

# **Ministry Employee Relations Committee**

## **MCSCS - Correctional Services**

### **Minutes**

Wednesday, September 27, 2017

OPSEU Regional Office, 2255 St. Laurent Blvd, Suite 310, Ottawa

### **Attendees**

#### **For the Union**

- Monte Vieselmeyer (Co-chair)
- Scott McIntyre
- Chris Jackel
- Chad Oldfield

#### **For the Ministry**

- Christina Danylchenko (Co-chair)
- Arlene Berday (Co-chair)
- Daryl Pitfield
- Barb Forbes

#### **Regrets**

- Sandra Harper

#### **Resources**

- Bart Nowak, Director, HR Strategic Business Unit
- Anna Fernandes, Deputy Regional Director, Community Services, Central Region
- Jenny Cece, Manager, Labour Management Liaison, Institutional Operations Branch
- Cathy Laakso, Manager, Strategic Labour Relation, HR SBU
- Laura McCready, Employee Relations Advisor, Bargaining and Compensation

#### **Observers**

- Mike Wood, Superintendent, Ottawa-Carleton DC
- Denis Collin, Local Union President, Ottawa-Carleton DC
- Scott Ford, Local Union First Vice President, Ottawa-Carleton DC
- Ralph Newans, Local Union President, St. Lawrence Valley TC / Brockville Jail
- JP Turcotte, Local Union Chief Steward, St. Lawrence Valley TC / Brockville Jail
- Oshra Hooper, Local Union Steward, St. Lawrence Valley TC / Brockville Jail

## Note Taker

- Lise Ledoux, Employee Relations Committee Coordinator

## Previous Business

### Institutional Services items

1. **13 06 19 Ombudsman's report, level of violence in workplace** – no update.

Action: Union to respond.

2. **14 01 14 eRoster** – no update as the eRoster is not fully operational.

Action: Upon rollout of the eRoster, the Employer will set up two meetings to review the eRoster; one with MERC members and a second meeting with Grievance Officers and Employee Relations Advisors.

3. **14 05 27 PPSE update** – concerns raised by the Union regarding the legal indemnification (civil/criminal) for staff whose training has expired.

Action: Employer will discuss previous MERC minute to be inserted as preamble to the policy. Upon completion, this item will be removed from the MERC agenda.

4. **14 07 08 Staffing Levels subcommittee update** – no update.

Action: Union to respond.

5. **14 07 08 Security Review Subcommittee update** – no update.

Action: Union to respond.

6. **16 03 31 Health and Productivity Program (HPP) Status** – letters from HPP co-chairs were sent out to Regional Directors for follow up action on HPP. Offering assistance to local institutions if needed.

Action: Update to be provided at the next MERC meeting.

7. **16 03 31 Status of Segregation Review** – Meeting was held on June 23<sup>rd</sup> and the Union was invited to a formal consultation session. Feedback to the Modernization Division has been received from the Union. The Union requests the establishment of a segregation subcommittee to address ongoing segregation issues and future legislative changes.

Action: The Employer is committing to hold a separate meeting to discuss further.

8. **16 05 04 Dedicated female units in existing institutions (JAHN Remedies)** – following the May 11, 2017 MERC meeting, the Employer and OPSEU members of MERC have continued discussions regarding the Dedicated Staffing Process for Women's Units across the Province. The Union provided a formal response to the Employer regarding the Expression of Interest (EOI) process for filling Correctional Officer posts. In doing so, the Union advised the Employer that employee seniority should be the only determining factor when selecting an employee for a post. The Employer considered the Unions response and will be proceeding with the EOI process for the three (3) remaining institutions per Article 2 of the Collective Agreement.

The Employer is committed to being transparent and will ensure communication on the use of the EOI is clear. To that end, the Employer will provide local executives and employees with relevant information on the process, as well as what is required of employees who are interested in applying, when an EOI is posted. The Employer will also provide feedback, upon request, to employees who were unsuccessful in the EOI process. The Employer confirms that seniority will be one factor that will be considered when decisions are being made to fill posts through EOI, and acknowledges that the Union feels that seniority should be the deciding factor.

