



MEMORANDUM

TO: All Presidents with members in the Ministry of the Attorney General
All Stewards in the Ministry of the Attorney General

FROM: Ruth Hamilton, OPS Supervisor

DATE: April 4, 2014

SUBJECT: Ministry of the Attorney General
ERC Minutes – April 1, 2014

Attached, for your information, are the minutes of the above captioned meeting.

Please post or otherwise make them available to the members in your workplaces.

Please note a MERC referral form should be used when referring unresolved local issues to the ministry level. This form is available at <http://www.opseu.org/ops/merc/MERC%20Action%20Form.pdf>. Upon completion, the document should be forwarded care of the **Job Security Unit** with all supporting documentation e.g. minutes, correspondence, etc.

PLEASE NOTE: THESE MINISTRY MINUTES WERE PREPARED BY THE EMPLOYER.

AUTHORIZED FOR DISTRIBUTION:

IN SOLIDARITY,

Warren (Smokey) Thomas
President

Ruth Hamilton
OPS Supervisor

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att.

cc: MERC Chairs
Ministry ERC

MERC MINUTES

Ministry of the Attorney General

MINISTRY EMPLOYEE RELATIONS COMMITTEE MEETING (MERC)

April 1, 2014

9:30 a.m. – 5:30 p.m.

31 Wellesley St. E., Toronto, Ontario

Chair: OPSEU

For the Union:

Jim Jurens (Co-Chair) OPSEU Local 526

Tim Elphick, Vice Co-Chair, OPSEU

Shelley McCormick

Tina Stevens

Judith Marion, OPSEU Job Security

For the Ministry:

Carol Christidis, (Co-Chair) HR Strategic Business Unit,

Randy Holloway, HR Strategic Business Unit

Brian Garrah, Court Services Division

Lina Bilardo, Victims & Vulnerable Persons Division

Mike Mously, Centre for Employee Relations

Regrets:

Guests:

Roy Dart, Court Services Division
Cathy Hewett, Court Services Division
Joanne Hyndman, Court Services Division
Dan Rosenberger, President, Local 228

Regrets:

Chris Tikkanen, Centre for Employee Relations

Recorder:

Mike Mously, Centre For Employee Relations

Ref #	Agenda Item: (date added)	Issue:	Follow-Up / Action:
Standing Items:			
1.	MAG Update:		
a.	Victims and Vulnerable Persons Division	Management provided an update. Province-wide training for VVPD employees took place on March 4 th , 18 th and 19 th with approximately 230 participants and the topics covered included: Personal Resiliency in Challenging Times, Dealing With Volatile Clients or Those With Mental Health Issues and Human Trafficking. There will be ongoing training provided to VVPD employees on a range of topics and employees are encouraged to identify additional topics to be covered in future training.	

<p>b.</p>	<p>Court Services Division</p>	<p>Management provided an update. The New Court Transcription Model is on track for implementation for June 9th.</p> <p>The company that has been awarded the ISP contract is Arkley Professional Services. They are in the process of setting up the website.</p> <p>The "grandparenting" option is underway for current employees that produce transcripts and the deadline for submission of their information and the election form is April 4th. If employees have questions regarding whether or not they are on the list, they should contact their manager. OPSEU asked clarifying questions regarding members who may miss the deadline. The Employer has a process in place to add individuals to the list who are still being mentored and will consider other situations on a case-by-case basis until June 6, 2014. OPSEU would like individual situations considered after June 6th if necessary.</p> <p>eReview and Accessibility training for current transcriptionists must be completed by April 22nd. This process requires completion only and is not a pass/fail process. Upon completion of these courses, the individual is qualified by the Ministry to produce court transcripts and this qualification does not expire.</p> <p>Court Transcriptionist training program is commencing through Durham College (Oshawa campus) starting on May 6, 2014.</p> <p>Management advised that the proposed changes to the transcript fee regulations are in the process of final approval (with Cabinet).</p> <p>Revised Court Reporter job description was implemented on March 1st. This removes the transcript production and typing requirements and revises the designated bilingual requirements.</p> <p>OPSEU is requesting a copy of the list that will be provided to Arkley.</p>	<p>Management to respond to OPSEU request for list by end of April 2014.</p>
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2.a)	Fixed-Term report	Management has provided this information to OPSEU and the information is being reviewed.	Union to follow-up
2.b)	Conversion reports	Management has provided this information to OPSEU.	
3.	LERCs	<p>Management has provided information to OPSEU regarding the work locations for the various tribunals within the Ministry. OPSEU will review information regarding the members in those locations and provide assistance in establishing LERCs for those members.</p> <p>The parties identified that there is an interest in re-establishing the LERC at the 720 Bay St. location and this request is being facilitated by both parties.</p> <p>The dates of upcoming ERC training are currently being scheduled.</p>	
4.	Employee Engagement Action Plan	<p>The OPS Employee Engagement Survey period closed on March 20. Ipsos-Reid is in the process of analyzing the data and reports by Ministry are expected to be received in the summer. OPSEU requests a copy of the Ministry results and any Divisional results once they are available.</p> <p>As a follow-up to Deputy Attorney General Town Hall meetings, the Deputy Attorney General is meeting with staff at Regional Roundtables. The first of these is scheduled to occur in Hamilton on April 2nd and future Roundtables will also include the attendance of Assistant Deputy Attorneys General. The locations of future Roundtables are: Sudbury (June 16, 2014), Newmarket (October 7, 2014), Toronto (January 7, 2015), Ottawa (April 8, 2015) and London (June 16, 2015).</p>	

