

MERC Minutes

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

June 9, 2022

10:00 a.m. – 3:00 p.m.

720 Bay Street, Maple Boardroom

Chair: Angela Oh

MERC Members:

Loretta Clark, OPSEU/SEFPO Co-Chair
Marie-Paule Duret, OPSEU/SEFPO Member
Kathleen Demareski, Negotiator, OPSEU/SEFPO

Angela Oh, Management Co-Chair
Greg Jones, CPSLRC, TBS


Guests:

Melanie Powers, OPSEU/SEFPO Member
Jami McWade, Workforce Policy and Planning Coordinator, CSD
Julie Chan, Mental Health Coordinator, CSMD
Tammy Browes-Bugden, Director, Strategic Operations Management Centre, CLD
Lynn Dicaire, Manager, Operational Program Development, Tribunals Ontario
Lindiwe Bridgewater, Registrar, Landlord Tenant Board, Tribunals Ontario

Regrets:

Coleen Houlder, OPSEU/SEFPO Vice-Chair
Alyx Ivany, VVPD


Ref #	Agenda Item	Issue	Follow-Up / Action
Standing Items			
1.	Provincial Offences Act (POA) – Part III (Tammy Browes-Bugden)	<ul style="list-style-type: none"> - Formal notice process has not commenced to amend the MOUs for the delivery of service. - City of Kingston transition took place in March 2022. - To date there has been no job loss to OPSEU/SEFPO employees as a result of these transfers. - CLD provided a robust training program to municipal partners in April 2022 and links to recordings will be made available, as appropriate. 	The Employer will continue to provide updates to OPSEU/SEFPO as available.
2.	Civil E-Filing	<ul style="list-style-type: none"> - There are no updates at this time. 	The rollout is continuing, and the Employer will continue to provide updates to OPSEU/SEFPO as appropriate.



<p>3.</p>	<p>Recovery Division Update</p>	<ul style="list-style-type: none"> - All key indicators continue to go in the right direction. - A placemat outlining the ongoing health and safety measures at the courthouses has been prepared and is attached below. - While masking is currently optional, it is highly encouraged and recommended. - The ministry continues to engage with First Nations communities that host road access and fly-in satellite courts to support reopening in a gradual, safe and respectful manner. As dates are set for reopening of these locations, details will be shared with the bargaining agent. - The ministry has been proceeding with the installation of portable HEPA filtration units within its courthouses, agency and tribunal spaces across Ontario. - While this measure has not been required or broadly recommended for courthouses, agency or tribunal spaces by health and safety advisors related to COVID-19 prevention, HEPA units may help to support improved air quality, which will benefit our staff, the judiciary, and justice sector partners, more generally. - HEPA unit installation has been completed at most base courts with any remaining locations being addressed in the near future. It is also in progress at satellite courts. - The model name of the HEPA unit is HealthMate HM400, and a copy of the technical specifications has been shared with all JHSCs. - Plexiglass is being removed from courthouses on a gradual basis, with priority at locations where the plexiglass impedes the ability for matters to proceed. - Next joint OPSEU/SEFPO/MERC meeting scheduled for June 23, 2022. <div style="text-align: center;">  <p>Courthouse Preventative Measur</p> </div>	<p>OPSEU/SEFPO continues to meet with the Recovery Secretariat on a monthly basis to obtain updates and for OPSEU/SEFPO to provide feedback and raise concerns.</p>
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4.	Mental Health Updates	<ul style="list-style-type: none"> - Mandatory Vicarious Trauma e-module training is ongoing, with a goal of having all MAG staff trained by the end of August. - MAG has procured an organization to provide “De-escalating Emotionally Heightened Situations” train the trainer module. Staff in the Court Services Division (CSD) and Victims and Vulnerable Persons Division (VVPD) have been trained to deliver this training. - CSD rolled out first training session in May with access also being provided to staff in the Criminal Law Division; VVPD training to be rolled out June. - OPSEU/SEFPO has requested a portion of that training focus on situations arising between co-workers in the office environment. - Mental Health Minutes are ongoing. - MAG Return to the Workplace mental health resources continue to be available, including recorded sessions. - OPS Mindfulness Program is being promoted by MAG. This program provides a wide-range of guided mindfulness exercises. - Members are reminded of the desktop icon to take them directly to the MAG Mental Health site. Alternatively, members can access the MAG Mental Health site here. 	Feedback to be provided to the team preparing the De-escalating Emotional Heightened Situations guide.

