



MEMORANDUM

TO: All Presidents with members in the Ministry of the Attorney General
All Stewards in the Ministry of the Attorney General

FROM: Ruth Hamilton, OPS Supervisor

DATE: June 20, 2013

SUBJECT: Ministry of the Attorney General
ERC Minutes – March 21, 2013

Attached, for your information, are the minutes of the above captioned meeting.

Please post or otherwise make them available to the members in your workplaces.

Also attached is a MERC referral form which should be used when referring unresolved local issues to the ministry level. The referral should be sent care of the Job Security Unit with all the supporting documentation, (e.g. minutes, correspondence, etc.), with any referrals.

PLEASE NOTE: THESE MINISTRY MINUTES WERE PREPARED BY THE EMPLOYER.

AUTHORIZED FOR DISTRIBUTION:

IN SOLIDARITY,

Warren (Smokey) Thomas
President

Steve Saysell
Supervisor

/el

att.

cc: MERC Chairs
Ministry ERC

MERC MINUTES

Ministry of the Attorney General

MINISTRY EMPLOYEE RELATIONS COMMITTEE MEETING (MERC)

March 21, 2013
10:00 a.m. – 6 p.m.

At 3rd Floor Human Resources Boardroom, 720 Bay St., Toronto, Ontario

Chair: OPSEU

For the Union:

Jim Jurens (Co-Chair) OPSEU Local 526
Tim Elphick, Vice Co-Chair, OPSEU
Johanne Bourgeois
Tina Stevens
Judith Marion, OPSEU Job Security

Guests:

Déan Ajasa, HR-SBU, Diversity, Inclusion & Accessibility Office, Corporate Services Management Division
Mel White, HR-SBU, Diversity, Inclusion & Accessibility
Leanda Rosenblitt, HR-SBU, CSMD
Roy Dart, Court Services Division

For the Ministry:

Randy Holloway (A/Co-Chair),
HR Strategic Business Unit, CSMD
Brian Garrah, Court Services Division
Lina Bilardo, Victims & Vulnerable
Persons Division
Jeffrey Stewart, Centre For Employee
Relations

Recorder:

Sean Lee, Centre For Employee
Relations

Regrets:

Carol Christidis, (Co-Chair) HR
Strategic Business Unit, Corporate
Services Management Division

Ref #	Agenda Item:	Issue:	Follow-Up / Action:
PRESENTATIONS:			
I.	MAG Diversity Plan	<p>The MAG Diversity Inclusion and Accessibility Office provided a presentation to the MERC and will share the 2009-2012 Diversity plan and related slide deck.</p> <p>The Diversity, Inclusion and Accessibility Office will provide a presentation on the new 2013 – 2016 Diversity Plan, when available.</p> <p>The Union requested a list of the MAG Diversity Committee members. The Union also requested that diversity training be provided Ministry-wide.</p>	<p>Management to report back when new information becomes available.</p> <p>Management to report back.</p>
II.	Family Court Support Worker Program	<p>Management confirmed that the information is available at the Court Services Division's intranet site at:</p> <p>http://intra.csd.mag.gov.on.ca/scripts/index .asp?action=31&N_ID=1&P_ID=11101&CP_ID=107862</p>	Remove from agenda
Standing Items:			
1.	MAG Update:		
a.	Victims and Vulnerable Persons	No update.	
b.	Court Services Division	Management provided an update regarding the Court Services Division's quarterly Employee Engagement Newsletter called " <i>The CSD Connection</i> ". MERC was provided with the Minutes of the February 22, 2013 meeting.	

		<p>Management reported that CSD Regional Directors will be holding 'Courtside Chats' to discuss divisional priorities with court staff commencing in April 2013.</p> <p>A demonstration of the Assistant Deputy Attorney General's (CSD) Orientation and Onboarding video, which is mandatory for all new staff, was presented to MERC.</p>	
2.	Conversion Reports	Management is currently working on the conversion reports for the period of May 2012 onward. The Employer expects completion within two weeks.	Management to forward within two weeks
3.	MAG's Vacancy Report	Management is currently working on the vacancy reports for the period of May 2012 onward. The Employer expects completion within two weeks.	Management to forward within two weeks
4.	LERCs	Management provided Court Services Division's list of Local Employee Relations Committees (LERCs). Management will attempt to compile a list of LERCs within the other Ministry divisions.	Management to follow-up
5.	Employee Engagement Action Plan	<p>Management provided an update on the Employee Engagement Action Plan.</p> <p>Deputy Town Hall meetings:</p> <p>The Deputy Attorney General is presenting eight (8) town hall meetings across the province which commenced on March 7, 2013. Employees who are unable to attend are encouraged to provide feedback through the Deputy's email link. For information on the town hall meetings please see this link:</p> <p>http://intra.mag.jus.gov.on.ca/deputytownhall/index.htm</p>	

