

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

**March 2, 2016**

**MERC Members:**

Tim Elphick, OPSEU Co-Chair  
Tina Stevens  
Roxanne Theriault  
Cindy Abric-Forsyth, OPSEU Negotiator  
Karen Clark

Carol Christidis, Management Co-Chair  
Roy Dart  
Kathie Persaud  
Randy Holloway  
Alexandra Brooks, ERD TBS

**Guests:**

- Julia Bielecka, Human Resources Business Advisor, HR SBU, CSMD
- Brian Garrah, A/Director, Divisional Corporate Planning Unit, DSSPU, CSD
- Sujani Kamalanathan, A/Workforce Planning & Policy Coordinator, DSSPU, CSD
- Heather Temple, A/Workforce Policy & Planning Coordinator, DSSPU, CSD
- Megan Dykie, Manager, Business Continuity & Emergency Management, CSMD
- Leanda Rosenblitt, Organizational Capacity Consultant, HR SBU, CSMD
- Debbie Dykstra, A/Consulting Manager for Small Claims Court, CSD
- Beverly Leonard, Director, Court Operations – Toronto Region, CSD
- Vaia Pappas, A/Director, Civil, Family, Crim/POA Policy Branches
- Dean Ajasa, Manager, Inclusion and Accessibility Unit, HR SBU, CSMD

Ref #	Agenda Item: (date added)	Issue	Follow-Up / Action:
<b>A.</b>	<b>Presentations:</b>		
	i) Aboriginal Justice Division.	Deferred.	
	ii) Small Claims Court On-line Demo	Small Claims Court Online was demonstrated for MERC.	Additional information is available in the CSD Training Folder.
	iii) Modernization Division	Deferred.	
	iv) RbP/PRRT process.	Removed.	Union will add to agenda when presentation available.
	v) Revised Health Re-assignment process	Removed.	Union will add to agenda when presentation available.
	vi) CSMD, BCEM – Wellness in Emergencies Program	Deferred.	
	<b>Standing Items</b>		
<b>1.</b>	<b>MAG Update:</b>		
<b>a.</b>	<b>Court Services Division</b>	The Employer provided an update on activities in CSD. The division welcomed their new ADAG, Sheila Bristo, in February 2016. Initiatives including Courtside Chats and ADAG on the Road will be continuing.	
<b>b.</b>	<b>Victims &amp; Vulnerable Persons Division</b>	The Employer provided an update on activities in VVPD. The division is coordinating Employee Assistance Program training sessions, recognition initiatives and employee engagement activities.	

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c.	<b>Criminal Law Division - SCOPE initiative.</b>	The Employer provided an update on the Scheduling Crown Operations Prepared Electronically (SCOPE) system. The intention is to expand the system to identified sites province-wide.	
d.	<b>Modernization Division</b>	The Employer provided an update on the establishment of the Modernization Division.	
2.	<b>Reports:</b>		
a.	<b>Ministry Seniority Listing</b>	The Union has requested the Seniority Listing which will be provided by the corporate Employer.	
b.	<b>Fixed-Term report</b>	The Fixed-Term report was provided on February 4, 2016.	
c.	<b>Conversion reports</b>	The Conversion report was provided on February 29, 2016.	
3.	<b>LERCs</b>	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.	
4.	<b>Employee Engagement Action Plan</b>	The Employer provided an update on the 2014-2017 Employee Engagement Action Plan. Additional information available on MAGNet.	Employer to report-back on the MAG Exit Survey themes.
5.	<b>Job Descriptions</b>	Job descriptions for January 2016 were provided on February 18, 2016.	
6.	<b>Courts Modernization</b>		

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a.	<b>Civil Enforcement Services</b>	The Employer provided an update on the consultations currently underway for civil enforcement services.	The parties are committed to ongoing discussions and will update as more information is available.
b.	<b>Judicial E-scheduling</b>	The Employer provided an update on the activities and impending pilot at Milton Courthouse commencing April 2016.	Results from the pilot will be examined and decisions surrounding future site selection and provincial roll-out will be considered.  The union requested a presentation on this item.
c.	<b>Non-Judicial Hearings</b>	The Employer provided an update on the consultations currently underway for non-judicial hearings.	The parties are committed to ongoing discussions and will update as more information is available.
7.	<b>Training and Development (Appendix 29)</b>	Deferred.	
8.	<b>FPT Deficit Hours</b>	The FPT Deficit Hour report was provided on February 2, 2016.	
9.	<b>MAG Diversity Plan</b>	The Employer provided update on the 'Yes to Inclusion' Plan.	Employer to provide further information on the Trans Inclusion Pilot.
10.	<b>Attendance Support Management Program (ASMP) – Program and Training</b>	Deferred.	The parties are awaiting further information from CERC.

