



**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:** January 29, 2014

**SUBJECT:** Ministry of the Attorney General  
**ERC Minutes – January 24, 2014**

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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.

Please note a MERC referral form should be used when referring unresolved local issues to the ministry level. This form is available at <http://www.opseu.org/ops/merc/MERC%20Action%20Form.pdf>. Upon completion, the document should be forwarded care of the **Job Security Unit** with all supporting documentation e.g. minutes, correspondence, etc.

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

AUTHORIZED FOR DISTRIBUTION:

IN SOLIDARITY,

A large, stylized handwritten signature in black ink, appearing to read "Warren Thomas".

Warren (Smokey) Thomas  
President

A smaller, more cursive handwritten signature in black ink, appearing to read "Ruth Hamilton".

Ruth Hamilton  
OPS Supervisor

/el  
att.

cc: MERC Chairs  
Ministry ERC

## **MERC MINUTES**

Ministry of the Attorney General

### MINISTRY EMPLOYEE RELATIONS COMMITTEE MEETING (MERC)

January 24, 2014  
9:30 a.m. – 5:30 p.m.  
720 Bay Street, Toronto, Ontario

Chair: Management

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**For the Union:**

Jim Jurens (Co-Chair) OPSEU Local 526  
Tim Elphick, Vice Co-Chair, OPSEU  
Tina Stevens  
Judith Marion, OPSEU Job Security  
Shelley McCormick

**Guests:**

Rosa Martelli  
Kate Andrew  
Alison Hedden  
Katie MacKenzie-Ferley  
Leanda Rosenblitt  
Roy Dart, Court Services Division  
Mike Mously, Centre For Employee Relations

**For the Ministry:**

Carol Christidis, (Co-Chair) HR Strategic Business Unit  
Randy Holloway, HR Strategic Business Unit  
Brian Garrah, Court Services Division  
Lina Bilardo, Victims & Vulnerable Persons Division

**Regrets:**

Chris Tikkanen, Centre For Employee Relations

**Recorder:**

Sean Lee, Centre For Employee Relations

Ref #	Agenda Item:	Issue:	Follow-Up / Action:
<b>Presentations:</b>			
a) Learning and Development Committee – TO Region	<p>The Employer presented information on the committee's work. OPSEU asked questions regarding the use of this model in other areas in the Ministry. The Employer responded that the Toronto Region initiative is being shared with other regional directors as a best practice.</p> <p>Toronto staff are encouraged to contact their local committee members at their respective court locations for additional learning requests.</p>		
b) Judicial Interim Release Order (JIRO)	<p>The employer presented information on roll out of the initiative across the province.</p> <p>The Union brought forward implementation concerns from various regions on ergonomic, training, health and safety and possible effects on staffing levels. Management advised that they are aware of these issues and that they will be dealt with at the local level. Management also advised that this is not a staff reduction exercise.</p>		
c) Court Interpreters	The Employer provided information on the court interpreter registry tool.		
d) Innovation Fund / Courts Modernization	The Employer presented information on the courts modernization initiative and the innovation fund. Management advised there may be potential staffing impacts. The Union requested ongoing dialogue and sharing of information, including ideas submitted. The Union asked the Employer to disclose how much money is in the fund. It's the Union's position that technology initiatives should be developed and implemented in house and not outsourced.	Management to respond to Union's request in advance of the next meeting.	
e) Employee Engagement	The Employer provided a presentation on employee engagement activity that has been carried out within the Ministry.		