The Employer continues to be committed to ensuring that the interests and strengths of employees are considered in the assignment of posts working with specialized populations. The Employer will continue to use the EOI process, as they deem it to be appropriate.

Action: Move item to Standing Items.

9. **16 09 14 Bargaining Unit Security Assistant** – no update.

Action: Union to provide a draft proposal to the Employer.

**10.16 09 14 Correctional Officer Badge Numbers used for Identification purposed on Ministry forms – no further concerns.**

Action: Item to be removed from the MERC agenda.

**11.16 09 14 Issues Affecting Correctional Nurses – OPSEU Correctional Services Nurses Working Group met with Mr. Sapers on August 16<sup>th</sup>. The Union provided a summary of issues in writing to the Employer MERC co-chair on September 26<sup>th</sup>.**

Action: Employer will review and respond.

**12.17 02 01 Status on body scanners – meeting was held on June 23<sup>rd</sup> to discuss concerns. Employer shared the provincial rollout with the Union.**

Action: Update to be provided at the next MERC meeting.

**13.17 02 01 Section 22 process – Chief Thompson transferred to the position of Director of Strategic Management, Investigation and Enforcement Bureau (AGCO) with the OPP on September 5<sup>th</sup>. Daniel Alakas has taken over Rohan's role as Chief of CSOI.**

Action: Chief Alakas will be invited to the next MERC meeting to provide an update.

**14.17 02 01 Continued use of RPMs, not collapsed into BAMs – Employer and Union to meet regarding St. Lawrence Valley C&TC/Brockville Jail and confirm RPM numbers for Compressed Work Week agreement discussions.**

Action: Meeting will be scheduled in the near future.

**15.17 02 01 Local President Leave – meeting held between the Employer and the Union on June 23<sup>rd</sup>. The Employer has requested that the Union draft a business case detailing the rationale for increased hours and justification for how many additional hours are required for the Employer to review.**

Action: Union to share the draft business case with the Employer when available.

**16.17 02 01 Statistics** – data collection presentation provided by the Information Management Unit on June 19<sup>th</sup>. Discussion took place on the need for statistics and that all subcommittee statistics will be provided through at MERC. The statistics employees in PESAR now belong to the Strategic Policy, Research and Innovation Division under the Research, Analytics and Innovation Branch.

Action: Employer will gather a list of all statistics currently provided to MERC and MERC subcommittees. Moving forward, all statistics will be provided through the MERC. Modernization Division will be invited at an upcoming meeting to discuss software and future technology solutions. Item to be moved to Standing Items.

**17.17 02 01 COTA** – Employer shared future class dates with anticipated numbers.

Action: Rename item to COTA Projections and move under Standing Items – Statistics.

**18.17 04 05 Internet Access** – request for maintenance staff to have access to the internet.

Action: Access to internet for maintenance employees will be approved on a case-by-case basis dependent on job function and need.

**19.17 04 05 Application of the Suicide Policy** – the Institutional Operational Policy Unit has reviewed and submitted their recommendation. Committee referenced the June 12, 2017 MERC minutes.

Action: Programs and Operational Policy Branch to share the recommendations with the ADM, IS and ADM, OS for review and approval.

**20.17 06 12 OTIS Access for Correctional Officers** – Union is requesting a review of current OTIS screen access for correctional officers. Union raised concerns over access to information/history i.e., assaultive behaviour.

Action: Employer will request a meeting with the Information Technology staff to discuss screen access.

**21.17 06 12 Recreation Officers Training/Job Competitions** – the committee discussed Recreation Officers responding to emergency situations and required training.

Action: Union to provide feedback regarding the Employer's recommendation by end of October 2017.

