

Ministry Employee Relations Committee - Corrections

Ministry of the Solicitor General

Minutes

Wednesday, September 21, 2022

OPSEU's Kingston Regional Office | 824 John Counter Blvd. | Kingston, ON

Attendees

For the Union

- Chad Oldfield (Co-chair)
- Janet Laverty
- Scott McIntyre
- Adam Cygler
- Peter Figliola
- Sandra Harper

For the Ministry

- Kevin Sawicki (Co-chair)
- Barb Forbes (Co-chair)
- Christopher Moore
- Lisa O'Brien
- Tracey Gunton

Regrets

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Resources

- Bart Nowak, Director, Strategic Business Unit
- Laural Rueffer, Manager, Strategic Labour Relations, Health Safety & Wellness, and Executive Services
- Justin O'Gorman, Treasury Board Secretariat (virtually)
- Joselyn Ross, Health and Safety Officer, Corporate OPSEU or Frank Inglis, Health and Safety Officer, OPSEU Head Office
- Liz Leduc, Employee Relations Committee Coordinator

Observers

- Ryan Graham, Union co-chair, PJOHSC

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- Michelle MacLean, Union Member, PJOHSC
- Joely Price, Union Member, PJOHSC
- Denise Sidsworth, Union Member, PJOHSC
- Mike Cranley, Union President, QDC
- Geoff Ridder, Superintendent, QDC
- Rhonda Slaven, Eastern Region RERC Union Co-chair

Announcement

Members welcomed Tracey Gunton, Regional Director, Institutional Services, Eastern Region and Lisa O'Brien, Director, Institutional Services as Employer members replacing David Wilson and Sirad Mohamoud.

New Business

1. **MERC Referral from T&D - Community Reintegration Training** – Union flagged that there are static procedures contained within the April 12, 2022 “Roles and Responsibilities memorandum” that are not necessarily reflected in the training materials provided to the Union through this subcommittee.

Action: Employer will review and respond as this is a new initiative and continues to evolve.

2. **MERC Referral from T&D - Peer Mentorship Program (PMP) Institutional Services** – Union is requesting a status update regarding the Peer Mentorship Committees in the institutions.

Action: Employers will get the information and provide an update at the next meeting.

3. **Referral Form – from local ERCs/JOHSCs to MERC/PJOHSC** – The form has been reviewed and agreed to by the parties.

Action: Joint memo to be issued to the field.

4. **NBJ LERC joint referral item** – Local Employer and Local Union agree that current ministry legislation for CCLA recommendations are extremely difficult to implement. The amount of paperwork required, the number of inmates in segregation-like conditions, and the lack of available programming space make it

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impossible to meet requirements. The Union his requesting that additional staffing resources be allocated to complete these tasks.

Action: Employer to follow up and respond.

- 5. CECC – Agency snow removal contract** – The Superintendent has advised the Local President that the institution will be signing an exclusive contract with an outside agency to perform snow removal duties at CECC. The Union opposes this move as CECC has two (2) Groundskeeper FTE positions who’s position description report includes snow-removal services including “maintaining the facility’s roads and walkways free from ice and operating snow machinery”. Additionally, inmate workers are under the supervision of the Groundskeepers to assist with snow-removal as part of the institution’s work program. The Union is requesting that this work remain with the bargaining unit members at CECC.

Action: Employer to follow up and respond.

- 6. TEDC LERC referral - No backfill for Recreation Department** – Local administration has advised that Recreation Officer positions will not be backfilled. This has led to a decrease in programming services offered. The Union is requesting that Recreation Officers be backfilled.

Action: Employer to follow up and respond.

- 7. Referral From P&P Workload Subcommittee - Peer Mentor WAT Credit** – The parties have discussed the issues brought forward from the MERC P&P Workload Committee regarding the assignment column for Peer Mentors on the WAT reports and its impact.

Action: The Employer will research, develop, and propose options to resolve this issue.

- 8. Referral From P&P Workload Subcommittee – CRO Issue** – The parties have discussed the issues brought forward from the MERC P&P Workload Committee regarding Pre-Sentence Reports completed by Community Reintegration Officers.

Action: The Employer commits to further researching the issue of CRO PSR assignment and completion

9. **MERC Referral from CNCC - Part B & C Segregation Reviews** – The Union has raised concerns with the operational feasibility of completing the Part B and Part C forms on each tour when segregation-like conditions are met, without any additional staffing resources. The Union is requesting that additional staffing resources be allocated to complete these tasks.

Action: Employer to follow up and respond.

10. **MERC Referral from Central North CC (CNCC) - New Recruits - FXT Contracts and Offer Letter Process** – The Union is requesting information relating to the commitment letters from the recent allocation of FXT Correctional Officers to CNCC. The Union is requesting a recruitment process map including templates of Confirmation of Intent and Offer of Employment.

