

# **MERC Minutes**

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

**September 10, 2021**

10:00 a.m. – 3:00 p.m.

Teleconference

Chair: Angela Oh

### **MERC Members:**

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

Angela Oh, Management Co-Chair  
Rojean Prince, CSD  
Patrick Ouellet, VVPD  
Greg Jones, CPSLRC, TBS  
Deb McGarvey, CSMD  
Andrew Hackland, CSMD

### **Guests:**


- Jami McWade, Workforce Policy and Planning Coordinator, CSD
- Julie Chan, Mental Health Coordinator, MAG
- Michelle Flaro, A/Manager, CSD



Ref #	Agenda Item	Issue	Follow-Up / Action
<b>Standing Items</b>			
1.	<b>Provincial Offences Act (POA) – Part III</b>	- No updates at this time.	Rollout is being undertaken in a phased approach and was delayed due to COVID-19 and closure of POA courts. Information is ongoing. Updates will be provided as they become available.
2.	<b>Civil E-Filing</b>	- No updates at this time.	Rollout is continuing, and updates will be provided as appropriate.

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3.	<b>Remote Recordings</b>	<ul style="list-style-type: none"> <li>- The standard set-up for hybrid appearances in non-Justice Video Network courtrooms is still being deployed in the field. Implementation is dependent on site-specific circumstances and availability of equipment.</li> <li>- As a reminder from a previous update:               <ul style="list-style-type: none"> <li>• This should improve sound quality of court recordings and assist court staff by having a reliable set-up in place that does not need to be constantly changed to accommodate hybrid and in-person appearances.</li> <li>• While the set-up does not address all concerns and may have to be adjusted to fit the uniqueness of each courtroom, the interim solution should assist and provide improvements before more permanent technology solutions can be implemented across the province.</li> </ul> </li> <li>- CSD is working on approvals for guidance to improve courtroom etiquette.</li> <li>- The review of training materials for court reporting remain underway.</li> <li>- CSD is working on implementing processes to follow-up on issues when we receive complaints or notification from the field about poor quality recordings.</li> </ul>	<p>Management will invite PMB to the December MERC to provide an update.</p>

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4.	<b>Recovery Secretariat Update</b>	<ul style="list-style-type: none"> <li>- Staff who have been working remotely who wish to return to work on a voluntary basis can begin to do so on September 13.</li> <li>- These staff must be fully vaccinated for at least 14 days and voluntarily disclose their vaccination status to their manager</li> <li>- Staff may also be required to come in due to operational reasons; in these cases no disclosure of vaccination status is required at this time.</li> <li>- Staff who have concerns about health and safety issues at their workplace should raise concerns with the JHSC or their manager.</li> <li>- OPSEU is advancing great concern on behalf of the membership regarding what the vaccination policy will include and the implications for members.</li> </ul>	<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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5.	<b>Mental Health Updates</b>  <b>(Julie Chan 10:45 - 11:00am)</b>	<ul style="list-style-type: none"> <li>- Vicarious Trauma e-training has been completed by approximately 50% of MAG employees and phased roll-out continues.</li> <li>- Roadshows have been undertaken to share the MAG Mental Health and Wellness Plan with leaders for input regarding unique divisional challenges; feedback from these sessions will be rolled up and the plan recalibrated.</li> <li>- Working group established to consider how to ensure training is accessible by all staff, including front-line staff; July 21 session on self-care was implemented with live session as well as simultaneous pre-recorded 20-minute segments.</li> <li>- Similar format likely to be used in future sessions, including October session which will focus on sleep and nutrition.</li> <li>- Placemats available to assist managers and staff to access appropriate links and resources. <a href="#">[link]</a></li> <li>- Looking at mental health first aid training as an outcome of mental health plan with focus on high-needs groups first.</li> <li>- Updates, information and links to videos and mental health minutes can be found at the MAG Wellness page: <a href="https://intra.ontario.ca/mag/mag-mental-wellness">https://intra.ontario.ca/mag/mag-mental-wellness</a></li> </ul>	
<b>LERC Referrals</b>			

