collective Agreement provisions;
- Interchangeability of work force and facilities; and
- Impact on other employees.

The onus is on the employer to demonstrate that it has made reasonable attempts to accommodate an employee to the point of undue hardship. Employees also have a duty to cooperate in the accommodation process, which includes providing required information and considering and implementing reasonable proposals advanced by the employer.

Teachers seeking accommodation **MUST** provide appropriate documentation to support their request. With respect to medical accommodation, for example, teachers would need to provide medical documentation to establish:

- that they have a medical condition that impacts on their ability to do their job (details of the diagnosis are not required);
- what functional limitations or restrictions on their abilities they have as a result of their medical condition and the likely duration of same (i.e. are the

condition and/or limitations temporary or are they likely to be permanent); and

- that, in their physician's opinion, working without the recommended accommodations would most likely lead to a worsening of their condition and a probable need to access sick leave.

Sometimes physicians may also comment on what adjustments/accommodations are medically required in order to enable the teacher to meet the demands of their job without exacerbating their condition or causing their symptoms to worsen. Depending on the case, other types of medical documentation may be required.

Documentation will also be required to establish the necessity of accommodation in other types of cases. For example, a teacher seeking family status accommodation on the basis of a family member's medical conditions must provide documentation relating to that individual's condition to support the claim for accommodation. Other reasonable documentation may be required in requests for family status accommodation in other types of situations. In general, the first question to consider in a request for accommodation based on family status is: will the employee be unable to meet his/her legal obligations to care for a family member if an accommodation is not made?

The employer is only obligated to accommodate properly documented employee needs, not preferences or conveniences. Supporting documentation must establish what is necessary or required, not what is preferred or most convenient.

Requests for accommodation can be complex and are very fact specific to individual cases. Teachers who are considering making a request for accommodation are encouraged to contact an NLTA Administrative Officer in Programs and Services for advice and assistance.

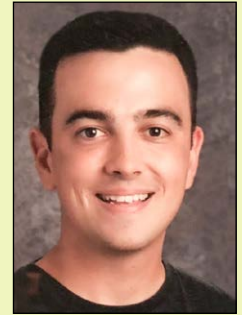
Further information about human rights and the accommodation process can be found at the Newfoundland and Labrador Human Rights Commission website at: <https://thinkhumanrights.ca/education-and-resources/frequently-asked-questions/#what-does-the-duty-to-accommodate-mean>.

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 Miriam Sheppard is an Administrative Officer in Programs and Services with the NLTA, [msheppard@nlta.nl.ca](mailto:msheppard@nlta.nl.ca).

## National Award for Teaching Excellence in Physical Education Recipient



**Richard Christopher**, a physical education teacher and athletic director at St. Peter's Junior High in Mount Pearl, is a recipient of the 2020 National Award for Teaching Excellence in Physical Education. Physical and Health Education Canada (PHE Canada) is pleased to recognize this year's recipients for their commitment to physical and health education. Their hard work and leadership contribute to a future wherein all children and youth in Canada live healthy, physically active lives.



Richard has developed a diverse, safe, balanced, and inclusive physical education program, and explored partnerships with sports organizations. These partnerships have strengthened the school's quality physical education program by integrating traditional and non-traditional activities and sports for their students, including wheelchair basketball, flag rugby, ultimate Frisbee, gymnastics, Angel Ball and tennis, all with the same goal: every student will have at least one physical activity that they will enjoy throughout their lives.

Richard has also coached and organized many clubs and teams, including the cross-country movement, badminton, soccer, softball, baseball, volleyball and ball hockey club.

The Newfoundland and Labrador Teachers' Association would like to congratulate Richard on this national award.

*(Information for this article was obtained from PHE Canada, [phecanada.ca](http://phecanada.ca).)*



# The Power of Connection

by KENDA RIGGS

Life can throw unexpected curveballs at different times in our lives. This year, however, in addition to regular stressors that people have been experiencing on an individual basis, there has been a global curveball that has resulted in significant changes for us all. The COVID-19 pandemic has impacted everyone in different ways and how you are coping with this will depend on a number of factors, including your temperament, your physical and emotional health, your life experience, your current personal living situation, your financial situation, and your career security. But one of the biggest factors that will influence how you adapt to this situation is related to the supports that you have around you which includes your family, friends, colleagues and loved ones, and how you stay connected with yourself.

When this pandemic started, we heard about the importance of the term ‘social distancing’ to help prevent the spread of COVID-19. Now, ‘social distancing’ has been replaced by the term ‘physical distancing’. I prefer the term ‘physical distancing’ and would submit that, during a global pandemic, we need to be more *socially* connected than ever while maintaining *physical* distancing from one another to ensure we keep working towards our optimal health and well-being. Caring and compassion towards each other should be more contagious than this virus.

