

# Ministry Employee Relations Committee - Corrections

## Ministry of the Solicitor General

### Minutes

Thursday, December 07, 2023

Etobicoke North Probation & Parole Office | 25 Woodbine Downs Blvd, Unit 3,  
Etobicoke Ontario

## Attendees

### For the Union

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

### For the Ministry

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

## Regrets

- Barb Forbes (Co-chair)

## Resources

- Tara Jones, Director, HR Strategic Business Unit, Corporate Services Division
- Laural Rueffer, Manager, Strategic Labour Relations, Health Safety & Wellness, and Executive Services
- Ian Sykes, Director, Service Management and Oversight Branch, Operational Support Division
- Liz Leduc, Employee Relations Committee Coordinator

## Observers

- Anna Watkinson, Human Resources Strategic Business Advisor
- George Armstrong, Deputy Regional Director, Northern Region

- Ryanne Yeung, Deputy Regional Director, Community Correctional Services, Central Region
- Denise Sidsworth, Co-chair, Central Region Employee Relation Committee
- Doreen Bellaire, Central Region Employee Relations Committee

## Announcement

Members would like to thank Amanda Doobay, Director, Program Development & Implementation from Operational Support for her contributions to the committee and wish her well with the Ministry of Transportation. The committee welcomes Ian Sykes, Director, Service Management and Oversight Branch, Operational Support Division replacing Amanda.

## New Business - Institutional and Community Correctional Services

1. **Bargaining Unit Integrity (BUI) Grievance Protocol** - Union has concerns with how the BUI Protocol is being followed by the Employer. Specifically, the Union notes that grievances scheduled under the Protocol and the lack of the disclosure required under the Protocol provided by the Employer. The Union requests that the Employer provide the required disclosure when grievances are scheduled under the Protocol.

Action: Parties refer item to BMERC and remove from the agenda.

2. **Confidential Disclosure to Bargaining Agents** - Union is re-raising concerns with the Employer's compliance with the TBS Confidential Disclosure to Bargaining Agents Directive. The Union has identified several instances where confidential disclosure was warranted under the directive yet was not issued to the Union in advance of changes. Some recent examples have been the reclassification of positions and change in position titles.

The Union also raised concerns not being notified of changes in third party vendors.

These issues have been raised by the Union at MERC in 2021 and 2022.

Action: Parties agree to refer the third party vendors to BMERC.

Employer to follow up on the Union's concerns regarding ministry level disclosures.

3. **Probation & Parole Vacancies** - Utilizing the WAT reports for 2023, the Union undertook an independent review of PPO vacancy levels and noted an approximate month over

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month provincial vacancy rate of 70+ for the period Jan. 2023 to Aug. 2023. Union is concerned with the impacts such is having on employee workload demands, staff health and well-being and the significant threat such a vacancy rate poses to public safety. Union requesting a follow up meeting between the parties to discuss further.

Action: Employer to review and respond.

- 4. Pre-Charge Crown Consultation Initiative (P&P)** - Union has learned from its membership that there's a new initiative called 'Pre-Charge Crown Consultation' which reportedly was first implemented in WR as a pilot project and, more recently, in Northern Region, inclusive of a comprehensive training component. This initiative was not referred to either the Training & Development Committee nor the Probation & Parole Workload despite having training and potential workload components, hence the Union's request to engage the Employer in discussions about the initiative inclusive of a litany of concerns that the Union has received from the front-line where this initiative has been implemented. Union provided the Employer with a, non-exhaustive, list of some of the concerns in which it received from the field. Union requesting the parties schedule a meeting to further discuss this initiative.

Action: Employer to schedule and meeting with the parties.

## Previous Business

### Institutional Services (IS) Items

- 1. 19 12 11 Agency Nurses in Institutions** – Employer continues to follow up with Treasury Board Secretariat (TBS) to schedule a meeting.

Action: Union to follow up with TBS.

- 2. 21 05 10 Compressed Work Week Agreements (CWWA)** – Discussions remain ongoing with the discrepancies in funding and vacancies.

Action: Update will be provided at the next meeting.

- 3. 21 09 21 Issues Affecting Correctional Nurses**

- Retention of Nursing positions
- Classification of Nursing positions.
- Compensation and Wage Grid Placement for Nursing positions.

- d) Workload concerns for Nursing positions
- e) Increase in mental health and addiction challenges for Nursing positions.
- f) Standardized training for Nursing positions.

Action: The next Health Care Working Group meeting is scheduled for December 15, 2023.

