

POLICY MONITOR #2

March Break Looks Bleak for Early Childhood Educators in Ontario

As March break rolls around and teachers get ready for a well earned paid break from their classrooms, early childhood educators in Full Day Early Learning Kindergarten programs across the province are still unsure about whether they will get paid for the break or even qualify for Employment Insurance.

The issue of whether early childhood educators are deemed to be full-time early education professionals like teachers, or whether they are treated as ten-month contract positions is still to be resolved. According to Service Canada (2011), if early childhood educators are considered full-time salaried teaching staff, they will not qualify for employment insurance. However, many school boards have taken the position that the ECEs are contract support staff and have not paid them for the December holidays and will not be paying them for the upcoming March break. Unlike teachers who receive a full-time salary, ECEs are currently paid an hourly salary by school boards for the FDELK programs.

According to the Association of Early Childhood Educators Ontario, many ECEs who have applied for Employment Insurance have been refused EI by Service Canada because they may fall within the definition of teaching under EI regulations and may be subject to disentanglement over non-teaching periods. However, ECEs can appeal the decision and may be successful in getting access to benefits.

Teaching is clearly defined by EI regulation 33(1) as the occupation of teaching in a pre-elementary, elementary or secondary school, including technical or vocational schools. Anyone who teaches in these settings, regardless of the time spent, subject or student population is considered a teacher under the regulation. Service Canada may assess the ECE claims based on what the ECEs report their roles to be, in order to determine whether the ECE performs activities in the classroom that will place the ECE in the “occupation of teaching.” On the other hand, ECEs that report the work they do as centred on program planning and providing curriculum related teaching may be viewed differently from ECEs that report they are more involved in organizing and supporting activities in the classroom.

Teachers are required to plan lessons, conduct assessment, write report cards and meet with parents. Early childhood educators working in child care programs are viewed by Service Canada as “providing care” for children and not engaged in teaching responsibilities. Similarly, the former roles that ECEs occupied in the classrooms were to assist teachers with curriculum, and as a result, they were eligible for EI in these roles. However, the new role that ECEs occupy in the full day kindergarten classroom with shared responsibilities for observation, curriculum planning, instruction and parent communication is raising questions about how the new ECE role in full day kindergarten sets them apart from their previous school-based counterparts.

The Premier’s report included early childhood educators as teaching partners in the full day kindergarten program. In the interim, while the pressure for early childhood educators to access EI during school breaks is understood, the longer-term goal of being recognized as salaried full-time educators will give them the same rights and recognition that teachers have and not leave them scrambling for pay during school breaks.

Reference: Service Canada (2011). *Digest of Benefit Entitlement Principles*. Accessed on March 8, 2011 at <http://www.servicecanada.gc.ca/eng/ei/digest/chp14.shtml>