

OPS ALL CHAIRS MEETING MINUTES
May 20, 2021

Via Videoconference on Zoom

OPS Negotiations Unit Staff in attendance: Mike Grimaldi- Negotiator, Sandra Harper-Negotiator, Rodger Noakes-Negotiator, Glenna Caldwell-Negotiator, Len Elliott- Supervisor, Hasnain Abid- Administrative Assistant, Raina Fernandes-Secretary

OPS MERC Chairs in Attendance: Elaine Bagnall, Shawn Burr, Rob Cox, Shanika Duncan, Chris Eckert, William Larose, Siobhan O’Leary, Lorilee Riddell-Carpenter, Ram Selvarajah, Sandra Small, Frank Wendling, Darren Winger, Loretta Clark, Neil Martin, Daryl O’Grady, Chad Oldfield, Nicole Lori St. Amand

Guests: Warren (Smokey) Thomas, Peter Lindley, Dani Goraichy, Terry Scratch, Terri Szymanski, Seung Chi, Thadsa Navaneethan,

Regrets: Eduardo (Eddy) Almeida, Roxanne Barnes, Nathan Kumaru, Peter Harding

Agenda Item	Description	Action
1. Call to Order	Neil Martin called the meeting to order at 9:04 am.	
2. Welcome	Acknowledgement of Indigenous Land was read by Neil Martin. Statement of Respect video was played in English and French.	
3. Warren (Smokey) Thomas- President OPSEU /SEFPO	Neil Martin introduced Smokey, President of OPSEU/SEFPO. Smokey addressed the attendees.	
4. Adoption of the Agenda	Motion to adopt the agenda. Moved by Chris Eckert Seconded by Elaine Bagnall	Carried
5. Previous Meeting Minutes	Motion to accept the previous meeting minutes Moved by Elaine Bagnall Seconded by Nicole St Amand	Carried
6. CERC Opening Remarks	Neil Martin addressed the MERC Chairs <ul style="list-style-type: none"> • Welcomed and introduced the new Chairs and thanked everyone for all the hard work especially during the pandemic. • CERC Announcements; <ul style="list-style-type: none"> ➤ Elections of the Provincial Parliament is coming up. 	

- There are still struggles with H&S issues within the OPS regarding COVID. CERC worked with ministries & Locals regarding these issues.

Will Larose gave CERC updates

- FXT conversions are happening more frequently. We need to take a look at those approaching 18 months and stay on top of them to maintain the success rate.
 - Emphasized FXT lists which are important pieces of information for us to determine seasonal folks.
 - If there is a particular local with many FXTs having temporary, and seasonal positions, then this must be flagged.
- More permanent postings are happening after the policy grievance on temporary job postings.
- LOA (Leave of Absence) - Managers are asking to use vacation credits and other available credits and we need to monitor this.

Daryl O’Grady gave Pay Equity updates

- Classification issues on the Pay Equity project;
 - The employer is taking a break during bargaining and holding back the system.
 - The system is broken as we are dealing with the evaluators.
 - MERCs will be more involved as we have an engagement problem since it is hard during the pandemic with issues of being short staffed.
 - There is a lot of work here still to get done.
 - Huge classification issues in this project and we must apply pressure to the government.
 - Generations of women are effected by the pay equity results.


MERC Discussions on various topics;

- Consent Form for information given to the Disability Accommodation Specialist part C on the form for the grievances.
 - Employee has to give consent verbally and it should be followed up in writing. The grievance decision gives you the opportunity to withdraw your consent.
 - If the manger does not put it in writing then put it back with a follow up email “As per our discussion...”
- Seniority Lists are not for distribution therefore do not share them.
- 999 Lists – What needs to be done with them prior to the All Chairs Meeting in the fall of 2021?
 - Take the information and group them by locations then send it out to the Local Presidents of those locations.
 - L999 means every quarter the dues tape is uploaded into the system with all the member’s information, and

these people are new members to OPSEU/SEFPO but they have not signed the membership form yet and as a result are not part of any local yet. To fix this, you need to send it to the Local Presidents and get the QR Code for that Local.

