



MEMORANDUM

TO: All Presidents with members in the Ministry of the Attorney General
All Stewards in the Ministry of the Attorney General

FROM: Ruth Hamilton, OPS Supervisor

DATE: September 30, 2013

SUBJECT: Ministry of the Attorney General
ERC Minutes – June 13, 2013

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

Please post or otherwise make them available to the members in your workplaces.

Also attached is a MERC referral form which should be used when referring unresolved local issues to the ministry level. The referral should be sent care of the Job Security Unit with all the supporting documentation, (e.g. minutes, correspondence, etc.), with any referrals.

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

AUTHORIZED FOR DISTRIBUTION:

IN SOLIDARITY,

Warren (Smokey) Thomas
President

Ruth Hamilton
OPS Supervisor

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att.

cc: MERC Chairs
Ministry ERC

MERC MINUTES

Ministry of the Attorney General

MINISTRY EMPLOYEE RELATIONS COMMITTEE MEETING (MERC)

June 13, 2013
9:30 a.m. – 6 p.m.

At 3rd Floor Human Resources Boardroom, 720 Bay St., Toronto, Ontario

Chair: Management

For the Union:

Jim Jurens (Co-Chair) OPSEU Local 526
Tim Elphick, Vice Co-Chair, OPSEU
Johanne Bourgeois
Judith Marion, OPSEU Job Security

Regrets:

Tina Stevens

Guests: Roy Dart

For the Ministry:

Carol Christidis, (Co-Chair) HR
Strategic Business Unit, Corporate
Services Management Division
(CSMD)
Randy Holloway,
HR Strategic Business Unit, CSMD
Brian Garrah, Court Services Division
Lina Bilardo, Victims & Vulnerable
Persons Division
Jeffrey Stewart, Centre For Employee
Relations

Recorder:

Sean Lee, Centre For Employee
Relations

Ref #	Agenda Item:	Issue:	Follow-Up / Action:
Preliminary Matters			
A.	Administrative suggestion for MERC (OPSEU)	The parties agree to send the agenda out 1 week in advance of the next meeting which is to include a new numbering system.	
Standing Items:			
1.	MAG Update:		
a.	Victims and Vulnerable Persons (VVPD)	<p>VVPD provided a presentation titled "VVPD Updates on Diversity and Inclusion Employee Recognition Onboarding/Orientation."</p> <p>The Union requested a synopsis of the support for employees' wellness across the province in both VVPD and Court Services Division (CSD).</p> <p>CSD will liaise with VVPD on tools currently available and processes in place used to support employee wellness and report back.</p>	Management to follow-up.
b.	Court Services Division	Courts Services Division has initiated the CSD Employee Awards of Excellence for 2012/2013 and into the future. All regions and branches will be participating. A newsletter will be issued in the summer of 2013 recognizing award winners. This initiative addresses employees' feedback from the 2011 employee engagement survey.	

2.	Conversion Reports	Management provided.	
3.	MAG's Vacancy Report	The union was provided with an excerpt from the corporate vacancy report. Information will be provided corporately in the future.	Remove from agenda.
4.	LERCs	Management confirmed that the majority of LERCs are primarily led by CSD. Management advised that there is an additional LERC at the Office of the Children's Lawyer in VVPD. The parties confirm the formation of a LERC at Old City Hall.	
5.	Employee Engagement Action Plan	Management informed the union that there was a Deputy Town Hall in Thunder Bay on June 12, 2013; final DAG Town Hall to be held in Toronto on June 24, 2013.	
6.	Ministry's Court Reporting Services	<p>Management stated that they have implemented DRD across all court locations.</p> <p>The ministry shared information with regard to the new transcript production model on May 15, 2013. All employees received a letter with Q's and A's. Additional Q's & A's are being prepared for all staff and will be shared with the union.</p> <p>The Union requested this remain a standing item as the transition of the new model progresses. Management advised that official updates will be provided to the union in writing.</p> <p>The Union asked when the Dissanayake GSB decision of March 1, 2013 will be implemented. Management advised that, due to the outstanding litigation, management is unable to comment.</p>	
7.	Job Descriptions	Management provided disclosure of the job descriptions for March, April and May 2013.	

