

MERC MINUTES

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

October 20, 2016

9:30 a.m. – 5:30 p.m.

31 Wellesley Street, Toronto, Ontario

Chair: Union

MERC Members:

Tim Elphick, OPSEU Co-Chair
Tina Stevens
Roxanne Theriault
Karen Clark
Cameron Walker, OPSEU Negotiator

Carol Christidis, Management Co-Chair
Brian Garrah, CSD
Kathie Persaud, VVPD
Randy Holloway, CSMD
Alexandra Ellis, ERD TBS

Guests:

- Heather Temple, Workforce Policy and Planning Coordinator, CSD
- Michelle Flaro, Manager of Court Operations, Cornwall, CSD
- Leanda Rosenblitt, Organizational Capacity Consultant, SBU, CSMD
- Christopher Johns, Executive Director, Innovation Office, Modernization Division
- Elaine Ellis, Project Manager, Organizational Effectiveness, Youth Justice Services, MCYS
- Glenna Caldwell, OPSEU
- Mark Hine, HR Business Advisor, Strategic Business Unit, CSMD

Regrets:

Cindy Abric-Forsyth, OPSEU Negotiator

Observer: Anna Fitzsimmons, Labour Relations Intern, ERD, TBS

Ref #	Agenda Item:	Issue	Follow-Up / Action:
A.	Presentations:		
a.	Business Continuity & Emergency Management “Wellness in Emergencies” Program	Deferred	To be scheduled at a later meeting.
b.	Health & Productivity Program, MCYS	OPSEU and management representatives delivered a presentation on the Health & Productivity Program in MCYS.	The parties will continue to review and discuss at next meeting.
	Standing Items		
1.	MAG Updates		
a.	Court Services Division	<p>CSD provided an update on the status of current initiatives within the division including Mental Health and Addictions awareness, developed by the Canadian Mental Health Association. The webinar series was coordinated through CSD and can be accessed as below:</p> <p>For managers: ontario.cmha.ca/magmanagement password: contact heather.temple@ontario.ca</p> <p>For staff: ontario.cmha.ca/magfrontlinestaff password: MAGmentalhealth2</p> <p>See item 7.</p>	All managers and staff are encouraged to access the training material available.

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b.	Victims & Vulnerable Persons Division	VVPD provided an update on the status of current initiatives within the division including information sessions and workshops on a range of topics including diversity and inclusion, employee health and wellness and employee recognition.	
c.	Criminal Law Division	The Employer provided an update on the status of current initiatives within the division including the annual Provincial Support Staff Seminar.	
d.	Modernization Division	Modernization Division provided an update on modernization initiatives (see item #6).	
2.			
a.	Fixed Term Report (Article 16.5.1)	The Fixed Term report was provided by the Employer on October 14, 2016.	
b.	Conversion Reports (Article 31A.15)	The Conversion report was provided by the Employer on October 14, 2016.	
3.	LERCs	<p>The parties continue to encourage management and OPSEU members of a LERC to register for and participate in ERC training (Level 1).</p> <p>Dates remain available as below:</p> <ul style="list-style-type: none"> - October 26, 2016 - Hamilton, 505 York Blvd, 2nd Flr - November 2, 2016 - Peterborough, 1840 Lansdowne St., West, Unit 12 	

Ref #	Agenda Item:	Issue	Follow-Up / Action:
		<p>- November 16, 2016 - London, 1092 Dearness Drive</p> <p>- November 22, 2016 – Toronto, Large Bargaining Centre, 77 Wellesley St. W, 7th Floor</p>	
4.	Employee Engagement Action Plan	<p>a. The Employer provided a presentation on the ministry's Career Talks program including workshops held across the province on topics such as mentoring, leadership and data analytics. The Employer also provided an update on the Employee Engagement Survey 2017.</p> <p>b. Re. Exit Surveys. The Employer provided the exit categories on the employee exit surveys as: resignation, retirement, end of temporary assignment/secondment, end of fixed term contract and leaving your division on temporary assignment/secondment.</p>	Remove from agenda
5.	Job Descriptions	The Union continues to receive job descriptions.	
6.	Courts Modernization		
a)	Civil Enforcement Services	The Employer advised that this project is presently on hold.	Updates will be provided as available.
b)	Judicial E-scheduling	Modernization Division provided an update on the judicial e-scheduling currently being piloted in Milton and Oshawa. Judicial e-scheduling is on target for full release to all court locations in early 2017. Fact sheets are available for staff on judicial e-scheduling, civil e-filings, SCC online filings and jury modernization.	Updates will be provided as available.

