

Treasury Board Secretariat

Negotiations & Security Branch
Employee Relations Division

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Division des relations de travail

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November 20, 2014

Warren Thomas
President
Ontario Public Service Employees Union
100 Lesmill Road
Toronto, Ontario, M3B 3P8

RE: OPSEU Article 44.10 Short Term Sickness Plan

I am writing to advise you of a clarification in practice related to the payment for sick notes under Article 44.10 of the Collective Agreement.

As you are aware, Article 44.10 of the Collective Agreement reads as follows:

“After five days absence caused by sickness, no leave with pay shall be allowed unless a certificate of a legally qualified medical practitioner is forwarded to the employee’s manager certifying that the employee is unable to attend to his or her official duties. Notwithstanding this provision, where it is suspected that there may be an abuse of sick leave, the employee’s manager may require an employee to submit a medical certificate for a period of absence of less than five (5) days.”

A recent GSB decision (GSB #2011-230/2011-3166) has clarified that the Employer is not responsible for the cost of a medical note under Article 44.10. The Employer is only obligated to pay where it is explicitly set out in the collective agreement as in Article 44.9 that states that a medical examination is ‘at the expense of the Employer’.

In accordance with this decision, the Corporate Employer has clarified, with OPS Ministries, its practice regarding the payment for medical notes under Article 44.10.

Regards,

A handwritten signature in black ink, appearing to read "Michael Villeneuve".

Michael Villeneuve
Director, Negotiations and Security Branch
Employee Relations Division
Treasury Board Secretariat

- c. David Logan, Assistant Deputy Minister, Employee Relations Division, TBS
Robert Bass, Bass Associates

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Ontario Public Service Employees Union (OPSEU)
100 Lesmill Road
North York, Ontario
M3B 3P8

RE: Standardized Job Descriptions

I am writing to notify you of the Employer's intention to engage in a review of job descriptions in the OPSEU bargaining unit with a view to creating standardized job descriptions. The Employer intends to begin the review in the area of I&IT.

Where employees are presently engaged in the same kind and level of work, the Employer intends to review whether or not separate and distinct job descriptions are warranted. A standardization of job descriptions across the organization would reduce the number of re-evaluations/reclassifications in the future, the work associated with creating new job descriptions, and ultimately facilitate the movement of employees across the organization.

Regards,

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Michael Villeneuve
Director, Negotiations & Security Branch
Employee Relations Division, Treasury Board Secretariat

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RE: Continuation of Payments on LTIP

Presently, when an employee ceases entitlement to Long Term Income Protection (LTIP) benefits based on the eligibility terms under the LTIP policy, it has been the Employer's practice to continue paying the equivalent LTIP benefit payments for a period of up to three (3) months on an administrative basis.

I am writing to notify you that effective date of ratification, the Employer intends to cease this practice.

Regards,

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RE: Posting and Filling of Vacancies

The Employer is committed to a recruitment process that attracts the best suited candidates to positions and evaluates candidates using objective and fair criteria. In order to ensure that the recruitment process is as effective as possible, the Employer intends to exercise its rights under the collective agreement to utilize pre-interview testing, where deemed necessary, as a means of screening candidates for job competitions.

Regards,


Michael Villeneuve
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RE: Schedule A Overtime

It has come to the Employer's attention that inconsistencies currently exist with regard to the authorization of overtime for Schedule A employees.

I am writing to reiterate to you that any additional hours worked, to be considered in the calculation of overtime, in accordance with the provisions of Schedule A must be preauthorized by the Employer.

Regards,

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RE: Attendance Support and Management Program

The Ontario Public Service is committed to effective and efficient management of employee attendance that balances the organization's need to maximize workforce productivity with an employee's need for support when absent due to illness or injury. Employee attendance is fundamental to the quality of public services, and achieving and maintaining regular attendance remains a priority issue.

Please be advised that effective April 1, 2015, the Attendance Support and Management Program will become the corporate attendance management program.

Regards,

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