

**MEMORANDUM**

**TO:** Executive Board Members, CERC Team & MERC Teams  
**FROM:** Ruth Hamilton, A/OPS Supervisor  
**DATE:** January 17, 2011  
**SUBJECT: JOINT EMPLOYMENT STABILITY SUB-COMMITTEE (JESS)  
Minutes – October 20, 2010**

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

**PLEASE NOTE: THESE MINISTRY MINUTES WERE PREPARED BY THE EMPLOYER.**

AUTHORIZED FOR DISTRIBUTION:

IN SOLIDARITY,



Warren (Smokey) Thomas  
President



Ruth Hamilton  
A/OPS Supervisor

/pb

att.

cc: Senior Staff  
Job Security

# JOINT EMPLOYMENT STABILITY SUB-COMMITTEE (JESS) MEETING

## ABBREVIATED MINUTES

October 20, 2010  
 1:00 p.m. – 4:00 p.m.  
 Queen's Park – Bargaining Centre  
 77 Wellesley Street West, 7<sup>th</sup> Floor  
 Toronto, Ontario

OPSEU: Cameron Walker, Sandra Harper, Chris Cormier, Elaine Bagnall, Fridmar Facunda  
 Employer: Shirley Shamash, Paula Pipe, Robert Gordica, Chris Wright,  
 Minutes: Ruben Trancoso

Regrets: Jason Rivait, Mike Bailey, Peter Wall

ITEM	ISSUE	EMPLOYER'S POSITION	UNION'S POSITION	ACTION REQUIRED
<b>HOUSEKEEPING</b>				
Minutes	June 14, 2010	Minutes were approved.		Union forwarded August and September meeting cancellation templates.  Employer to prepare minutes for October 20, 2010 meeting.
	July 21, 2010	Minutes were approved.		
<b>BUSINESS ARISING</b>				
09 02 20 a)	Explanatory Note – Appendix 40	The parties will continue to discuss the interpretation and application of Appendix 40 as issues arise.		Employer to update draft explanatory note based on issues addressed to date.
09 06 17 a)	Dispute Resolution Guidelines	Discussion of item deferred.		Union to provide draft for discussion.

## JOINT EMPLOYMENT STABILITY SUB-COMMITTEE (JESS) MEETING

ITEM	ISSUE	EMPLOYER'S POSITION	UNION'S POSITION	ACTION REQUIRED
09 06 17 b)	Assignment Letters	<p>The parties discussed the revised template assignment letters for positions that require a security screening check and for those that do not require a security screening check.</p> <p>The parties discussed the Union's concerns regarding the consultation process that takes place during the conditional assignment process.</p>		<p>Employer to consider feedback on assignment letters and revise as necessary.</p> <p>Employer to consider request to have separate template letters for EDL checks.</p> <p>Employer to review existing consultation process regarding conditional assignments.</p>
09 06 17 c)	Appendix 40 Template Letters	Discussion of item deferred until the parties finalize the draft explanatory note on Appendix 40.		The parties will continue to address concerns relating to template letters for pending transformations that fall within the scope of Appendix 40.
09 08 19	Security Screening if Refuse or Fail	Discussion of item deferred.		Employer to provide to the Union a summary of the high level principles and potential approach discussed.
10 01 20	CERC Referral: Temporary Assignments	The Employer is considering the Union's request to allow surplus employees the ability to identify separate geographic parameters in their EP for temporary assignments.		Employer to advise Union of decision once made.
10 01 20	CERC Referral: MERC Reports	Report format finalized. The Union will commence circulating the report to their MERCs.		Move to Standing Items.
10 07 21 a)	Clarification on Displacement of OCWA Members into MOE and Vice Versa	Issue involving employee resolved.		Parties to continue to address concerns identified in corporate policy grievance. In the interim, issues will be addressed on a case by case basis.

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ITEM	ISSUE	EMPLOYER'S POSITION	UNION'S POSITION	ACTION REQUIRED
<b>DEFERRED: PENDING GRIEVANCE OUTCOME</b>				
06 06 21	Article 22.7	Discussion of item deferred.		Union to respond to Employer proposal.
<b>STANDING ITEMS</b>				
	Interpretive Bulletins	No new interpretive bulletins relating to employment stability.		No further action required at this time.
	Corporate Transition Reports	Employer provided report for period as of October 1, 2010.		No further action required at this time.
	Conditional Assignment Stats	Employer provided report for month of September 2010 (There are no updates)		No further action required at this time.
	Advanced Direct Assignment Stats	Employer provided report on Advanced Direct Assignment Search (50 or more) year to date October 1, 2010.  Employer provided report on Advanced Direct Assignment Search (Appendix 40) year to date October 1, 2010.		No further action required at this time.
	No EP	Employer provided report on active employees without an EP for 2010/11 year to date (update as of September 30, 2010)		No further action required at this time.
	Regional Recruitment Centres	No Updates.		No further action required at this time.
<b>NEW BUSINESS</b>				
10 10 20 a)	Conditional Assignment Refusal	The Union requested clarification on whether a surplus employee who declines a conditional assignment is eligible for surplus factor 80.		Employer to look into issue and to advise.
10 10 20 b)	GSB Accommodation Award	The parties discussed approach to address the implementation of the GSB decision.		Parties will discuss decision and will explore a joint recommendation for the CERC.
10 10 20 c)	VEO	The Union requested clarification on whether VEO information is contained in weekly reports prepared by RSO.		Employer to look into issue and to advise.

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ITEM	ISSUE	EMPLOYER'S POSITION	UNION'S POSITION	ACTION REQUIRED
10 10 20 d)	MFRC – Appendix 40	The parties discussed issues relating to the referral process of grievances from the MFRC to the JESS. The parties agreed that where a grievance involves the strict application of Article 20.3 under Appendix 40, the grievance can proceed through the regular grievance process versus going to the MFRC.		Employer to follow up with ministry on pending grievance.

Prepared by: Ruben Trancoso  
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