		<p>Ministry's Orientation and Onboarding:</p> <p>The Ministry's Orientation and Onboarding resource tool is available to all new staff. The resource centre is on the MAG webpage. Some individual divisions have their own Orientation and Onboarding website.</p> <p>The Orientation and Onboarding information can be accessed at: http://intra.mag.jus.gov.on.ca/EmployeeOrientation/index.htm</p>	
6.	<p>Ministry's Court Reporting Services</p> <p>(This item was formally referred to as "<i>Ministry's Court Reporting Review.</i>")</p>	<p>Management shared that ninety-nine percent (99%) of the Digital Recording Devices (DRD) installations have now been completed. The 361 University Avenue courthouse will be the final site to have the DRDs installed, and the installation is to be completed by April 15, 2013.</p> <p>The Union asked how the collective agreement is being applied to transcript to production as per the March 1, 2013 Dissanayake Grievance Settlement Board (GSB) decision.</p> <p>Management responded that the Ministry is reviewing the March 1, 2013 Dissanayake GSB decision.</p> <p>Management is unable to provide any comment with respect to the timeline for their review.</p>	Management to follow-up
7.	Job Descriptions	Job descriptions were provided to the Union on February 5, 2013.	
8.	Bill 168 and Workplace Risk Assessments	Management will provide an update on the Bill 168 Workplace Risk Assessment when available.	Management to follow-up

9.	Career Mentoring Program	Management advised that the Career Mentoring Program (CMP) is in its third year. There are currently 117 mentoring pairs. Participants are provided with a copy of the monthly Career Mentoring newsletter which provides career planning tips and tools. Feedback is welcome at the mid-point of the program. Staff can access the monthly "Mentoring @ MAG" newsletter through this link: http://intra.mag.jus.gov.on.ca/EmployeeEngagement/ee_mentoring.html	
10.	Courts Information Management System	Management shared the ADAG memo dated November 7, 2012. It was indicated in the memo that CIMS was not as far along as hoped.	Management to update as available
11.	Training and Development	The Union is looking to engage in future conversations with respect to training and development opportunities.	Management to follow-up
12.	Results based Planning (RbP)	Management submitted RbP in November 2012 for 2013-2014. Management is awaiting feedback from Treasury Board and therefore is unable to respond. The Union requested the RbP booklet when available. The parties agreed to make this a standing item.	Management to follow-up
13.	FPT Deficit Hours	Management provided a listing of deficit hours by location for 2012. Management also provided a list of recovery of deficit hours by location for 2011. The Union requested a list of individual employees and their deficit hours by court location.	Management to follow-up
Report Back Items:			
14.	Court Interpreters	Management advised that there are not any current interpreter competitions. The last one was held for the Toronto courthouse in July 2012 and interpreters were hired in the Mandarin and Vietnamese	Management to update as available

		languages. The original posting was for four (4) permanent interpreters, 1 Tamil, 1 Vietnamese, 1 Cantonese, 1 Mandarin as well as one (1) temporary Cantonese interpreter, all in the GTA. However there were no qualified individuals for the Tamil, and Cantonese postings. The managers have indicated they will re-post in the future.	
15.	Vacancies used to fill reduction targets	The Union is requesting a list of vacancies that were utilized to meet reduction targets.	Management to follow-up
16.	MAG Diversity Plan	Refer to <i>Presentations # 1</i> above.	
17. (13-06)	Directive: Family Court Support Worker Program	Presentation posted to the Court Services Division's intranet site, refer to Presentations #2 above.	Remove from agenda
18.	Old City Hall Digital Recording Ergonomics	The Union raised concerns about the ergonomics of DRD set ups at Old City Hall. The Parties confirmed that the Local Health and Safety Committee will be responding to these issues.	Remove from agenda
19.	Kenora Small Court Location Pilot Project	Management advised that the Kenora Small Courts Project would be extended until March 31, 2014. The Union requested a list of staff and current job specifications.	Management to follow-up

		The Union inquired as to whether additional pilot sites are being considered, and if so, where?	
20.	Court Generalist Posting – Kenora	Management confirmed that the Generalist job specification requires the incumbent to take the in-court record using the Digital Recording Device, but it does not include duties related to the production and certification of transcripts.	Remove from agenda
21.	Thunder Bay Court House – Court Clerk duties changed to include court monitor / reporter	Deferred.	Parties to follow-up
22.	Expression of Interest	Deferred.	Parties to follow-up
New Business:			
23. 13-01	MERC Administration	The Parties agreed to review a new numbering system for agenda items.	Remove from the agenda
24. 13-02	Request for additional OPSEU MERC Representative	The Union proposed an additional OPSEU MERC member to address surplussing issues. Management to consider should this need arise.	Remove from the agenda
25. 13-03	Application of Article 9.5 – VDT to DRD operators. (Walkerton	Walkerton LERC has forwarded an issue regarding the application of Art 9.5 –VDT as it applies DRD operators.	Management to respond