- Security Checks Subcommittee
 - The process has been updated & new checks are in place.
 - The terminology within the system has changed.
 - There is a new form for the employee.
 - If you need to understand the process we can explain during the MERC Meetings if required as this is a significant process involved.
 - This is supposed to be centralized, and the CPIC requirement changed.
 - They substantially increased the security levels in some ministries.
 - We need to keep the pressure on them as they want unreasonable security screens for positions like drivers.
 - Social media also turning into a security check.
- Grievances - It is important to file a grievance early as there are timeline issues involved.
- MBA (Multi Bargaining Agent) Meeting update given.
- Anti-Black Racism Review - Joint training & problem solving solutions we can all get on board with.
 - Hiring practices and organizational cultures.
 - Racialized workers committee everyone needs to acknowledge anti-racism in battling this issue.
- JESS has taken a back seat in the last little while and we need more participants on that committee. Filed some grievances on JBRIC issues
- Re-Skilling was used for the closing of a youth facility In MCCSS YJ (Ministry of Children, Community and Social Services Youth Justice).
 - The initiative provides considerable benefits to our members so that they stay employed.
 - Potentially we can improve and make some changes.
- OP Trust – Len Elliott, Neil Martin and Ram Selvarajah are on the board of trustees.
- OPS Divisionals - The Board decides on this and it is currently cancelled until further notice, but we could lobby the board if there is a desire to hold Divisionals sooner.
 - MERC Chairs agreed that they should wait to have in person OPS Divisional Meetings rather than trying to do them sooner virtually.
 - Face to face meetings may be the most effective way.
 - Divisionals are a very important part of the democratic process so it should be done in person.
 - Technical issues and security issues like checking I.D virtually poses problems on a virtual platform.

	<ul style="list-style-type: none"> ➤ MAG is currently understaffed and most staff are not interested. ➤ Our members are better engaged when live. 	
<p>7. OP Trust</p>	<p>Presentation given by Peter Lindley (President & CEO OPTrust) & Dani Goraichy (Senior V.P. OPTrust)</p> <ul style="list-style-type: none"> • There are two key things we do at OPTrust <ul style="list-style-type: none"> ➤ Investing our members' money ➤ and Serving our members • The Funded Status Report in 2020 was called "Taking Care" which was appropriate to the pandemic that year. • Membership had increased in 2020. • The Member-Driven Investment (MDI) Strategy in 2020 resulted in an investment return of 8.9% that year enabling a lowered discount rate. • We are able to achieve excellent returns and the plan is fully funded. <p><a href="https://www.optrust.com/AboutOPTrust/News/OPTrust-remains-fully-funded-for-12<sup>th</sup>-consecutive-year.asp">https://www.optrust.com/AboutOPTrust/News/OPTrust-remains-fully-funded-for-12th-consecutive-year.asp</p> <ul style="list-style-type: none"> • Our team is dedicated and well trained to give members great service. • Our 'Sustainable Investment Team' invests in a responsible way and maintains sustainability. • 2020 was a big year for Social Justice & OPTrust supported the Black North Initiative and EDGE certification for gender-balanced workplaces, while promoting fairness, equality and acceptance in the portfolios. • OPTrust Select has increased by about 1000 members and more OPSEU represented workplaces have joined OPTrust Select. • With a Defined Benefit Plan we must all be champions of our pensions. • If you need more information or to do a virtual Meeting with your members you can arrange for Peter and Dani to do a Zoom Meeting. 	
<p>8. Bargaining Update/ Emergency and Essential Services</p>	<p>Len Elliott & Neil Martin gave OPS Bargaining Updates</p> <ul style="list-style-type: none"> • This was the first virtual elections for the OPS so let's be gentle with it. • Neil gave updates for each Region; <ul style="list-style-type: none"> https://opseu.org/news/ops-2021-regional-bargaining-conference-election-results/122116/ <ul style="list-style-type: none"> ➤ MERC members are encouraged to run. Will Larose, and Shawn Burr were elected as Regional Bargaining Team Representatives for their regions. Daryl O'Grady was elected as an alternate and Chris Eckert was elected in his category. 	

