

MERC Minutes

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

March 3, 2022

10:00 a.m. – 3:00 p.m.

Teleconference

Chair: Loretta Clark

MERC Members:

Loretta Clark, OPSEU/SEFPO Co-Chair
Coleen Houlder, OPSEU/SEFPO Vice-Chair
Marie-Paule Duret, OPSEU/SEFPO Member
Rodger Noakes, Negotiator, OPSEU/SEFPO


Angela Oh, Management Co-Chair
Alyx Ivany, VVPD
Greg Jones, CPSLRC, TBS
Andrew Hackland, CSMD

Guests:

Roxanne Theriault, OPSEU/SEFPO Member
Jami McWade, Workforce Policy and Planning Coordinator, CSD
Tammy Browes-Bugden, Director, Strategic Operations Management Centre, CLD




Regrets:

Rojean Prince, CSD

Ref #	Agenda Item	Issue	Follow-Up / Action
Standing Items			
1.	Provincial Offences Act (POA) – Part III (Tammy Browes-Bugden: 11:00 – 11:15am)	<ul style="list-style-type: none"> - Tammy Browes-Bugden, Director, Strategic Operations Management Centre, CLD provided a project update. - Four transfers successfully took place on January 4, 2022 in the County of Elgin, City of Temiskaming Shores, County of Prince Edward, and the County of Hastings. - Since January 2022, CLD has entered into an interim transfer agreement with the City of Kingston which will take place on March 7, 2022. - No OPSEU staff are impacted by these transfers. - The project team continues to work in a phased approach. Local Crowns continue to engage with their local partners, and the project team continues to meet and work with the project group which includes municipal partners. - CLD is planning communications to municipal partners in March to share updates and identify a formal educational program on April 26-28 which will be recorded and accessible for future reference by the parties. - CLD is putting together an internal POA reference guide with resources available for our staff. 	The Employer will continue to provide updates to OPSEU as appropriate.
2.	Civil E-Filing	 <p>JSO MERC update Feb 2022.pptx</p>	The rollout is continuing, and the Employer will continue to provide updates to OPSEU as appropriate.


3.	Recovery Division Update	<ul style="list-style-type: none"> - At bi-weekly meetings with MERC, Recovery Division has recently relayed positive information from the Chief Medical Officer of Health's Office that key health indicators are showing that Ontario is moving in the right direction, seeing a downward trend in positivity rate, hospitalizations and ICU occupancy. - On February 28, 2022 the Recovery Division communicated to MAG staff details of the ministry's plan to begin readying twenty-eight (28) road-access satellite court locations (excluding those location in First Nation communities) in anticipation of an April 11, 2022 target re-opening date – after which time, the judiciary may begin scheduling proceedings. The communication indicated that Joint Health and Safety Committees would be engaged, and the locations would be outfitted with required health and safety measures before opening, consistent with any changes made in operating court locations. It stated that the ministry will also be engaging with those First Nations communities that have road-access satellite courts to confirm their endorsement for returning as well as the appropriate preventative measures that will be in place upon reopening. - On February 28, 2022 the Recovery Division also communicated to MAG operational divisions that, in consultation with MAG's health and safety advisors in the Chief Medical Officer of Health's Office and the Ministry of Labour, Training, and Skills Development, the ministry would be lifting physical distancing requirements and facility and room maximum capacity limits on March 1, 2022 in alignment with the provincial reopening plan. - This is a time of rapid transition for the province and ministry. As further details about the reduction in preventative measures are confirmed, they will be shared with the bargaining agent. 	<p>OPSEU continues to meet with the Recovery Secretariat on a bi-weekly basis to obtain updates and for OPSEU to provide feedback and raise concerns.</p>
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4.	Mental Health Updates	- No updates at this time. Members can access the MAG Mental Health site here .	
LERC Referrals			
5.	Increased Workload in VWAP with No Increase in Resources – Waterloo Region, Wellington County Tabled: December 10, 2020	- LERC for this location has confirmed that additional resources have been hired, and have requested for MERC to remove this item from their agenda.	Remove from agenda.
6.	Clerk Signing Duties - 330 University Avenue, Toronto Tabled: December 9, 2021	- Deferred from last MERC meeting. - Concern is the signing off on default judgements and orders based on incomplete endorsements, and this job function used to be covered by AMAPCEO and there have been no changes to the job description (Registrar/Assessment Officer) for the position that completes these duties.	OPSEU to provide additional information so the Employer can look into this matter further.
7.	Required Tools to Perform Duties – 330 University Avenue, Toronto Tabled: December 9, 2021	- Deferred from last MERC meeting. - Concern is that staff are indicating they do not have the technology (printers, scanners, hard copies of civil practice books) required to perform the duties of their positions.	The Employer will look into this matter further and report back to OPSEU before the next MERC meeting.

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8.	Insufficient Wi-Fi in B2 – 330 University Avenue, Toronto Tabled: December 9, 2021	<ul style="list-style-type: none"> - Deferred from last MERC meeting. - Concern is that staff do not access to the necessary Wi-Fi in the basement of the building to ensure the health and safety of staff working there. 	<p>The Employer will look into this matter further and report back to OPSEU before the next MERC meeting.</p>
MAG Updates			
9.	Court Services Division (CSD)	<div style="text-align: center;">  Training Update for MERC_March 2022.dc </div> <ul style="list-style-type: none"> - CSD also provided information on a proposed collaboration between the division and Fanshawe College on a pilot that would see students in the College’s court support program to engage in 4-week (10 hours per week) in-court placements in Ontario courthouses. 	<p>The Employer will provide further updates as they become available.</p>
10.	Victims and Vulnerable Persons Division (VVPD)	<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  VVPD Employee Engagement - MERC </div> <div style="text-align: center;">  VVPD Projects for MERC Update - March </div> </div>	<p>The Employer will provide further updates at the next MERC meeting.</p>
11.	Criminal Law Division (CLD)	<ul style="list-style-type: none"> - No updates at this time. 	<p>The Employer will provide further updates as they become available.</p>

