

**MEMORANDUM OF SETTLEMENT**

**B E T W E E N :**

**THE Ministry of the Attorney General (“MAG”)**

(“the Employer”)

- and -

**THE ONTARIO PUBLIC SERVICE EMPLOYEES UNION**

(“the Union”)

**WHEREAS**

The Ministry of the Attorney General has undergone a classification review for particular positions within the Ministry.

The Ministry of Attorney General has identified similar jobs within the Ministry that will be covered by one new job description for the position entitled “Client Services Representative” and classified at the OAG 8 compensation level, and one new job description for the position entitled “Judicial Secretary” and classified at the OAG 9 compensation level based on the existing OAG classification standards.

The Joint System Subcommittee (JSSC) has agreed to use available monies resulting from a Memorandum of Settlement dated September 21, 2001 to remedy OAG grievances with merit and related identical classification anomalies, jointly identified within the OPS, until the balance of the monies is depleted.

Therefore the parties agree to the following:

1. The Joint Systems Subcommittee (JSSC) has agreed to allocate one time funding to the Ministry of the Attorney General in the amount of \$500,000.00 to be applied to the implementation of classification adjustments for the new “Client Service Representative” (OAG 8) and “Judicial Secretary” (OAG 9) positions effective April 1, 2002
  2. The Ministry of the Attorney General agrees that the employees identified in Appendix B shall be considered within scope of their review and covered by the new job “Judicial Secretary” description attached as Appendix Y classified at an OAG 9 level, based on the existing OAG class standards.
- a) The Ministry of the Attorney General shall retroactively reclassify those OAG 8 grievors identified in Appendix B (i) effective 30 days prior to the grievance date.

- b) The OAG 8 non-grievors identified in Appendix B (ii) will be reclassified and the effective date will be April 1, 2002.
  - c) The parties agree 2(a) and 2(b) above will be implemented in accordance with Article 7, Pay Administration of the Collective Agreement.
- 3. The JSSC agrees that the OAG 9 grievors and non-grievors identified in Appendix A (iii) are properly classified at the OAG 9 level based on the existing OAG class standards.
  - 4. The Union and Ministry of Attorney General agrees effective April 1, 2002, that the OAG 10 employees, both non-grievors and grievors, identified in Appendix B (iv) shall be covered under the new job description titled "Judicial Secretary" attached as Appendix Y and for all purposes except for pay shall be considered to be properly classified at the OAG 9 level based on the existing OAG class standards.

For clarity:

- a) The Union agrees that any collective agreement obligations or entitlements, including redeployment entitlements based on classification level shall be determined in reference to the OAG 9 classification level and new "Judicial Secretary" job description as the current job description and classification.
  - b) The JSSC agrees not to table any grievances from those employees identified in Appendix B (iv) filed after the date of this settlement in respect to classification where their duties are covered under the new "Judicial Secretary" job description attached as the current job description.
  - c) The Union agrees that these employee in Appendix B (iv) will not be red-circled and will be left at their current rate of pay and allowed to progress through the pay range for their current level and receive future wage increases of that level.
  - d) Any vacancies under the new job description of "Judicial Secretary" arising as a result of attrition or expansion shall be filled and compensated at the OAG 9 level.
- 5. The JSSC agrees that all grievances identified in Paragraphs 2 and 3 will be considered properly classified at the OAG 9 level and resolved by the JSSC effective April 1, 2002.
  - 6. The JSSC agrees that no retroactive compensation shall be paid for any grievances of an employee identified in Appendix B filed after the date of this settlement.

7. This Memorandum is without prejudice or precedent to the Unions future position regarding the classification of these employees should there be any change to the existing Classification System in the OPS or relevant changes/ additions to the Collective Agreement.
8. The Ministry of Attorney General agrees to provide a preliminary list of employees identified in this agreement Appendix B(i), B(ii), B(iii), B(iv). The Ministry agrees to identify to the JSSC any adjustments to Appendices B(i), B(ii), B(iii), B(iv) within 90 days of the signing of this Memorandum of Settlement.
9. The Ministry of Attorney General undertakes to provide the necessary information to and request Shared Services Bureau to provide any retroactive payments and other amounts owing to the identified employees within 30 days of the implementation of the new OPSEU Collective Agreement adjustments for 2002.
10. The parties will jointly communicate the provisions of this settlement to the affected employees.

Dated this      Day of    June    2002 at Toronto

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The Employer ( MBS)

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The Union ( OPSEU)

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The Ministry of the Attorney General ( MAG)  
Human Resources Branch

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The Ministry of the Attorney General (MAG)  
Court Services Division