	<ul style="list-style-type: none"> • On May 29, 2021 - there are 2 Meetings scheduled; Corrections & Unified to elect their Bargaining Teams. • Len reviewed the May 15th , 2021 Virtual Bargaining Meetings; <ul style="list-style-type: none"> ➢ The chat was shut down on purpose due to contentious stuff being prevented. ➢ April 30, 2021 was the deadline but most people registered late and last minute registrations were coming the morning of the Event. ➢ DOTS (Data on the Spot) were told that the credentials not being in the members' hands are not acceptable. ➢ There were lots of challenges even though there were six opportunities to practice with support staff and DOTS. ➢ DOTS never had a 14 Event meeting all at the same time before which posed challenges from a digital aspect and for the building of the ballots. We needed to resource more DOTS staff. ➢ No region started on time due to the fact that most of the delegates and staff have not been through the virtual process before. Thank you to our membership for being forgiving and everyone being professional through the process. ➢ 14 meetings with 58 breakout rooms trying to be managed all at the same time. ➢ What we would do differently is separate Corrections & Unified on 2 separate weekends. We were pressed for time with Mother's Day & Father's Day and a Religious Observance in between and no one wants meetings on a Saturday before Mother's/Father's Day. ➢ Saturday May 29, 2021 should go a lot smoother. • One quick thought on credentials. OPSEU handed off communications to DOTS. DOTS did include a notice in their emails to check the junk/spam folder for their emails on credentials. If you don't think to look there for a DOTS email while expecting an email from OPSEU then you don't check. OPSEU/SEFPO should send a follow up email to registrants shortly after the first email from the contractor to check your junk/spam folder. • Member apathy a huge problem. • Vulnerabilities with virtual platform as votes could be manipulated because of lack of security since there is no I.D. checks. • EES Manual; <div style="text-align: center;">  <p>EES-Manual 2012.pdf</p> </div> 	
<p>9. WSIB</p>	<p>Presentation given by Terry Scratch (Benefits Officer – WSIB) Pensions & Benefits Unit</p>	

- WSIB (Workplace Safety & Insurance Board) – COVID claims statistics were reviewed.
 - Schedule 2 statistics for OPS claims; Incident rates and Exposure rates are being denied at twice the rate. 16% denial rate for schedule 2 and over 40% over all denial rate since the last time.
 - Employers refuse to give the names of positive COVID cases. They do investigations and say it's not work related. However, over 350+ COVID claims have been established so far, all at 100% rate allowed for WSIB claims.
 - Having Form 6 sent out initially is crucial as the WSIB backlog is staggering. The key is having the names of people who tested positive, then look up those names and call them to establish if it occurred at work, and then fill out a Form 6.
 - Terry speaks with the members and gets the chronology of events with a small submission of home life and details – this is crucial in WSIB decision making. They now created an App on their website without having to have a WSIB claim number. They are still accepting faxes but that used to be the only method of submission, so the changes are helpful.
- Terry receives COVID notifications from Jennifer Price but no details of names are given.
- WSIB is an insurance policy that costs nothing. Put in a claim sooner rather than later.
- There are challenges with employers suppressing claims, for instance from the LCBO where the employer is under the impression that COVID is not being spread in the workplace. We can't rely on the Employer for accurate information for these cases. Every case that Terry has reached out to the members, they can say it is work related. When they physically go to work they are at a greater risk.
- The Local President may say there are 2 or 3 members with COVID cases from the workplace and the employer says it's only one case. This needs to be floated up where the Employer is lying to us. Leadership and coordination with ministries will come in to play.
- We enforce H&S procedures. The links are on the OPSEU web page- under Pension & benefits;
<https://opseu.org/pensions-and-benefits/>
- We have had struggles with OPS Employers with asymptomatic cases where spread can be huge from exposures during that time. You don't have to prove that you got it at work, you can show your home life and susceptibility being greater at work.



