

## **OPS MERC Mandate, Roles and Responsibilities**

### **A message from the OPS CERC (Central Enforcement Renewal Committee) about the general mandate, roles and responsibilities of our MERCs (Ministry Enforcement Renewal Committees)**

In early 2012, the OPS CERC Team was charged by the Chairs of the OPS MERCs with creating this document to express the common mandate, roles and responsibilities of our 21 MERC Teams. It is the intent of your CERC Team and the MERC Chairs that this document will assist OPS locals in better utilizing the MERCs to advance the interests of the members. It is further hoped that it will assist the delegates of the December 2014 Divisional to assess the ways MERCs can support local initiatives and to enhance the understanding of how the locals can better connect with and support the work the MERCs are doing on behalf of the members within the ministry.

**The mandate of the MERC is to *promote and advance the union agenda on behalf of the members of the ministry.***

To achieve this, the MERCs assume the following responsibilities:

- Play a significant role in enforcing our contract
- Work with the employer to resolve workplace issues
- Expand ongoing communication and connection with the locals
- Strengthen solidarity with the members and among the locals
- Strengthen union presence and influence in workplaces
- Link MERC work to bargaining work
- Enhance the bargaining unit integrity of the union

### **Play a significant role in enforcing our contract**

Appendix 15 (Fixed Term Employees) and Appendix 30 (Workload Issues) include responsibilities MERCs have for ensuring specific Collective Agreement rights. The individual member can enforce her/his rights by filing a grievance or seeking the assistance of the local to advocate in other forums such as the LERC (Local Enforcement Renewal Committee) or through the local health and safety committee. If the issue is one affecting a number of local members, the LEC (Local Executive Committee) can file a policy grievance through their Staff Representative, advocate in another forum to management or initiate other actions to enforce the rights of the local's members.

Where an issue affecting a group of members is not resolved at the local level it might be referred to the MERC, which often has access to ministry officials not accessible to the local. The MERC can also initiate, coordinate and advocate by means of a policy grievance that extends beyond the interests of a specific local. Further, where the issue is one that the MERC determines could benefit from being discussed beyond the ministry level, the MERC has the authority to refer the matter to the Deputy Minister and/or CERC. The CERC will then advocate for OPS (Ontario Public Service) corporate intervention on behalf of the ministry members.

### **Work with the employer to resolve workplace issues**

The MERC has the responsibility of proactively working with the employer in the implementation and application of employer initiatives. This will maximize the positive effects and minimize the negative impacts as early as possible when employer initiatives are introduced. This advocacy role also applies to employer programs that have been identified by locals as requiring amending. For some of our MERCs, the responsibility of working with the employer on specific issues or in implementing specific initiatives will be delegated to a separate working group or subcommittee of the MERC. The MERC subcommittees or working groups may include union members from the affected area.

### **Expand ongoing communication and connection with the locals**

Whether enforcing the collective agreement, advocating for the members or coordinating activities of the ministry members and other OPS groups of members, the MERC has the responsibility of ensuring that it is hearing from the locals and effectively communicating back to the LERCs/locals. This enables the various OPS committees to coordinate activities around matters that require the support of the locals/members by informing the members about issues within the ministry or about activities occurring across the OPS.

## **Strengthen solidarity among the members and the locals**

### **Strengthen union presence and influence in workplace**

Through its enforcement, advocacy or communications work on behalf of the ministry members, the MERC is very aware of the importance of speaking with the voice of the collective membership. Knowing that the MERC is speaking with the support of its locals and members has a significant effect on the ministry's response. To satisfy itself that it is advocating what the members are seeking, the MERC has the responsibility of assuring that the communications to and from the locals is constantly supportive of the work the locals are doing on behalf of the members. It is recognized that the work of the locals is more effective when the local is well informed and has access to the necessary enforcement and advocacy support of the MERC. Further, the communications and advocacy efforts of the MERC are undertaken recognizing the responsibility of developing solidarity amongst the locals.

### **Link MERC work to bargaining work**

In fulfilling its responsibilities to inform the locals, to be informed by the locals and to strengthen solidarity within the membership, the MERC plays a role in enhancing the effectiveness of the bargaining team. To be effective, the bargaining team should be well informed and well supported by the members. The MERC has the responsibility of playing a role in informing the members about key OPS issues. Further, the MERC can identify and provide valuable input on issues which can be resolved through bargaining.

### **Enhance the bargaining unit integrity of the union**

The MERC has an important role to play in reporting, monitoring and enforcing the bargaining unit integrity rights of Articles 1.8 and 1.4 of the collective agreement. The MERC fulfills this role by working with enforcement units in the union and through effective communications with the ministry locals.

In setting out the above general MERC roles and responsibilities, the CERC Team and MERC Chairs remain respectful of the responsibility of the MERCs and Divisional delegates in determining the processes and the allocation of roles that best fit the needs of the individual ministry Division. They also recognize and appreciate the tremendous workloads the current MERC teams have taken on in fulfilling their mandates.