

# **MERC Minutes**

## **Ministry of the Attorney General Ministry Employee Relations Committee Meeting (MERC)**

**February 25, 2021**

10:00 a.m. – 2:00 p.m.

Teleconference

Chair: MAG

### **MERC Members:**

Loretta Clark, OPSEU/SEFPO Co-Chair  
Coleen Houlder, OPSEU/SEFPO Vice-Chair  
Riese Stuber, OPSEU/SEFPO Member  
Marie-Paule Duret, OPSEU/SEFPO Member  
Rodger Noakes, Negotiator, OPSEU/SEFPO

Angela Oh, Management Co-Chair  
Rojean Prince, CSD  
Patrick Ouellet, VVPD  
Greg Jones, CPSLRC, TBS

### **Guests:**




- Rachel Langill, Human Resources Business Advisor, CSMD
- Jami McWade, A/Workforce Policy and Planning Coordinator, CSD

Ref #	Agenda Item	Issue	Follow-Up / Action
<b>Standing Items</b>			
1.	<b>Provincial Offences Act (POA) – Part III</b>	No updates at this time as a result of COVID-19.	CLD to provide update at the next MERC.
2.	<b>Civil E-Filing</b>	Justice Services Online (JSO) has expanded to add an online service to electronically submit Small Claims Court (SmCC) documents to the court as of January 25, 2021.	The Employer will provide further updates at the next MERC as available.
3.	<b>Remote Recordings</b>	<ul style="list-style-type: none"> <li>• An audio audit on 65 remote/hybrid court recordings taken during the pandemic period was completed. <ul style="list-style-type: none"> <li>- There were some recordings that had notable issues.</li> <li>- The field has also identified some issues with particular recordings.</li> <li>- CSD/ Program Management Branch continues to monitor and is developing a system to better track/report problematic recordings and assist the field.</li> </ul> </li> <li>• To make improvements in remote court recordings, updated etiquette guidance is underway for all court participants. <ul style="list-style-type: none"> <li>- A large number of audio issues are the result of users/settings/set-ups. There are small checks and reminders that may greatly improve sound quality.</li> </ul> </li> <li>• Exploring equipment set-ups/standards for non-Justice Video Network courtrooms to assist with audio quality.</li> <li>• CSD noting feedback from the field to provide additional support/training where needed for frontline workers.</li> </ul>	

4.	<b>Recovery Secretariat Update</b>	<ul style="list-style-type: none"> <li>• All individuals are required to strictly adhere to health and safety measures in the workplace including: <ul style="list-style-type: none"> <li>- complete a COVID-19 screening assessment before attending your workplace</li> <li>- maintain appropriate physical distancing</li> <li>- frequently wash your hands</li> <li>- cover your mouth and nose with a tissue when coughing or sneezing</li> <li>- wear the appropriate face mask or personal protective equipment (PPE) properly at all times.</li> <li>- If you're feeling sick and/or experiencing any <u>COVID-19 symptoms</u>, please stay home.</li> </ul> </li> <li>• In light of the new variants, the ministry has consulted with the Chief Medical Officer of Health who has confirmed that the precautionary measures currently in place in courthouses continue to be robust and effective in mitigating the transmission of all known variants of COVID-19.</li> <li>• The Superior Court of Justice has advised that they will not commence any new jury selection or jury trials until May 3, 2021, unless further updates are received. Jury trials that were already in progress can proceed, subject to the discretion of the trial judge.</li> <li>• The "<b>PPE and Critical Supplies Policy</b>" has been updated. Key changes include mandatory wearing of MAG provided surgical/procedure face masks by employees in all areas of a MAG facility and mandatory wearing of MAG provided source control face coverings by members of the public and visitors coming into a MAG facility. The document can be found at <a href="https://intra.ontario.ca/mag/mag-workplace-recovery">https://intra.ontario.ca/mag/mag-workplace-recovery</a>.</li> <li>• OPSEU continues to seek helpful information from staff as they have received more information about members' health and safety concerns relating to the Brampton courthouse and have passed these critical concerns on to Recovery Secretariat.</li> </ul>	<p>OPSEU continues to meet with the Recovery Secretariat on a weekly basis to obtain updates and for OPSEU to provide feedback and raise concerns.</p>
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5.	<p><b>Mental Health Updates</b> (formerly Vicarious Trauma)</p>	<p>The Employer confirms the Diversity, Inclusion and Accessibility Office has plans to develop and deliver holistic educational sessions to equip leaders with tools and resources to break-down mental health stigmas and barriers.</p> <p>The Employer confirms it has a workplan in place, supported by SMT and Mental Health Executive Champions, to address needs of diverse groups at the aggregate level.</p> <p>Updates and information can be found at the MAG Wellness page: <a href="https://intra.ontario.ca/mag/mag-mental-wellness">https://intra.ontario.ca/mag/mag-mental-wellness</a></p>	<p>OPSEU applauds MAG in the efforts undertaken to highlight mental health.</p> <p>OPSEU highlights the connection between mental health and staffing levels / workload issues.</p> <p>OPSEU is assertively highlighting how mental health messaging and implementation strategies can have ‘unintended’ impacts to members’ mental health and morale, specifically those at frontline.</p>

