

MERC Minutes

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

September 24, 2020

10:00 a.m. – 3:00 p.m.

Teleconference

Chair: Management

MERC Members:


Loretta Clark, OPSEU Co-Chair
Coleen Houlder, OPSEU Vice-Chair
Riese Stuber, OPSEU Member
Kathleen Demareski, OPSEU

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



Guests:

- Jami McWade, A/Workforce Policy and Planning Coordinator, CSD
- Alexey Togunov, Director, Project Implementation Branch, CSMD
- Jaimie Lee, A/Director, Project Management Branch, CSD

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

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1.	Courts Modernization		
a.	Provincial Offences Act (POA) – Part III	No updates at this time as a result of COVID-19.	
b.	Courtroom Staffing Review	No updates at this time as a result of COVID-19.	Employer to provide an update as soon as one is available.
c.	Civil E-Filing	<p>The Union addressed concerns around client filing of court documents after hours, or not in accordance with Family Court rules.</p>  <p>JSO MERC update 20200924.pptx</p>	The Employer will follow up and look into options for reminding the parties of the rules around timing of filing of court documents.
d.	Recovery Secretariat Update	<ul style="list-style-type: none"> - Courthouses have now opened in 61 of 62 jurisdictions - By the end of September, 324 courtrooms will be reopened to in-person appearances in 73 of 74 base courts and 2 satellite courts. - The courthouses have seen the implementation of a number of health and safety measures, including active entrance screening at the doors, the installation of plexiglass at public counters and in courtrooms, the establishment of social distancing measures, and the 	OPSEU continues to meet with the Recovery Secretariat on a weekly basis to obtain updates and for OPSEU to provide feedback and raise concerns.

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		<p>provision of face coverings and PPE, where deemed necessary</p> <ul style="list-style-type: none"> - The Recovery Secretariat is now working on Phase 3 of recovery planning, which will see the remainder of courtrooms being opened throughout November and December - The resumption of jury trials has also commenced, with off-site jury selection taking place in two locations: Metro Toronto Convention Centre in Toronto and Pearson Convention Centre in Brampton 	
e.	Remote Recordings	The Union advises that sound issues, particularly with Zoom proceedings, continue to be an issue. The Employer acknowledges the Union's concerns and is reviewing reporting quality.	The Employer will continue to provide updates. The Union will continue to advise of concerns as they arise.
f.	Disclosures	The parties continue to meet on a weekly basis to discuss and resolve issues in between formal meetings. The parties recognize that positive labour relations are built on a foundation of trust and a commitment to ensure information is shared in a timely manner.	Remove from agenda.
g.	Records of Employment (ROE)	The employer committed to following up on the site-specific issue.	Remove from agenda.

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2. MAG Updates			
a.	Court Services Division (CSD)	The Union commented that the training (which includes the live videos with chat capability, regional trainers, and online training) has been incredible. The Union has requested the Employer look into the possibility of a live chat function, a tip sheet for Zoom, and JVN for when problems occur.	The Employer will follow up on the suggestions raised by the Union.
b.	Victims and Vulnerable Persons Division (VVPD)	  VVPD Projects for MERC Update - Septe VVPD Employee Engagement - MERC -	
c.	Criminal Law Division	No updates at this time.	
3. Reports			
a.	Fixed Term Report (Article 16.5.1)	The Fixed Term report ending June 30, 2020 was provided by the Employer on July 21, 2020.	
b.	Conversion Reports (Article 31A.15)	The Conversion report ending June 30, 2020 was provided by the Employer on July 21, 2020.	
c.	FPT Deficit Hours (Quarterly Reports)	The Employer provided Q2 2020 deficit hours report on July 31, 2020. The Employer and the Union recognize the number of employees on the list has drastically reduced over the last year due to the collaboration of the parties.	The parties will continue to work together to further reduce deficit

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			hours where possible.
d.	Job Descriptions	The Union received the report for June 2020 on July 15, 2020. The Union received the report for July 2020 on August 18, 2020. The Union received the report for August 2020 on September 15, 2020.	Employer to follow up on whether or not it is possible to capture specific changes and date of updates in job descriptions.

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Report Back Items			
4.	Vicarious Trauma Tabled: September 13, 2018	The launch of the vicarious trauma learning modules is now targeted for mid-October. We are working with our two new ADAG Mental Health Champions, Susan Kyle (CLD) and Jane Mallen (Policy Division), to roll it out.	An update will be provided at the next meeting if available.
5.	Financial Process Modernization	No updates at this time.	The Employer will provide an update at the next meeting if available.
6.	Naloxone Kits in the Courthouses	No updates at this time.	Employer to provide an update as soon as one is available.
7.	SIU Reclassification	Both parties confirm that discussion on this item is taking place at the Appendix 7 table. Item to remain on the agenda until a resolution is achieved.	Item to remain as "Report Back" item on agenda.
8.	Tribunals Ontario	No updates at this time.	The Employer will provide an update at the next meeting if available.

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9.	LERCs	<p>OPSEU and the Employer continue to work together to gather information.</p> <p>The parties will collaborate on a joint memo to be issued to promote and endorse the local approach to problem solving and resolution of issues. The Union provided the Employer with a draft memo for consideration to be issued as soon as possible.</p>	The Employer will review the draft letter and schedule a meeting to discuss further.
New Business			
9.	Renewal of MAG Job Descriptions	The Union has advised the Employer that work that is being performed has significantly changed as the Ministry continues to move to a modernized model. It is the Union's position that the work has transformed globally. The Union has asked the Employer to review any outdated job descriptions, including the job descriptions for CSD trial coordinators and court staff to ensure the new duties and responsibilities related to the modernization and advancements in technology that are now the new normal have been captured.	The parties agree to continue dialogue on this matter.
10.	Workload and Capacity	The Union is advancing the issue of workload within all the divisions of the Ministry. The Union recommends that the employer consider the volume and technical implications of the work being performed post-COVID. These challenging times have led to additional stress and potential burnout. The Union is identifying this as it could lead to a reduced workforce which will have a significant impact on the remaining workforce.	The parties will continue to dialogue about the issues the Union has raised.

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11.	Jury Trials	The Union raised the issue of not receiving information in a timely fashion. The Employer committed to ensuring the Union is advised of all upcoming jury trial venues. The Union will continue to elevate concerns by the members as the jury trials resume.	The Employer continues to provide updates during weekly meetings.
12.	Secretary of Cabinet Announcement	<p>The Union has concerns with regards to the numbers identified in the list for some program areas for MAG. The Employer has recommended that managers engage their local JHSC's in establishing health and safety measures as part of their return to work planning.</p> <p>The Union would also propose that the Employer continue to allow members to work remotely where it is feasible to continue to do so. The parties agree that individuals with specific concerns about returning to the workplace should discuss their situation with their manager.</p>	
		Next Meeting Dates	
		<ul style="list-style-type: none"> • December 10, 2020 • February 25, 2021 	

For the Union

Original signed by

Union Co-Chair
Loretta Clark

For the Employer

Original signed by

Employer Co-Chair
Angela Oh