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## Mass 'sick-out' by jail guards

Complaints about number of days taken off as contract talks continue

Lee Greenberg, Canwest News Service

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The minister in charge of Ontario's frequently sick jail guards won't condemn reports of a mass sick-out last week at one of the province's largest jails.

Correctional Services Minister Rick Bartolucci said Wednesday he doesn't want to anger the guards, who are in the midst of negotiating a new contract, by commenting on their sick days.

One lawyer told a Toronto newspaper she heard 63 guards called in sick at the superjail in Penetanguishene last weekend. The issue was raised in a Barrie courtroom, where a justice of the peace called delays in proceedings caused by a rash of absent guards "an abomination."

When asked about the event, Bartolucci didn't dispute the numbers, nor did he condemn the possibly illegitimate use of sick days. "I don't want to inflame one side or the other," he said.

Jail guards have been without a contract since December.

"I want to ensure both sides remain at the table," Bartolucci added. "I'm hoping it will resolve itself with a settlement and we can move on."

In a December report, Ontario's auditor general noted a high absentee rate among employees at provincial jails. On average, guards phoned in sick for 32.5 eight-hour days, or 6 1/2 weeks of work, in 2007.

The union representing guards was angered recently when, during negotiations, the government sought penalties for guards who claimed more than five sick days per year.

Dave Kerr, head of the corrections bargaining committee for the Ontario Public Service Employees Union, said that "punitive" measure wasn't necessary. He said managers already had the authority to demand medical certificates from suspected abusers, and they also have the right to punish abusers, even fire them.

"My job isn't to cause the employer to do their job," Kerr said.

According to the auditor's report, sick days result in harm to prisoners because inadequately staffed jails are locked down, causing classes to be cancelled.

For guards, however, absenteeism is a boon. Many get paid for shifts missed due to illness and then are called in to work overtime, allowing them to collect extra cash.

The government paid roughly \$20 million for overtime and replacement workers in 2007, the report said.

About 150 corrections officers, who earn an average of \$60,000 per year, took home more than \$100,000 in 2007.

Auditor general Jim McCarter asked corrections officials if the guards were "gaming the system."

However, Kerr said guards were subjected to extremely harsh and stressful conditions.

"We have a lot of people off work because they're sick, not just because of viruses or disease or visible illness, but there's also a lot of stress related things: whether there's a major violent attack on somebody, you're involved in separating people, dragging them out and taking them to hospitals, or cutting them down if they try to commit suicide. All those things."

Kerr said he was unaware of an unusually high number of absentee guards last weekend at the Penetanguishene jail.

A spokeswoman for the ministry wouldn't confirm the absences last weekend.

"For security reasons we can't discuss how many staff are in our institutions and how many are off sick at any given time," Laura Blondeau said in an e-mail.

"Obviously we have some concerns, the provincial auditor has some concerns, with respect to sick days," said Bartolucci, who indicated his ministry had control of the situation. "Listen, we always have contingency plans," he told reporters.