**4. 20 09 23 Fixed-Term Issues** – Employer continues to work on the final draft.

Action: Update will be provided at the next meeting.

**5. 21 09 21 Interdisciplinary Team Roles/Responsibilities** –.

Action: The next Health Care Working Group meeting is scheduled for December 15, 2023.

**6. 21 11 02 Kenora Jail Critical Staffing Shortages** – Parties to reschedule the November 02, 2023 meeting to discuss the recruitment and retention strategies. Parties agree that this is a priority item.

Employer confirms that the Superintendent remains the point person for temporary assignments at the Kenora Jail and will work in consultation with the Northern Regional office.

Action: Employer to schedule a meeting in the new year.

**7. 21 12 14 eRoster Issues** – Parties met on November 17<sup>th</sup> 2023 and agreed to update the guidance documents to address the concerns. Employer provided the updated documents for review, and this now resolves the Union's concerns.

Action: Remove this item from the agenda.

**8. 22 04 12 Institutional Security Teams (IST) Positions** – Employer shared finalized job description on November 20, 2023 incorporating the Union's feedback.

Parties to discuss the method of filling.

Action: Employer to draft a Memorandum of Agreement for Union's review.

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**9. 22 04 12 Institutional Programming** – Employer is reviewing institutional programming and resources to inform future planning exercises.

Action: Updates to be provided when available.

**10.22 06 09 Intermittent Inmate Process Changes**

- **Enforcement of GPS conditions** – Employer has agreed to incorporate enforcement provisions into the existing TAP policy – updates are underway.
- **TAP Coordinator** – Parties are developing a survey to identify training needs for the TAP Coordinator role.
- **Tight timelines for TA Coordinators to complete recurring TAP applications for intermittent sentences** – Revised timelines for TA Coordinators to complete TAP applications will be included in the policy revisions.

Action: Update to be provided at the next meeting.

**11.22 09 21 Peer Mentorship Program (PMP) Institutional Services**

**(MERC Referral from T&D Subcommittee)** – A new Terms of Reference signed by the Parties at the MERC Training and Development Subcommittee to re-develop and implement an updated Peer Mentorship Program Framework. Given this development, the Parties agree to refer this item back to the MERC Training and Development subcommittee.

Parties recommend that local sites to remain status quo with existing peer mentor programs until the new program is launched.

Action Item referred back to Training & Development Subcommittee.

**12.22 11 03 Employer Disclosure on Correctional Supervisors/Corporals** – Employer advised that an additional 77 permanent Corporal positions have been posted.

Action: Parties will discuss a recruitment strategy.

**13.23 01 31 Responsibilities of the Assistant Health Care Manager Position** – Employer is incorporating language to address the Union’s concerns.

Action: Update to be provided at the next meeting.

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**14.23 05 10 Referral from Monteith – Recreation Officers Working Alone** – Employer advises that there has been a solution that has been addressed locally.

Action: Union to follow up with the local.

**15.23 06 27 Appendix COR10 Video Disclosure to Union** – Memorandum of Agreement (MOA) is currently being drafted and will be shared with the Union for their review.

Action: Employer to provide the draft MOA for Union's review.

**16.23 09 20 Health Care Transformation** – Employer is supportive of having the Union locals be included in the engagement sessions with the frontline employees. Parties to refer definitions of Health Care Services, Mental Health Services and Clinical Services to the Health Care Working Group.

Parties agree to refer the involvement of the Health Care Working Group in the engagement sessions to the Health Care Working Group.

Health Services Division to return to MERC and provide an update when available.

Action: Remove this item from the agenda.

**17.23 09 20 Temporary Addiction Counsellor Positions** - Employer advised that these 57 temporary Addiction Counsellor positions are not funded by the Ministry of the Solicitor General, but a funding source outside the Ministry.

Given the ongoing substance use crisis in institutions, and recent findings in the Report from the Ontario Chief Coroner's Expert Panel on Deaths in Custody that 40% of deaths reviewed were due to acute drug toxicity, the Union continues to advocate for permanent funding sources to be applied to these positions.

Action: Parties continue to discuss.

**18.23 09 20 Sudbury Jail – Institutional Security Team (IST) Positions (Referral from Sudbury Jail)** – Employer finalized the standardized IST application form for institutions to request an IST to be established. The application form was distributed to the field and shared with the Union.

Action: Parties continue to discuss.

**19.23 09 20 Ontario Flag Protocol** – Consultations are taking place with the stakeholders.

Action: Update to be provided at the next meeting.