## **Community Services items**

**1. 14 09 10 PPO Staffing Issues** – subcommittee scheduled to meet on November 1, 2017. Currently reviewing e-learning training materials from the Ontario Correctional Services College. The backfill pool package will be forwarded to the ADM, CS in the near future for review and approval.

Action: Update to be provided at the next MERC meeting.

**2. 16 09 14 Probation and Parole British Columbia (BC) Workplace Survey** – the majority of the BC questions are found in the Occupational Stress Injury (OCI) survey. A decision has been made that approximately seven questions will be included in the OCI survey as such this joint workplace survey is no longer required.

Action: Item to be removed from the MERC agenda.

## **Both Institutional and Community Services Items**

**1. 14 03 25 Correctional Services Staff Monument** – memorial ceremony took place on Wednesday, September 20<sup>th</sup> at which time a model of the monument was displayed. The actual monument is anticipated to be in place for unveiling during the May 2018 Corrections Workers Recognition Week (proposed May 10, 2018). Ceremonial Unit members from all regions were activated for this event.

Action: Update to be provided as available.

**2. 16 03 31 MERC/LERC Training** –

Action: Employer will advise when new training dates become available.

**3. 16 09 14 Retired Ceremonial Unit members attending events** – program area is preparing a business case for review by the ADM, IS.

Action: Update to be provided at the next MERC meeting.

## Standing Items

1. **MERC Diversity Subcommittee** – the Annual Diversity Report has historically been shared with MERC co-chairs. A decision has been made that the report will now be provided directly to the MERC Diversity Subcommittee in order to proceed with the work based on the information in the document. The subcommittee meets regularly and progressing with the deliverables. The terms of reference for the Wellness Program was signed on September 12<sup>th</sup>. The subcommittee is now working on establishing the local Diversity, Indigenous and Inclusion Action Committees. The next meeting is scheduled for November 20<sup>th</sup> and 21<sup>st</sup>.

2. **Fixed Term Correctional Officer Hours, Number of Fixed Term and Overtime Hours (provided quarterly)** –

Action: Employer will provide statistics by end of October. Move under Standing Items – Statistics.

3. **Employment Stability List** – no active staff currently on the list.

4. **ASMP Statistics** – statistics shared with members on September 5<sup>th</sup> via email. The Union raised concerns regarding the large number of employees in the program and question if the program is being administered as outlined in the ASMP protocol.

Employees interested in learning more about the attendance support and management program or supports available to employees with illness, injury or disability can attend a webinar every Wednesday from 10-11am.

Link: [Overview of Employment Accommodation and the Attendance Support and Management Program Webinar](#)

Action: Employer will prepare correspondence to share with regional offices to ensure compliance of the program. Move under Standing Items – Statistics.

**5. Union requesting Employer staffing shortage contingency plans / inmate overcrowding contingency plans** – no update.

**6. Probation & Parole Workload** – meeting held on September 14<sup>th</sup> which included discussions on the impacts of the Ontario Parole Board legislative requirements on pre-parole processes. Q and A document on the new process is under development and will be shared with the field upon completion. The new process implementation date is unknown at this time.

Action: Employer will provide Institutional custody statistics to the P&P Workload Subcommittee.

**7. Direct Supervision** – the subcommittee membership is being established and a meeting to be scheduled before the end of calendar year.

**8. Transformation** – the Corrections Transformation Implementation wrapped up their work on June 30<sup>th</sup>. Effective July 4<sup>th</sup>, a dedicated division was created to lead the implementation of the corrections reform initiatives, including supporting the work being done on legislative reform. The Ministry Modernization Division, under the leadership of Assistant Deputy Minister Nancy Sanders, will be initially focused on corrections reform, including the implementation of the recommendations from the Sapers report, while also ensuring consistency and integration where appropriate across the ministry with respect to Ministry transformation initiatives.

Action: Employer to invite the Ministry Modernization Division to next MERC meeting. Rename item to Modernization.