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<b>LERC Referrals</b>			
6.	<p><b>Increased Workload in VWAP with No Increase in Resources – Waterloo Region, Wellington County</b></p> <p><b>Tabled: December 10, 2020</b></p>	<p>There are two streams of action taking place to try to alleviate workload pressures.</p> <p>The VISiON application support team has been organizing feedback sessions with the regional offices in order to obtain their input on what is causing the VISiON pain points for staff, which may be contributing to increase pressure. Based on the results of these consultations, they will put a plan in place to address what is possible.</p> <p>At the local level:</p> <ul style="list-style-type: none"> <li>• Client referrals can now be addressed by a generic introduction letter (except for Homicide, Human Trafficking and Driving Fatalities which represent about 10% of the cases) to new VWAP clients which still satisfies the mandatory 3-day requirement of reaching out to new referrals.</li> <li>• VWAP sites in general are now focusing on core mandatory cases no longer accept some non-core cases involving interfamilial dynamics and other serious cases unless they involve an underlying client vulnerability.</li> <li>• To address the Administrative Assistant's workload, the manager has implemented a paperless file system which means hard client copies no longer need to be print them off.</li> </ul>	<p>OPSEU recognizes the Employer's efforts to address workload pressures.</p> <p>The Employer will provide further updates, including case management metrics, at the next MERC as available.</p>

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<b>MAG Updates</b>			
7.	<b>Court Services Division (CSD)</b>	 Training Update for MERC_February 2021	The Employer will provide further updates at the next MERC as available.
8.	<b>Victims and Vulnerable Persons Division (VVPD)</b>	  VVPD Projects for MERC Update - Febru VVPD Employee Engagement - MERC -	The Employer will provide further updates at the next MERC as available.
9.	<b>Criminal Law Division</b>	No updates at this time.	The Employer will provide further updates at the next MERC.
<b>Reports</b>			
10.	<b>Fixed Term Report (Article 16.5.1)</b>	The Fixed Term report ending December 31, 2020 was provided by the Employer on February 11, 2021.  The Union has raised concerns relating to conversion eligibility.	The parties to work together to ensure data integrity of the report.
11.	<b>Conversion Reports (Article 31A.15)</b>	The Conversion report ending December 31, 2020 was provided by the Employer on February 11, 2021.	

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12.	<b>FPT Deficit Hours (Quarterly Reports)</b>	<p>Following disclosure, on January 7, 2021, all FPT staff were advised in writing that effective Monday, February 8, 2021 that deficit forgiveness would be ending, and that Court Services Division would return to deficit accrual outlined in the OPSEU collective agreement. In this notification, staff were also reminded to ensure they are seeking out work from their supervisor, especially when their court finishes early.</p> <p>Where staff have not sought out work to meet their bi-weekly targets, deficit will not be accrued, and staff will have time off used to make up the variance. Deficit will only be accrued when the Employer does not have adequate work based on the individuals job description, for the individual to perform.</p> <p>Court Services Division has had in-depth discussions with the regional directors and confirmed that there is more than enough work available in all FPT job specs to support this course of action.</p>	
13.	<b>Job Descriptions</b>	The Union received the report for November 2020 on December 15, 2020. The Union received the report for December on January 15, 2021. The Union received the report for January on February 17, 2021.	
<b>Report Back Items</b>			
14.	<b>Financial Process Modernization</b>	An update was provided that the Trust Management System (TMS) project team have successfully deployed a technical upgrade to the Thunder Bay pilot at the end of January 2021. The project team is continuing its work around site readiness, as well as testing and training of the new system.	The Employer will provide further updates as they become available.