5.	Ministry's Court Reporting Services	Refer to item 1(b).	
6.	Job Descriptions	Management provided the requested information.	
7.	Courts Modernization	MERC reviewed the Information Share that occurred on January 13, 2014 regarding Court Modernization. The Committee agreed that regular updates to OPSEU will occur and that this will be a Standing Item on the MERC agenda.	
8.	Training and Development	The parties are having continuing discussions regarding training and development.	
9.	FPT Deficit Hours	OPSEU will provide specifics.	OPSEU to follow-up
10.	Court Interpreters	Management provided a summary of the competitions currently under way including a status update regarding candidate testing.	
11.	MAG Diversity Plan	OPSEU will provide specifics.	OPSEU to follow-up
Report Back Items:			
12.	Kenora Small Court Location Pilot Project	Management advised that the arrangements to finalize the pilot project at Kenora Court are being confirmed. In the interim, employees at that location have been extended in their current assignments for a short period	

		of time. Management will review the process of finalizing the pilot project with OPSEU once more details are available.	
13.	Toronto Region's Learning & Development Committee, Court Services Division	Refer to item 8.	Remove from agenda
14.	Appendix 42 – Flexible Hours of Work and Telework Arrangements	Management advised that all flexible hours of work fall into the category of staggered start times. There were also a few examples of specific accommodations due to family status and childcare requirements which were also in the form of staggered start times. No telework arrangements have been established. OPSEU asked whether telework arrangements would be considered in the future. Management advised that these arrangements would be considered on a case-by-case basis.	Remove from agenda
15.	Appendix 39 – Mass Centralized Recruitment Process	Management provided this information to OPSEU and will continue to provide this in accordance with the Collective Agreement.	Remove from agenda
16.	Appendix 46 – Transition Exit Initiative	Management provided a response to OPSEU indicating that, once a TEI has been approved, the employee cannot withdraw the request. This applies even if the employee's exit date is not agreed to.	Remove from agenda
17.	LERC Training	Refer to item 3.	
18.	Attendance Support Management Program (ASMP) – Program and Training	Management provided an update on the scheduling of training for ASMP. OPSEU raised concerns regarding the negative impact of the Program on its members. Management provided information that, prior to the introduction of ASMP in the Ministry, the average use of sick time in Court Services Division (in 2012) was 15.6 days and in Environment and Lands	

