

March 15, 2018

**Ministry of Natural Resources and Forestry and
Ministry of Indigenous Relations and Reconciliation
MERC Minutes**

In attendance:

For OPSEU:

Elaine Bagnall (Co-Chair)
Helene Scott
Daryl Smith
Roxanne Barnes

For the Employer:

Tracy Demal (Co-Chair)
Brooke Mahoney
Claire O'Connor [TBS] (Minutes)
Kevin Smith
Bridget Schulte-Hostedde
Ross Hart
Amber Flynn

Regrets:

Carly Jones
Antonio Crispino

Administrative Items:

Approval of Agenda

Agenda was approved

Employer Representative Changes at MERC

The Employer advised that Kevin Smith, Manager, Policy Standards & Training Section, Enforcement Branch, will be stepping down from MERC. The Employer will advise once a new member to represent the Employer has been identified.

MERC membership thanked Kevin for his years of service at the MERC table.

Standing Items:

1. PRRT Disclosure/Reductions and Vacancy/Surplus/New Position Listings/ Temporary Employee Lists & Surplus Employees/Temporary Assignment Lists

The Employer advised that per a recent disclosure to OPSEU one NOL is scheduled to be issued on March 22, 2018.

OPSEU inquired about the Temporary Assignment List noted in the agenda item listing. The Employer advised that a listing of Temporary and Permanent job postings/ vacancies is provided to OPSEU corporately and the Ministry does not track any additional information on temporary assignments.

The parties also discussed the status of individuals currently showing on the Ministry Surplus list.

2. Employee Engagement/Inclusion/Accessibility/Diversity

The Employer advised that the OPS Employee Engagement Survey will now be called the Employee Experience Survey and will be conducted between April 18 and May 2, 2018.

The Employer advised that the OPS Anti-Racism Policy launched on February 22, 2018.

The Employer advised that the Ministry Collaboration JAM was held on February 15, 2018, and for future JAM sessions the Ministry will be seeking more involvement from other Ministries for cross-collaboration.

3. Fixed Term Position Conversion/Seasonal Employee Statistics

OPSEU inquired about the status of 2 individual employees on or missing from the report.

Action Item: OPSEU to provide details to their concerns to the Employer and the Employer will follow-up.

4. 2015-11 e) Workplace Violence Statistics (Appendix 29) – CERC Referral

The Employer confirmed that this item was referred to CERC.

The Employer asked about removing the item from the agenda.

Action Item: OPSEU to follow-up with CERC Co-Chair about referral and confirm removal of this item from the MERC agenda.

Business Arising:

5. 2010-10 – National Fitness Exchange Standard

The Employer confirmed that the subcommittee met on March 7, 2018.

OPSEU did not have any further update to provide at this time.

The Employer advised that an update received from the manager lead on the subcommittee indicated the meeting was positive and it is anticipated the subcommittee will be able to report back to MERC on the status of the MOU in the near future. It is understood that the target for implementing an agreed upon MOU would be for next season.

Action Item: OPSEU to follow-up with the OPSEU lead on the subcommittee for status update.

6. 2016-05 - Number of Employees in ASMP

The Employer advised that the number of employees remaining in Level 3 or Level 4 has been reduced significantly. There are currently two (2) employees in Level 4 and zero (0) in Level 3.

Action Item: The parties agreed to remove this item from Agenda.

7. 2016-14 - Pilots and Unpaid Overtime

The Employer advised that they are gathering information on the additional questions asked by OPSEU regarding staffing level differences and overtime treatment when supporting OPP contracts and will provide to OPSEU when received.

OPSEU advised that they are still seeking additional information from members on this matter.

Action Item: OPSEU to provide additional data.

The Employer will provide information related to OPSEU's questions once received.

8. 2016-18 - PCU – workload issue and safety concerns of manning the radios

The Employer provided responses to previously raised questions from OPSEU in regards to the practices and staffing of the PCU.

OPSEU acknowledged that the Employer has been taking a number of steps to ensure concerns raised in regards to staffing at PCU are resolved.

OPSEU reiterated concerns that PCU staff may benefit from some additional on-the-job training to increase preparedness for emergency situations supported by PCU staff.

Action Item: The Employer to share OPSEU's concerns and suggestions on possible on-the-job training with PCU local management.

9. 2016-22 - Isolation pay – Atikokan District Office – CERC referral

The Employer advised that they have been informed by CERC Co-Chair that this item referred to CERC had been removed from the agenda, and additional conversations may proceed between the parties corporately.

OPSEU advised that they were recently contacted corporately by TBS in regards to scheduling two related grievances for Formal Resolution Stage meeting.

OPSEU advised that they were unaware of why it was removed from the CERC agenda.

Action Item: OPSEU to follow up with CERC Co-Chair to discuss removal of referral from that agenda.

Parties agreed to remove this item from Agenda.

10. 2017-01 - Health and Safety issue regarding snow removal

The Employer advised that they have communicated with managers, Ministry Joint Health and Safety Committee (JHSC) members, and employees on hazard identification and how to escalate concerns. The Employer continues to encourage staff to use IO services to resolve building related issues.

OPSEU identified they are still hearing concerns and inquired if there was specific hazard identification training or resources available to members of JHSCs.

Action Item: The Employer to inquire with MGCS on the availability of training or other resources on hazard identification.

The Employer will also promote available information and resources in an upcoming Health & Safety Newsletter.