Action: Employer to review and respond.

11. **Ceremonial Unit - Members/Status and Reconciliation of Vacancies in Unit** – Union is requesting an update of member status of the Ceremonial Unit.

Action: Employer to provide the information.

Previous Business

Institutional Services (IS) Items

1. **19 12 11 Agency Nurses in Institutions** – The Employer is following up on the Union's request to meet with Treasury Board Secretariat (TBS) and SOLGEN to further discuss.

Action: The Employer to set the meeting.

2. **19 12 11 Issues referred from Thunder Bay Jail LERC** – The request for an Institutional Security Team (IST) at Thunder Bay is currently under review.

Action: Employer continues to follow up regarding the nursing position request.

3. **21 05 10 Compressed Work Week Agreements (CWWA)** – The Parties encourage the institutions to continue negotiating CWWAs as required.

Action: Update to be provided post bargaining.

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4. **21 06 17 Security Assessment for Evaluating Risk (SAFER) Tool** – Outstanding questions and the Union is requesting a rollout schedule from the Employer.

Action: Employer to follow up.

5. **21 06 17 Time Out of Cell** – The Employer provided a response to the Unions questions and scenarios.

Action: The Union to review and respond.

6. **21 09 21 Issues Affecting Correctional Nurses** – The Parties met on June 28, 2022 to discuss items.

- a) Retention of Nursing positions – Employer continues to develop and explore continuing education opportunities for current employees (ex: recent example is the CAMH training)

Employer working with Ministry of Health (MOH) to have Corrections formally included in MOH-led health human resource programs and post-COVID health workforce planning.

Employer is reviewing the Union's request to have Corrections included in the MOH Nurse Practitioner Grow Your Own program and the MOH Nursing Graduate Guarantee program.

Employer continues to discuss these challenges with MOH with the next meeting in mid-July.

Health Workforce Strategy Survey - Employer provided an outline of the purposes, methodology and response rate on the recent health care staff survey. Employer is currently analysing the results and will share when available. Parties to schedule time to present and discuss the results and next steps.

- b) Classification of Nursing positions – The Employer continues to have discussions.
- c) Compensation and Wage Grid Placement for Nursing positions – Employer to follow-up on application of salary note (N2/N3) issue that's been raised by OPSEU.

Employer to work internally to communicate to hiring managers and HRAs regarding wage grid placement for new hires.

G24 salary note – Employer continues to follow-up and have internal discussions.

- d) Workload concerns for Nursing positions – Employer continues to review the Professional Responsibility Workload Report Form proposal submitted by OPSEU.

Prior to discussing staffing levels and the review of staffing ratios across institutions, Employer stated they need to get the baseline retention and recruitment before reviewing workload.

24/7 nursing at all institutions – Employer continues to discuss.

- e) Increase in mental health and addiction challenges for Nursing positions
Dedicated staffing for mental health units – Employer to review and respond
- f) Standardized Training for Nursing positions – CHC is working with CCPAT on the onboarding and orientation support.

Action: Employer to set up another meeting with the Parties and the CHC Management Team.

- 7. **20 09 23 Fixed-Term Issues** – The Employer shared a draft pamphlet on September 8, 2022.

Action: The Union to review and respond.

- 8. **21 09 21 Workplace Reviews Announcement** – Union provided written feedback on the Employer's matrix outlining the roles and responsibilities of the Workplace Review process. The Employer provided an updated matrix on June 21, 2022, incorporating the Union's feedback. The Union notes that this resolves the concerns voiced at the June 09, 2022 MERC meeting.

The Union is requesting an update on the procurement process for Monteith CC and Maplehurst CC.

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Action: The MERC Co chairs will follow up to see how they can provide support. Parties agree to move to Standing Items.

- 9. 21 09 21 Interdisciplinary Team Roles/Responsibilities** – Parties met in an ad hoc meeting on June 28, 2022 where this issue was discussed. The Union voiced concerns with the overlapping interdisciplinary roles and the lack of clear policy/mandate/directives to ensure there's a coordination among the roles, no duplication of work, and that work is being completed within each position's scope.

Employer indicated that discussions are ongoing with Senior Psychologist, Social Work and Special Needs consultant, and the Manager of MH and Addictions.

Action: The Employer to provide a response.

- 10.21 11 02 Regional Intermittent Centre (RIC) and Toronto Intermittent Centre (TIC)** – Employer agreed to provide disclosure on the numbers of positions for the RIC and TIC.

Action: Employer agreed to provide disclosure in two weeks.

- 11.21 11 02 Kenora Jail Critical Staffing Shortages** – The Employer to schedule an ad hoc meeting.