**20.23 10 26 ICIT Recertification Training** – The Institutional Crisis Intervention Team (ICIT) and Crisis Negotiator (CN) policies are currently being reviewed for updates. In the interim, the Employer will issue a directive to the field.

Action: Update will be provided when available.

**21.23 10 26 MERC Diversity Subcommittee - Gender Balance Analysis and Recommendations** – Work is ongoing at the MDSC table and will be brought back to the MERC table when available.

Action: Deferred.

**22.23 10 26 Application of Strip/Frisk Search Policy** – Parties had discussions on the Strip/Frisk Policy.

Action: Union will provide the Employer a detailed summary of the negative impacts these regulation changes have had on female Correctional Officers and the ability for them to complete their duties/responsibilities prior to the next meeting.

## Community Correctional Services (CCS) Items

1. **22 12 20 PPO WAT Time Study (PPWC Referral)** – Employer has reviewed the proposed changes and accepted the increases to WAT weighting for specific case types with the exception of Pre-Transfer Inquiries (PTIs). The issue of additional WAT credit for PTIs is referred back to PPWC for further discussion.

Union raised concerns with respect to PTI with no assessment completed not being included in the WAT weighting adjustments. Union requesting a follow up meeting inclusive of Employer MERC and PPWC Co-chair.

Action: Referral back to PPWC for further discussion.

## Both Institutional and Community Correctional Services Items

1. **21 05 10 Office of the Auditor General of Ontario (OAGO) Recommendation 12** – Deferred.

Action: Parties agree to defer.

**2. 21 12 14 Safe Workplace Directive** – No update.

Action: Updates will be provided as necessary.

**3. 22 04 12 Overtime and On-call Provisions for the Peer Support Program (PSP) Regional Leads** – Parties have had numerous discussions on the issue of fair distribution of overtime and on call shifts.

Employer remains committed to following the applicable articles of the Collective Agreement.

Action: Remove this item from the agenda.

**4. 22 12 20 Local ERC Level 1 Training** – Dates to be scheduled.

Action: Update to be provided at the next meeting.

## 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** – Parties agree that Section 9.3 of the Pandemic Temporary Closure of OCI Memorandum of Agreement (MOA) dated May 01, 2020, that references previous post assignment is outdated. Parties agree that employees will be returned based on operational requirements, classification, current post assignments and seniority. The Employer has advised that the tentative repopulation date is the 3<sup>rd</sup> week of January 2024.

Union requesting that the EOI with respect to the repopulation be reissued as outlined above. Future communications be shared with the Union prior to issuance.

**4. 16 05 04 JAHN Settlement and Remedies** – Mediated discussions are continuing between the ministry and the Ontario Human Rights Commission (OHRC), with both parties being interested in exploring remedy options.

**5. 17 02 01 Statistics** – The Q4 Employee Attendance Support Program (EASP) stats will be provided in January 2024.



6. **17 09 27 Major Capital Projects** – For live updates on all projects, staff are encouraged to monitor the **NEW** Infrastructure Ontario Projects website – [Infrastructure Ontario Projects](#)

7. **17 12 12 Staffing:**

a) **Audits (for Operational Managers and Correctional Officers)** – Post audits continue in the Central and Northern institutions. The team continues to engage with the local union when on-site. Final reports will be shared upon completion.

Union continues to request that MERC be involved in the current staffing audit process, as outlined in Appendix COR15.

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

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

Employer proposes that the Union review the list of pending policy updates in order to assist in the prioritizing policy update schedule.

9. **19 09 25 Institutional Security Teams (IST)** - Standardized IST application for institutions to request an IST be established has been distributed to the field and was shared with the union on November 23<sup>rd</sup>, 2023.

The application from Vanier remains under review.

a) **Applications:** No new applications

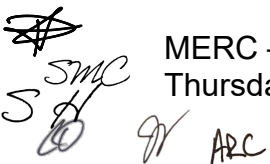
10. **19 04 25 Community Correctional Services Review** – On November 01, 2023 the Employer met with CCS MERC and RERC members to provide updates about the CCS Reform Strategy. Topics included Core Correctional Practices, Community Reintegration, High Risk Offender Strategy, Mental Health & Addictions Framework, Indigenous resourcing in the Northern Region, Video Conferencing, Integration of Risk Assessment tools, CMRs and FORTE for all.

Subsequent meeting to be scheduled for Spring 2024 to provide updates.

