

MERC Minutes

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

June 18, 2020

10:00 a.m. – 3:00 p.m.

Teleconference

Chair: OPSEU

MERC Members:

Karen Clark, OPSEU Co-Chair
Kaz Anwar
Loretta Clark
Coleen Houlder

Angela Oh, Management Co-Chair
Rojean Prince, CSD
Patrick Ouellet, VVPD
Alissa Bryers, CPLSRC, TBS
Andrew Hackland, CSMD

Guests:

- Kathleen Demareski, OPSEU
- Riese Stuber, OPSEU
- Jami McWade, A/Workforce Policy and Planning Coordinator, CSD
- Sue Blair, Manager, Scarborough V/WAP, VVPD
- Alexander Kostanyan, Senior Project Manager Consultant, CSMD
- Tammy Browes-Bugden, Director, SOMC, CLD

| Ref # | Agenda Item | Issue | Follow-Up / Action |
|-----------------------|-------------|-------|--------------------|
| Standing Items | | | |

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| 1. | LERC Referrals | | |
| a. | <p>LERC Referral – Brampton Courthouse – Copies of the collective agreement, access to learning opportunities and CSO uniforms</p> <p>Tabled: January 16, 2020</p> | <ol style="list-style-type: none"> 1) The Union raised concerns regarding the availability of collective agreements. In accordance with article 5, the collective agreement is available electronically on the following websites: <ul style="list-style-type: none"> • InsideOPS: https://intra.ontario.ca/tbs/cpslrc-collective-agreements • OPSEU: www.opseu.org 2) The Union raised concerns regarding secondment opportunities not being approved. The Employer acknowledges the importance of career development and encourages secondment/learning opportunities, where operationally feasible. 3) The Union raised concerns regarding staff breaks. Refer back to LERC. | <p>The local has withdrawn the referrals at this time due to the COVID-19 pandemic.</p> |

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| b. | <p>LERC Referral – Scheduling of WASH court at Old City Hall</p> <p>Tabled: January 16, 2020</p> | <p>Due to operational needs and in the effort of fairness to all Toronto court staff, the July 2019 announcement advised staff in all OCJ Toronto courts, except those hired prior to 2014, would be added to the rotational WASH court schedule (as per the wording in the pre-screening questions of the interview stage, and the their job specification and in their work contracts), not just those working at Old City Hall and College Park.</p> <p>Disclosure was not required because their employment was not changed. However, CSD advised LERC of this item and no issues were raised at that time.</p> <p>If staff are not able to work specific weekends due to religious reasons or other circumstances, they will need to speak with their manager or person in charge of scheduling. Each request to change shifts will be reviewed and considered on a case by case basis.</p> <p>As the schedules are provided one (1) month in advance, this should provide most staff with enough time to make provisions and necessary arrangements for the day(s) that are assigned.</p> | <p>The local has withdrawn the referral due to the COVID-19 pandemic.</p> |
| c. | <p>LERC Referral – Local 102 - Landlord and Tenant Board – Customer Service Officer performance standards</p> <p>Tabled: January 16, 2020</p> | <p>The Union raised concerns regarding performance standards for Customer Service Officers in the West Region Landlord and Tenant Board offices.</p> | <p>The local has withdrawn the referral due to the COVID-19 pandemic.</p> |

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| 2. Courts Modernization | | | |
| a. | Provincial Offences Act (POA) – Part III | Representatives from CLD provided an update on the timing of the transfer and when next steps will be taken. A working group with municipal partners began in 2020 with a goal of facilitating the movement from planning to implementation. The work of the group has been deferred due to COVID-19. Project teams are working directly with municipalities interested in moving forward with interim pilot solutions. No interim pilots have been confirmed to date, and there are no OPSEU staffing impacts identified at this time. | |
| b. | Courtroom Staffing Review | No updates from the Employer at this time. The Union has requested an update on the robes and dual monitors. | Employer to provide an update at the next meeting. |
| c. | Scheduling of Crown Operations Prepared Electronically (SCOPE) | Representatives from CLD provided an update. As of mid-May, SCOPE has been fully implemented in all offices across the division. Training is ongoing. | Remove from agenda. |
| 3. MAG Updates | | | |
| a. | Modernization Division | The Employer provided an update on the realignment of the division, and the parties agreed to remove this item from the agenda going forward. | Remove from agenda |
| b. | Court Services Division | Updates since March: | |

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| | | <p>FRANK Foundational training</p> <ul style="list-style-type: none"> • FRANK Foundational training was piloted in Kitchener on March 10 – 12. • The feedback was very positive and input from frontline staff at the session is being incorporated into the material. • The training team is further adapting the material for an online delivery platform. <p>Interjurisdictional Support Orders Act (ISOA)</p> <ul style="list-style-type: none"> • Materials will be adjusted according to Bill C-78 (timing will be dependent upon Bill). <p>Looking forward...</p> <ul style="list-style-type: none"> • The learning and development team is looking at ways to make training available (where possible and appropriate) using online delivery tools. <p>FRANK User Reference Guides for Family and Civil were both released (Family in December, Civil in March).</p> | |
| c. | Victims and Vulnerable Persons Division (VVPD) | <p>VVPD Update:</p> <ul style="list-style-type: none"> • Front-line service workers are required to perform some administrative work as part of their case management duties, however Victim Witness Services Workers continue to have the support of Administrative Assistants either on-site or at another work location. | |