## Grief and Loss

For many teachers, this pandemic has meant having to adjust to abrupt changes in a short period of time with much uncertainty, and teachers have expressed feeling grief and loss in relation to the changes that have occurred. These changes include: not being able to be physically connected to close family members to share in positive or difficult times at present; not being able to be physically connected to bring closure to the year with the children and youth in your classrooms and schools; and, not being able to be in physical proximity to your colleagues, friends, and school community. Some teachers have been personally affected by the virus, and some have experienced personal grief and loss in their lives. Some may be going through life transitions like planning for retirement during a pandemic. All teachers have been experiencing grief for others around the globe when tragedy

has struck communities in addition to the COVID-19 public health emergency. Now more than ever, it is essential to remember that everybody is experiencing similar emotions in different ways. While remembering that a community is a group of people that we can lean on when times are good and when faced with challenges, as a teaching community, now is the time for everybody to remember to lean on and support each other. This is the power of connection.

## Stress and Resilience

Stress is defined as “the body’s response to a real or perceived threat...a reaction to a situation” (CMHA, 2020). Everybody experiences stress, and as difficult as stress can be, it is important to remember that stress can have a positive impact in our lives. Stress can often increase productivity, help you meet a deadline, motivate you to make a change, and can help protect you against a harmful situation by activating the primal survival part of your brain (fight-flight-freeze response). When stress is predictable, you can have a perceived sense of control over it which may lead to increased resilience. When stress is perceived as unpredictable, it can lead to feelings of vulnerability. Some of you may have adapted more quickly to changes arising from the pandemic, while others may be having a difficult time. Many teachers are experiencing added stress from managing childcare responsibilities while trying to work from home and stay connected with their students. It is important to remember that it is normal to feel sad, stressed, confused, scared or angry during this crisis.

So, let’s focus on the healthy management of stress, which can lead to increased resilience particularly in times of crisis. One of the most important factors in managing stress is to bring awareness into what your own thoughts and feelings are about a situation with a focus on the present moment. This is what you can have control over, your thoughts, which ultimately impact how you feel. Increasing self-awareness with a more deliberate focus on your own thoughts and feelings can help you to become attuned to your own body reactions. Research tells us that taking care of yourself and being mindful of your thoughts and feelings is one of the most important components of stress management and self-regulation practice, as it rewires and strengthens

“The most powerful buffer in times of stress and distress is our social connectedness; so let’s all remember to stay physically distant but emotionally close.”

—Dr. Bruce Perry

the neural circuitry in the brain to help manage your own stress responses. Even when those thoughts and feelings may be uncomfortable, it is important to allow yourself to just be with that uncomfortableness because we know that the more present we can be with our thoughts and emotions, the more resilient we will become in stressful situations.

At this time, I invite you to reflect upon how you have been increasing your own resilience to stress during this global pandemic when some aspects of your life may feel outside of your control.

### What if I Become Overwhelmed With My Thoughts and Emotions?

Dr. Russ Harris, a clinical psychologist and author of *The Happiness Trap*, explains that, although you cannot control the future or the past, you can control what you *do* in the present. If you start to feel out of control and have feelings of being overwhelmed or panic, as many people do, especially in times of crisis, it is important to regain a sense of control and to connect with yourself. Dr. Harris discusses the importance of connecting with your body when anxiety happens. Some ways you can connect with your body are by pushing your feet into the floor, deeply shrugging your shoulders, or focusing on deep breathing. Breathe slowly in through the nose and out through the mouth. Be aware of the current moment by engaging in a self-therapeutic grounding exercise of ‘taking five’ – notice five things you can see, four things you can hear, three things you can touch, two things you can smell and one thing you can taste. Continue to breathe. Be present in the here and now; focus on what you can do right now to have control. Be kind to yourself. We know that predicting and planning for stress, being connected with yourself, and being prepared to cope with the waves of anxiety that can come and go by using self-therapeutic grounding techniques will promote resilience in coping with the situation we are all experiencing due to COVID-19. You are not alone.

### Three Ways to Practice Health and Wellness

Small changes can yield significant results. During these unprecedented circumstances, focussing on these three areas can improve wellness and promote resilience:

**1) Try to introduce and maintain structure and routine in your day.** This means waking up and going to bed around the same time that you did when you were going to work every day. If you stay up late one night, you should still get up at the same time the next morning as if you were going to work. Schedule meals around the same time as normal and make plans for virtual interactions with your colleagues throughout

the day when possible. Incorporate small increments of physical and mental activities into your schedule multiple times per day as opposed to just once per day as this will keep your brain more regulated throughout the day to manage stress. Stay connected to yourself.