11. 2017-02 - Conservation Officer Job Specs

The Employer advised that management has initiated their review of the Conservation Officer Job Description. A revised version has been shared back with the employee(s) who submitted the original updated job description.

OPSEU inquired about the next steps in the job evaluation process.

The Employer clarified that when edits are made to a Job Description, the manager then submits a request for review by the Job Evaluation Initiatives Branch at MGCS for classification determination. Communication to employees about the outcome is the responsibility of the manager.

12. 2017-05 - DZ licence compensation practices

The Employer followed up on OPSEU's question regarding the practice for employees obtaining his/her DZ license within the Fish Culture Section. The Employer confirmed that the practice in Fish Culture Section is the same as used in AFFES. The Ministry does not pay for DZ license fees.

OPSEU advised that there have been discussions at CERC about compensation for licensing and professional fees and dues.

Action Item: The parties agreed to remove this item from Agenda.

13. 2017-05 - Conservation Officer Meal Allowance & MERC Terms of Reference

As per previous minutes, the Parties agreed to change the title of this item going forward to include "Terms of Reference".

The Employer advised that they have not received a sample Terms of Reference from OPSEU.

OPSEU advised that it was a clerical error that the Employer did not receive. OPSEU provided a hard copy of the ToR at the meeting.

The Employer noted that another grievance regarding Meal Allowance has been received by the Ministry.

Action Item: The Employer will review the sample ToR provided from other MERC table(s).

14. 2017-09 - Independent Forest Audit Report

The Employer advised that Wawa District has been working on a plan in response to the IFA Report that includes staffing considerations and has support from the Northeast Regional Director. The Director will be initiating the next steps required under the division's staffing approval process before any implementation.

15. 2017-09 - Parks Hiring Practice – Arrowhead PP

OPSEU raised concerns that this situation highlights the need to ensure transparency of their hiring processes and the need for consistency.

The Employer confirmed that message related to ensuring management is conducting competitions in a fair, transparent and consistent manner was taken back to the program area management team

Action Item: The parties agreed to remove this item from Agenda.

16. 2017-09 - PSD Respect Cards & Survey Status

OPSEU asked for clarification if members have to sign, and why this is only being implemented in one Division.

The Employer explained that there was a Q&A document shared with employees indicating that they can choose not to sign, however, the policies outlined under the divisional Code of Conduct still apply to them as Ministry and OPS employees. The Employer also advised that while PSD created the documents to support the divisional 'Respect' project, the Respectful Workplace Policy exists for the entire OPS.

Action Item: The parties agreed to remove this item from Agenda.

17. 2017-11 - MIRR Lead New Mandatory Training – Session for MERC members

OPSEU advised that they would like the MERC table to receive the Indigenous Cultural Competency Training (ICCT) outlined in a recent corporate disclosure.

The Employer advised that this is an online training that will be launched for the whole OPS and will take approximately 3 years to deliver to all employees. The Employer has agreed to prioritize MERC members to participate in the first year (2018-2019 fiscal year) for MNRF. The first offering will commence in April 2018.

Action Item: Both OPSEU and the Employer to review availability and determine when MERC members will be able to participate in training.

Employer to share dates with OPSEU when available.

New Business:

18. 2018-03 - Increase usage of "B" salary (fixed-term) positions vs full time – Fire Crew Technicians

OPSEU raised an issue that allegedly new fixed-term positions were created and suggests there is enough work that they should have been established as Regular Full - Time.

The Employer requested specifics of the situation. The Employer's preliminary understanding is the program area uses a small number of fixed- term positions both pre and post operating season which may be offered as developmental opportunities.

Action Item: OPSEU to provide Employer with additional details.

19. 2018-03 - Special Cases – New Process

OPSEU advised that they received a request for a review of a Special Case that employees were unable to submit under bargaining in 2017. OPSEU inquired if the Employer has any information on what is happening and if these cases can be discussed at MERC.

The Employer confirmed that the CERC Appendix 7 committee is expected to establish a process to address new cases, however, has not been shared and no date provided for implementation.

Action Item: The parties agreed to remove this item from Agenda

20. 2018-03 - Backfilling for Secondments

OPSEU raised concerns about transparency of how backfills for short-term temporary assignments are filled.

The Employer reiterated that managers are expected to adhere to posting and filling requirements outlined in the Collective Agreement, however, for short term assignment may utilize other methods to fill positions. Employees are encouraged to let their managers know about interests in developmental opportunities during regular conversations and as part of completing learning and development plans.

Action Item: The parties agreed to remove this item from Agenda

21. Update request on Indigenous Initiatives

Action Item: Deferred to next meeting.

22. (Walk-on Item) - Shift Scheduling Issue

OPSEU inquired about recent changes to certain AFFES employees work schedules.

The Employer had no information to comment on the issue and requested additional details.

Action Item: OPSEU to provide additional details.

23. (Walk-on Item) – Joint ERC Training

OPSEU advised that there are currently posted dates of June 27 and 29, 2018, however, these dates do not work for the majority of MERC members' availability.

The parties discussed whether options may become available in the Fall of 2018, however, OPSEU advised that as elections are taking place in November, should wait until dates for 2019 are available so any new MERC members can participate.

Action Item: The Employer to follow up with TBS on plans for new dates.

24. Next meeting date:

Thursday, May 10, 2018

For the Union Elaine Bagnall April 26, 18
Elaine Bagnall Date

For the Ministry Tracy Demal April 27, 2018
Tracy Demal Date