<b>Ref #</b>	<b>Agenda Item: (date added)</b>	<b>Issue</b>	<b>Follow-Up / Action:</b>
	<b>Report-Back Items</b>		
11.	<b>RbP/PRRT</b>	Removed.	Union will add to agenda when presentation available.
12.	<b>Brampton Court Security (2014-04-01)</b>	The Employer provided an update on the Brampton Court Security After-Action Report.	The Brampton After-Action Report will be shared once finalized.
13.	<b>Workplace Identification Cards</b>	The Employer provided an update on Workplace Identification Cards.	Management to provide further update at the next MERC meeting.
14.	<b>Compressed Work Week (CWW) Agreement Issue</b>	The Employer provided an update on Compressed Work Weeks (CWW). The Employer shared the importance of CWWs meeting both operational demands and client service requirements.  Employer is continuing discussions with management representatives.	Employer to provide a report back from discussions at Court Services Division's Corporate Planning Table.
15.	<b>New Toronto Courthouse</b>	The Employer provided an update on the planning of the new Toronto Courthouse.	Employer to provide updates as available.
16.	<b>Diversity (Swearing of the Feathers)</b>	Deferred.	Teaching to be presented at the June MERC.
17.	<b>Revised Health Re-assignment process</b>	Deferred.	Union will add to agenda if required.
18.	<b>Alternate Monetary Penalties (AMP) – Disclosure dated</b>	The Employer provided an update regarding the consultation. The outcome of the consultation does not	Remove from agenda.

<b>Ref #</b>	<b>Agenda Item: (date added)</b>	<b>Issue</b>	<b>Follow-Up / Action:</b>
	<b>December 31, 2014.</b>	result in any impacts to bargaining unit staff.	
<b>19.</b>	<b>Appendix 46 - Transition Exit Initiative (TEI) – notification of approval</b>	The Employer confirmed that the corporate Union is to be notified if a TEI is approved.  The Union shared that there has been 265 requests and 60 approvals for TEI.	Remove from agenda.
<b>20.</b>	<b>Grievance Mediation/Arbitration Process</b>	The parties discussed the process and the opportunities for early resolution of grievances.	The parties will continue discussions.
<b>21.</b>	<b>Article 6.1.2.2 - Position eligibility list disclosure</b>	The parties discussed notification when an Article 6.1.2.2 reach back occurs.	Employer to review Union's concerns with Corporate ERD/MAG and report back.
<b>22.</b>	<b>FXT Seniority – calculation for multiple FXT contracts</b>	The Employer has raised this issue corporately.	Employer to share response when received.
<b>23.</b>	<b>Technological Change</b>	The parties discussed technological change and adapting to physical infrastructure.  Ergonomic issues should be addressed with the local management and/or with the Local Joint Health and Safety Committee.  Local Joint Health and Safety Committee members are encouraged to inform managers of ergonomic concerns identified during workplace inspections.	The parties to continue discussions.  Further information is available on the Centre for Employee Health Safety and Wellness website. Regional Health and Safety Advisors can be consulted as required.
<b>24.</b>	<b>Appendix 32 implementation effective January 4, 2016</b>	The parties discussed the revised Appendix 32 implementation, effective January 4, 2016, in which FPT employees may be scheduled up to 36.25 hours as operationally required per week.  The Employer confirmed that FPT employees are not	The Employer will remind managers of the ability to schedule FPT employees up to 36.25 hours per week as operationally required.

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		capped at their bi-weekly minimum but are scheduled as per operational requirements.	
<b>25.</b>	<b>Health &amp; Productivity Program Review</b>	Deferred.	Union will add to agenda when presentation available.
<b>26.</b>	<b>Appendix 29 - Workplace Violence Statistics</b>	<p>The parties discussed the Employer/Employee responsibilities in reporting actual/potential incidents of workplace violence.</p> <p>The Employer communicated to managers on December 8, 2015 regarding their roles and responsibilities.</p>	<p>Employer will report back on what information may be available from the Centre for Employee Health, Safety and Wellness</p> <p>Employer will undertake to communicate requirements to employees of their roles and responsibilities.</p>
<b>27.</b>	<b>Article 6 and Appendix 39 – filling vacancies</b>	The parties are committed to filling vacancies in accordance with the collective agreement.	Item to be removed.
<b>28.</b>	<b>Article 10.3.2 – Job Trades</b>	The parties confirmed that Flexible Part-Time (FPT) employees are now eligible to request job trades.	Item to be removed.
<b>29.</b>	<b>2016 Lump sum payment – FPT and FXT staff</b>	<p>FPT employees are eligible to receive a 1.4% lump sum payment based on wages earned for regular hours worked in 2015, including category hours and up to 10% over category hours.</p> <p>FXT employees are eligible to receive 1.4% lump sum payment based on wages earned for regular hours worked in 2015, for each respective contract.</p>	Item to be removed.
	<b>New Business</b>		

Ref #	Agenda Item: (date added)	Issue	Follow-Up / Action:
30.	Toronto Region – Taxi usage	The Union raised a concern with the Taxi Usage Policy in Toronto region. The Employer provided updated information and will be meeting with employees and providing a revised communication on the use of taxi chits.	Employer to share revised communication with the Union. The Union will add this item to the agenda if required.
	<b>Next Meeting:</b>	June 7, 2016	

For the Union:



Union Co-Chair  
Tim Elphick

For the Employer:



Employer Co-Chair  
Carol Christidis