**9. Bill 163 – Workplace Safety and Insurance Amendment Act (Emergency Responders)** – referred to the Occupational Stress Injury Subcommittee.

Action: Item to be removed from the MERC agenda.

**10. Female Secure Treatment Unit** – rename item to Women Security Treatment Unit (WSTU). Timelines are as follows:

- Design to be completed by Fall 2017.
- Plans being developed regarding staff engagement e.g., lunch and learn, etc.

**11. List of Superintendents** – updated list provided to the Union.



**12. Transition Updates** – working on all facility vacancies (CO and non-CO), and the Employer is meeting as required with the union to facilitate the processing of transition related grievances.

Union raised concerns regarding the delay of the post audit process.

## **New Business**

**1. OPS Public Service Renewal (PSR) Project presentation** – consultation sessions are occurring throughout the Ministry in order to actively support the collection of feedback from staff regarding the PSR project. This project was launched formally by the Secretary of Cabinet (SOC) in February 2017. The SOC is looking for feedback from across the OPS as to the vision and ideas that will help build the OPS of the future.

Action: Item to be removed from the MERC agenda.

**2. PPORP Rollovers** – Union raised concerns with respect to rollover entitlements of regular employees and fixed term employees working in probation and parole. The Union is requesting that the rollover entitlements for regular employees mirror that of fixed term employees in probation and parole.

Action: The Employer will schedule a meeting to discuss this issue.

**3. New builds for Ottawa-Carleton DC and Thunder Bay CC/Jail** – Union requested involvement of MERC members in local planning committees.

Action: Employer supports MERC involvement. Move item to Standing Items.

**4. Ontario Correctional Institute** – committee discussed labour relations issues.

Action: Update to be provided at the next MERC meeting.

**5. Management of Assaultive Inmates** – Union raised concerns regarding the management of assaultive inmates.

Action: Union will provide a proposal to the Employer. Proposal to be discussed at the segregation meeting.

**6. Media Articles** – Union raised concerns that the introduction of specific media articles can have an adverse/detrimental effect on the institution by provoking assaultive threatening behavior from the offender population.

Action: Employer will review and respond.

**7. License Plate production** – Union requesting more information regarding the increase in production of license plates.

Action: Employer to get clarification from Operational Support Division.

**8. Transgender Policy** – Union raised issues in some locations regarding searching and housing of transgender inmates.

Action: Employer to follow up with identified locations and provide an update to the Union co-chair.

**9. MOA for non-correctional officers and non-probation and parole officers** – Union provided a proposed MOA regarding rollovers and lateral transfers.

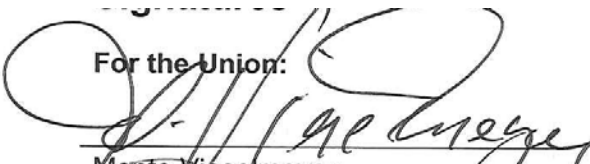
Action: Employer will review the proposal and respond.

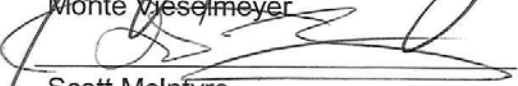
## Next Meeting

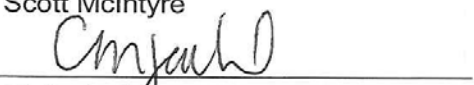
- To be determined


## Signatures

For the Union:

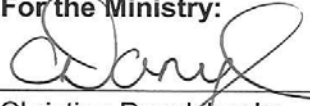
  
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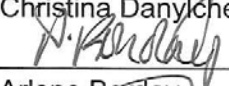
  
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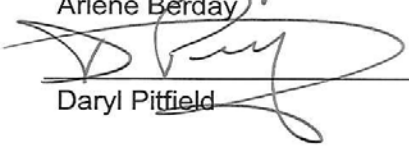
  
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Chris Jackel

  
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Chad Oldfield

For the Ministry:

  
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Arlene Berday

  
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