

## Action plan for 2008:

# Pushing ahead with key grievances

Your OPSEU leadership team at MPAC has one main goal for 2008, and that is to make progress on outstanding grievances, including the union policy grievance on the hiring process.

“We’ve been tied up for the last year dealing with termination grievances, but now the way is clear to move forward and take other very important issues to arbitration,” says Ivan Herrington, OPSEU Chair of the Union-Management Committee (UMC) at MPAC.

As reported in the Jan. 7 edition of *Impact*, we made some progress on some issues in 2007, but we still have a lot to do. This year we’ll be using our budget wisely to move forward on some longstanding grievances.

## Job competitions

Everybody knows that so-called “behavioural interviews” don’t tell the employer what job candidates can really do. PAR stories (Problem – Action – Result) tell a story about a candidate, but they don’t tell the whole story. PAR stories don’t reveal all of a candidate’s skills, ability, qualifications, or

### PROBLEM:

Job interviews that don’t make sense.

### ACTION:

Arbitration in 2008.

### RESULT:

A hiring process that takes into account a candidate’s skills, ability, qualifications, and experience.

experience with the day-to-day issues of property assessment. They cannot be used as the sole criterion for hiring, and we believe the OPSEU collective agreement with MPAC says so.

Settling the union **policy grievance** around the competition process is the union’s top priority for arbitration in 2008. OPSEU is working on scheduling arbitration dates right now.

“Your current leadership team filed this policy grievance immediately after we were elected in November 2005,” said Herrington. “The union has been arguing with the employer about this for years, but to no avail – management has just

ignored us and carried on with the same process.

“The employer’s process does not meet the requirements of the collective agreement, and we intend to prove that at arbitration.”

At one UMC meeting in 2007, the employer bragged that the hiring process was no longer an issue for OPSEU members, as the number of individual grievances about it had declined.

“Individual grievances are not down because people are content,” said Herrington. “Individual grievances are down because people have been beaten down and feel there’s no point in bothering.

“This is a culture that has been supported by the upper echelons of MPAC ever since property assessment was transferred out of the Ministry of Finance nine years ago.

“The exclusive use of PAR stories for job competitions makes it far too easy for MPAC managers to hire exactly whom they want to hire, regardless of the qualifications of other candidates. Many managers feel they can get away with anything.

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# Grievances

From page 1

“Too many managers determine the winning candidate first and then adjust the PAR story marks accordingly.”

Recently at MPAC, several hirings have called into question the integrity of the whole hiring process. Your OPSEU team and Grievance Officer Stephen Giles are preparing to schedule arbitration days for the resulting **individual** grievances.

“Over time, some managers have become a little bit lazy with the hiring process to the point where we now have blatant violations of the collective agreement – and, for that matter, the employer’s own code of conduct – that we feel we can prove at arbitration,” said Herrington.

“I’ve been on the bargaining team for almost six years and I’m tired of seeing people beaten down by the way this employer conducts job competitions,” he said. “This is the year we do something about it.”

## Classification

By far the biggest group of classification grievances at MPAC relates to the Property Assessor 3 classification. As part of the “Futures” restructuring of MPAC some years ago, the employer divided Property Assessors into Customer Service Representatives (now called Valuation Review Specialists)

and Valuation Analysts. The Valuation Analysts feel strongly that their job is comparable in every meaningful way to the VRS jobs.

This has been a long outstanding issue. Your OPSEU team feels this issue needs to be settled one way or the other. We are working to line up arbitration dates to explore all the facts and decide how to move forward.



their seniority recognized. The employer has used breaks in service between contracts to say that MPAC does not have to recognize some or all of their past service. We say that’s wrong. To take an

extreme example, a “break in service” from Friday afternoon to Monday morning is not a break in service – it’s a **weekend**.

An earlier mediation session with the employer showed that these grievances are definitely worth pursuing. We plan to schedule one or more arbitration dates this year. We hope to be in front of an arbitrator by the fall.

## Seniority

Some OPSEU members who worked at MPAC for a while on a temporary contract and then got a permanent job have had problems getting

# Back to bad habits on 18-month rollovers?

Under your OPSEU collective agreement, staff who do temporary contract jobs in the OPSEU bargaining unit for 18 months in a row are eligible to be converted to full-time permanent status. Lately, we have begun to hear of dirty tricks that are denying our members their rights. In a recent case in Ottawa, a member has numerous consecutive contracts totalling more than 18 months. He was then laid off. Management stated that his last contract was paid for under a different budget, and that therefore he

was not eligible for conversion to full-time status under the collective agreement. This is nonsense. We know for a fact that the office did not run out of work – contract property inspectors are still on the job in Ottawa.

The member’s grievance is active, and we intend to settle it in his favour.

If you feel you are the victim of management foul play on 18-month rollovers, call your nearest OPSEU Union-Management Committee member immediately.

# MPAC plays fast and loose with postings

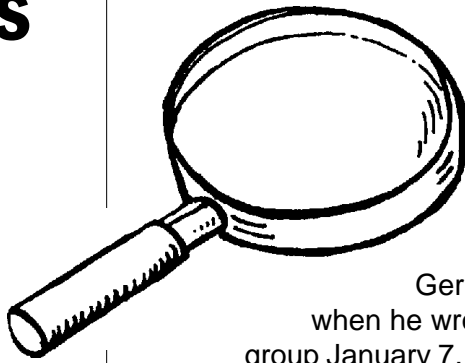
Have you ever thought your employer had decided on the winning candidate in a job competition **before** the job was posted? Ever had the feeling the hiring process isn't entirely above-board?