8.	Bill 168 and Workplace Risk Assessments	Workplace Violence Risk Assessments (WVRA) have been completed for all locations and are being shared with the local health and safety committees/representatives for consultation. Local health and safety committee co-chairs/representatives should consult with local management if the WVRA has not yet been reviewed by the committee/rep. WVRAs for tribunals are currently under review.	
9.	Career Mentoring Program	Management informed the union that the program is concluding for this session, and there is a closing gathering later this month.	
10.	Courts Information Management System	No update at this time.	
11.	Training and Development	The parties will continue to discuss training and development. One possible theme could be diversity training. Employees should continue to speak with their manager regarding individual training possibilities.	
12.	Results based Planning (RbP)	There are no updates at this time. The union is requesting the RbP booklet when it becomes available.	Management to follow-up
13.	FPT Deficit Hours	Management has provided a list of FPT deficit hours as of March 31, 2013. The Union will review the list and raise questions. Employees who have questions about their deficit hours should contact their manager.	
Report Back Items:			
14.	Court Interpreters	The Court Interpreter Unit currently has a job posting for 4 permanent and 1 temporary staff interpreter position in the Old City Hall courthouse. This posting is for interpreters in the Tamil, Cantonese and Mandarin languages. The Cantonese and Tamil positions were previously posted in July 2012 but there were no successful candidates at that time.	

15.	Vacancies used to fill reduction targets	Management advises that, when vacancies exist, they will be filled in accordance with the collective agreement. Union requested a report of the number of vacancies that were used to meet reduction targets. Management advised that there is no report to be provided. Union to refer this item to CERC.	Remove from agenda.
16.	MAG Diversity Plan	Employer provided a list of names of the members on the MAG Diversity Committee. The Diversity, Inclusion and Accessibility Office will provide a presentation on the new 2013-2016 Diversity Plan, when available.	Will remain on agenda as a standing item.
17.	Kenora Small Court Location Pilot Project	A disclosure of June 12, 2013 was provided to MERC. The pilot has been extended to March 31, 2014. Management confirmed that additional sites are being considered and will be disclosed when available. Management provided a staffing list and current job description.	Management to follow-up
18.	Thunder Bay Court House – Court Clerk duties changed to include court monitor / reporter	Management advised that court clerk duties were not changed to include court monitor.	Remove from agenda.
19.	Expression of Interest	For assignments under 6 months, the manager has the discretion to determine how he or she will fill the position. Competitions are encouraged wherever possible.	Remove from agenda
20.	MAG Diversity Mentoring Program	The Union asked why the Diversity Mentoring Program has been extended for 6 months. Management responded that it was extended to allow for continued review against the OPS Inclusion Now! Plan.	Remove from agenda

New Business:			
21.	Application of Article 9.5 – VDT to DRD operators. (Walkerton LERC)	<p>The Union inquired about the application of Articles 9.5 and 60.2 of the collective agreement with relation to VDTs and DRD operators. The Union is of the view that these articles should apply to DRD operators.</p> <p>Management advised that the work performed by a court reporter is not the same as that performed by a VDT operator, nor do DRDs constitute VDTs.</p>	Remove from agenda.
22.	Owen Sound	Deferred.	
23.	Court Services Directive # 2013/06	<p>The Union requested and management provided Court Services Directive # 2013/06 Access to Digital Recordings in the Superior Court of Justice and Ontario Court of Justice. The union expressed concern that this information had not been provided prior to distribution to court staff.</p> <p>Management advised that this directive was issued to comply with new judicial policies on access to digital recordings of court proceedings in OCJ and SCJ.</p>	Remove from agenda
24.	Ergonomic Workstations – (LERC referral 330 / 393 University Ave.)	<p>The Union raised concerns regarding ergonomic training and equipment for court staff assigned and moving between different court sites.</p> <p>Management advised that ergonomic training occurred on November 13th and 19th 2012.</p> <p>Management encourages individuals to discuss their ergonomic requirements with their immediate supervisor and, if necessary, a local Joint Health and Safety Committee member.</p>	Remove from agenda.

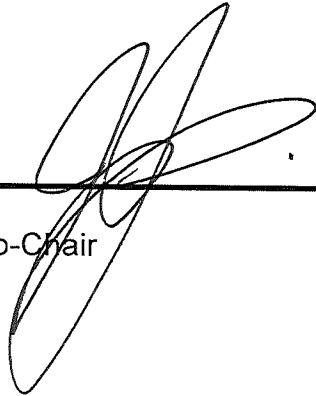
25.	Cross Training (LERC referral - 361 – 393 University Ave.)	Management agreed that it will make best efforts to provide staff selected for the cross training program with 30 days' notice before the start date. Management advised that members were selected by volunteer and reverse seniority.	Remove from agenda.
26.	Goderich – New Court Reporter positions	The union raised concerns regarding the duties and responsibilities of the combined full-time judicial secretary/trial coordinator/courtroom clerk and registrar/court recording monitor job spec disclosed November 22, 2012. Management stated that the revised and disclosed job description reflects the current combination of duties and responsibilities. Job classifications are determined by the Enterprise Classification Unit.	Remove from agenda.
27.	Procedures for High Risk Exhibits	Presentation deferred.	To be provided.
28.	Toronto Region's Learning & Development Committee, Court Services Division.	Management provided the terms of reference for the Learning and Development Committee of Toronto Region and the Court of Appeal for Ontario. Union requested names of OPSEU-represented committee members and how they were selected.	Management to follow-up.
29.	2013 Enterprise-wide Attendance Threshold	The union inquired if the ministry is using the enterprise wide threshold of 9 days. Management confirmed that it is using the 9 day threshold.	Remove from agenda.
30.	Sequestered Court Services Officers sharing	The union raised the issue that male and female CSOs were being required to share the same hotel room while supervising a sequestered jury overnight.	Remove from agenda.

