

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, A/OPS Supervisor

DATE: March 23, 2011

**SUBJECT: Ministry of the Attorney General
ERC Minutes – March 17, 2011**

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.

Also attached is a MERC referral form which should be used when referring unresolved local issues to the ministry level. The referral should be sent care of the Job Security Unit with all the supporting documentation, (e.g. minutes, correspondence, etc.), with any referrals.

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

AUTHORIZED FOR DISTRIBUTION:

IN SOLIDARITY,



Warren (Smokey) Thomas
President



Ruth Hamilton
A/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)

March 17, 2011

10:00 a.m. – 5:30 p.m.

At 3rd Floor HR Large Boardroom, 720 Bay St., Toronto, Ontario

CHAIR: Union

For the Union

Julie Weber (Co-Chair), OPSEU Local 228
Shelley McCormick (Vice-Chair), OPSEU Local 526
Helen Haggith, OPSEU Local 154
Jim Jurens, OPSEU Local 526
Judith Marion (OPSEU Job Security)

Regrets:

Recorder:

Rosaline Bkila, Center For Employee Relations

Guests:

Tony Ventura, Court Services Division
Jeffrey Stewart, Center For Employee Relations

For the Ministry

Valerie Neville (Co-Chair), HR SBU, CSMD
Grace Lin, Social Justice Program Policy Division
Nancy Whitney, Legal Services Branch
Brian Garrah, Court Services Division

Ref #	Agenda Item	Issue	Follow-Up/Action
	STANDING ITEMS:		
1. a)	Conversion	<u>a) Article 31A.15 – Conversion of Unclassified Positions to Classified Positions</u> Management did not provide a list.	

Ref #	Agenda Item	Issue	Follow-Up/Action
1. b)	MAG Update	<p><u>Court Services Division</u></p> <p>Management to provide update on Employee Engagement (See item 1. h).</p> <p><u>Social Justice Program and Policy Division</u></p> <p>There was an Order in Council in January 2011 that transferred responsibilities of agencies under MAG:</p> <p>Landlord Tenant Board Social Benefit Tribunal Child Family Services Review Board Custody Review Board Ontario Special Educational Tribunal (English and French)</p> <p>A Regulation that allowed for clustering of agencies was filed in February 2011. It designated agencies (listed above) in addition to Human Rights Tribunal as a cluster. Corporate Disclosure has occurred. Changes will be effective April 1, 2011.</p> <p><u>Legal Services Division</u></p> <p>Management to provide update on Employee Engagement (See item 1. h).</p>	
1. c)	MAG's Vacancy Reports	Management provided a report.	

Ref #	Agenda Item	Issue	Follow-Up/Action
1. d)	Enforcement Program	<p>Management provided an update. Management is unaware of new issues raised in Brampton with respect to Enforcement Officers. Annual Mandatory Refresher Training on Defensive Tactics was conducted in September and November 2010. Staff who did not receive training in 2010 will be attending in early 2011. Employer will be conducting a course evaluation on the refresher training to be provided in the fall.</p> <p>Union asked if the Brampton Risk Assessment was completed and if so, requested a copy of the assessment. The Union stated that they should be involved in risk assessments.</p>	Management to follow-up on Brampton Risk Assessment.
1.e)	Local Employee Relations Committees	<p>- List of LERC committees</p> <p>Management advised that information is being collected. Management to provide list to the Union once the list has been completed, before the end of March.</p> <p>- Old City Hall LERC</p> <p>A meeting was set for February 21, 2011; however, it had to be rescheduled. MERC will work with local management and union representatives to establish a new date and the MERC Co-chairs will attend the first meeting.</p>	<p>- Management to provide list.</p> <p>- Parties to reschedule meeting.</p>
1.f)	Joint Health and Safety Committees	JHSCs across the province are listed on the Center for Employee Health Safety and Wellness (CEHSW) intranet.	

Ref #	Agenda Item	Issue	Follow-Up/Action
1.g)	Workload Issues	<p>Thunder Bay SCJ</p> <p>Management to follow-up on Thunder Bay vacancies.</p>	Management to follow-up.
		<p>393 University</p> <p>Management provided information on status of employees at this court location. Recruitment is currently in the approval process for 2 positions.</p>	Remove from agenda.
		<p>Newmarket Courthouse</p> <p>Management advised that local management is doing an operational review of the Trial Coordination Office to streamline processes and address workload issues.</p>	Remove from agenda.
		<p>Owen Sound Courthouse</p> <p>Union advised that this issue was raised at the October 22, 2010 LERC.</p> <p>Management to follow-up before the next meeting as to why the temporary vacancy was not back-filled.</p>	Management to follow-up.

