

# MERC Minutes

## Ministry of the Attorney General Ministry Employee Relations Committee Meeting (MERC)

March 21, 2019

9:30 a.m. – 2:30 p.m.

720 Bay Street, HR Large Boardroom

Chair: OPSEU

### MERC Members:

Tina Stevens, OPSEU Co-Chair	Mark Hine, Management Co-Chair
Karen Clark	Rojean Prince, CSD
Kaz Anwar	Patrick Ouellet, VVPD
Loretta Clark	Theresa Hillis, CPSLRC, TBS
Rodger Noakes	Diana Correia, CSMD

### Guests:

- Linda D'Amico, Workforce Policy and Planning Coordinator, CSD
- Jami McWade, A/Workforce Policy and Planning Coordinator, CSD
- Rachel Hui, Labour Relations Intern, CPSLRC, TBS
- Christopher Johns, Executive Director, Innovation Office, MD
- Michelle Flaro, Manager of Court Operations, CSD
- Tammy Browes-Bugden, Director SOMC, CLD
- Terri Townley, Manager SOMC, CLD
- Carrie Stodart, Assistant Crown Attorney, CLD

Ref #	Agenda Item	Issue	Follow-Up / Action
<b>Standing Items</b>			
<b>1. Courts Modernization</b>			
a.	<b>Judicial e-Scheduling (Electronic Scheduling Program)</b>	The launch of ESP across the province will begin in Toronto in two waves, with further sites across the province expected to be rolled out throughout 2019 and 2020.	The Employer will provide an update at the next MERC.
b.	<b>Provincial Offences Act (POA) – Part III</b>	No new updates.	Information will be shared as updates are available.
c.	<b>Courtroom Staffing Review</b>	Independent evaluation report has been shared with and reviewed by the Courtroom Staffing Review Initiative (CSRI) team. CSRI is awaiting on future actions and initiatives as a result of the evaluations.	The parties will provide information as it becomes available.
d.	<b>Scheduling of Crown Operations Prepared Electronically (SCOPE)</b>	CLD provided an overview and demonstration of SCOPE.	
<b>2. MAG Updates</b>			
a.	<b>Modernization Division</b>	<p>The Employer provided an update on a number of modernization initiatives, including the expansion of divorce online services to more divorce types and the ongoing roll out of Wi-Fi to base courthouses.</p> <p>Subject Matter Expert (SMEs) Program was introduced as a proposed initiative that would identify SMEs for temporary</p>	Add as agenda item for next MERC meeting, included as item #25.

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		opportunities to support modernization initiatives. Further discussion between the parties regarding the specifics of program opportunities to be discussed at next MERC meeting.	
b.	<b>Court Services Division</b>	<p>Therapy Dogs in the Courthouse pilot initiative was launched on March 7, 2019 at Old City Hall. The initiative was a winning idea from the 2017/2018 Ideas and Innovation Fund (IF...) A therapy dog will be brought in once a month to a dedicated room to provide some meaningful and accessible care for CSD staff and ease the emotional and mental strain that can be associated with the workday. This is a voluntary initiative. Additional information on the launch of the pilot can be found on InsideOPS:</p> <p><a href="https://intra.ontario.ca/mag/2019/03/12/proof-that-therapy-dogs-in-the-courthouse-work">https://intra.ontario.ca/mag/2019/03/12/proof-that-therapy-dogs-in-the-courthouse-work</a></p>	
c.	<b>Victims and Vulnerable Persons Division</b>	The Employer provided an update on ongoing employee engagement activities within the division, including alternate work arrangements in Ontario Victim Services, training sessions/workshops in Office of the Public Guardian and Trustee and a mental health and anti-racism symposium in the Office of the Children's Lawyer.	
d.	<b>Criminal Law Division</b>	No new updates.	

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3.	<b>Reports</b>		
a.	<b>Fixed Term Report (Article 16.5.1)</b>	The Fixed Term report ending December 31, 2018 was provided by the Employer on January 17, 2019.	
b.	<b>Conversion Reports (Article 31A.15)</b>	The Conversion report ending December 31, 2018 was provided by the Employer on January 17, 2019.	
c.	<b>FPT Deficit Hours (Quarterly Reports)</b>	The Employer provided the finalized 2018 year end deficit hours report on January 23, 2019.	
d.	<b>Job Descriptions</b>	The Union received the report for December 2018 on January 14, 2019. The Union received the report for January 2019 on February 21, 2019. The Union received the report for February 2019 on March 19, 2019.	