Action: Parties continue to discuss.

- 12.21 12 14 eRoster Issues** – Deferred.

The Union identified that 36.25-hour workweek schedules do not balance when entered in e-Roster. The Union recommends that the software be updated to be able to enter both 40-hour workweek schedules and 36.25-hour workweek schedules.

The Union also identified that the e-Roster system is unable to identify Fixed-Term employees that are off on a leave and continue to be called for shifts as these hours are not registered as hours worked.

Action: Employer to review and respond.

13.22 04 12 Institutional Security Teams (IST) Positions – The Employer to schedule an ad hoc meeting on the IST recruitment process.

The Union recommends policy be developed for the IST within the Institutional Services Policy and Procedures Manual (ISPPM).

Action: The Employer to respond on the number of funded IST positions at MHCC and TSDC as well as schedule an ad hoc meeting.

14.22 04 12 Institutional Programming – No update from the Employer at this time.

Action: Employer to follow up on the Union's concerns.

15. 22 06 09 Intermittent Inmate Process Changes – Employer confirmed that the Temporary Absence Program Policy has been updated and was released to the field on August 22, 2022.

The Union has identified the following concerns with the updated policy:

- TAP Coordinator – the policy states this can be a Rehabilitation Officer, Social Worker, or Correctional Officer – this is a significant expansion.
- Tight timelines for TA Coordinators to complete recurring TAP applications (intermittent sentences) – 5 business days.
- Lack of clarity regarding enforcement decisions that will be undertaken directly by Recovery Science contacting the police.
- Enforcement of GPS conditions is only found in a “guide” and not in the policy.
- Programming referrals for domestic violence offences includes anger management.

Action: Employer to review and respond.

Community Services (CS) Items

1. 14 09 10 PPO Staffing Issues – Materials have been finalized; joint communication is pending. Employer leads have been identified in East, Central and West to launch the PPO Backfill Pool, with a meeting held on September 15, 2022.

Action: The Employer and Union will finalize the joint launch communication. Employer will advise the MERC Co chair on who the leads are.

2. **22 06 09 PPO Associate Instructors** – The Employer asserts it will continue with the use of Associate Instructors and deem this important to our professional service delivery. The practise of using Associate Instructors (AI) delivers three key benefits to the frontline: Bringing current operational expertise to the learning environment, recognition, and credibility of their subject matter expertise, and developing training skills for the PPO/ OAG. Using Associate Instructors has been a longstanding practise in many settings, including IS, CS and policing. In many cases, the commitment is limited to a few days per year, it is voluntary, and both OAGs and PPOs are pleased to share their skills with their peers. The PPO AIs receive Workload Assessment Tool (WAT) credit, accordingly.

The Union concurs with the Employer's above statement, however, the issue raised by the Union was with respect to the Associate Instructors and the impact on PPO workload. The Union continues to assert the need to hire more Senior Staff Development Officers (SSDO).

Action: Remove from agenda.

Both Institutional and Community Services Items

1. **19 09 25 Monitoring of Adult Correctional Offenders** – The Ontario Monitoring Centre ceased operations June 22, 2022. The Employee Transition Agreement has been fully executed.

Action: Remove from agenda.

2. **21 05 10 Office of the Auditor General of Ontario (OAGO) Recommendation 12** – Deferred.

Action: Parties agree to defer.

3. **21 12 14 Safe Workplace Directive** – Parties renewed the MOA regarding FXT Covid top up effective July 1, 2022 to October 31, 2022.

Action: Employer confirms that the OPS Covid 19 Safe Workplace policy remains unchanged.

4. **22 04 12 Employee Engagement Survey** – The 2022 OPS Employee Experience Survey results will be communicated to all staff by the end of October. The Employer is committed to provide the Union with an outline of the results by the next MERC meeting. Should the Union request an ad hoc meeting of the results, a meeting will be set up.

Action: Parties to discuss prior to the next meeting.

5. **22 04 12 Overtime and On-call Provisions for the Peer Support Program (PSP) Regional Leads** – Employer agrees to developing a protocol and will send a draft to the Union.

Action: Employer will share draft protocol with Union.

Standing Items

1. **12 05 09 Employment Stability List** – No active employees on the list.
2. **16 03 31 Modernization** – No update.
3. **11 06 02 Transition Updates** –
 - a) **20 12 09 Ontario Correctional Institute Updates** – no update.
 - b) **21 11 02 JVN positions** – The Employer has filled 39 of 43 positions.

