

MERC Minutes
Ministry of the Attorney General
Ministry Employee Relations Committee Meeting (MERC)
September 13, 2018

9:00 a.m. – 4 p.m.

31 Wellesley Street East, Boardroom B

Chair: Employer

MERC Members:

Tina Stevens, OPSEU Co-Chair
Karen Clark
Marie-Paule Duret
Rodger Noakes

Mark Hine, Management Co-Chair
Rojean Prince, CSD
Kathie Persaud, VVPD

Theresa Hillis, CPSLRC, TBS
Diana Correia, CSMD

Guests:

- Roy Dart, Workforce Policy and Planning Coordinator, CSD
- Linda D'Amico, Workforce Policy and Planning Coordinator, CSD
- William Curtis, Executive Officer, Special Investigations Unit
- Frank Skubic, Director, JSSEM
- Beverly Leonard, Director Court Operations, CSD
- Christopher Johns, Executive Director, Innovation Office, MD
- Michelle Flaro, Manager of Court Operations, CSD
- Tammy Browes-Bugden, Director, Strategic Operations Management Centre, CLD
- Cristina Duran, HR Organizational Lead, Strategic Operations Management Centre, CLD

Ref #	Agenda Item	Issue	Follow-Up / Action
Standing Items			
1.	Courts Modernization		
a.	Judicial e-Scheduling (Electronic Scheduling Program)	The Employer shared that it continues to implement ESP and that it is no longer considered a pilot in the existing sites. It is anticipated that it will be expanded to Brampton and Thunder Bay in November 2018.	The Employer to provide an update at the next meeting.
b.	Provincial Offences Act (POA) – Part III	Further meetings will be held between the parties. The Union requested an updated copy of the seniority list.	The Employer to provide an update at the next meeting.
c.	Courtroom Staffing Review	PoC concluded on June 29, 2018. Independent evaluations are underway. The results of the evaluation will be reviewed and shared with the Union in the Fall 2018. The joint Courtroom Staffing Review Initiative will meet shortly to review the evaluations.	The parties to provide an update at the next meeting.
d.	Scheduling of Crown Operations Prepared Electronically (SCOPE)	The Ministry continues its implementation of SCOPE. Upcoming implementation sites scheduled for 2018/2019 include: <ul style="list-style-type: none"> • September 25, 2018 - Sudbury • October 2018 - Belleville, Orangeville, Napanee, Picton • October/November 2018- Woodstock, St. Thomas, Sarnia • January 2019 - Perth, Brockville, Pembroke, Sault St. Marie • February/March 2019 - Cornwall, Owen Sound, Kenora, Parry Sound, Dryden 	The Employer to provide an update at the next meeting.

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		<p>The Employer has offered to provide a demo of SCOPE at the next MERC.</p> <p>The Employer has established a group of regional managers to review the Legal Administrative Secretary and Case Management Coordinator job descriptions.</p>	
2. MAG Updates			
a.	Modernization Division	The Employer provided an update on a number of modernization initiatives.	
b.	Court Services Division	<ul style="list-style-type: none"> • Back lobby display from July – October 2018, featuring the following: <ul style="list-style-type: none"> ○ All CSD's staff and manager award recognition <ul style="list-style-type: none"> ▪ Highlighting of some employee engagement initiatives and accessibility in courthouses, and showcasing all of CSD's production videos <ul style="list-style-type: none"> ➢ Employee Engagement promotional video ➢ Courtroom Staffing Review of PoC CCR feedback ➢ Ergonomics 101 for in-court staff • Sheila Bristo's third blog series just released: <ul style="list-style-type: none"> ○ First - Resume ○ Second - Cover Letter ○ Third - Interview <p>Link to The ADAG's Corner: Part III – The Interview https://intra.ontario.ca/mag/2018/07/26/adags-corner-7</p>	

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c.	Victims and Vulnerable Persons Division	The Employer provided an update on ongoing employee engagement activities within the division. The Union recognized the employee engagement initiatives being undertaken; however, raised concerns with the consistency of application across the province.	The Employer to canvas regional offices on employee engagement initiatives
d.	Criminal Law Division	The Employer provided an update with respect to Item # 1d.	
3. Reports			
a.	Fixed Term Report (Article 16.5.1)	The Fixed Term report ending June 30, 2018 was provided by the Employer on July 17, 2018.	
b.	Conversion Reports (Article 31A.15)	The Conversion report ending June 30, 2018 was provided by the Employer on July 17, 2018.	

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c.	FPT Deficit Hours (Quarterly Reports)	The Employer provided the finalized Q2 deficit hours report on August 8, 2018.	
d.	Job Descriptions	The Union received the report for June 2018 on July 13, 2018. The Union received the report for July 2018 on August 14, 2018. The Union received the report for August on September 12, 2018.	

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4.	Training and Development (Appendix 29)	Training is being developed for seven topic areas: estates (SCJ), default judgements (Small Claims Court and SCJ), garnishments (Small Claims Court and SCJ), POA appeals (criminal), Intra-jurisdictional Support Orders Act, ICON and FRANK. The materials for various court business lines are being developed/updated. Further training will be available within the regions subsequently.	The Employer to provide an update at the next meeting.
5.	Court Security		
a.	Workplace Violence Statistics	The Justice Sector Security and Emergency Management (JSSEM) unit presented an overview of their services and year-to-date statistics on workplace violence incidences reported to JSSEM. Further education on JSSEM's services will be marketed for further member engagement.	Continue as standing item.
b.	Courthouse Security Workplace Identification Cards	The parties recommended that current practices continue with respect to requesting and issuing workplace identification cards. Staff should speak with their supervisor to arrange for printing of workplace identification cards through Queen's Printer.	Remove from agenda.
6.	People-First Plan	The Employer provided an update on the ministry's people-first plan. The Plan has been approved by the Senior Management Team (SMT) and the formal launch is being developed. The Union expressed support of the Plan.	The Employer to provide an update at the next meeting.
Report Back Items			

