

MERC MINUTES
Ministry of the Attorney General
MINISTRY EMPLOYEE RELATIONS COMMITTEE MEETING (MERC)

December 18, 2015

MERC Members:

Tim Elphick, OPSEU Co-Chair

Tina Stevens

Roxanne Theriault

Cindy Abric-Forsyth, OPSEU Job Security Officer

Carol Christidis, Management Co-Chair

Brian Garrah

Ben Huo

Randy Holloway

Kathryn Baragar for Alexandra Brooks, ERD TBS

Guests:

- Julia Bielecka, Human Resources Business Advisor, HR-SBU, CSMD

- Roy Dart, Workforce Policy & Planning Officer, DSSPU, CSD

- Sujani Kamalanathan, Workforce Planning & Policy Coordinator, DSSPU, CSD

- Megan Dykie, Manager, Business Continuity & Emergency Management, CSMD

- Matt Crone, Director, Justice Sector Security Office, CSMD

- Tony Ventura, Manager, Operational Support Unit, Divisional Support Branch, CSD

- Sathya Krisna-Puru, Job Security Officer, OPSEU

- Marion Marrone, Manager of Court Operations, Brampton, CSD

- Paul Espey, Senior H&S Advisor, CEHSW, MGCS

Regrets:

Karen Clark

Ref #	Agenda Item: (date added)	Issue	Follow-Up / Action:
A.	Presentations:		
	i) Aboriginal Justice Division.	Deferred.	
	ii) Small Claims Court On-line Demo	Deferred.	
	iii) RbP / PRRT process.	Deferred.	
	iv) Revised Health Re-assignment process	Deferred.	
	v) CSMD, BCEM – Wellness in Emergencies Program	Deferred.	
1.	MAG Update:		
a.	Court Services Division	CSD is committed to continuing its support of employee engagement (EE) and recognition initiatives. The 2014-2017 EE Action plan launched in July 2015 and supports this priority. A copy of the Action Plan is posted online at http://intra.csd.mag.gov.on.ca/userfiles/page_attachments/Library/1/2014_17_CSD_EE_Action_Plan_final.pdf	
b.	Other Divisional Reports	The Union requests an update on Criminal Law Division's SCOPE initiative.	
2.a)	Ministry Seniority Listing	MAG Seniority Listing provided by corporate employer on	

		November 12, 2015 with WIN data from September 26, 2015.	
2.b)	Fixed-Term report	Fixed-term report was shared on December 16, 2015.	Next report will be provided in February 2015 with January, 2015 data. Reports to be provided on a quarterly basis.
2.c)	Seasonal	No seasonal employees.	Item to be removed from the Agenda.
2.d)	Conversion reports	Conversion report provided on October 22, 2015.	
3.	LERCs a) Training b) Updates	The parties are committed to ongoing LERC training which is being organized through the Central Employee Relations Committee. Both Union and Employer representatives are encouraged to attend.	The parties to report back.
4.	Employee Engagement Action Plan	Deferred.	Presentation to be scheduled.
5.	Ministry's Court Reporting Services	Further to the June 2014 MERC update, the ministry has implemented the March 3, 2014 court reporting MOS. In October 2015, the ministry provided OPSEU with a final listing of elections which were received and processed within the required timeframes. No further updates are required.	Item to be removed from the Agenda.

6.	Job Descriptions	The Union requests a copy of the DRD Technical Advisor position description report.	Management to follow-up.
7.	Courts Modernization	No updates at the present time. The Union requested an update on Judicial E-Scheduling and Small Claims E-Filing.	Management to follow-up.
8.	Training and Development (Appendix 29)	OPSEU requested resume and interview training. Management advised of available online and in-person resources through the Centre for Leadership and Learning and availability of interview debriefs upon request. The parties seek to continue the delivery of software training for ICON and FRANK, including the commitment for the provision of ongoing, effective training.	Management to provide CSD training resource tip sheet.
9.	FPT Deficit Hours	The Employer provided a report to the Union for 2014 FPT Deficit Hours, on December 16, 2015.	CSD will provide the FPT deficit hours quarterly to the Union on the following dates going forward: January 31 st April 30 th July 31 st October 31 st
10.	MAG Diversity Plan	Deferred.	Presentation to be scheduled.

11.	Attendance Support Management Program (ASMP) – Program and Training	The parties are committed to ongoing ASMP training which is being organized through the Central Employee Relations Committee. Both Union and Employer representatives are encouraged to attend. Question and Answer Sheet available on the Centre for Employee Health Safety & Wellness intranet site.	
12.	Kenora Small Court Location Pilot Project	CSD can now confirm that they will be working with ERD and the Union on a local settlement to transition employees.	The parties to finalize the arrangements. This item to be removed from the Agenda.
13.	RbP / PRRT	Deferred.	Union to follow-up.
14.	Salary Rate – Courtroom Clerk/Trial Coordinator – Walkerton LERC Referral (2014-04-01)	The ministry completed a review of the Courtroom Clerk/Trial Coordinator job description. This position was updated and expanded to the Court Clerk & Registrar/ Trial Coordinator job description. This position was generated in consultation with current incumbents. This new position was classified by the Enterprise Classification Unit at the OAD08 level.	Union refers to the Central Employee Relations Committee.
15.	JIRO Training – 1000 Finch Ave. – LERC Referral (2014-04-01)	The parties have received training and ongoing training remains available. All employees requesting training are encouraged to speak with their immediate supervisor.	To be removed from the agenda.