		Tribunal Ontario (in 2012) was 33 days.	
19.	WIN Pay Issues	Management provided information on the payroll issue that occurs when there are early payroll cutoffs at the end of the year. The impact affects FPT employees and results in the Additional Pay (AP) hours for the second week of the pay period being deferred until the following pay period. The regular pay (i.e. bi-weekly minimum hours) and the AP hours for the first week of the pay period are paid on the scheduled pay date. When this has occurred, advance notice has been provided to OPSEU and to affected employees. In 2014 and 2015, this will not be an issue due to the dates that the statutory holidays fall, however but the situation will occur in some future years when the statutory holidays fall at the beginning of a week or on a weekend.	Remove from agenda
20.	ELTO (LERCs)	Refer to item 3.	Move to Standing Items
21.	Organizational Charts	Management advised that the information requested by OPSEU is not available and cannot be provided at this time. OPSEU to refer this item to CERC.	Remove from agenda
22.	Employee Identification	Management advised that they will be proceeding with issuing Ministry ID cards to all employees at all court locations in CSD. This initiative will begin in the next few months and will be implemented in 2014.	Remove from agenda
23.	Innovation Fund	OPSEU requested information as to the amount of funds in the Ministry's Ideas and Innovations Fund. Management advised that there is no specific dollar amount associated with this fund. OPSEU also requested copies of all Innovation Fund submissions. Management advised that it does not agree that these submissions should be shared.	Remove from agenda

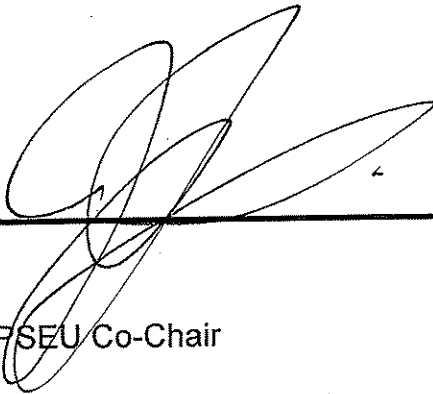
		OPSEU is referring the issue of sharing of Innovation Fund submissions to the CERC table.	
24.	RbP	OPSEU has requested an update regarding the status of the Ministry's Results-based Plan. Management does not have an update at this time.	
New Business:			
25.	Court and Client Representative – Thunder Bay Court LERC Referral (2014-04-01)	OPSEU identified an issue that has been raised regarding the use of the Court and Client Representative position at Thunder Bay Court. This has been raised as a workload issue since the new job description covers duties that were previously done potentially by 3 different employees/positions. The CCR position results in the individual being scheduled in court and also being responsible for office administration duties. There is a concern that the Kenora Court model is being compared to Thunder Bay Court. OPSEU identified that there are significant differences in court volumes between the 2 courts.	Management to follow-up.
26.	Salary Rate – Courtroom Clerk/Trial Coordinator – Walkerton LERC Referral (2014-04-01)	OPSEU identified that there are 4 locations using this job description. The position is classified as OAG8 but Trial Coordinators are classified as OAG11. These positions provide Trial Coordinator duties for the Ontario Court of Justice at these 4 locations and there are no other Trial Coordinators at these locations. Based on the combination of duties, OPSEU's position is that the position should be compensated at the higher level. OPSEU is requesting copies of the job descriptions and clarification if the same job description applies to each. Management advised that the classification of the Trial Coordinator positions was part of the ILRS negotiations and may have been specific as to which positions the reclassification to the OAG11 applied.	Management to follow-up

27.	JIRO Training – 1000 Finch Ave. – LERC Referral (2014-04-01)	OPSEU identified issues raised at 1000 Finch Ave. court regarding the introduction of electronic versions of Judicial Interim Release Orders (eJIRO). This results in typing the information on an electronic form rather than the previous practice of handwriting the information. Court Clerks are now required to type the information and input data. Some staff lack typing/computer skills and are requesting training. Managers have offered opportunities to practice typing during down time. OPSEU indicated that these issues apply elsewhere and raised additional issues related to this topic. OPSEU requests more comprehensive training for typing/computer skills.	Management to follow-up.
28.	FPT Scheduling (2014-04-01)	OPSEU raised concerns regarding FPT employees being advised by their managers to take leave without pay or vacation when there is not sufficient work available. The parties agree that FPT employees should not be required to utilize vacation credits or take leave without pay due to lack of available work.	Remove from agenda
30.	January 13, 2014 – Information Share (Court Modernization) (2014-04-01)	Refer to Item 7.	Remove from agenda
31.	Brampton Court Security (2014-04-01)	A presentation was provided to the Committee regarding the events and the responses regarding the March 28 th incident at the Brampton Court. Although it was recognized that there were a number of activities that assisted in managing the situation and supporting staff, it was recognized that some aspects of health and safety, risk assessment and building security need to be reassessed. Both OPSEU and Management support improvements to address these issues – at Brampton Court and at other court locations across the Province. Management agreed to provide	Review status of activity at next meeting