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7.	New Toronto Courthouse	Design consultations with justice participants have been completed, and design is nearly complete. Mock ups for a courtroom and a CSD counter are being developed. Construction activities are expected to begin in Fall 2018, with completion targeted for 2022. Staff continue to receive information and updates on New Toronto Courthouse through quarterly bulletins.	The parties to invite CSD/Facilities Management Branch/Infrastructure Ontario to next MERC to present design.
8.	Technological Change – Courtroom Modernization	The draft joint courtroom workstation health and safety toolkit is currently being reviewed by CSD directors of operations for further feedback. The toolkit will be shared with the Union once finalized.	The Employer to provide an update at the next meeting.
9.	Use of Agencies to Perform OPSEU Bargaining Unit Work (Court Reporting) Tabled: January 26, 2017	<p>The Employer is committed to addressing the usage of agency court reporters in Toronto, and continues to actively recruit court reporters, CCRs and Court Clerk & Registrar positions. The Employer has also shared protocols on use of agencies with management, which are being actively followed. The Union acknowledged this, and also requested that the Employer continue to minimize the use of agencies.</p> <p>The parties acknowledge that a Memorandum of Settlement has been reached to resolve the outstanding grievances.</p>	The Employer to continue to monitor use of agencies. Remove from agenda.

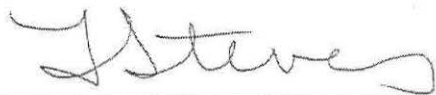
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10.	Implementation of Independent Police Oversight Review Tabled: June 20, 2017	The Employer provided an update on the <i>Ontario Special Investigations Unit Act, 2018</i> (OSIU Act). On June 29, 2018, the government announced that the OSIU Act would be placed on hold. As a result, there is no impact to the SIU's mandate at this time and the responsibilities of the SIU remain unchanged. Further recruitment with both OPS and non-OPS applicants continues.	The Employer to provide an update at the next meeting on the status of the new legislation.
11.	CSD Rest Periods Tabled: June 20, 2017	The Employer has established regular working group meetings with supervisors and managers to address the issue of rest periods.	The Employer to provide an update on further strategy discussions at the next meeting.
12.	LERC Referral – Court Staff Attire (Local 526) Tabled: March 14, 2018	Courtroom staff attire is being reviewed and evaluated under the PoC. Until the PoC evaluation is completed the Employer recommends that staff contact their supervisor if they require new or refreshed courtroom regalia.	The current courtroom staff attire remains in place. An update will be provided once the PoC evaluation is complete.
13.	LERC Referral – Travel Time (Local 526) Tabled: March 14, 2018	Time spent walking between the downtown Toronto court locations was clarified. The travel of up to 30 minutes is in addition to the pre- and post-court time, with any further exceptions being addressed.	The Employer to provide an update.

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14.	Pre/Post Court Time Tabled: June 14, 2018	The issue of pre-approved of pre- and post-court time was addressed. Further clarification was provided regarding the locations with respect to sign-in times and weather conditions.	The Union will address further concerns at the next meeting.
15.	LERC Referral (Local 526) – Use of Cannabis in the Workplace Tabled: June 14, 2018	Medical marijuana in the workplace continues to be managed through the Disability Accommodation Policy. The Employer, however, is currently undertaking a review of current policies as they relate to recreational marijuana in the workplace. Updates to any policy will be disclosed to bargaining agents through usual disclosure practices.	Remove from agenda.
New Business			

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16.	Employment Standards Act Changes	No updates at this time.	
17.	LERC Referral Process	The Employer advised that the Employer MERC Co-Chair has not been receiving LERC referrals.	The Employer to re-issue guidance on LERC referral process.
18.	LERC Referral – Potential Exposure to Hazardous Materials (Local 710)	The parties received a referral on potential exposure to hazardous materials. The Employer to provide a response.	Include as item on next MERC agenda.
19.	Vicarious Trauma Tabled: September 13, 2018	The Union requested that a webinar on vicarious trauma, which has been delivered to VWAP staff, be shared with the Union. The parties acknowledged that vicarious trauma should be added as an item to the next MERC agenda.	This will be added as an item for the next MERC meeting.
20.	Alternative Work Arrangements Sign Off Tabled: September 13, 2018	The Union confirmed that the appropriate OPSEU representative to sign new and renewed agreements for workplace flexible work arrangements would be the following: <ul style="list-style-type: none"> • the OPSEU Negotiator is the signatory for agreements that have provincial applications • the local staff representative is the signatory for local agreements 	OPSEU will follow up.

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21.	LERC Referral – Contracts, Co-Op, Legal Admin, CMC (Local 228)	The Union raised concerns on a number of items, namely: <ul style="list-style-type: none"> • use of fixed-term contracts • use of co-op students • recruitment practices for Legal Administrative Secretary positions • responsibilities of Case Management Coordinator position 	The Employer will follow up.
22.	LERC Referral – Eating Time and Breaks – 330 University Avenue, Trial Office (Local 526)	The Union raised concerns regarding the rest period and lunch break practices that have been in place and recent modifications.	The Employer to follow up.
Next Meeting Dates			
		December 13, 2018 (Employer)	

For the Union



Union Co-Chair
Tina Stevens

For the Employer



Employer Co-Chair
Mark Hine