LERC Referrals

5.	<p>Clerk Signing Duties - 330 University Avenue, Toronto</p> <p>Tabled: December 9, 2021</p>	<ul style="list-style-type: none"> - OPSEU/SEFPO raised concerns that staff are being asked to perform work “beyond their pay grade”, including signing orders and default judgements. - The Employer can confirm that delegated signing authority was present in the job descriptions for the Client Service Representative, Court Clerk and Registrar and Court and Client Representative prior to the onset of the COVID-19 pandemic and continues to be included in the updated job descriptions at the current classifications. - In February 2016, an information share was provided to clarify job duties, including delegated signing authority. 	<p>Issue to be referred back to LERC. Individual circumstances should be raised with the manager.</p> <p>To be removed from the MERC agenda.</p>
6.	<p>Required Tools to Perform Duties – 330 University Avenue, Toronto</p> <p>Tabled: December 9, 2021</p>	<ul style="list-style-type: none"> - OPSEU/SEFPO raised concerns regarding office B2 is lacking adequate resources to perform their work. - Local management confirmed that office B2 has the same staff ratio to photocopiers/scanners/books as other CSD offices in the area. - If accommodation is required, staff should speak with their manager and decisions will be made on a case-by-case basis. 	<p>Issue to be referred back to LERC to request an updated version of the French rulebook.</p> <p>To be removed from the MERC agenda.</p>

7.	<p>Insufficient Wi-Fi in B2 – 330 University Avenue, Toronto</p> <p>Tabled: December 9, 2021</p>	<ul style="list-style-type: none"> - Members concerned around lack of Wi-Fi access in the basement level offices for staff dependent on their phones for medical reasons. - Management has confirmed that for staff that require access to a reliable phone line, each workspace is equipped with a dedicated landline that can be used for staff emergencies. - At this time, the project has no plans to expand public Wi-Fi access in courthouses. - The employer recognizes that cellular services in the basement may not always be reliable. Staff should speak with their direct manager if a medical accommodation is required where they need to have reliable Wi-Fi or cellular service available. 	<p>Issue to be referred back to LERC to ensure sufficient reliable land line service is available.</p> <p>To be removed from the MERC agenda.</p>
MAG Updates			
8.	<p>Court Services Division (CSD)</p>	<div style="text-align: center;">  <p>Training Update for MERC_June 2022.doc</p> </div> <p>Fanshawe College:</p> <ul style="list-style-type: none"> - Court Services Division (CSD) finalized an agreement/ Memorandum of Understanding (MOU) for a Pilot program for student placements with Fanshawe College in April 2022. - The program started on May 2, 2022. - Student placements consists of non-paid experience for court support and court and client service positions for the Ontario Courts to occur over several weeks, with a total of 10 hours per week. - These placements are held at court sites within a one-hour commute from London, Ontario. 	<p>The Employer will provide further updates as they become available.</p>

		- Fanshawe College will be meeting with CSD members in June as part of a Program Advisory Committee (PAC) and will provide an update on the success of the program.	
9.	Victims and Vulnerable Persons Division (VVPD)	  VVPD Projects for MERC Update - June 2 VVPD Employee Engagement - MERC -	The Employer will provide further updates at the next MERC meeting.
10.	Criminal Law Division (CLD)	<ul style="list-style-type: none"> - Recently formed a CLD “Recommendation/Implementation Monitoring Committee”, intended to ensure progress is made towards 24 recommendations in recent CAMH report relating to mental health. - Have developed a curated list of mental health resources, as well as peer-support resources. - On May 25, 2022, offered an optional virtual webinar relating to vicarious trauma, entitled “The Great Reset”, to all divisional staff. 	The Employer will provide further updates as they become available.
Reports			
11.	Fixed Term Report (Article 16.5.1)	The Fixed Term report ending March 31, 2022 was provided by the Employer on June 1, 2022.	
12.	Conversion Reports (Article 31A.15)	The Conversion report ending March 31, 2022 was provided by the Employer on June 1, 2022.	
13.	FPT Deficit Hours (Quarterly Reports)	As of March 31, 2022, no deficit hours were outstanding for recovery in 2022.	
14.	Job Descriptions	<ul style="list-style-type: none"> - February disclosures - sent March 21, 2022 - March disclosures - sent April 20, 2022 - April disclosures - sent May 19, 2022 	