Ref #	Agenda Item	Issue	Follow-Up/Action
1.h)	Employee Engagement Action Plan	<p>Presentation by Strategic Business Unit. Employee Engagement Survey is underway and will be completed on March 23, 2011. The OPS had 44% response rate and MAG had 34% response rate as of March 14, 2011. The MERC encourages staff to participate in the Survey to ensure that results provide adequate and beneficial information on the issues and concerns of staff.</p> <p>The 4 key themes that arose from the 2009 Employee Engagement results were: Leadership Practices Opportunities for Growth and Advancement Organizational Communication Learning and Development Opportunities</p> <p>The following initiatives have been introduced to address the 2009 results: - Mentoring Program was introduced to address Career Growth and Opportunity issues. - 16 different initiatives have been introduced in Court Services Division (CSD), which include the first ever CSD newsletter (issued every 3 months) to address the Organizational Communication theme and the launch of the Employee Engagement Webpage (see link below) on the CSD Intranet, which includes links to the newsletter and to Career Path Mapping Tools.</p> <p>http://intra.csd.mag.gov.on.ca/English/page-1-10831-1.html</p> <p>- Legal Services Division (LSD) has created a Tiered Passport Program that provides regular opportunities for professional education and development to all staff. - Social Justice Program and Policy Division has created a certificate program for career development and the ADAG is committed to going out to the various regions to meet and speak to staff.</p>	

Ref #	Agenda Item	Issue	Follow-Up/Action
1.i)	HR Priorities 2009-2011/Results Based Planning	Management provided disclosure of the 2010-2011 RBP for each division.	Remove from agenda.
1.j)	Ministry's Court Reporting Review	<p>- Update on Digital Recording Devices (DRD) Implementation Management advised that there are no further updates.</p> <p>- Training for Digital Recording Devices Implementation Union advised that a manager's memo (January 24, 2011) went out to staff instructing them about a take home package for training. Union advised that proper disclosure was not provided. Management stated that it is committed to providing proper disclosure. Management to follow-up on the memo and provide clarification to the Union prior to the next meeting.</p> <p>Management advised that the Employer is providing paid training and practice time in relation to Liberty Court Player and Liberty Court Recorder. Supervisors will be providing information to court reporters regarding the time and location of this training.</p>	Management to follow-up on the January 24, 2011 memo.
1.k)	Court Interpreters	<p>In January 2011, test results were released to court interpreter staff in the East, Central East, North East and North West regions.</p> <p>Management continues to support staff through the accreditation process.</p> <p>Management advised that treatment of court interpreters in court has been raised with the judiciary. The judiciary has been made aware of the issue. The Union will provide additional information.</p>	The Union to provide additional information.

Ref #	Agenda Item	Issue	Follow-Up/Action
1.l)	Job Descriptions	Management provided information to the Union on job descriptions for January and February 2011.	
1.m)	Mass Recruitment Project	Management advised that Court Services Division approved to continue the Mass Recruitment process across the regions.	
1.n)	FPT Deficit Hours - Recovery	<p>Management provided information on the recovery of deficit hours for 2008 and 2009, and provided sample letter regarding the repayment plan that will be sent to individual employees who have deficit hours. The Employer will send information regarding the recovery of hours to OSS two weeks after employees receive their letters.</p> <p>Management agreed to provide the Union with additional information on a specific employee.</p>	Management to provide additional information.
	DISCLOSURES:		
2.a)	Clustering Social Justice Tribunal – Jan 25/11	Refer to SJPPD update (item 1. b)	Remove from agenda.
2.b)	Environmental Land Tribunal – Feb 10/11	Management to follow-up regarding the completion date of this review.	Management to follow-up.
2.c)	OPS Diversity E-Bulletin – Feb 15/11	The Ministry celebrates diversity and continues to promote Diversity events.	Remove from agenda.
2.d)	IT Resource – Feb 17/11	Management provided update.	Remove from agenda.

Ref #	Agenda Item	Issue	Follow-Up/Action
	REPORT BACK ITEMS:		
3.a)	ILRS Review	<p>Management advised that based on the list of proposed best practices developed by the ILRS Review Team, each region would implement recommendations on the following 3 issues where operationally feasible:</p> <ul style="list-style-type: none"> - Rounding of Hours - FPT Usage - FPT Scheduling 	Remove from agenda.
3.b)	MAG's Diversity Plan	Presentation deferred to next meeting.	Remain on agenda.
3.c)	Career Mentoring Program	Refer to Employee Engagement (item 1. h)	Remove from agenda.
3.d)	Bill 168	Management advised that the e-learning from Center For Learning and Leadership is mandatory for all OPS staff. Training is ongoing and being monitored. Management will provide update on the completion rate for MAG once that information is available.	Management to provide update once available.
3.e)	Dryden Court – Bargaining Agent Work	Deferred to next meeting.	Remain on agenda.
3. f)	Windsor Courthouse – After Hours Access to Courthouse	Management to follow-up with local management on how to address the after hours access concern. Management to follow-up before the next meeting.	Management to follow-up.
3. g)	Old City Hall Courthouse – Deficit Hours Court Interpreters	Management has shared the employees' deficit hours with the Union.	Remove from agenda.