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Reports			
12.	Fixed Term Report (Article 16.5.1)	The Fixed Term report ending December 31, 2021 was provided by the Employer on January 21, 2022.	
13.	Conversion Reports (Article 31A.15)	The Conversion report ending December 31, 2021 was provided by the Employer on January 21, 2022.	
14.	FPT Deficit Hours (Quarterly Reports)	As of December 31, 2021, no deficit hours were outstanding for recovery in 2022.	
15.	Job Descriptions	<ul style="list-style-type: none"> • November disclosures - sent December 15, 2021 • December disclosures - sent January 14, 2022 • January disclosures - sent February 15, 2022 	
Report Back Items			
16.	Financial Process Modernization	- No further updates at this time.	The Employer will provide further updates as they become available.
17.	Naloxone Kits in the Courthouses	- Discussions are ongoing with the Ministry Labour in response to the recent changes to the mandate regarding the definition of “at risk” workplaces.	The Employer will provide further updates as they become available.
18.	Enforcement Officer Refresher Training	- In light of concerns related to COVID-19, there was joint agreement that the requirement for Enforcement Officer Refresher Training would be extended to June 30, 2022.	The Employer will provide further

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			updates as available.
19.	Role of the Employer Tabled: December 10, 2020	<ul style="list-style-type: none"> - The Employer is committed to meeting with both benches to ensure two-way communication on issues related to staff health, safety, and wellness. The Employer requests that staff should continue to address their issues with local management directly or through union representation. Discussions are ongoing between OPSEU and the Employer. 	

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20.	Landlord Tenant Board - Working Groups	<ul style="list-style-type: none"> - Roxanne Theriault provided an update on the established working groups. 	The Employer will look into this matter further and report back to OPSEU before the next MERC meeting.
21.	Anti-Racism Action Plan	<ul style="list-style-type: none"> - The ministry celebrated Black History Month across divisions in the month of February, including the following resources and events: <ul style="list-style-type: none"> • Your guide to Black History Month in Ontario - InsideOPS • OPS Virtual Events Calendar - InsideOPS (ontario.ca) • CSD shared virtual backgrounds to use during the month. • The MAG Civil Law Division, in collaboration with the MAG Diversity, Inclusion and Accessibility Office - <i>“Progress Within Post-George Floyd Canada: Have our Efforts Been in Vain?”</i> - Wednesday, February 16th, 2022 at 1:30 p.m. – 3:00 p.m. • SoC Message: Secretary DiEmanuele’s Message to OPS Staff on Black History Month - InsideOPS (ontario.ca) <p>In addition, CVLD and Voices for Mental Health have organized Addressing Mental Health Within the Black Community: A Black Mental Health Day Presentation on Monday, March 7, 2022, from 1:30 - 3pm (invite attached below)</p> <div style="text-align: center;">  <p>Addressing Mental Health within the Blac</p> </div>	

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22.	New Toronto Courthouse	<ul style="list-style-type: none"> - The Employer provided a summary of events to date, and indicated that progress is on track. 	The Employer and OPSEU will be engaging in further discussions.
23.	Staffing and Recruitment Workload Issues within CSD	<ul style="list-style-type: none"> - The employer continues to actively recruit and train for frontline positions to meet operational demands. - OPSEU has provided positive feedback on retention efforts. 	The Employer will provide further update at the June 2022 MERC meeting.
24	Milton Courthouse Remediation	<ul style="list-style-type: none"> - Remediation is complete and all staff with headquarters at the Milton Courthouse will be returning to that location effective March 7, 2022. 	Remove from agenda.
25.	OPS Return to the Workplace	<ul style="list-style-type: none"> - The Secretary of Cabinet sent a memo on March 1, 2022 regarding the return to work for all OPS employees. 	Conversations are ongoing and updates will be provided when available.
26.	Court Reporter Duties	<ul style="list-style-type: none"> - The Employer investigated the concerns raised by OPSEU regarding “new” duties for the Court Reporter position. Upon further investigation, it was found that the duties were aligned with the job description at the time of the request. The parties agreed to remove this item from the agenda. 	Remove from agenda.

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27.	FXT Scheduling in Durham	<ul style="list-style-type: none"> - The Employer has reviewed the timesheets for FXT staff of the Durham Courthouse between July and August 2022. It was confirmed that the scheduling of FXT staff five days a week to allow for full-time staff vacation time was successful. During the eight weeks, staff were often provided work above the two-hour minimum. As this was limited to the summer months of 2021, the parties agreed that this item be removed from the agenda. 	Remove from agenda.

New Business			
Inactive Status Items			
28.	SIU Reclassification	- The parties have received information that the SIU reclassification issue is still pending at another forum. Therefore, the parties have agreed to remove this item from the agenda.	Remove from agenda.
29.	CSD Job Descriptions	- OPSEU has addressed this matter at CERC. Based on those discussions, OPSEU has requested that this item be removed from the agenda.	Remove from agenda.
30.	Tribunals Ontario Review	- No updates at this time.	
31.	Remote Recordings	- OPSEU will continue to canvass their membership for specific examples, and provide those to the Employer when available.	OPSEU to canvass their members.
Next Meeting Dates			
		<ul style="list-style-type: none"> • Thursday, June 9 • Thursday, September 22 • Thursday, December 8 	

For the Union

Loretta Clark

Loretta Clark - Union Co-Chair

For the Employer

Angela Oh

Angela Oh - Employer Co-Chair