Report Back Items			
15.	Financial Process Modernization	<ul style="list-style-type: none"> - Further roll-out of the initial pilot continues. 	The Employer will provide further updates as they become available.
16.	Naloxone Kits in the Courthouses	<ul style="list-style-type: none"> - Discussions are ongoing with the Ministry Labour in response to the recent changes to the mandate regarding the definition of “at risk” workplaces. - Naloxone kits are currently available at all courthouses with court security or onsite local police services. - The Union has requested JHSCs to be advised which locations have naloxone kits available and how to access them when required. 	The Employer will look into the Union’s request and provide further updates as they become available.
17.	Enforcement Officer Refresher Training	<ul style="list-style-type: none"> - As of May 2022, all of the outstanding Enforcement Officer refresher training has been completed. - Enforcement Officer training, both new recruit and refresher for the 2022-2023 fiscal year, has been scheduled with sessions commencing in May and running through to December 2022. 	To be removed from the agenda.
18.	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. 	

19.	Landlord Tenant Board - Working Groups (Lynn Dicaire and Lindiwe Bridgewater)	<ul style="list-style-type: none"> - Staff generally enjoy the working groups and the flexibility to rotate if they so desire. - Will be extending the working groups to the end of the fiscal year. - Staff are returning to the office on a rotational basis until the Fall, but front counters remain closed. - Hearings continue to be heard virtually, but also have access to Public Access Terminals located in Toronto, Hamilton, Ottawa - Service Ontario continue to provide services to LTB clientele. 	
20.	Anti-Racism Action Plan	<ul style="list-style-type: none"> - No updates at this time 	The Employer will provide an update at the next meeting.

21.	New Toronto Courthouse	<ul style="list-style-type: none"> - On May 30, 2022, the Employer provided disclosure to OPSEU/SEFPO regarding a change in work location and election process for a number of multi-incumbent OPSEU/SEFPO-represented positions in the Court Services, Victims and Vulnerable Persons, and Criminal Law Divisions. - The election process will be available for positions where that function will be operating out of both the New Toronto Courthouse and Toronto Regional Bail Centre. Employees with a home position in these positions will be provided the opportunity to make an election with respect to their preference to report to either the NTC or the TRBC as their new headquarters. - For clarity, all other OPSEU/SEFPO-represented positions impacted by the NTC/TRBC will not be included in the election process and will be directly assigned to one of those locations based on the requirements of their position. - There is no job loss anticipated at this time, as a direct result of this relocation under 40km, nor are there any changes to employee classifications, salaries or benefits for the identified employees at this time. 	The Employer updates when available.
22.	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. 	The Employer will provide further update at the September 2022 MERC meeting.
23.	OPS Return to the Workplace	<ul style="list-style-type: none"> - As of May 16, 2022, all staff who were previously working from home are required to attend the workplace a minimum of three days per week. 	Conversations are ongoing and updates will be provided when available.

New Business			
24.	Pay issues	<ul style="list-style-type: none"> - The Union has advised that there have been several instances where new hires were not paid in a timely manner. - MAG has worked with OSS to develop a tip-sheet for managers for the processing of staffing forms and the appropriate escalation process. 	Remove from agenda
25.	TEI	<ul style="list-style-type: none"> - The union inquired about the low percentage of approvals for TEI within MAG as compared to other ministries. - The Employer clarified that approval is based on the following considerations: <ul style="list-style-type: none"> i. At the time that an employee TEI request is being considered, the Employer has plans to reduce positions in the OPSEU bargaining unit; and ii. The Employer has determined in its discretion that the employee's exit from employment supports the transformation of the Ontario Public Service. iii. The Employer will consider whether employees are on the TEI list when making surplus decisions. - TEI applications are tied to an employee's home position; an employee who leaves their home position should withdraw their original application and resubmit a new application based on their new home position. 	Remove from agenda
26.	MAG Exit Surveys	<ul style="list-style-type: none"> - The Employer is encouraging members exiting the ministry to complete an exit survey. - Exit surveys can be completed online [link embedded] with aggregate results sent to the MAG Human Resources Strategic Business Unit. - Individual survey results are not shared with management. - The Union has requested further discussions to identify approaches to ensure confidentiality of results. 	The Employer and Union to discuss further.
Inactive Status Items			

27.	Tribunals Ontario Review	- No updates at this time.	
28.	Remote Recordings	- OPSEU/SEFPO 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, September 29 • Thursday, December 8 	

For the Union

Loretta Clark

Loretta Clark - Union Co-Chair

For the Employer

Angela Oh

Angela Oh - Employer Co-Chair