**2) Choose a set time to monitor news and updates on COVID-19,** but do not be “tuned in” all the time. Everybody needs a break and watching and hearing about the pandemic constantly on a local, national, and international level can activate the stress response system in our brains without our conscious awareness that this is happening. When we watch or listen to the news, we cannot predict or control the information to which we will be exposed. When we don’t have predictability, our sense of control of the situation is diminished and we can feel more vulnerable. To increase your resilience, exercise control over the time and amount of media to which you expose yourself.

**3) Most importantly, stay engaged and connected socially while maintaining physical distancing** through various means, such as phone calls, texting, email, Facetime, Skype, Zoom, and so forth. Reach out to others to say hello, laugh, or share a story to help combat feelings of loneliness that can slowly emerge. Social connectedness promotes health and wellbeing and can help you to stay positive. Research shows that people who feel more socially connected have lower rates of anxiety and depression. It is of utmost importance to stay physically distant but emotionally close during this challenging time period.

Never forget that we are all going through this experience together. You belong to a community of educators, and individually and collectively, there is strength and resilience to be found and shared. Reach out to each other, your current and former colleagues, and stay connected. The power of connection can go a long way.

I invite you to visit the Employee Assistance Program page on the NLTA website ([www.nlta.nl.ca/employee-assistance-program/](http://www.nlta.nl.ca/employee-assistance-program/)) for information and resources, including a five minute Mindfulness Guided Imagery Practice at [www.nlta.nl.ca/guided-imagery](http://www.nlta.nl.ca/guided-imagery) to continue to build your own stress resilience at this time. Please reach out via email or phone if you require support, would like to connect, or just talk. We are here for you.

*Kenda Riggs is a Coordinator with the Employee Assistance Program for Teachers. For confidential assistance contact Kenda at 709-733-3265, [kriggs@nlta.nl.ca](mailto:kriggs@nlta.nl.ca) or Gail Carroll, 709-733-3242, [gmcarrroll@nlta.nl.ca](mailto:gmcarrroll@nlta.nl.ca).*

*(References for this article available at [www.nlta.nl.ca/references-mayjune-2020](http://www.nlta.nl.ca/references-mayjune-2020))*

# NLTA SCHOLARSHIPS



The NLTA will award six scholarships to dependents of active, retired, disabled or deceased members of the NLTA. The award will be made upon completion of secondary school and through application to the NLTA. Scholarships are valued at \$1,000 and are awarded based on the criteria used by the Department of Education for the selection of provincial scholarship recipients.

To obtain an application form visit the NLTA website at [www.nlta.nl.ca](http://www.nlta.nl.ca) and click "Forms" or contact the NLTA at [mail@nlta.nl.ca](mailto:mail@nlta.nl.ca)

**Application Deadline: July 31, 2020**

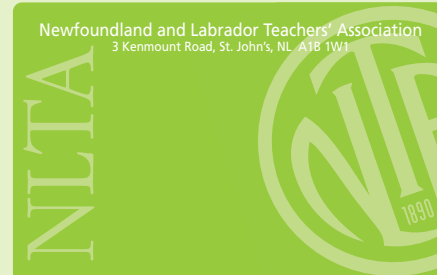


## NLTA Membership Cards

If you require an NLTA membership card, visit [www.nlta.nl.ca](http://www.nlta.nl.ca), click on "Forms" and then "Request a Membership Card".

Cards will be mailed to your home address.

If you have had a recent address change, please update your current address.



**For further information please contact:**

Newfoundland and Labrador Teachers' Association  
[mail@nlta.nl.ca](mailto:mail@nlta.nl.ca)

*Note: You may need your NLTA membership card to access discounts from the **NLTA Teacher Discount List** which can be found at [www.nlta.nl.ca](http://www.nlta.nl.ca). Go to "Member Services".*

## CONTACT & DSS 2020 CANCELLED

Due to uncertainties associated with the COVID-19 pandemic, the Conference on New Techniques and Classroom Teaching (CONTACT) and Developing Successful Schools (DSS) have been cancelled for 2020 by the host committees.

For further information, email the NLTA at [mail@nlta.nl.ca](mailto:mail@nlta.nl.ca)



## TESIC Presents: Google Certified Educator Prize Draw

Have you received your Level 1 or 2 GCE certification this school year? Plan on getting certified? Then this contest is for you! We'll be giving away fifteen \$50 gift cards to some lucky NLTA members!

### CONTEST RULES:

- You must be a current NLTA member.
- You must submit proof of your certification being attained during the 2019-2020 school year.
- If you receive both Level 1 and Level 2 during the 2019-2020 school year you must provide proof of both certifications to have your name entered twice for the prize draw.

**Contest deadline: Wednesday, June 17, 2020**

**For contest details:**

<https://blog.tesic.ca/p/contests.html>