Ref #	Agenda Item:	Issue:	Follow-Up / Action:
<b>Standing Items:</b>			
1.	<b>MAG Update:</b>		
a.	<b>Victims and Vulnerable Persons (VVPD)</b>	Management gave an update on Staff Safety and Security Initiatives. Also, management provided a training update for the northern region including dealing with clients with mental health issues.	
b.	<b>Court Services Division</b>	<p>Management advised of three training initiatives in CSD: judicial secretary (Fall 2013), change management training and “Customer Service in Courts” to be delivered in 2014.</p> <p>CSD confirmed the delivery of a special edition newsletter that was released in fall of 2013 that provided a progress update on the CSD EE action plan.</p> <p>CSD confirmed their participation in the upcoming quarterly regional roundtables to commence April 2, 2014 in Hamilton. CSD provided feedback on a summary of the divisional wellness initiatives.</p> <p>Management provided a synopsis of Court Services Division’s wellness initiatives.</p>	
2a.	<b>Fixed Term (FXT) Report (Article 16)</b>	Provided to the Union.	
2b.	<b>Conversion Reports (Article 31 A.15)</b>	Provided to the Union.	
3.	<b>LERCs</b>	Management provided an updated list of ministry LERCs.	

Ref #	Agenda Item:	Issue:	Follow-Up / Action:
4.	<b>Employee Engagement Action Plan</b>	See presentation (E)	
5.	<b>Ministry's Court Reporting Services</b>	<p>Management advised that on December 2, 2013, the ADAG sent a memo to all staff and managers to advise that the implementation date for the new model of transcript production is extended to June 9, 2014 and that a Request for Proposal (RFP) for an independent Service Provider would be issued. The memo also included Q's and A's for staff.</p> <p>The RFP for the Independent Service Provider was posted on MERX for six weeks and closed on January 20, 2014.</p> <p>An amendment to O. Reg. 158/03 has been proposed that includes a recommended transcript fee increase. The proposal is currently posted on the regulatory registry.</p> <p>Work is continuing with colleges developing a curriculum for Court Transcriptionist program.</p> <p>The Union also requested that management provide a list of the colleges involved in transcriptionist training and whether all colleges in the province have the opportunity to participate.</p> <p>Management responded that the colleges involved are Durham College, Centennial College, Algonquin College, Seneca College, Canadian Centre for Verbatim Studies and a Private Career College.</p> <p>Any of Ontario's 24 Colleges of Applied Arts and Technology (CAAT) are eligible to participate in this opportunity and may offer this program either as a local Board certificate or as an approved for funding Ontario college credential.</p> <p>The Union asked when the employer would be implementing the Collective Agreement for the bargaining unit work of the court reporters.</p>	

<b>Ref #</b>	<b>Agenda Item:</b>	<b>Issue:</b>	<b>Follow-Up / Action:</b>
6.	<b>Job Descriptions</b>	Management continues to send job descriptions to the Union on a regular basis.	
7.	<b>Article 10.3 – Job Trading</b>	Management provided an update on the current outstanding job trade requests. The Union encouraged management to approve job trade requests wherever possible.	Remove from agenda.
8.	<b>Bill 168 and Workplace Violence Risk Assessment (WVRA)</b>	Management has reminded managers to provide WVRAs to their local Health and Safety Committee/Representative for review and discussion.  The Union advised that both sides of the local Joint Health and Safety Committee are responsible for the development and review of WVRAs and should develop processes for ongoing review. If the Joint Health and Safety Committee is not in receipt of the WVRAs, they are encouraged to speak with the management co-chair.	Remove from agenda.
9.	<b>Career Mentoring Program</b>	Management gave an update on the career mentoring program.	Remove from agenda.
10.	<b>Courts Modernization</b>	See presentation (D)	
11.	<b>Training and Development</b>	See presentation (A)	
12.	<b>Results based Planning (RbP)</b>	The parties discussed. Further updates were requested by the Union.	
13.	<b>FPT Deficit hours</b>		Union to follow up.
14.	<b>Court Interpreters</b>	Following the Employer's presentation, the Union asked whether data capturing the use of interpreter services would be shared. The Employer advised training was still proceeding. The Union has requested information on the training and testing status for court interpreters.	
15.	<b>MAG Diversity Plan</b>	Management provided a printout of the MAGnet website page and will arrange for a presentation if requested. Questions will be forwarded to the Employer for response.	