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4.	<b>Training and Development (Appendix 29)</b>	<p>Laptops for CSD training purposes are now available in all regions. Adobe licenses have been procured in order to support the delivery of virtual training.</p> <p>Updates on short term training strategy:</p> <ul style="list-style-type: none"> <li>• Interjurisdictional Support Orders Act (ISOA) training - two pilot training sessions have been completed.</li> <li>• ICON training - delivery of first “train the trainer” sessions in Toronto will begin next week for subject matter experts. There will be three sessions, with participants from various regions.</li> </ul>	
<b>5. Court Security</b>			
a.	<b>Workplace Violence Statistics</b>	<p>The Justice Sector Security &amp; Emergency Management (JSSEM) is only able to report on matters which are reported as not all matters of workplace violence are reported to JSSEM, but must be investigated by local management. Local management should be reporting workplace violence incidents to JSSEM. Between December 2018 and March 2019, JSSO was not notified of any incidents that fall within the definition of workplace violence in any of the regions in Ontario.</p>	

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6.	People-First Plan (PFP)	<p>The Deputy Tour continues, with the Deputy Attorney General making stops around the province to promote the People-First Plan and hear directly from staff and managers. Visits will continue into April 2019. Feedback received from the various crowdsourcing opportunities, Deputy visits and emails received through the <a href="mailto:MAGPlan@ontario.ca">MAGPlan@ontario.ca</a> is being gathered to create a list of opportunities to be voted on by employees. Additional updates can be found on the PFP intranet site on InsideOPS:</p> <p><a href="https://intra.ontario.ca/mag/2019/02/20/whats-happening-with-the-people-first-plan-heres-an-update">https://intra.ontario.ca/mag/2019/02/20/whats-happening-with-the-people-first-plan-heres-an-update</a></p>	The Employer to provide an update at the next meeting.
<b>Report Back Items</b>			

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7.	<b>New Toronto Courthouse</b>	<p>Construction onsite is underway, with excavation for foundation and basement levels in progress. Concrete footings for the building structure are scheduled throughout the month, and the first of the two large cranes will arrive onsite shortly.</p> <p>Full-scale mock-ups of a standard courtroom, interview room and public counter were held in December 2018. Justice participants and some CSD staff from each of the OCJ courthouses attended the mockup. Overall, positive feedback was received and the input will help the design team to refine the courthouse spaces.</p> <p>Furniture consultations will take place with Infrastructure Ontario, EllisDon Infrastructure, the ministry and justice participants this month. All staff desks and work surfaces will have height adjustable tops to support accessibility and ergonomic requirements.</p> <p>The deadline for staff submissions for the staff transition committee was extended to provide staff additional time to advise if they are interested in participating in the committee. The ministry is currently reviewing the responses to ensure there is sufficient representation from each of the OCJ courthouses. The committee will meet in April.</p> <p>As committed, staff will be provided with an overview of the final designs at future staff meetings.</p> <p>The Union requested participation by a MERC member on the staff transition committee.</p>	The Employer to provide an update at the next meeting.
8.	<b>Technological Change – Courtroom Modernization</b>	The Union to provide feedback on the joint toolkit at the next MERC.	

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9.	<b>Implementation of Independent Police Oversight Review</b> <b>Tabled: June 20, 2017</b>	<p>The Employer provided an information share on February 19, 2019 regarding the introduction of a community safety and policing bill, the Comprehensive Ontario Police Services Act, 2019. The proposes act, if passed, would, among other things, establish the SIU as a provincial agency accountable to MAG in a new, separate statute and focus its mandate to better ensure more timely, efficient and transparent investigations. There are no impacts to the terms and conditions of employment for OPSEU-represented employees at this time.</p> <p>The Union raised concerns regarding the existing classification and pay remuneration for SIU Investigators, specifically in alignment with similar work performed by other investigators in other organizations, such as the police.</p>	The Employer to follow up.
10.	<b>CSD Rest Periods</b> <b>Tabled: June 20, 2017</b>	The Employer advised that sites have local practices in place. The existing issue is viewed as an isolated matter and has been addressed.	Remove from agenda.
11.	<b>LERC Referral –Court Staff Attire (Local 526)</b> <b>Tabled: March 14, 2018</b>	The current courtroom staff attire remains in place. An update will be provided once further actions are taken as a result of the Courtroom Staffing Initiative.	
12.	<b>Pre/Post Court Time</b> <b>Tabled: June 14, 2018</b>	The parties agree that this matter should first be addressed at the LERC level. The Union raised concerns regarding the variances across the province in reporting pre and post court time with regards to CTRS.	The Employer and Union to follow up.