Union has requested the status of the JVN positions at EMDC.
 - c) **22 06 09 North Bay Jail** – MOA signed effective June 16, 2022.
4. **16 05 04 JAHN Settlement and Remedies** – No update.
5. **17 02 01 Statistics** – No update.
6. **17 09 27 Major Capital Projects** – Staff are encouraged to monitor the following websites for updates on capital projects:
 - SOLGEN Infrastructure Updates: <https://intra.ontario.ca/solgen/infrastructure>
 - Infrastructure Ontario Updates: <https://www.infrastructureontario.ca/Eastern-Ontario-Correctional-Complex/>.

7. 17 12 12 Staffing:

- a) **Audits (for operational managers and correctional officers)** – The Employer’s post audit team has commenced site visits.

The Union is requesting the post audits for the institutions as they are completed.

- b) **Site Specific Workflow Analysis (all departments)** – Deferred.

8. 19 12 11 Standing Policy Updates – No update.

9. 19 09 25 Institutional Security Teams (IST) – No update.

- a) **Applications:** No new applications received.

10. 19 04 25 Community Services Review – A briefing on the High-Risk Offender Strategy is scheduled for September 28, 2022, at 10am. CS MERC and RERC chairs have been invited.

11. 20 09 23 Provincial Overtime Protocol – Employer to reschedule the meeting to discuss the POP.

12. 20 09 23 Inmate Management Issues – Union shared a proposal. Items to be moved to action items.

- a) **22 04 12 Discipline and Misconduct Strategy** – Union provided written feedback to Employer on July 7, 2022. The Employer responded on August 11, 2022. The Union is requesting a draft policy when available.

13. 20 09 23 Annual Correctional Services Memorial Event – The Parties continue to work on establishing a committee and drafting a framework.

14. Use of Agency Cleaners in Institutions – Matter is at Grievance Settlement Board.

15. 18 12 12 Transition Exit Initiative (Appendix 46 Central Agreement) – As of April 30, 2022, 93 OPSEU-Corrections only applications were approved of 496 total applications (19% approval rate). Next quarterly update is by the next MERC meeting.

- 16.20 09 23 Subcommittee Annual Reports** – No update. 2022 reports are due November 15, 2022.
- 17.21 05 10 Anti-Racism Plan** – The Employer provided the Union with an update on September 21, 2022 on the ministry's anti-racism action plan. This update included the ministry's Anti-Racism 360 initiative. The Union will review and respond.
- 18.18 09 06 Segregation Unit Workload** – The Employer advise that the existing Program Admin Support Clerk positions have been extended until March 31, 2023. The Union continues to advocate these positions be permanent.
- 19.19 04 25 Dog Handler Pilot** – Employer advises the next meeting is scheduled October 6, 2022. The Union continues to advocate these positions be permanently funded as part of the contraband strategy.
- 20.21 09 22 Health Care Strategic Plan** – Employer to share results of the survey within two weeks.
- 21.20 06 24 Monitoring Technology-Based Supervision Conditions** – The Employer advised that the pilot is being expanded to include the Halton P&P area. Communication to institutional Services regarding the use of this technology for Temporary Absence Program is imminent. The Employer will provide statistics.
- 22.20 09 23 Health Care Unit Audit (referred from LERC-Union)** – Deferred.
- 23.21 02 10 Mohawk College Pilot Project** – Employer to provide the aggerate report on the level of training for the new recruits. Employer advises there is no update on the status of the pilot.
- 24.21 06 17 Ministry Contraband Strategy** – The Employer advises that the policies will be shared once finalized.
- 25.20 12 09 Community Reintegration - Offender Discharge Planning** – The Employer advises that the completion of the checklists within 72 hours of admission is the best practise. The Union identifies the new workload concern for institutions that were not provided a Community Reintegration Officer.

26.21 02 10 Electronic Medical Records (EMR) Project – Union submitted feedback on August 10, 2022 highlighting concerns with technological resource access, access for external contractors, customizable features based on local institutional practices, streamlining the EMR system to avoid the duplication of work to reduce administrative burdens, connectivity with OTIS, and the implementation of mobile workstations or tablets. The Union is requesting ongoing discussions on the Employer’s plan to transition to the EMR, including training requirements and staffing plans, and to have the opportunity to provide feedback on the individual modules once customized by the vendor for SolGen.

The Union’s feedback has been shared with the appropriate parties to inform their implementation planning with the vendor.

27.21 05 10 Springboard Project – No update.

Next Meeting

- Thursday, November 3, 2022 at TBD

Signatures

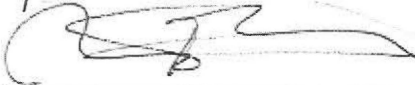
For the Union:



Chad Oldfield



Janet Laverty



Scott McIntyre



Adam Cygfer



Peter Figliola



Sandra Harper

For the Ministry:



Kevin Sawicki



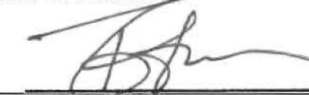
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