16.	Brampton Court Security (2014-04-01)	Manager, Business Continuity and Emergency Management provided an update on training provided in Brampton. Staff participated in a Hold and Secure Drill which included test of the Safety and Security Awareness Handbook for MAG Staff and P.A. announcements	The Brampton After-Action Report will be shared once finalized
17.	Compressed Work Week (CWW) Agreement Issue	The parties discussed the usage of CWW arrangements in East region.	Management to follow-up with local management in the East region.
18.	New Toronto Courthouse	No update at the present time.	
19.	Diversity (Swearing of the Feathers)	The parties to discuss the provision of the Swearing of the Feathers Ceremony in consultation with the Aboriginal Justice Division.	Management to follow-up.
20.	Revised Health Re-assignment process	Deferred.	Management to arrange a presentation in 2016.
21.	Enforcement Officer – Practices – Central-West Region	<p>Manager of Court Operations in Brampton provided an update on changes to Enforcement Officer practices, particularly the service of eviction notices. The service of these notices by mail is now a practice in Central East, Central West and Toronto region. Other regions may review as required.</p> <p>The parties recognize the health and safety of Enforcement Officers is paramount, and members should always follow the Enforcement Procedures Manual when participating in enforcement activities.</p>	Item to be removed from the Agenda.

22.	Alternate Monetary Penalties (AMP) – Disclosure dated December 31, 2014.	No operational decisions have been made.	Management to follow-up.
23.	Appendix 46 - Transition Exit Initiative – notification of approval	The Union requested that the TEI Notification of Approval letters be provided to OPSEU.	Management to follow-up.
24.	Provincial Court Security Committee	<p>OPSEU court security survey (November 2014) is under review by the Ministry. Health and Safety Representatives are encouraged to raise issues to management for discussion</p> <p>Director, Justice Sector Security Office provided an overview of the role of the office. .</p> <p>The Employer and local Health and Safety representatives/Joint Health and Safety Committee are encouraged to discuss and make recommendations to management, as appropriate.</p>	Item to be removed from the Agenda.
25.	Workplace Identification Cards	The parties discussed the use of locally-issued identification cards. Health and Safety Representatives are encouraged to raise issues to management for discussion.	Management to report back.
26.	Grievance Mediation / Arbitration Process	The parties discussed the Union’s request to re-establish a Ministry-level grievance resolution process.	The parties to follow-up.
27.	Article 6.1.2.2 - Position eligibility list disclosure	The parties discussed the process of sharing eligibility lists for competitions prior to ratification.	Management to follow-up.

28.	FXT Seniority – calculation for multiple FXT contracts	The parties discussed the method of calculation of Fixed-Term seniority in accordance with Article 18.1.1.	Management to report back.
29.	Technological Change	Deferred.	
30.	Appendix 32 implementation effective January 4, 2016	<p>The newly revised Appendix 32 will be implemented January 4, 2016.</p> <p>An information sheet will be provided to all FPT staff so they are aware of the changes to Appendix 32. Managers have been asked to meet with impacted staff to discuss the changes to Appendix 32. Employee requests for non-working days should be submitted in writing 30 days in advance to managers (although requests made less than 30 days in advance may be considered).</p>	Management to follow-up.
31.	Health & Productivity Program Review	Deferred.	Union to coordinate a presentation at a meeting in 2016.
32.	Appendix 29 - Workplace Violence Statistics	<p>The Union requested statistics on workplace violence. The Ministry that there is no formal mechanism for reporting at the present time.</p> <p>The parties encourage the completion of the appropriate workplace accident/near-miss reports.</p>	Management to follow-up.
33.	Article 6 and Appendix 39 – filling vacancies	The parties will continue to discuss how to effectively utilize Lateral Transfers, Job Trades and Conversions to fill vacancies within the Ministry.	Management to report back.

34.	Article 10.3.2 – Job Trades	The parties confirm that Flexible Part-Time (FPT) employees are now eligible to request job trades.	Management to report back.
35.	2016 Lump sum payment – FPT and FXT staff	<p>FPT – The parties confirmed base salary includes all regular hours in the calendar year, including hours in excess of the FPT category that are not overtime hours.</p> <p>FXT - Union requests clarification on the base rate used to calculate the lump sum payment for individuals holding multiple contracts.</p>	Management to confirm the basis for the lump sum calculation.
	Next Meeting:	March 2, 2016	

For the Union:

For the Employer:



Union Co-Chair
Tim Elphick



Employer Co-Chair
Carol Christidis