	the same hotel room. (LERC referral – Newmarket)	Management advised that the current practice is that CSOs who are assigned to a sequestered jury are required to be awake and on duty for the duration of their shift as they are required to ensure no interference with the sequestered jury while at the hotel.	
31.	Complement of fixed-term (FXT) and flexible part-time (FPT) staff at 393 / 330 University Ave. (LERC referral)	The Union requested disclosure of a list of the fixed term and flexible part time (including the 1000 and 1500 minimum annual hours categories) Court Services Officers and Court Clerk & Registrars working at 393 and 330 University Avenue courthouses. Management will discuss with local management and advise.	Management to follow up.
32.	Banking of hours worked for FPT staff. (LERC referral - 330 / 393 University Ave.)	The Union inquired if FPT members could bank overage hours. Management advised that there is no entitlement for banking of hours under Appendix 32 of the collective agreement.	Remove from agenda.
33.	Staff access to computers to access WIN. (LERC referral - 330 / 393 University Ave.)	The Union is requesting that individual employees at 393 and 330 University be provided with access to computers and usernames so that employees can access their personal information and examine its accuracy.	Management to follow-up
34.	Designated bilingual positions – Toronto Region, CSD. (LERC referral - 330 / 393 University)	The Union requested disclosure of the names of the incumbents currently occupying designated positions within the Toronto Region of the Court Services Division, specifically at Old City Hall, College Park Court of Appeal (Osgoode Hall), 311 Jarvis as well as the 361, 393 and 330 University Avenue courthouses. The information was provided to the LERC on May 3, 2013.	Remove from agenda.

35.	Replacement of worn court apparel	The Union inquired as to what the practice is for court staff to seek replacement of worn court apparel? Also is it governed by local practices or a divisional-wide policy?	Management to follow-up.
36.	Appendix 42 – Flexible Hours of Work and Telework Arrangements	The Union inquired as to whether any telework arrangements currently exist within MAG and, if so, where?	Management to follow-up.
37.	Article 10.3 – Job Trading	The Union inquired as to whether any job trades currently exist within MAG and, if so, where?	Management to follow-up.
38.	Appendix 39 – Mass Centralized Recruitment Process	The Union noted the new provisions under Appendix 39 (g). The Union also requested disclosure of mass recruitment eligibility lists completed prior to ratification of the collective agreement on January 23, 2013.	Management to follow-up.
39.	Appendix 46 – Transition Exit Initiative	The Union requested discussion regarding the new transition exit initiative provisions of the 2013 -14 Collect Agreement and a list of the names of OPSEU employees who have applied for a Transition Exit Initiative (TEI) as well as the names of those who have been approved for a TEI.	Management to follow-up.
	Next Meeting:	MERC is scheduled for September 25, 2013 (TBC)	

Attachments: 1) Appendix A – Disclosures

For the Union:



OPSEU Co-Chair

SEPT. 25/2013

Date:

For Management:



Management Co-Chair

September 25 2013

Date:

Appendix A—Disclosures			
Item #	Disclosure Date	Division	Disclosure
A.	March 21/13	Legal Services	Surplus of one position
B.	March 21/13	Legal Services	Surplus of two positions
C.	April 25/13	Office of the Associate Deputy Minister	Branch Re-Org within Justice on Target Team
D.	April 25/13	Policy and Adjudicative Tribunals	Surplus of one position
E.	April 30/13	Court Services	New Model for Court Transcription
F.	May 22/13	Policy and Adjudicative Tribunals	Social Justice Tribunals Ontario (SJTO) Organizational Design Update
G.	May 24/13	Court Services	Information Share Regarding the Use of Personal Electronic Devices by Court Staff in the Workplace
H.	June 12/13	Court Services	Extension of the Small Office Model Pilot Project within the Kenora Courthouse