

## OPSEU Article 6.6.1 Lateral Transfer Process

### Introduction:

Lateral transfer requests are applicable to OPSEU regular full-time, part-time and flexible part-time employees. OPSEU employees can register to laterally transfer to an identical vacant position within their ministry, without proceeding through the full competitive process, upon mutual agreement of the Employer, the OPSEU Job Security Officer and the employee. The language of Articles 6.6.1, 56.5.1 and Appendix 32 does not confer a right to be assigned to a vacancy without posting.

Assignment via a lateral transfer can only happen after persons being assigned due to reorganization under Article 7, surplus under Article 20, special leave under Article 25, returning from LTIP under Article 42, maternity leave under Article 50, and parental leave under Article 51 have been accommodated. Accommodation of a person for health reasons may also take precedence over a lateral transfer request.

Changes to the OPSEU Collective Agreement Jan 1/13 – Dec 31/14 Article 6.6.1 requires inclusion of the Targeted Direct Assignment (TDA) as part of the Lateral Transfer process.

### OPSEU Collective Agreement Language:

Article 6.6.1 covers OPSEU regular full-time employees

“With the agreement of the Union, the employee and the Employer, an employee shall be assigned to a vacancy where:

- a) the vacant position is identical to the position occupied by the employee, and
- b) the vacant position is in the same ministry as the position occupied by the employee, and the provisions of Articles 6.1.1, 6.2, 6.3, 6.4 and 6.5 shall not apply.”

Article 56.5.1 covers regular part-time employees.

Appendix 32 covers flexible part-time employees.

# Employee Fact Sheet



## Intranet Access:

This Employee Fact-Sheet and the OPSEU Lateral Transfer Request Form with Instructional Guide can be found on the MyOPS intranet site > HROntario Services > Employment: Employment Transition. Old forms will not be accepted and will be returned to you. See below for link:

[http://intra.ops.myops.gov.on.ca/cms/tiles.nsf/\(vwReadPagesByRefId\\_Content\)/etp2007.03.19.14.16.19.PF9\\_page?open](http://intra.ops.myops.gov.on.ca/cms/tiles.nsf/(vwReadPagesByRefId_Content)/etp2007.03.19.14.16.19.PF9_page?open)

The OPSEU Lateral Transfer Request Form is also available on the OPSEU website at [www.opseu.org](http://www.opseu.org)

## Employee Eligibility:

OPSEU represented Employees must hold a regular full-time, part-time or flexible part-time position within the Ontario Public Service, including probationary staff. Full-time employees can only transfer to full-time positions, part-time employees can only transfer to part-time positions, and flexible part-time employees can only transfer to flexible part-time positions with the same annual hours.

## How to Register for a Lateral Transfer:

1. Complete an OPSEU Lateral Transfer Request Form indicating the location(s) you are interested in. Locations should be listed in order of preference, and will be treated as such. Laterals will be offered as available in order of stated preference. An Instructional Guide is available to assist you in completing this form. To ensure timely registration, the form must be complete and accurate including exact addresses of your requested locations.
2. Forward your completed form to the Employment Mobility Coordination Unit (EMCU). You are encouraged to submit your completed form by e-mail at [employmentmobilityunit@ontario.ca](mailto:employmentmobilityunit@ontario.ca). Submissions by fax are also accepted at 1-855-863-4861.
3. Your request will be reviewed, acknowledged and registered by the EMCU upon receipt.

4. It is your responsibility to submit a copy of your request to OPSEU, Job Security Office by email to [disclosure@opseusupport.com](mailto:disclosure@opseusupport.com) or by fax to (416) 448-7462.
5. Your request will be retained on file for a period of one-year from the date of registration. This date will be indicated in the acknowledgement letter.
6. It is your responsibility to renew the request prior to the expiry date only if you wish to remain active on the registry. No notification of expiry is provided except as outlined in the acknowledgement letter.
7. You must notify the EMCU and OPSEU of any changes to your current position that may impact your registration request. To make any changes or renew your request you will need to submit a new Lateral Transfer Request Form to the Employment Mobility Coordination Unit with detailed addresses of your preferred locations as outlined above in step 1. This form will be acknowledged by the Employment Mobility Unit. Should you not receive an acknowledgement please contact the EMCU at [EmploymentMobilityUnit@ontario.ca](mailto:EmploymentMobilityUnit@ontario.ca)
8. If you decline an offer for a lateral transfer, your name is removed for that location and you will be required to resubmit a request for future consideration.

## Process for Matching Requests to Vacancies:

When a manager agrees to utilize the Lateral Transfer process to fill a vacancy, the Recruitment Consultant will contact the EMCU to review the Lateral Transfer Registry and identify potential lateral transfer matches.

An updated Lateral Transfer (Article 6.6.1) process has been implemented as a result of changes introduced in the 2013/14 OPSEU Collective Agreement . The vacancy must be posted to allow eligible, qualified OPSEU represented employees in receipt of notice of layoff and qualified employees requiring health reassignment, first consideration to the vacancy.

When lateral transfers are considered by the manager to fill a vacancy, the position will be posted as "restricted to OPSEU represented employees on notice of layoff" so that employees that have received surplus notice who are eligible and qualified, can apply through the Targeted Direct Assignment (TDA) process for priority review. Only when this review has been exhausted, will the lateral transfer request move forward.

The EMCU will consider all Lateral Transfer requests that have been received/registered by 5:00pm the day *before* the vacancy is posted.

# Employee Fact Sheet



Lateral transfer request progresses for OPSEU approval *only after* the review of eligible, qualified health reassignment or TDA applicants has been exhausted and no direct assignment resulted. Upon approval of both OPSEU and Management, an offer will be made to a registrant in accordance with Article 6.6.1.

Where there is more than one application for the same vacancy, the lateral transfer will be offered on the basis of qualifications and where they are relatively equal, on the basis of the greatest seniority. Where both seniority and qualifications of two applications for the same vacancy are equal, the lateral transfer will take place on the basis of the date the request was made.

## Relocation Expenses:

Due to the voluntary nature of the lateral transfer process, **relocation expenses will not be paid** by the Employer.

## Questions:

Contact the Employment Mobility Coordination Unit by email at [employmentmobilityunit@ontario.ca](mailto:employmentmobilityunit@ontario.ca) or your local OPSEU representative

*\*\* This fact sheet does not apply if you are a member of the following:*

*Financial Services Commission of Ontario*

*Ontario Place*

*Ontario Science Centre*

*Correctional Officers and Youth Officers in the Ministry of Community Safety & Correctional Services and Ministry of Children & Youth Services*

*St. Lawrence Park Commission*

*Ontario Clean Water Agency*

*Cabinet Office*

Amended December 6, 2013