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**EDUCATION LABOUR & EMPLOYMENT  
LAW IN ONTARIO, 2nd Edition**

**Sheilagh Turkington**

**Release No. 22, January 2019**

Education Labour and Employment Law in Ontario, Second Edition delivers comprehensive coverage of the latest developments in the law, policies and practices governing teacher employment and jobs. From the collective bargaining rights of teachers in public education, to special issues concerning Roman Catholic separate school boards, this substantive resource gives you a clear perspective on the complex issues that matter most to educators. Drawing on statute and case law, it provides you with information on teacher qualifications, the working year and day for teachers, job security issues, discipline and discharge, salaries, benefits and pensions, class size, occasional teachers, public school administrators, and the Ontario College of Teachers, as well as information on teaching in the public sector, separate schools, community colleges, private schools and universities.

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## What's New in this Update:

This release features updates to the case law and commentary in Chapters 11 (Denominational Rights), 12 (Ontario College of Teachers), 15 (Private Schools), 16 (Universities).

- This release features updates to the case law and commentary in Chapters 2 (What is Teaching?), 4 (Hours of Work), 5 (Salaries and Monetary Benefits), 7 (Terms and Conditions of Employment), 8 (Discipline and Discharge), 9 (Occasional Teachers).
- This release features a new Chapter 9A (Designated Early Childhood Educators).

## Highlights:

- **Ontario College of Teachers — Professional Misconduct, Incompetence and Incapacity — Role of College Committees — Sexual Abuse —** Discussion of how the *Ontario College of Teachers Act* handles sexual abuse and sexual misconduct has been significantly expanded. The new commentary includes a discussion of the role of the Discipline Committee in circumstances involving sexual abuse or misconduct.
- **Private Schools — Employment Terms and Conditions of Private School Teachers — Employment Contracts —** Teachers and administrators at private schools who are employed on contracts with an indefinite term are entitled to reasonable notice or pay in lieu of notice unless they are terminated with cause. The applicable legal test for establishing just cause and its application to the private school setting was discussed by the Ontario Court of Appeal in *Fernandes v. Peel Educational & Tutorial Services Ltd.*; 2016 ONCA 468, leave to appeal refused 2017 CarswellOnt 2698 (S.C.C.).
- **Universities —** Examples of specific clauses from collective agreements and memorandums of understanding between various universities and faculty associations have been added to illustrate points throughout the Universities chapter.