	LERC)		
26. 13-09	Owen Sound	The Union raised concerns with respect to an issue that is affecting the workplace environment.	Management to follow-up
27.	Extension of MERC timeframes	The Parties agreed to exchange agenda items 3 weeks in advance of the MERC meeting.	Remove from agenda
28.	Court Services Directive # 2013/06 – Access to Digital Court Recordings in the Superior Court of Justice & Ontario Court of Justice	Management reported that the Court Services Directive # 2013/06 is accessible to all staff on the CSD MAG intranet site. The directive can be accessed at: http://intra.csd.mag.gov.on.ca/English/page-1-11416-1.html	Parties to follow-up
29. 13-11	Short Term Sickness Plan (STSP)	On March 14, 2013, a memo was distributed to staff in the Toronto Region regarding Short Term Sickness Plan. The memo outlined the requirements for medical documentation. The Union raised concerns that the memo was not disclosed in advance.	Management to take under advisement. Remove from agenda
30. 13-12	Lateral Transfers Requests	The Union requested that the Ministry encourage hiring managers to consider using the lateral transfer process when filling vacancies.	Management to take under advisement. Remove from agenda
31.	Ergonomic Workstations –	The Union raised concerns regarding ergonomic training and equipment for court staff assigned and moving between different court sites.	Management to respond

13-16	(LERC referral 330 / 393 University Ave.)		
32. 13-17	Ministry of the Attorney General - Diversity Mentoring Program	The Union suggests that diversity be considered as a topic for training and development. The Union also raised questions as to the reasons why the diversity mentoring program has been extended 6 months.	Management to respond
33.	Cross Training (LERC referral - 361 – 393 University Ave.)	The Union raised concerns with respect to a cross-training plan for Court Clerk & Registrars. The union asked how members would be selected, and what notice would be provided.	Management to follow-up
34. 13-05	Goderich – New Court Reporter positions	Deferred.	
35. 13-04	Procedures for High Risk Exhibits	The Union requested a presentation be provided at the next meeting.	
36.	Toronto Region's Learning & Development Committee, Court Services Division.	The Union asked how were the OPSEU bargaining unit members of the committee selected?	Parties to discuss
37.	2013 Enterprise- wide Attendance Threshold	The Union asked if the Ministry of Attorney General attendance threshold is the same as the OPS threshold of 9 days? If not, what happens as a result?	Management to follow-up

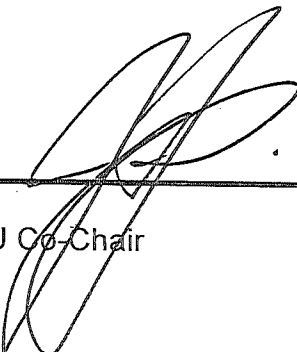
38.	Sequestered Court Services Officers sharing the same hotel room. (LERC referral – Newmarket)	The Union raised a concern that male and female CSOs were being required to share the same hotel room while supervising a sequestered jury overnight.	Parties to discuss
39.	Complement of fixed-term (FXT) and flexible part-time (FPT) staff at 393 / 330 University Ave. (LERC referral)	The Union requests disclosure of a list of the fixed-term and flexible part-time (including the 1000 and 1500 minimum annual hours categories) Court Services Officers and Court Clerk & Registrars working at 393 and 330 University Avenue courthouses.	Parties to discuss
40.	Banking of hours worked for FPT staff. (LERC referral - 330 / 393 University Ave.)	The Union inquired as to whether flexible part-time in-court support staff could bank hours worked over the minimum weekly hours?	Parties to discuss
41.	Staff access to computers to access WIN. (LERC referral - 330 / 393 University Ave.)	The Union inquired as to when staff would be provided with usernames and passwords to access electronic information as other MAG staff are able to do.	Parties to discuss
42.	Designated bilingual	The Union requested disclosure of the names of the incumbents currently occupying designated positions within the Toronto Region of	Parties to discuss