		confirmation that Workplace Violence Risk Assessments have been completed in consultation with local Joint Health and Safety Committees throughout the province and that regular annual updates to these assessments are occurring. Additionally, MERC supports the discussion of safety and employee security issues at local Joint Health and Safety Committees and, if an issue can't be resolved or agreement cannot be reached, issues can be referred to the LERC or MERC where a LERC does not exist.	
Deferred Items			
32.	Procedures for High Risk Exhibits	Tentatively scheduled for next meeting.	
	Next Meeting:	June 17, 2014	
Attachments: 1) Appendix A – Disclosures			

For the Union:

For Management:



OPSEU Co-Chair

APRIL 1 / 2014

Date:

Carola Christidis

Management Co-Chair

April 1 / 14

Date:

APPENDIX A

Disclosures for discussion:

Disclosures:			
Item #	Disclosure Date	Division	Disclosure
a)	August 20, 2013	Legal Services	Change in reporting relationship

		Division	
b)	September 24, 2013	Legal Services Division	Change in reporting relationship
c) (Info Share)	September 26, 2013	MAG – Deputy Attorney General	Ministry strategic plan, Deputy's Town Hall Summary Report and establishment of the Innovation Fund
d)	September 27, 2013	VVPD – Program Policy & Development Branch	Change in reporting relationship
e)	October 11, 2013	Legal Services Division – Crown Law Office Civil	Change in reporting relationship
f)	November 6, 2013	Court Services Division - Brampton	Change in reporting relationship

Disclosures:			
Item #	Disclosure Date	Division	Disclosure
A. (Corporate)	October 31, 2013	ELTO	Implementation of ASMP – Jan. 1, 2014.
B. (Corporate)	December 18, 2013	ELTO	Surplus

C.	January 23, 2014	Court Services Division	Workplace internet access – Toronto Region & the Court of Appeal
D.	January 24, 2014	Court Services Division	Reorganization of Client Service Representative duties - Northwest region.
E.	February 3, 2014	Court Services Division, Criminal Law Division, Victims & Vulnerable Persons Division	Change in office location – under 40k – St. Thomas.
F.	February 26, 2014	Court Services Division	Revised Court Reporter (CR1) job description
G.	February 28, 2014	Court Services Division	Change in headquarters – Thunder Bay
I.	March 3, 2014	Court Services Division	Change in reporting relationship - Waterloo
J. (Corporate Info Share)	March 3, 2014	Licence Appeals Tribunal (LAT), (SLASTO)	Legislative changes – transfer of automobile insurance dispute resolution to LAT
K. (Info Share)	March 4, 2014	Court Services Division	Election to be grand-parented to new list of authorized Court Transcriptionists.

L.	March 4, 2014	Corporate Services Management Division – AFP Courthouse Projects Office	Change in reporting relationship
M. (Info Share)	March 4, 2014	Court Services Division	Notification of resolution of outstanding court reporting & transcript production grievances
N. (Info Share)	March 7, 2014	Court Services Division	Revised court service standards
O.	March 11, 2014	Court Services Division, Criminal Law Division, Victims & Vulnerable Persons Division	Update to February 3 rd disclosure regarding a change in office location – under 40k – St. Thomas.
P. (Info Share)	March 12, 2014	Court Services Division	Scheduling of Small Claims Court continuations
Q. (Info Share)	March 12, 2014	Court Services Division	Non-renewal of compressed work week agreement (Ottawa)
R. (Info Share)	March 14, 2014	Court Services Division	Online posting of daily court lists.
S. (Info Share)	March 14, 2014	Court Services	Selection of an Independent Service Provider to administer

		Division	the list of authorized Court Transcriptionists
T.	March 17, 2014	SLASTO	Change in reporting relationship – Ontario Parole Board.
U. (Amended)	March 17, 2014	Court Services Division	Selection of an Independent Service Provider to administer the list of authorized Court Transcriptionists
V.	March 18, 2014	Court Services Division	Update – Independent service provider who will administer the new model of court transcript production.