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c)	Non-Judicial Hearings	The Employer advised that this project is presently on hold.	The Employer to continue providing information as available.
c)	Courtroom Staffing Review	The Employer provided an update on the courtroom staffing review, with Qs and As, to CSD staff on September 21, 2016. CSD is committed to undertaking a co-creative approach to developing and implementing a new vision for performing courtroom functions, including moving towards full time court and client representative (CCR) positions.	
d)	Provincial Prosecutors - Part I and III	The Employer advised that there was no update at this time. The last update was provided to CLD staff on October 3, 2016.	The Employer will provide information as available.
e)	Crown Scheduling (SCOPE)	The Employer provided the update that SCOPE continues to be implemented.	SCOPE will be introduced province-wide.
7.	Training and Development (Appendix 29)	CSD provided a presentation on training initiatives with a focus on in-court functions and providing consistent and comprehensive training material. Training for peer/coach mentors will be provided in multiple locations to maximize participation. Training material is available for all staff in the CSD training folder (court support training materials 2016).	CSD to provide an update on the next phase of training, as available.
8.	FPT Deficit Hours (Quarterly Reports)	A quarterly report was provided to the Union on October 19, 2016. The Union requests that attention be paid specifically to the West Region and employees over 20 deficit hours.	CSD reviewing report and will provide revised version after October 31, 2016.

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9.	Attendance Support Management Program (ASMP)	The Employer provided statistics relevant to MAG on September 26, 2016. The Union expresses concern at the high number of individuals on the ASMP as of June 30 th , 2016 (1209 OPSEU-represented employees in the program).	The parties will continue to review and discuss at next meeting.
	Report-Back Items		
10.	Court Security	Deferred	The Employer to report back.
11.	Workplace Identification Cards	Deferred	The Employer to report back.
12.	New Toronto Courthouse	The Employer provided all Toronto Region CSD staff a memo dated October 4, 2016, advising that the bail courts and additional courts as operationally required will be centralized at 2201 Finch Avenue West, Toronto.	Additional updates to be provided as available.
13.	Grievance Mediation/Arbitration Process	Removed	
14.	Technological Change	The Union reported that there were still ergonomic issues, particularly in older court locations, as well as issues with electrical capacity. Employees should raise ergonomic concerns directly with their managers, and escalate as necessary including referrals to the local Joint Health and Safety Committee or Health and Safety Representative.	The Employer is committed to following up and reporting back at the next meeting.

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15.	Workplace Violence Statistics (Appendix 29)	Deferred	
16.	Compensation when travelling	Removed	
17.	Staffing Requests – Brampton Courthouse	Managers take all operational requirements into account when scheduling staff. Judicial recommendations are considered where they relate to the requirements of specific proceedings. Management exercises their right to make scheduling decisions, provided those decisions do not violate other provisions of the Collective Agreement.	Removed. The Union will raise concerns if required.
18.	Appendix 32 Implementation – Toronto Region	The Union raised concerns with FPT employee hours being assessed on a weekly basis as opposed to bi-weekly. The Union will provide CSD with further details for review.	The Employer to follow up and report back.

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	New Business		
19.	LERC Referrals – 330/393 University Ave (Local 526) Date tabled: October 20, 2016	The Union received twelve referrals from the LERC at 330/393 University, Toronto. The parties agree to discuss the specifics at an ad-hoc meeting and report back to the MERC before or at the next meeting.	The parties to meet and follow up.
20.	Special Cases	The Union tabled the Court Clerk and Registrar special case, submitted in the 2014 OPS Bargaining Round, to review the classification of the position. The parties understand these cases are to be referred to the CERC. As such jointly make that referral.	Refer to CERC
21.	2017 MERC meeting dates	The OPSEU MERC co-chair will contact the management co-chair in November 2016 to agree to the MERC meeting dates for 2017.	
	Items referred to CERC		
a)	Walkerton/Owen Sound LERC Referral	The Union advises that this item remains on the CERC agenda.	

Ref #	Agenda Item:	Issue	Follow-Up / Action:
b)	Seniority calculation (Article 18.1.1b)	The Union advises that this item remains on the CERC agenda.	
	Next Meeting:	To be determined by the parties.	

For the Union:

For the Employer:

Union Co-Chair
Tim Elphick

Employer Co-Chair
Carol Christidis