	positions – Toronto Region, CSD. (LERC referral - 330 / 393 University Avenue)	the Court Services Division, specifically at Old City Hall, College Park Court of Appeal (Osgoode Hall), 311 Jarvis as well as the 361, 393 and 330 University Avenue courthouses. This is to ensure that requests for services in French are referred to the appropriate designated staff.	
43.	Article 19 – Multiple Lay-Offs & Employment Stability	The Union noted that there is a change to the provisions under Article 19.1 (c) of the 2013 – 14 OPSEU Collective Agreement.	Remove from agenda
44.	Replacement of worn court apparel	The Union inquired as to what the practice is for court staff to seek replacement of worn court apparel? Also is it governed by local practices or a divisional-wide policy?	Parties to discuss
45.	Article 18.5 - Ministry Seniority List	The Union noted there is a new provision in the 2013 – 14 OPSEU Collective Agreement under Article 18.5 for the Employee Relations Division to provide a seniority list to the MERC Chair.	Remove from agenda
46.	Appendix 42 – Flexible Hours of Work and Telework Arrangements	The Union inquired as to whether any telework arrangements currently exist within MAG and, if so, where? The Union also shared that there are new provision in the 2013 -14 OPSEU Collective Agreement with model agreements for flexible hours of work.	Parties to discuss
47.	Article 10.3 – Job Trading	The Union inquired as to whether any job trades currently exist within MAG and, if so, where?	Parties to discuss
48.	Appendix 39 – Mass Centralized Recruitment Process	The Union noted the new provisions under Appendix 39 (g) of the 2013 – 14 OPSEU Collective Agreement. The Union also requested disclosure of mass recruitment eligibility lists completed prior to ratification of the collective agreement on January 23, 2013.	Parties to discuss

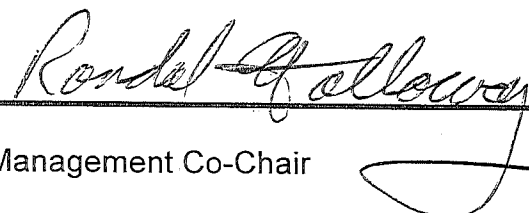
49.	Appendix 46 – Transition Exit Initiative	The Union requested discussion regarding the new Transition Exit Initiative (TEI) provisions of the 2013 -14 OPSEU Collect Agreement and a list of the names of OPSEU employees who have applied for a TEI as well as the names of those who have been approved for a TEI.	Parties to discuss
	Next Meeting:	MERC is scheduled for June13, 2013 commencing at 9:30 a.m.	
Attachments: 1) Appendix A – Disclosures			

For the Union:

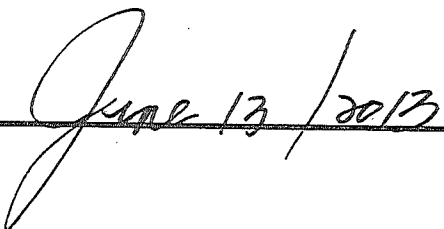
For Management:



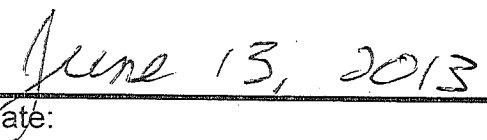
OPSEU Co-Chair



Management Co-Chair



Date:



Date:

Appendix A – Disclosures:

Item #:	Disclosure Date:	Division / Program Area	Disclosure:
A.	August 30, 2012	Criminal Law Division, Law & Technology Unit & Regional Offices	Review of I&IT delivery in the Criminal Law Division.
B.	October 22, 2012.	Corporate Services Management Division	<p>Corporate Services Management Division conducted an employee survey.</p> <p>The Union requested disclosure of the survey results.</p> <p>Management to follow-up.</p>
C.	November 26, 2012	Salary payment adjustments - Flexible part-time (FPT) & fixed-term (FXT) staff - all court locations for pay period 0966.	Disclosure was made that payment of “additional pay” and “premium pay” hours within pay period 0966 for FPT employees would be deferred to the January 17, 2013 pay date. Further, that any necessary pay adjustments for FXT employees would also be deferred to January 17, 2013. The occurrence of two statutory holidays on December 25 th and 26 th requires payroll hours to be entered on an earlier cut-off date than usual, which prevents all the hours worked in the pay period from being entered. This situation re-occurs every December.
D.	January 24, 2013	Safety, Licensing Appeals & Standards Tribunal of Ontario	Clustering of five (5) existing tribunals.
E.	January 24, 2013	Innovation Office	Establishment of an Innovation Mandate.
F.	February 8, 2013	Justice on Target (JOT)	A change in the reporting relationship.

G.	February 8, 2013	Innovation Office	Position classification change.
H.	March 1, 2013	Victims & Vulnerable Persons Division	Relocation of court facilities and staff.
I.	March 4, 2013	361 University Avenue	A change in reporting relationship and work location was disclosed.
J.	March 21, 2013	Court Services Division - Criminal / POA Policy & Programs Branch	A six (6) week pilot project was initiated in Brampton, Kingston and Owen Sound.