Covid Rationale
Document April 202



Covid 19
Questionnaire Docum



Form 6
WSIB-0006a_fs_09_1





WSIB Worker's
Exposure Incident Fo

10. Health & Safety

**Presentation given by Terri Szymanski (Health & Safety Officer)
Health & Safety Unit**

- What is new on the COVID front and what type of challenges is H&S facing in the OPS
- Challenges in the OPS;
 1. TBS is controlling everything on COVID H&S Measures and Procedures and it should be developed locally as these measures are too broad and may not be suitable to the needs of a particular office. For example, if we need a soap dispenser placed here but we have to wait because we have to go through TBS. Locals don't have control.
 2. Many ministries are in one building and they have a shared space – PROs we have 10 Employers where we can address issues in the lobby, elevators and parking lots – CONs they must interface with the whole entity for simple procedures revised.
 3. Locals in Hamilton have written H&S recommendations to push building measures & procedures on how shared spaces should work. Escalating issues by having more than quarterly meetings on Zoom.
 4. Constrained MLTSD H&S Inspectors are using precautionary principle where inspectors' issues are much different than the H&S Team.
- Dealing with these challenges;
 1. We do our homework- dig up public health guidelines than we point out the gap.
 2. Develop our own frame.
 3. Carefully design a strategy and counter arguments and collect the rationale for a consensus to fast track the recommendations.
 4. Enlist all our powers and tools.
 5. Keep track of all the details by collecting all the proof.
 6. Keep members in the loop, it will get the Employer to act.
 7. Escalate the issues – let people higher up know what's going on "Please be advised"
 8. Think of H&S not so much as a legal issue instead be a knowledge activist to use all the tools that you can.
- What's New in COVID;
 - May 13 – stay at home order extended
 - May 18 – Document for managing symptoms of COVID or the vaccine released.
- Mental Injury Tool

	<ul style="list-style-type: none"> ➤ Finally after 8 years of development the 100 page guide is down to 15 pages called the Mini MIT.  <p>Mini MIT Mental Injury Tools OHCOW</p> <ul style="list-style-type: none"> ➤ The collaboration of 14 unions and OHCOW has provided this resource for dealing with Mental Injury in the workplace but also involves the context of around the worker. <p>https://opseu.org/health-and-safety/ https://stressassess.ca</p> <p>Terri announced her retirement June 30, 2021</p>	
<p>11. Policy Grievances</p>	<p>Presentation given by Seung Chi (Grievance Officer) Arbitrations Unit</p> <ul style="list-style-type: none"> • Review of the internal process of how to file a policy grievance. Once the grievance is received, then it is reviewed by the Arbitrations Unit, vetted, and then signed by Smokey. <ul style="list-style-type: none"> ➤ The process has recently changed from having to go to the Senior Grievance Officer to now going to the Grievance Officer for that particular ministry and the Negotiator should be copied as well. ➤ OPS Wide Policy Grievances will still go to the Senior Grievance Officer. ➤ Once a request for a Policy Grievance is received, the Arbitrations Unit will contact you as they want to gather more information. • Recent examples were provided; <ul style="list-style-type: none"> ➤ TEIs (Transition Exit Initiative) where the GSB (Grievance Settlement Board) gave absolute discretion to the Employer and a lot of grievance cases were lost as a result. ➤ MLTSD (Ministry of Labour, Training & Skills Development) where grievances for on-call issues with H&S inspectors became OPS Wide as it was effecting a lot of members in the ministry. ➤ OPS Wide grievances are effected now that there are 2 bargaining units in the OPS (Corrections & Unified) so due to language used in each bargaining Unit two separate grievances will be filed. ➤ When the human rights code is violated then a grievance becomes more successful. 	
<p>12. Anti-Black Racism /Diversity and Inclusion review of CA:</p>	<p>Presentation given by Thadsa Navaneethan (Human Rights Officer) Equity Unit</p>	