Ref #	Agenda Item	Issue	Follow-Up/Action
3. h)	Kenora Courthouse – Non-Disclosure to MERC	Management provided the Union with an updated summary of the Small Office Model Project. Union to review the summary. Union had some questions regarding the Small Office Model. Management to follow-up before next meeting.	Management to follow-up.
3. i)	Change in per page rate for Court of Appeal Transcripts	Deferred to next meeting.	Remain on agenda.
3. j)	September 13, 2007 ILRS Court Reporting MOA – Preparation and Production of Transcripts	This matter is currently before the grievance settlement board.	Remove from agenda.
3. k)	Re-election of FPT Benefits	Management will provide a list of the number of employees who have opted in/out of benefits.	Management to provide list when available.
3. l)	September 6 2007 MOA – Bargaining Unit Integrity	This matter is currently before the grievance settlement board.	Remove from agenda.
3. m)	MFRC Report to MERC (Employer)	Report provided at December MFRC meeting.	Remove from agenda.
3. n)	Owen Sound LERC Referral – Small Claims Court Reporter/Clerk	Management acknowledges that the recording device will be unattended when the Court Reporter/Clerk is swearing in witnesses or carrying out other duties in small claims court.	Remove from agenda.

Ref #	Agenda Item	Issue	Follow-Up/Action
3. o)	Old City Hall Court – No LERC – Students performing BU work contrary to Sept 19/05 MOA	Management to follow-up and provide information on the co-op students at Old City Hall.	Management to provide additional information.
3. p)	Conflict of Interest Attestation Form	The COI policy applies to all OPS employees whether or not they have signed the attestation form. http://intra.ops.myops.gov.on.ca/cms/tiles.nsf/(vwReadPagesByRefId_Content)/pad2010.07.29.10.20.53.JU3_page?open	Remove from agenda.
3. q)	MAG Toronto District School Board Partnership	Management provided update.	Remove from agenda.

NEW BUSINESS:			
4. a)	Pay & Salary Issues	Pay and salary issues are being addressed on a case by case basis. Management will update the Union on repayment issues. Employees who have pay issues (under payment and over payment) should raise them with their managers.	Remove from agenda.
4. b)	Milton Court – Overtime Credits Not Reflected in WIN	Management advised that credit balance issues have been raised with OSS. OSS is addressing the problem and has tentatively given April 30, 2011 to have this issue resolved.	Remove from agenda.

4. c)	Court Location Security – Risk Assessments	<p>The Union, and the legislation, expect that all JHSCs will be involved in any and all discussions involving security in accordance with Bill 168.</p> <p>Management will look into this issue and report back to the Union before the next meeting.</p>	Management to follow-up.
4. d)	Expressions of Interest	Management understands that expressions of interest should not be utilized as per the memo dated August 5, 2009 from Kevin Sawicki.	Remove from agenda.
4. e)	“OPSEU” Performance Plan	<p>The Union raised concerns with the document required for signature called “OPSEU Performance Commitment/Measures”.</p> <p>Management explained that these are the performance commitments for all employees in Courts Services Division incorporated into the full Employee Performance Plan, and should not serve as an individual document.</p> <p>OPSEU confirmed that this is not an OPSEU document.</p>	Remove from agenda.
4. f)	Article 7.2.2 of the CA – Ministry tracking	Management is looking into a process for recording this information. This will be disclosed to the Union.	Management to follow up.
4. g)	Merit Pay for Fixed Term Staff	The Ministry continues to give merit pay to fixed-term employees on an annual basis (using April 1 st as the anniversary date).	Remove from agenda.
4. h)	Telework	Management advised that there are no cases of telework in the Ministry.	Remove from agenda.

4. i)	Training & Development for Staff	<p>Management advised that there are mandatory e-learning courses for all staff through CFLL:</p> <ul style="list-style-type: none"> - May I help you? Welcoming Customers with Disabilities - Bill 168: An Overview - WDHP Policy - Workplace Violence Protection - Travel Meal and Hospitality Expense Directive <p>Other examples of training opportunities are addressed under Employee Engagement initiatives.</p> <p>Individual learning and training opportunities are discussed during the individual's performance review.</p>	Remove from agenda.
4. j)	Toronto Court Operational Review	This audit falls within the regular audit plans and is not limited to Court Services Division.	Remove from agenda.
	Next Meeting	<p>June 2, 2011</p> <p>September 13, 2011</p> <p>December 8, 2011</p>	

For the Union

Julie Weber
OPSEU Co-Chair

For Management

Valerie Neville
Management Co-Chair

Date: March 17, 2011

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