

MEMORANDUM

TO: Executive Board Members, CERC Team & MERC Teams

FROM: Ruth Hamilton, OPS Supervisor

DATE: August 18, 2011

RE: JOINT EMPLOYMENT STABILITY SUB-COMMITTEE (JESS)
MINUTES – July 21, 2011

Attached, for your information, are the minutes of the above captioned meeting.

PLEASE NOTE: THESE MINUTES WERE PREPARED BY THE EMPLOYER.

AUTHORIZED FOR DISTRIBUTION:

IN SOLIDARITY,



Warren (Smokey) Thomas
President



Ruth Hamilton
OPS Supervisor

/sk
att.

cc: Senior Staff
Job Security

JOINT EMPLOYMENT STABILITY SUB-COMMITTEE (JESS) MEETING

ABBREVIATED MINUTES

July 21, 2011
1:00 p.m. – 4:00 p.m.
Queen's Park
Toronto, Ontario

OPSEU: Cameron Walker, Chris Cormier, Peter Wall, Ron Langer
Employer: Kate Allingham, Deborah-Anne Long, Laurie Cregan, Chris Wright

Regrets: Sandra Harper, Mickey Riccardi, Shirley Shamash, Jamesene King

ITEM	ISSUE	EMPLOYER'S POSITION	UNION'S POSITION	ACTION REQUIRED
HOUSEKEEPING				
Minutes	May 19, 2011	Meeting cancellation template forwarded by the Union.		Employer to revise Minutes for June 21, 2011 and prepare Minutes for July 21, 2011 meeting.
	June 21, 2011	Revisions agreed to by the parties.		
09 02 20 a)	Explanatory Notes – Revision Per New Collective Agreement	Appendix 40 explanatory Note approved at CERC for release and distribution to the HR/LR community. There are no other pending explanatory notes.		No further action required at this time as all pending Explanatory Notes have been completed. Remove from Agenda.
09 06 17 a)	Dispute Resolution Guidelines	Discussion of item deferred.		Union to provide draft for discussion.
09 06 17 c)	Appendix 40 Template Letters	Parties discussed revisions made by the Employer to the template letters for consistency with the explanatory note.		Union to review revisions made.

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09 08 19 b)	Security Screening if Refuse or Fail	<p>The parties discussed the written summary of the approach outlined by the Employer and agreed to the general principle that the EP will be revised to allow for the parties to address the if refuse or fail situation for PSC and EDL security checks on a without precedent and without prejudice basis to any arguments that may be advanced pertaining to ministry legacy checks at Phase 3.</p> <p>The parties agreed that the EP Guide will be revised to provide context for the EP revision as it relates to PSC and EDL security checks.</p>		Employer to draft MOA to reflect the approach outlined for PSC and EDL security checks.
10 10 20 b)	GSB Award dated October 1, 2010 (2009-2122)	<p>The parties reached agreement on the implementation approach proposed by the Employer on the basis that the agreement does not preclude future consideration of additional barriers that may require accommodation for surplus employees in the redeployment process if and when they arise.</p> <p>The Employer confirmed that EMC's are not the contact for surplus employees raising accommodation issues.</p>		Employer to draft MOA based on approach outlined and discussed.
11 04 21 a)	Displacement and Job Threatened	<p>The Employer confirmed that a memo will be distributed to Regional HR Services and SBU Directors reminding them of the Employer's past practice of providing employees with the opportunity to redeploy and displace into job threatened positions.</p>		Employer to forward to Union copy of memo once it is distributed.
DEFERRED: PENDING GRIEVANCE OUTCOME				
06 06 21	Article 22.7 (GSB# 2007-1277)	<p>The Employer confirmed that "Position Title" has been added to the OPSEU OPS seniority list.</p>		Implementation of MOS complete. Remove from Agenda.
10 07 21 a)	Clarification on Displacement Between Agency and Ministry Employees (GSB# 2010-2347)	<p>Discussion ongoing.</p> <p>Grievance filed on July 30, 2010. GSB hearing date is July 27, 2011</p>		Continue to deal with issues on a case by case basis.
11 03 17 a)	Article 20.8 (OPU# 2011-0999-0004)	<p>Grievance filed on February 24, 2011. GSB hearing date is November 23, 2011.</p>		No further action required at this time.
11 03 17 b)	SO's No Layoff Appendix 38 (OPU # 2011-0999-0011)	<p>Grievance filed on March 7, 2011 and has been referred to the GSB.</p>		No further action required at this time.

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11 03 17 c)	Article 20.1.2.4 Employee Portfolio Use of Job Spec (EN Pg.2 Para 5) (OPU # 2011-0999-0024)	Grievance filed on April 21, 2011. Stage 2 grievance meeting has been held.		No further action required at this time.
STANDING ITEMS				
a)	Interpretive Bulletins	No new Interpretive bulletins relating to employment stability.		No further action required at this time.
b)	Corporate Transition Reports	Employer provided report for the year to date period as of July 4, 2011.		No further action required at this time.
c)	Conditional Assignment Stats	Employer provided report for the month of June 2011.		No further action required at this time.
d)	Advanced Direct Assignment Stats	Employer provided report on Advanced Direct Assignment Search (50 or more) year to date July 4, 2011. Employer provided report on Advanced Direct Assignment Search (Appendix 40) year to date July 4, 2011.		No further action required at this time.
e)	MERC Reports	Employer provided listing of employees by ministry.		No further action required at this time.
f)	Regional Recruitment Centres	No updates.		No further action required at this time.
NEW BUSINESS				
11 05 19 a)	OCWA Plant Closures	Grievance has been scheduled for hearing at the GSB on August 30, 2011.		Move to deferred pending grievance outcome section.
11 06 21 a)	FLS Revised Directive	The parties discussed OPSEU's concerns relating to the designation and de-designation of positions under the revised directive.		Employer to advise Union of contact person to discuss their concerns relating to designation and de-designation of positions.
11 06 21 b)	Revenue Appendix 40 Surplussing	Policy grievance was filed on July 12, 2011 (OPU# 2011-0999-0035). Stage 2 meeting to be scheduled.		Move to deferred pending grievance outcome section.

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Prepared by: Shirley Shamash
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