	<ul style="list-style-type: none"> • In an effort to make the C/A (Collective Agreement) more inclusive the Equity Unit asks if there are any Policies or Directives that create barriers, and how do we address these? • Power Point Presentation was shared on Zoom with a focus on themes like Nepotism, the Hiring Process, Appendix 39, and out of pocket costs for Security Checks which are all areas of inequity currently being focused on. • The Equity Unit is looking at equity models from across the Boards, Province and Country and trying to incorporate those into our model. • Next steps; key findings, and what can be brought to the bargaining table. • By sharing stories and sharing information we can create impactful changes and we do not want to shelve this. 	
<p>13. Virtual ERC Training</p>	<p>Presentation given by Glenna Caldwell (Negotiator) OPS Negotiations unit</p> <ul style="list-style-type: none"> • ERC Training of the MERC and LERC Teams have been on hold since the pandemic began. • OPSEU and the employer have developed an online training module. This is difficult virtually because there is a lot of teamwork involved and we want the interpersonal and team building relationships to continue. We're hoping to test this online training in the summer. • We need new trainers, so if anyone is interested please provide the names to Glenna. • Most of the MERCs have been through the training so it will be familiar. • The online training module was shared on screen via Zoom. • The Module was requested to be distributed to the MERCs, however it needs to be tested first before distribution. The Level 1 ERC Training Participant Workbook previously used for in-person meetings is provided instead.  <p>Employee Relations Committees - Revise</p>	
<p>14. Role of MERC Chairs and Round Table</p>	<p>Neil led MERC Chairs in the discussion of current ministry issues;</p> <ul style="list-style-type: none"> • Larger ministries are struggling with lots of MERC issues currently going on with COVID, FXTs, and the hiring freeze causing staffing shortages. • FXT lists are a big issue at the moment because of the government and the temporary nature of our work. It hasn't increased as much as expected due to the hiring freeze. • The language of Article 6 when the employer gets to deem a position vacant. 	

	<ul style="list-style-type: none"> • MERC Book-Off Time needed from the Employer to address issues. <ul style="list-style-type: none"> ➤ One of the strategies MLTSD used is that they created so many issues at the table that they finally decided to give the MERC Team one day a month to deal with FXT issues. ➤ MAG & MCCSS are larger ministries. ➤ MAG is extremely resistant to anything that disrupts the courts, Loretta is missing meetings because the Court comes first. The members are not supportive since they are so short staffed that she cannot get the support for an extra day off. ➤ MCCSS -Nicole is on full time book off but aware that it can be taken away at any time ➤ MGCS uses Caucus time to go through FXTs and can't get much of anything done as there are other issues on the table. ➤ MTO -Will got 4 hours once a month for CERC, MERC and subcommittees. He currently volunteers' his time, but working from home helps. ➤ MSG -Chad this ministry has book offs for LPs for Locals that have over 650 members. ➤ We are saving some money with travel and expenses but maybe we could ask for another style of book off for the MERC chairs. 	
15. MERC Chair Reports	All MERC Chairs gave their reports.	
16. Final Remarks	<p>A bad employer is the Union's best tool, this is our opportunity to take action and make things right.</p> <p>The Employers know that OPSEU/SEFPO supports the vaccine prioritization and H&S initiatives throughout the workplaces during the pandemic.</p>	
17. Adjournment	<p>Motion to adjourn meeting Moved by Elaine Bagnall Seconded by Chris Eckert</p> <p>Meeting adjourned at 4:20 pm.</p>	

Neil Martin

Neil Martin CERC Chair, OPS
OPSEU/SEFPO