Ref #	Agenda Item:	Issue:	Follow-Up / Action:
<b>Report Back Items:</b>			
16.	<b>Kenora - Small Court Location Pilot Project</b>	<p>Management advises that the Kenora Small Office pilot will end in March 2014. The evaluation criteria and transition strategy are under development now. Management will be seeking staff input regarding the evaluation of the pilot. The evaluation will also involve a review of the training requirements. Upon completion of the evaluation, Management will review and determine next steps and a final report will be provided to the Union. Management is considering expanding the pilot in other locations but has not made any decisions. Once a decision is made, disclosure to the Union will be provided.</p> <p>The Union's understanding from the initial implementation is that the small court model, if used elsewhere, would be in smaller courts in northern Ontario on a limited basis.</p>	
17.	<b>Toronto Region's Learning &amp; Development Committee, Court Services Division.</b>	See presentation (A)	
18.	<b>Complement of fixed-term (FXT) and flexible part-time (FPT) staff at 393/330 University Ave.</b>	Management advised that since the information being requested is not available at the Ministry level, the Ministry is not required to provide it under the Collective Agreement. The Division is not resourced to provide these reports to local court locations.	Remove from agenda.
19.	<b>Staff access to computers to access WIN.</b>	<p>The Employer advised that all staff have log in passwords and can access eight dedicated computers in the training room and computers elsewhere in the workplace.</p> <p>MERC encourages employees in that location to speak to their manager if they are experiencing computer access issues.</p>	Remove from agenda.

Ref #	Agenda Item:	Issue:	Follow-Up / Action:
20.	<b>Appendix 42 – Flexible Hours of Work and Telework Arrangements</b>	<p>The Employer provided a list of alternate work arrangements.</p> <p>The Union requested further information on specific work locations.</p>	Management to follow up.
21.	<b>Appendix 39 - Mass Centralized Recruitment Process</b>	The Employer provided eligibility lists of applicants for Mass Centralized Recruitment as per Appendix 39. The Union asked for confirmation that there are no other eligibility lists in effect.	Management to follow up.
22.	<b>Appendix 46– Transition Exit Initiative</b>	The Union asked for clarification as to whether an employee whose TEI request has been approved can subsequently withdraw their request if their proposed exit date has not been mutually agreed to.	Management to follow up.
23.	<b>Court Order</b>	<p>The union asked management about a court order for “electronic trial support services” issued by Justice Horkins in the Toronto Superior Court of Justice. Management is not aware of this court order. Separate from the above, Justice Horkins requested that the Regional Senior Justice’s Office (RSJ) provide a real time reporter for the trial at 361 University Avenue. The request met the criteria established by the RSJ’s office which includes such things as: length of the proceeding, complexity of the matter, need for ongoing expedited transcripts and accessibility issues.</p> <p>The Union replied that, previous to the introduction of DRD, this would have been bargaining unit work and asserts that it should still be bargaining unit work.</p>	Remove from agenda.
24.	<b>LERC Training – Requirement for both parties to attend</b>	The parties understand LERC training is being developed centrally with rollout to happen sometime in the future.	Parties to review progress.



Ref #	Agenda Item:	Issue:	Follow-Up / Action:
25.	<b>Attendance Support Management Program (ASMP) – Program and Training</b>	<p>The Union requested a meeting with the Attendance Support Management Office (ASMO) and Ministry representatives to discuss the need for training union representatives on the new Attendance Support Management Program (ASMP) in CSD and ELTO.</p> <p>The meeting took place on January 15, 2014. ASMO now has the list of OPSEU names to receive training. Management confirms that two Union Representatives from each work location will be trained on the ASMP program. Efforts are underway to coordinate training.</p>	Parties to review progress.
<b>New Business</b>			
26.	<b>1000 Finch Courthouse (JIRO)</b>	See presentation (B)	Remove from agenda.
27.	<b>FXT Backfilling FPT positions</b>	<p>The Employer advised that when an FXT employee backfills a FPT position on a temporary basis, the Employer will make every effort to meet the minimum weekly hours of the FPT position as much as operationally feasible. However, should court collapse early and, as FXT employees are unable to accrue deficit hours, there is no obligation for FXT employees to perform work that supports the overall administration of the courts since the hours worked by the FXT employee while temporarily backfilling a FPT position may vary from FPT employee's hours. The Employer's position is that the entitlements for FXT employees come from Article 31.A and not Appendix 32 in the collective agreement.</p> <p>The Union's position is that an FXT backfilling an FPT position is entitled to the minimum hours category.</p>	Remove from agenda.
28.	<b>WIN Pay Issues</b>	<p>The Union requested an off-cycle direct deposit pay for the additional hours worked by FPT employees from December 16th to December 22nd prior to the January 16th pay day. The Union requested to have the issues addressed by the December 2014 holiday season. Management supports the Union's request.</p> <p>Management advised that they would consult with Ontario Shared Services to see if this is a possibility.</p>	Management to follow up.