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6.	<p><b>Increased Workload in VWAP with No Increase in Resources – Waterloo Region, Wellington County</b></p> <p><b>Tabled: December 10, 2020</b></p>	<ul style="list-style-type: none"> <li>- OPSEU has shared ongoing concerns relating to workload and related impacts due to operational changes. The LERC referral is not being closed at this time, and discussions will continue between OPSEU and the Employer.</li> </ul>	<p>OPSEU will endeavor to provide more targeted information. The Employer will engage in discussions with the Victims Services Regional Managers on staff impacts.</p>
<b>MAG Updates</b>			
7.	<p><b>Court Services Division (CSD)</b></p> <p><b>(Michelle Flaro 11:30am – 12:00pm)</b></p>	<div style="text-align: center;">  <p>Training Update for MERC_September 2020</p> </div> <ul style="list-style-type: none"> <li>- New hire training program is comprised of the following: <ul style="list-style-type: none"> <li>• 2 weeks of Orientation and Court System Foundation</li> <li>• Optional 3rd week for role specific training <ul style="list-style-type: none"> <li>○ 1 week Bail Training</li> <li>○ 1 week Court Reporting</li> </ul> </li> </ul> </li> <li>- OPSEU has noted seeing a significant positive difference and change in the landscape of new hires; new training module has dramatically increased the confidence for new staff coming in as they begin their court specific training.</li> </ul>	<p>The Employer will provide further updates at the next MERC meeting.</p>

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8.	<b>Victims and Vulnerable Persons Division (VVPD)</b>	  VVPD Employee Engagement - MERC VVPD Projects for MERC Update - Septe	The Employer will provide further updates at the next MERC meeting.
9.	<b>Criminal Law Division</b>	- No updates at this time.	
<b>Reports</b>			
10.	<b>Fixed Term Report (Article 16.5.1)</b>	The Fixed Term report ending June 30, 2021 was provided by the Employer on September 1, 2021.	
11.	<b>Conversion Reports (Article 31A.15)</b>	The Conversion report ending June 30, 2021 was provided by the Employer on September 1, 2021.	
12.	<b>FPT Deficit Hours (Quarterly Reports)</b>	<p>The FPT Deficit Hours report ending June 30, 2021 was provided by the Employer on August 30, 2021.</p> <p>CSD would like to report that it has zero (0) new deficits for April to June 2021.</p> <p>Please note: CSD is also down to three (3) employees with deficits from last year to be recovered. Two (2) of these employees are currently on leave pending LTIP and CSD will recover the deficit when they officially come off payroll. As for the third, the location will continue to make best efforts to schedule the employee so that the outstanding deficit can be recovered while ensuring the employee is safe in the workplace.</p>	

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13.	<b>Job Descriptions</b>	<ul style="list-style-type: none"> <li>- May disclosures - sent June 15, 2021</li> <li>- June disclosures - sent July 15, 2021</li> <li>- July disclosures - sent August 16, 2021</li> </ul>	
<b>Report Back Items</b>			
14.	<b>Financial Process Modernization</b>	<ul style="list-style-type: none"> <li>- An update was provided that the Trust Management System (TMS) project team successfully expanded the TMS pilot to Sudbury, Northeast Region and Oshawa, Central East Regions in July 2021. The project team is continuing its work around site readiness, as well as testing and training of the new system.</li> </ul>	The Employer will provide further updates at the December MERC.
15.	<b>Naloxone Kits in the Courthouses</b>	<ul style="list-style-type: none"> <li>- OPSEU is advancing that this issue may now be broader in scope. OPSEU is requesting that this item be more actively revisited, particularly with regard to knowledge of location and accessibility of the kits.</li> </ul>	The Employer will provide further updates as they become available.
16.	<b>Tribunals Ontario</b>	<ul style="list-style-type: none"> <li>- No updates at this time.</li> </ul>	The Employer will provide further updates as they become available. This item to be moved to “Inactive Status Items” and re-named “Tribunals Ontario Review”.