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| | | <ul style="list-style-type: none"> • There has been an increase in homicide and human trafficking rates, which has increased the number of complex cases. VVPD regional managers are working very closely with their VWAP managers to address identified workload issues, to ensure there are sufficient resources and that staff are supported. • Should there be further workload concerns, information on the specific circumstances would be required. • Other initiatives underway that may help address staff concerns include the VWAP Review, which will explore opportunities for improvements, address priority issues and drive modernization. | |
| d. | Criminal Law Division | Representatives from CLD provided an update on the division's vicarious trauma initiative which is currently focused on a confidential all-staff survey. The purpose of the survey is to understand the mental health needs of staff and to inform a CAMH needs and capacity assessment, which will be provided to CLD. | Continued updates will be provided. |
| e. | Courtroom Staffing Review Initiative (CSRI) | The CSRI MOA has expired as of March 31, 2020. The subcommittee is currently working on a resolution of all outstanding matters. | Remove from agenda. |

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| 4. Reports | | | |
| a. | Fixed Term Report (Article 16.5.1) | The Fixed Term report ending March 31, 2020 was provided by the Employer on April 22, 2020. | |
| b. | Conversion Reports (Article 31A.15) | The Conversion report ending March 31, 2020 was provided by the Employer on April 22, 2020. | |
| c. | FPT Deficit Hours (Quarterly Reports) | <p>The Employer provided Q1 2020 deficit hours report on April 29, 2020.</p> <p>The Employer and the Union remain committed to reducing the occurrence of deficit hours.</p> | |
| d. | Job Descriptions | The Union received the report for December 2019 on January 15, 2020. The Union received the report for January 2020 on February 14, 2020. The Union received the report for February 2020 on March 18, 2020. The Union received the report for March 2020 on April 15, 2020. The Union received the report for April 2020 on May 15, 2020. The Union received the report for May 2020 on June 15, 2020. | |

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| 5. | Training and Development (Appendix 29) | See Item 2b. | |
| 6. | People-First Plan (PFP) | The Employer provided an update on plans to implement the People-First Plan, and the parties agreed to remove this item from the agenda. Roll-up is in progress, but year two focus areas and initiatives have been delayed due to COVID-19. The Employer is in the midst of compiling a number of success stories to report on. | Remove from agenda |
| Report Back Items | | | |
| 7. | Vicarious Trauma Tabled: September 13, 2018 | A representative from the MAG Mental Health Committee provided an update on the work of the committee around vicarious trauma and next steps. The vicarious trauma e-learning modules will be rolling out in the fall for all employees and managers. There will be three modules, two for employees and a separate one for managers. Managers will complete all three modules. The training is mandatory and meant to be an educational and practical guide for all employees and managers as a starting point to address the impacts of vicarious trauma. Further communication will be shared with all divisions with regard to the training. | |

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| 8. | Financial Process Modernization | The Employer has no updates at this time. This work has been deferred due to COVID-19. | |
| 9. | SIU Reclassification | The Union requested an update on the status of the review of the SIU Investigator job description. Progress has been made on this matter and the Employer expects to be able to provide an update to the Union shortly. | The Employer will provide an update in advance of the next meeting. |
| New Business | | | |
| 10. | Naloxone Kits in the Courthouse | The Employer did not have any updates to provide at this time due to COVID-19. The Union is looking forward to a discussion and update at the next meeting. | |
| 11. | Civil E-Filing | The Union requested that civil e-filing be included as an agenda item for this MERC. The Union requested more timely updates on this item. | To be added to agenda as a "Standing Item". |
| 12. | Tribunals Ontario | An announcement has been made regarding the creation of the new Ontario Land Tribunals Cluster to facilitate the resolution of land use planning disputes and increase housing supply across the province. https://news.ontario.ca/mag/en/2020/06/ontario-takes-steps-to-resolve-land-disputes-faster.html | |

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| 13. | LERCs | The parties are taking a collaborative approach to ensure that LERCs are functioning in workplaces. The parties will be creating a joint memo to be issued. Further discussion to be held in advance of the next MERC meeting. | To be discussed in advance of the next MERC. |
| 14. | Recovery Secretariat | <p>The Recovery Secretariat has been created to support the ministry's recovery efforts following COVID-19 and continues to develop a plan as the province looks to re-open. The Employer will work with the Union as plans are rolled out.</p> <p>Several town halls have already taken place to engage staff and an additional COVID-19 health and safety seminar is scheduled for Friday, June 19. Worksite risk assessments are in progress.</p> | To be added to agenda as a "Standing Item". |
| 15. | Records of Employment (ROE) | The Union is concerned that a number of members have received a ROE without requesting one. The Union is seeking information on how many were issued and why. The Union is interested in following up on this item in a separate meeting in advance of the next MERC meeting. | The parties have agreed to set up a separate meeting to discuss this issue further. |

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| 16. | Remote Recordings | In order to support the gradual reopening of courts and remote legal proceedings, Court and Client Representatives (CCRs) and Court Clerks and Registrars will begin supporting virtual hearings through the Zoom platform. The Union has raised concerns about staffing levels, the impact on staff responsibilities, and on the quality of the recordings. | The parties have agreed to set up a separate meeting to discuss this issue further. |
| 17. | Disclosures | It is the Union's position that positive labour relations are based on trust and that includes the timely sharing of appropriate and relevant information. The Union further conveyed that it is imperative that information is shared with the MERC at least two weeks before a business decision is announced to employees as per the Disclosure Directive. The Employer will make best efforts to communicate and share information in a timely manner. | The parties agree that communication is important for positive labour relations and, as such, the parties will continue to discuss further offline. |
| | | Next Meeting Dates | |
| | | <ul style="list-style-type: none"> September 24, 2020 | |

For the Union

For the Employer

Original signed by

Union Co-Chair
Karen Clark

Original signed by

Employer Co-Chair
Angela Oh