<b>Ref #</b>	<b>Agenda Item:</b>	<b>Issue:</b>	<b>Follow-Up / Action:</b>
29.	ELTO (LERCs)	The Parties will work towards establishing Tribunal LERCs where appropriate. Management agrees to provide the Union with a list of Tribunal work locations covered by the OPS collective agreements.	Management to follow up.
30.	Court Time Reporting System (CTRS)	The Employer advised that a new automated time reporting system will be communicated to CSD employees in the near future.  The Union inquired about impacts on staff. The new system will replace the manual reporting system and will have no impact on staff.	Remove from agenda.
31.	Org Charts	The Union requested organizational chart information for the entire Ministry in as much detail as possible.  Management will review what information is available that can be shared and will respond.	Management to follow up.
32.	Identification Cards	The Union identified that the Ministry has a policy in place called the "Ministry ID Card System" and noted that not all staff have ministry ID cards.	Management to follow up.
<b>Deferred Items</b>			
33.	Owen Sound	Referred to local for follow up.	Remove from agenda.
34.	Procedures for High Risk Exhibits	Deferred.	
35.	Landlord Tenant Board – Reduction of Financial Office from 8 to 4 (workload issues)		Remove from agenda.

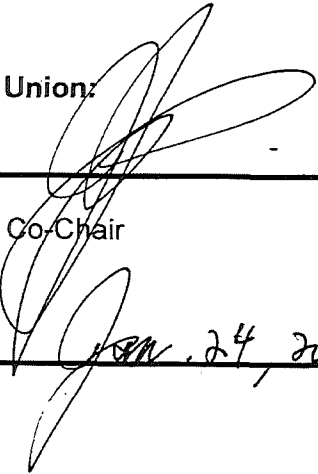
Ref #	Agenda Item:	Issue:	Follow-Up / Action:
Attachments: 1) Appendix A – Disclosures			

For the Union:

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OPSEU Co-Chair

Date:



Jan. 24, 2014.

For Management:

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Management Co-Chair

Date:

Carol A Christidis

Jan 24, 2014.

Appendix A – Disclosures

<b>Disclosures:</b>			
<b>Item #</b>	<b>Disclosure Date</b>	<b>Division</b>	<b>Disclosure</b>
A.	October 22, 2013	ARD and PATD	Clusters and Tribunals
B.	October 25, 2013	Court Services	e-Orders pilots
C.	November 6, 2013	Court Services	Change in Reporting Relationship
D.	November 22, 2013	Court Services	Change in Reporting Relationship
E.	November 26, 2013	SLASTO	Change in Reporting Relationship
F. (Info share)	November 27, 2013	Corporate Services	MAG 2013-16 Inclusion Strategic Plan
G.	December 9, 2013	Court Services	Salary payments for FPT and FXT.
I. (Info share)	December 10, 2013	Corporate Services	Wellness Initiative
J. (Info share)	December 19, 2013	Court Services	e-Orders pilots
K.	December 19, 2013	Court Services	Change in Reporting Relationship
L.	December 19, 2013	Court Services	Change in Reporting Relationship
M. (Info share)	December 23, 2013	Court Services	MPPE process
N. (Info share)	January 13, 2014	Corporate Services	MAG Modernization Plan
O.	January 15, 2014	Court Services	Court Time Reporting System