You are not alone. Under current posting rules, local managers can use their discretion to decide the posting area for each job posted. This can lead to abuse and, dare we say it, charges of favouritism. We have even heard stories of managers shaping the posting area in such a way as to guarantee that the person they want has little or no competition. This means people who would like a shot at the job in question are shut out entirely.

MPAC Human Resources says it is "loathe to interfere" in the decisions of regional managers. (What does HR do, then, exactly?). Meanwhile, this unfair practice continues.

Here are just two of many bad examples:

The same manager runs Property Inspection in MPAC's Peterborough and Durham offices. Recently, this manager posted three Property Inspector jobs – one in Peterborough and two in Durham. The Peterborough job



## Magnum, PI ...Episode 2

MPAC Human Resources VP Gerry Stuart could not have been happy when he wrote a memo to his top leadership group January 7. In it, he told managers that MPAC

had been accused of violating the Human Rights Code in its hiring practices and had hired an investigator to look into the matter.

"While I am pleased to advise that the investigator found no evidence of racism or violation of the Human Rights Code, he did identify irregularities in our hiring practices," Stuart wrote. "Specifically, the investigator confirmed a manager's hiring decisions were inappropriately biased, and nepotism was evident. This behavior violates our Corporate Code of Conduct."

Really?

MPAC is reviewing its Code of Conduct and its hiring practices, Stuart wrote. It will also be training managers on recent changes to the Human Rights Code.

### Magnum, PI Quiz Question:

What MPAC manager was recently suspended for engaging in inappropriate hiring practices? If you know, please contact a member of your OPSEU leadership team. We'll put you in the draw for some excellent OPSEU merchandise.

was open to applicants from Peterborough and Durham; the Durham jobs were open to Oshawa, Peterborough, Richmond Hill, Barrie and Owen Sound.

Huh? Why weren't **all** these jobs open to all areas?

Recently, MPAC managers in various offices – Thunder Bay, Richmond Hill, Durham, to name a few – posted a number of PIA jobs. How many of these higher-level jobs were open to the whole province? One. Exactly one. Why?

Your OPSEU team hears continually from members about these kinds of goings-on. We are telling MPAC continually that job postings should and must be done in a way that is fair to everyone.

"All we want is fairness," says OPSEU UMC member David Lynch. "If you see an example of blatant favouritism, or even nepotism, contact your nearest UMC member."

Any information you provide will remain strictly confidential.

# Employee survey results please MPAC

*But “statistically twisted” scoring system gives skewed impression of employee attitudes*

Well, the results from the 2007 MPAC employee survey are in, and MPAC president and CAO Carl Isenburg seems happy with the results.

“MPAC employees have increased their level of commitment to the organization,” he wrote last week, noting an “overall improvement” in survey results from 2005.”

Carl shouldn’t be too thrilled, says Gerald Devlin, an OPSEU representative on the MPAC Union-Management Committee (UMC).

“The scoring system used by the MPAC survey gives an erroneously positive impression of employee responses,” Devlin says. “Normally if you take a test and score three out of five, that means you got 60 per cent. With this survey, though, three out of five means you didn’t answer the question at all. Four out five, which sounds like a score of 80 per cent, only means you “somewhat agree” with the statement in a given question. It sounds very positive when in fact it is the lowest possible indication of a positive feeling you can give.

“It’s statistically twisted to give a skewed impression of employee attitudes,” said Devlin.

“In reality, no answer that is less than four out of five should be taken as a positive response in any way. I hope

OPSEU members at MPAC won’t be sucked into thinking that all their co-workers think everything at MPAC is hunky-dory when we know there are very serious problems in many workplaces.

“Who cares if your manager is ‘daring,’ ‘thrifty’ or ‘far-sighted?’” he said. “A better question would be, ‘Do you have confidence in the hiring process at MPAC?’”

About 30 per cent of MPAC

actions are completely consistent with their words” scored 2.7; and

- “Senior management decisions show understanding of my level” scored 2.6.

“MPAC doesn’t need to hire expensive consultants to tell them what frontline staff think,” said OPSEU UMC Chair Ivan Herrington. “We’re happy to tell them for free.”



*“Who cares if your manager is ‘daring,’ ‘thrifty’ or ‘far-sighted?’ A better question would be, ‘Do you have confidence in the hiring process at MPAC?’”*

employees did not get around to completing the survey at all – a silent protest.

Despite the positive skew of the survey format, four statements about MPAC received scores of less than 3:

- “MPAC genuinely listens to and care about its employees” scored 2.8;
- “At MPAC, it seems like we’re all on the same team, working for the same goals” scored 2.4;
- “Senior management’s

Mysteriously, one question from the 2005 survey was not repeated in the 2007 survey. In 2005, just four per cent of MPAC employees agreed strongly with the statement, “If I could, I would invest money in MPAC.”

“If MPAC were to improve on the four per cent score from 2005, it would be the statistical equivalent of making a two-foot high jump,” said OPSEU UMC rep Jamie Stata.

Apparently it’s a jump that’s just too high for MPAC to try.

## Keep in touch!

To ensure a speedy response to your questions, your leadership team has divided up all MPAC offices in the province. If you have a question or a comment, please contact the member responsible for your office. Contact us by e-mail at work or at home, as follows:

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