11. **20 09 23 Provincial Overtime Protocol** – Employer is reviewing the Union's response.

12. **20 09 23 Inmate Management Issues** – No update.

a) **22 04 12 Discipline and Misconduct Strategy** – Meeting was held on November 17, 2023 to finalize the language in the policy. Employer will advise once revisions are completed.

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**13.20 09 23 Annual Correctional Services Memorial Event** – Corrections Recognition week is May 6-12, 2024. Therefore, the annual Correctional Service Memorial Event will be held on Thursday, May 9<sup>th</sup>, 2024.

Separate from the planning of the event, the parties met on November 23, 2023, and discussed the honor roll criteria and terms of reference process for adding the names to the corrections memorial.

Follow up meeting is scheduled for December 19, 2023.

**14. Use of Agency Cleaners in Institutions** – No update as the matter is still before the Grievance Settlement Board.

**15.18 12 12 Transition Exit Initiative (Appendix 46 Central Agreement)** – No update.

**16.20 09 23 Subcommittee Annual Reports** – Parties continue to discuss.

**17.21 05 10 Anti-Racism Plan** –The second phase of the Equity Lounge launched in September 2023 with the Learning Calendar and Equity Academy.

On September 27<sup>th</sup>, the Equity Academy facilitated an OPS wide session on writing meaningful land acknowledgements in partnership the Ministry of Tourism, Culture and Sport, including Indigenous Elders and Helpers. The session materials can now be found in the Equity Academy's learning library [here](#)

On November 15<sup>th</sup>, the Equity Academy partnered with MLITSD's Anti-Black Racism Working Group in the Program Delivery Support Branch (PDSB) in delivering a session on Anti-Black Language for SOLGEN staff.

As part of the ongoing work, we continue to collaborate across multiple ministries as one OPS in delivering a variety of inclusive workplace workshops/sessions and updating the resources for leaders at all levels to engage in valuable discussions locally.

**18.18 09 06 Segregation Unit Workload** – No update.

**19.19 04 25 Dog Handler Pilot** – Parties met on November 27<sup>th</sup>, 2023, to discuss the Union's concerns about the funding of the canine handler positions. The Employer is following up on some of the discussion items, including method of filling and will regroup back with the union.

The regular quarterly touchpoint meeting is scheduled for January 04, 2024

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**20.21 09 22 Health Care Strategic Plan** – No update.

**21.20 06 24 Monitoring Technology-Based Supervision Conditions** – In addition to the CCS Reform Strategy, the Employer provided an update on the internet monitoring pilot for offenders convicted of child pornography offences. The pilot is currently active in the Niagara, Halton, and Hamilton areas. There have been some successes and areas that require further assessment; specifically current enforcement action that is progressing through the courts. The current pilot goes until March 31, 2024.

**22.20 09 23 Health Care Unit Audit (referred from LERC-Union)** – Deferred until OCI reopens.

**23.21 02 10 Mohawk College Pilot Project** – Employer has advised that the contract has been awarded to Fanshawe. This is no longer a pilot project.

Remove this item from the agenda.

**24.21 06 17 Ministry Contraband Strategy** – No update.

**25.20 12 09 Community Reintegration – Offender Discharge Planning for Institutional Services** – On November 14, 2023, CCS Operations & Implementation Branch presented to Union members with additional details of Community Reintegration Planning Tables and the operationalizing of this initiative. The Union continues to assert that this is a workload onset for IS staff, especially in locations without Community Reintegration Officers.

**26.21 02 10 Electronic Medical Records (EMR) Project** – Health Services Division to provide the Health Care Working Group with an overview of the Electronic Medical Records Project on December 15, 2023.

**27.21 09 21 Workplace Reviews Announcement**

- **Maplehurst Correctional Complex (MHCC):** Employer to schedule MERC initial presentation with the vendor for MHCC.
- **Monteith Correctional Complex (MCC):** Union is requesting a copy of the report from MCC.

**28.22 12 20 Searching of Staff Policy (moved from Contraband Strategy)** – This matter is before the Grievance Settlement Board.

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## Next Meeting

- February 27, 2024 – Niagara – site to be determined

## Signatures

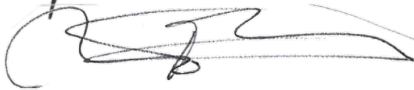
### For the Union:



Chad Oldfield



Janet Laverty



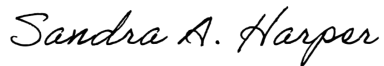
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### For the Ministry:



Kevin Sawicki



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