

Dispute Resolution Guidelines
For the
Joint Employment Stability Sub-committee (JESS)
Between the Employer and OPSEU

Scope:

The Joint Employment Stability Subcommittee (JESS) will consider only those employee disputes arising out of the application of Articles 19, 20B, and Appendixes 9, 10, 13 and 14 of the collective agreement.

Dispute Resolution Procedure:

Lodging a written complaint with the committee does not infringe in any way upon an employee's right to lodge a formal grievance on the identical subject matter.

The dispute resolution procedure is as follows:

Step 1 (informal):

The employee will first attempt to resolve the dispute with the Employment Transition Coordinator at his/her home Ministry. If no satisfactory resolution is reached, the employee may lodge a written complaint with the Ministry's Employee Relations Committee (MERC).

Step 2 (formal):

The employee may lodge a written complaint with the MERC no later than ten (10) working days from the date of the event or occurrence. The committee will communicate its decision to the employee within ten (10) working days from the date of receipt of the complaint.

Where a MERC is unable to reach agreement on the resolution of a complaint, the committee may refer it to the JESS.

Step 3 (formal):

The employee may appeal, in writing, to the JESS where:

- He/she has not received a response from the MERC within ten (10) working days of referral; or
- Within ten (10) working days of receipt of a response at Step 2 which the employee considers unsatisfactory.

The JESS will consult regularly to resolve employee disputes. The committee will render a written response to a complaint no later than five (5) working days following the consultation session when the complaint was discussed.

Step 4 (formal):

In the event the JESS is unable to agree on the resolution of a complaint, it may refer the matter to the Central Employee Relations Committee (CERC) for determination. Such referral will be made no later than five (5) working days following the consultation session when the Committee discussed the dispute.

The time limits outlined herein may be extended by mutual agreement between the Union and the Employer.

Disputes Arising out of Corporate Placements/Disputes:

- Within ten (10) working days of notification of an employee's assignment or displacement, the employee or the Ministry which disputes such assignment or displacement will first attempt to resolve the dispute with the Manager, Employment Programs and Services;
- If the Manager, Employment Programs and Services, does not satisfactorily resolve the complaint, the employee or the Ministry may lodge a written complaint directly at Step 3 of the above procedure. Such complaint will be filed within ten (10) working days of receipt of the Manager's decision.

Format for Complaints:

The complainant (employee or Ministry) will provide details of the dispute, in writing. These details will include:

- The date of the occurrence/event out of which the dispute has arisen; and
- A description of the occurrence/event sufficient to allow the committee to know the nature of/reason for the complaint; and
- The remedy the complainant is seeking; and
- The signature of the complainant.

Decision of the JESS

A quorum of an equal number of Employer and Union representatives, or their alternates, will be necessary in order to decide upon any dispute referred to the JESS. Decisions will be made by the consensus amongst the participating committee members and will be communicated to the complainant in writing.

If a particular complaint is referred to the JESS and if that complaint involves a Ministry that is represented on the committee, the Employer and Union

representatives from the Ministry shall abstain from the decision relative to that dispute.

Decisions of the JESS may be relied upon at hearings before the Grievance Settlement Board.

Employee Involvement in the Dispute Resolution Process

The employee's interests will be represented by a Union appointee to the committee reviewing his/her complaint – i.e., the appointee will discuss the issue with the employee during the investigation phase. The employee's participation at this stage is intended to ensure that all relevant facts are disclosed as early in the process as possible.

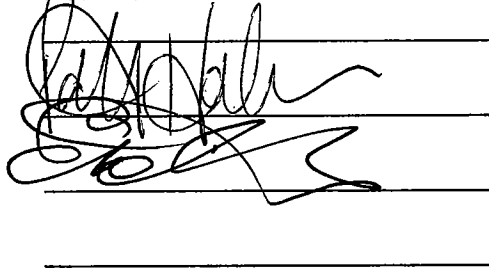
“Work First, Grieve Later” Principle

The “work first, grieve later” principle applies to this dispute resolution procedure. For example, if an employee disagrees with his/her assignment to an alternate position within a forty (40) kilometre radius of his/her headquarters, he/she will report for duty as instructed by the Employer and later lodge a complaint.

These Dispute Resolution Guidelines supersede the Dispute Resolution Guidelines dated July 5, 2001.

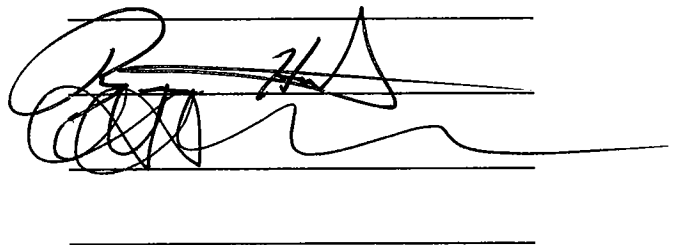
Signed at the city of Toronto on the 14th day of July, 2006.

For the Union:



Handwritten signature for the Union, consisting of several overlapping loops and a long horizontal stroke at the end, written over three horizontal lines.

For the Employer:



Handwritten signature for the Employer, featuring a large, stylized initial 'R' followed by a long horizontal stroke and a sharp upward-pointing tail, written over three horizontal lines.