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15.	<b>Naloxone Kits in the Courthouses</b>	No updates at this time.	The Employer will provide further updates as they become available.
16.	<b>SIU Reclassification</b>	No action at this time.	Item referred to Appendix 7 Committee. Item moved to ' <b>inactive standing items</b> ' for future MERC discussion.
17.	<b>Tribunals Ontario</b>	No updates at this time.	The Employer will provide an update at the next MERC if available.
18.	<b>LERCs</b>	OPSEU and MAG have prepared a joint memo that was sent to all MAG managers on Monday, March 8, 2021, regarding the importance of labour relations committees and encouraging the establishment of Local Employee Relations Committees (LERCs) at MAG workplaces where one does not already exist.	The Union will provide the memo to members. The Employer will provide the memo to management.
19.	<b>Enforcement Officer Refresher Training</b>		The parties agreed to revisit



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			this issue at the next MERC.
20.	<b>Role of the Employer</b> <b>Tabled: December 10, 2020</b>	<p>The Union has identified health and safety concerns relating to courtroom (virtual and in person) scheduling, decorum and compliance.</p> <p>The Union reiterated that s.2 (2) of the <i>Occupational Health and Safety Act</i> prevails over any other legislation and policies governing the workplace.</p>	<p>The parties agree to continue discussions at the weekly Covid-19 meetings.</p>

**New Business**

<b>21.</b>	<b>Landlord Tenant Board – Working Groups</b>	OPSEU raised concerns regarding new skills required (e.g. leadership and guidance to peers) following the introduction of working groups. Additional concern raised relates to significant increase to LTB’s workload while staffing levels remain static in face of significant backlogs.	OPSEU would like to meet with LTB, at a separate meeting, to obtain updates of working group status and recruitment strategy, and for OPSEU to provide feedback and raise concerns.
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22.	<b>Anti-Racism Action Plan</b>	<p>The Anti-Racism Directorate launched a Roadmap to Racial Equity in mid-January 2021 to support ministries in developing a ministry-level anti-racism plan.</p> <p>The Employer confirmed a draft Action Plan will be submitted to the Anti-Racism Directorate by March 31, 2021. This plan will be informed by an engagement and consultative process with all stakeholders which will leverage and build on existing engagement initiatives (e.g. employee experience survey, anti-racism implementation committee work and divisional input etc.) to identify actions, solutions and foster a holistic approach to drive and advance MAG's anti-racism plan going forward.</p> <p>The Employer confirms the creation of an Anti-Racism Lead position reporting into the Chief Legal Counsel and Executive Advisor to the Deputy Attorney General which will provide leadership and strategic advice around anti-racism. This role is currently under recruitment and will be a resource for all MAG employees to access for advice and support.</p>	OPSEU applauds MAG in the efforts to develop a meaningful and holistic anti-racism plan informed by a thoughtful and respectful consultative process which is respectful of all key stakeholders' time and input.
23.	<b>New Toronto Courthouse</b>	<p>The Employer advised there is a Staff Transition Committee (STC) consisting of staff (including OPSEU members) from each court location that will be moving into the New Toronto Courthouse (NTC).</p> <p>The Union has asked how the committee was identified and how members were selected.</p> <div style="text-align: center;">  </div> <p>NTC Newsletter #12 Winter 2020-21.pdf</p>	The Employer will provide an update at the next MERC.

24.	<b>Staffing and Recruitment – Workload Issues within CSD</b>	<p>The Union has raised workload issues, concerns around burnout and staffing levels for all positions within CSD across the province.</p> <p>The Union had previously raised this issue with the Employer at Covid-19 meetings.</p>	<p>OPSEU will share specific examples of workload pressures and concerns.</p> <p>The Employer will provide an update at the next MERC.</p>
Next Meeting Dates			
		<ul style="list-style-type: none"> <li>• May 13</li> <li>• September 10</li> <li>• December 9</li> </ul>	

For the Union

For the Employer

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Union Co-Chair  
Loretta Clark

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Employer Co-Chair  
Angela Oh

For the Union

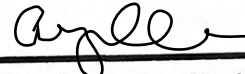


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