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17.	<b>Enforcement Officer Refresher Training</b>	<ul style="list-style-type: none"> <li>- An agreement has been reached between OPSEU and the Employer to extend the timeline for successful completion of the Enforcement Officer Defensive Tactics Refresher Training (DTRT) from December 24, 2020 to December 31, 2021.</li> </ul>	The Employer will provide an update at the December MERC.
18.	<b>Role of the Employer</b> <b>Tabled: December 10, 2020</b>	<ul style="list-style-type: none"> <li>- 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.</li> </ul>	
19.	<b>Landlord Tenant Board – Working Groups</b>	<ul style="list-style-type: none"> <li>- The working groups have been extended until December 31, 2021.</li> <li>- OPSEU inquired whether the extension is related to backlogs and workload issues.</li> </ul>	The Employer will provide an update at the December MERC.
20.	<b>Anti-Racism Action Plan</b>	<ul style="list-style-type: none"> <li>- No updates at this time.</li> </ul>	

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21.	<b>New Toronto Courthouse</b>	<ul style="list-style-type: none"> <li>- NTC construction is progressing well. Construction updates were included in the summer NTC newsletter.</li> <li>- The successful proponent responsible for the renovations to the 2201 Finch courthouse to support the TRBC was announced in June 2021.</li> <li>- Staff transition committee continues to meet every month – meetings are held virtually. The committee has planned a virtual staff engagement event in September 2021.</li> <li>- As a result of these collaborative discussions, CSD will be launching a SharePoint site in September 2021 with information on the NTC and TRBC projects, including newsletters, site pictures, project highlights, as well as information on the staff transition committee representatives. The site will also be used to promote future staff engagement events. The SharePoint site will be accessible to all Toronto Region CSD staff and managers and will ensure existing and new staff are easily able to access up-to-date information about the projects. This is being launched in September to ensure information on the site is updated and access to the site is available to all Toronto Region staff.</li> <li>- In addition, Qs and As on the NTC and TRBC will be available on the SharePoint site and includes frequently asked questions. Hard copies will also be available on the courthouse NTC and TRBC bulletin boards.</li> <li>- NTC/TRBC presentation sessions with CSD staff and managers is being scheduled in the fall (October/November) at each of the OCJ courthouses. These sessions will provide an opportunity for Rosanna Giancristiano to update staff and answer questions about the NTC and TRBC projects.</li> </ul>	

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22.	<b>Staffing and Recruitment Workload Issues within CSD</b>	<ul style="list-style-type: none"> <li>- The employer continues to actively recruit and train for frontline positions to meet operational demands.</li> <li>- OPSEU has provided positive feedback on retention efforts.</li> </ul>	The Employer will provide further update at the March 2022 MERC.
23.	<b>Milton Courthouse Remediation</b>	<ul style="list-style-type: none"> <li>- Info share was provided to OPSEU in August 2021 regarding delays. Impacted staff were notified on August 31, 2021.</li> </ul>	The Employer will provide further updates as available.
<b>New Business</b>			
24.	<b>GROW and Return to Work</b>	<ul style="list-style-type: none"> <li>- In a recent TBS Deputy memo dated September 8, 2021, the target for Phase 3 with all staff returning to the workplace has been adjusted to November 1, 2021.</li> <li>- OPSEU has recommended that the Employer remind staff of health and safety protocols in the workplace.</li> </ul>	Conversations are ongoing regarding vaccination and testing policies.
25.	<b>Court Reporter Duties</b>	<ul style="list-style-type: none"> <li>- The employer has reviewed the concerns shared by MERC regarding the duties assigned to the Court Reporter positions and has confirmed that the duties being asked of the staff are in line with the existing job description.</li> </ul>	OPSEU will follow up with the staff.
26.	<b>FXT Scheduling in Durham</b>	<ul style="list-style-type: none"> <li>- The employer is reviewing the hours for the impacted location to confirm the hours actually worked by staff on the days they were scheduled as a float.</li> </ul>	The Employer will share findings with OPSEU when available.
<b>Inactive Status Items</b>			

Ref #	Agenda Item	Issue	Follow-Up / Action
27.	SIU Reclassification		
28.	CSD Job Descriptions		
<b>Next Meeting Dates</b>			
		<ul style="list-style-type: none"> <li>• December 9, 2021</li> </ul>	

For the Union

For the Employer

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Union Co-Chair  
Loretta Clark

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Employer Co-Chair  
Angela Oh