

Superintendent to face contempt charge

The Ontario Public Service Employees Union has filed a motion with the Superior Court of Justice in Hamilton requesting that the superintendent at the Hamilton-Wentworth Detention Centre be found in contempt of the court. This follows an incident on Mar. 15 where employees at Hamilton were cited for contempt when inmates failed to appear for court.

The judge presiding in court that day contacted Hamilton superintendent Robert Thomas. OPSEU claims Thomas stated that OPSEU was responsible for the inmates not getting to court, and that Thomas failed to tell the

judge that the Ministry of Correctional Services had issued a province-wide instruction that no inmates were to be let out for court appearances that day.

OPSEU is seeking an order finding Thomas in contempt of the court for misrepresenting a fact to, or withholding relevant information from, the presiding judge.

Charges against individual managers for violating Essential Service Agreements have also been filed. OPSEU has asked the Ontario Labour Relations Board to find the following managers in breach of the ESA:

- ▶ Mary Capobianco, Ontario Correctional Institute
- ▶ Dwight Carroll, Superintendent, Ontario Correctional Institute
- ▶ Rhonda Cameron-Perrier, Manager, Thunder Bay Jail
- ▶ John Sang, Manager, Riverdale Probation and Parole
- ▶ Tracey Jones, Manager, Mimico C.C.
- ▶ Tony Valaitis, Manager, Mimico C.C.
- ▶ June Gilbertson, Manager, Windsor and Leamington Probation and Parole.

Suspensions without pay reversed at Toronto West

Despite numerous public statements by Corrections Minister Rob Sampson of wrongdoing by staff at Toronto West, an OLRB vice-chair has ruled that the mass suspension of correctional employees was inappropriate.

Vice-Chair Brian McLean has struck down the employer's decision to suspend employees

without pay at Toronto West. McLean stated that the discipline was not directed at any individuals, but rather the entire group. McLean has directed that Corrections Essential Service officers scheduled to March 31, 2002 be paid.

In the decision, the Board has ordered officers, by name, to report for the 10:45 p.m. shift on

Sunday, Mar. 31 and complete a search of the institution. The Board also ordered, by name, the officers who are to report for either essential service or search duties on subsequent shifts. The Board also ordered, by name, the correctional managers who are to report for duty and remain on

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Suspensions reversed (cont'd)

duty for their entire shift.

At the same time, the ministry had applied for a variance to the Essential Service Agreement at Toronto West, which would have deleted Correctional Officers as an essential position. Vice-Chair McLean ruled this as “premature”, stating that the parties “ought to be given one full chance to demonstrate that

they can abide by the Crown Employees Collective Bargaining Act.” The hearing on the employer’s motion to remove correctional officers from Toronto West will proceed at a later date.

Barry Scanlon, chair of the OPSEU Corrections Bargaining Team, is pleased with the decision.

“I am very happy that the Board vice-chair saw through the absurdity of the employer’s allegations,” Scanlon said. “We appreciate the Board’s efforts in assisting us in getting our members back to work.”

A Labour Relations Officer has been assigned to Toronto West as of Mon., April 1 to deal with ongoing disputes.

Allegations in Hamilton “ridiculous”

A Canadian Press story in yesterday’s Toronto Star reports that two correctional officers at the Hamilton-Wentworth Detention Centre have been suspended pending investigation following a riot at that facility on Mar. 26. A Ministry official, who refused to be named, stated that the officers were charged with inciting the inmates to riot or “act up”.

Barry Scanlon, chair of the OPSEU Corrections Bargaining Team, says that these allegations are completely and utterly ridiculous.

“Our members don’t incite riots,” Scanlon said. “They are the ones who go in and bring them under control.

Scanlon points out that the jails were ready to explode long before the OPSEU strike.

“Last summer, we had two riots and a hostage-taking within a four week period,” he said. “The inmates are jammed into brutally overcrowded facilities, and getting little or no programming. Inmates certainly don’t need much to push them

over the edge.”

Reports have also been coming in since the strike began that managers have been giving inmates additional food, visiting privileges, pop and candy bars in order to keep them “happy”. It’s funny how we’re not hearing Corrections Minister Rob Sampson saying a whole lot these days about “no-frills jails”. According to sources, inmates are practically running the institutions.

This would lead one to believe that the real reason for the riot in Hamilton was not members inciting the inmates, but rather members finally getting into the institutions and trying to enforce rules and security. Sampson should turn his focus away from members who are trying to do their jobs, and instead have a look at the managers who have been treating the inmates like spoiled children since Mar. 13. At the rate things are going, it will take a some time to re-establish who is really in charge in the jails.

Canadian Press has it wrong

A statement in the Canadian Press story on the Hamilton riot contained a glaring error, probably based on information given to them by the employer.

CP stated, “...the government has gone to the Ontario Labour Relations Board on some three dozen occasions and to the courts another two dozen times trying to get workers to perform essential services. In almost all cases, the board and the courts have sided with the government.”

WRONG!

In fact, the government has LOST nearly every application it has filed. In most cases, the board and the courts have either dismissed government claims, or ordered BOTH sides to comply with previous orders.

We add the Canadian Press to our list of victims of government deception.

IMPORTANT!

Send us the information!

Please send all pertinent information regarding significant local incidents, reprisal complaints, work refusals, illegal lockouts, and health and safety appeals, as well as discipline and/or suspensions, to both:

Sue Philpott

Koskie/Minsky – Barristers & Solicitors

Phone: (416) 977-8353 ext. 2104

Fax: (416) 204-2882

and:

The Corrections Bargaining Team

Fax: (416) 815-1412

ESA Questions & Answers

Attention members:

Please call the OPSEU Central Mob Room at 1-877-561-8692 with your questions around Essential Services Agreements and arbitrated awards. Your bargaining team is very busy strategizing and mobilizing the locals and are not always available at the bargaining centre.

Inquiries may be referred to other areas that can deal with specific issues around your questions.

Your corrections team

Region 1:

Jack Hopkins, L. 122

Region 2:

Barry Scanlon, L. 230 (chair)

Region 3:

Larry Cripps, L. 309

Region 4:

Jim Bothwell, L. 467

Region 5:

Dave Graves, L. 521

(vice-chair)

Region 6:

Rick Dagenais, L. 642

Region 7:

Len Mason, L. 737

You can reach the bargaining team at (416) 815-0284, by fax at (416) 815-1412 and by e-mail at

correctionsteam@opseu.org.

The Burn Barrel is your only accurate source of Corrections information during the strike. If you don't read it here, you can't be sure it's true. Don't rely on gossip and rumours. We will provide the facts.

The Burn Barrel will be available by fax, by e-mail, and on the OPSEU web site at www.opseu.org. To receive it directly, send your secure fax number to Lesley Williams at (416) 443-1762 or send your e-mail address to lwilliams@opseu.org.

The Burn Barrel is authorized for distribution by Barry Scanlon, chair, Corrections team, and Leah Casselman, president.