



Friday, May 1, 2015

STATEMENT FROM TED DOHERTY, DIRECTOR OF EDUCATION
AVON MAITLAND DISTRICT SCHOOL BOARD

Seaforth, Ontario (*May 1, 2015*) - Late yesterday, I was advised for the first time that Mr. Rick Boon was seeking to exercise certain rights to a personal leave of absence under the Employment Standards Act, 2000. It is unfortunate that this request, with its supporting confidential documentation, was not provided to the Board much earlier.

Having reviewed this new request and this new information, I have decided to maintain my position and not grant a leave of absence. That being said, Mr. Rick Boon will not be directed to attend work next week. If Mr. Boon chooses to go to The Netherlands, we will sort out the legalities following his return. It should be clearly understood that Mr. Boon will not face any disciplinary action from the Board.

I would like to be clear as to why I will insist that this matter be revisited. I have very grave concerns as to whether this particular request for leave is valid under the Employment Standards Act. There is no case law that clarifies the purpose and meaning of the provisions in question. In granting this leave, I (and through my actions, the AMDSB) may be accepting an interpretation of the Act and setting a precedent that would apply not only to Mr. Rick Boon and our other employees, but equally to thousands of employees from across Ontario to demand and receive unpaid leave from their jobs to accompany their parents, their brothers and sisters and their children on recreational and other medically non-essential trips.

The Employment Standards Act, the Labour Relations Act and our Collective Agreement with the Elementary Teachers' Federation of Ontario (ETFO) all anticipate disagreements between employers and employees about these very sorts of issues. They all provide for a process of orderly, rational, impartial third-party adjudication, so that everyone's rights can be settled fairly in a timely fashion. Given the last-minute notice of this particular request, it is impossible to go through a fair hearing process before Mr. Rick Boon wishes to leave for The Netherlands. As stated, Mr. Boon will not be directed to attend work next week and, should he choose to go to The Netherlands, we, along with ETFO, will address the proper application of the Employment Standards Act upon his return.

In conclusion, despite the tensions that have unfortunately arisen in this matter, and most importantly, the AMDSB is proud to be associated with Mr. Arthur Boon. We remember and celebrate his achievements. We are very pleased that he will travel to Europe again to receive the recognition he so justly deserves.

Ted Doherty
Director of Education

All media enquiries are to be directed to Steve Howe, Manager of Communications at 519-527-0111 Ext 132 or by email to showe@fc.amdsb.ca.