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13.	<b>Vicarious Trauma</b> <b>Tabled: September 13, 2018</b>	The MAG Vicarious Trauma Committee continues its consultations with Morneau Shepell to develop e-training resources specific to the needs of MAG staff and managers. Also see Court Services Division update under item # 2b.	The Employer to invite the MAG Vicarious Trauma Committee representative(s) to provide an update at the next meeting.
14.	<b>Case Management Officer – SLASTO</b> <b>Tabled: December 13, 2018</b>	The parties will continue offline discussions on this matter.	The Employer to invite SLASTO to the next MERC.
15.	<b>LERC Referral – Contracts, Co-Op, Legal Admin, CMC (Local 228)</b>	Refer back to LERC.	Further updates to be provided, if required.
16.	<b>LERC Referral – Eating Time and Breaks – 330 University Avenue, Trial Office (Local 526)</b>	The Employer confirmed that management has introduced a defined schedule. Since the introduction of the schedule, no reported concerns or complaints have been raised. Should there be issues in the future, those will be addressed accordingly.	Remove from the agenda.
<b>New Business</b>			

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17.	<b>LERC Referral – Workload Issue in Estates Office (Local 526)</b> Tabled: December 13, 2018	<p>The Union raised concerns regarding work backlogs in the Estates office and request for additional staff at 330 University Ave.</p> <p>The Employer will confirm with the local site how much backlog still exists and management reviews of the documents. The Employer will also provide an update on the vacancies.</p>	The Employer to follow up regarding vacancies and backlog.
18.	<b>LERC Referral – Training of CCRs (Local 526)</b> Tabled: December 13, 2018	<p>The Union raised concerns regarding training of new CCRs across four business lines. The Employer confirmed that the training of CCRs is based on a skills matrix that has been developed. The individualized skills matrix can be shared electronically with employees, and discussed as part of Performance Development Review (PDR).</p>	Remove from agenda.
19.	<b>LERC Referral – Usage of Emergency Contact (Local 526)</b> Tabled: December 13, 2018	<p>The Union raised concerns regarding the use of emergency contacts/WIN contact information by managers for:</p> <ul style="list-style-type: none"> <li>• non-emergency matters; and</li> <li>• after work hours</li> </ul> <p>The Employer confirmed that the incidents identified were isolated incidents. Management is aware of the proper protocols and action has been taken to ensure emergency information is properly used.</p>	Remove from agenda.
20.	<b>LERC Referral – Notification of Vacancies to Local President (Local 526)</b> Tabled: December 13, 2018	<p>The Union raised concerns regarding the reporting of vacancies where reachbacks are occurring, in the absence of a local president. The Employer confirmed that the notices are provided via email to OPSEU corporate from the Talent Acquisition Branch, MGCS. Local management is not involved in the notification process to corporate OPSEU. In the absence of a local president, OPSEU to provide further clarification.</p>	The Union to follow up.

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21.	<b>LERC Referral – CTRS on Mediation Computers (Local 526)</b> Tabled: December 13, 2018	The Employer to have further discussions.	The Employer will follow up.
22.	<b>LERC Referral – Ergonomic Work stations (Local 526)</b> Tabled: December 13, 2018	The Union raised concerns regarding staff requesting sit/stand equipment without a health accommodation. The Employer advised that, due to financial constraints, sit/stand work stations cannot be provided at this time without a health accommodation. The parties are developing a joint ergonomic workstation checklist tool to address ergonomic matters - refer to item #8. Should staff have questions regarding employment accommodation, they should speak with their immediate supervisor.	Remove from agenda.
23.	<b>LERC Referral – Estates Office (Local 526)</b> Tabled: March 21, 2019	Refer to item #17	
24.	<b>Court Enforcement Officers</b> Tabled: March 21, 2019	The Ministry of Municipal Affairs and Housing has conducted a public consultation asking for ideas from people across Ontario on how to build more housing and reduce housing costs. The government will consider everything it has heard during the consultation, but no decisions have been made. It would be premature to speculate on any possible staff impacts. If any decisions are made that will impact staff, changes will be communicated as per the Collective Agreements and Confidential Disclosure to Bargaining Agents Directive.	Updates will be provided when further information becomes available.
25.	<b>Secondment Opportunities</b> Tabled: March 21, 2019	The Union raised concerns regarding the issue of secondments across the ministry. The Union identified concerns with the Employer returning employees to their home positions from their temporary assignments before the ending of their assignments.	The Employer to follow up.

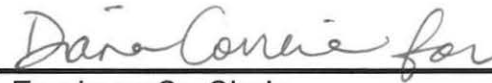
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		<b>Next Meeting Dates</b>	
		<ul style="list-style-type: none"> <li>• June 27, 2019</li> <li>• September 19, 2019</li> <li>• December 10, 2019</li> </ul>	

For the Union



Union Co-Chair  
Tina Stevens

For the Employer



Employer Co-Chair  
Mark Hine