

## MEMORANDUM

**OPSEU**



**SEFPO**

Syndicat des Employé-e-s  
de la Fonction Publique  
de l'Ontario

**TO:** Executive Board Members, CERC Team  
MERC Teams

**FROM:** Terry Baxter  
OPS Supervisor/Negotiator

**DATE:** October 13, 2005

**SUBJECT: JOINT EMPLOYMENT STABILITY SUB-COMMITTEE (JESS)  
MINUTES – DECEMBER 2, 2004**

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Attached for your information, please find the minutes of the above captioned meeting.

**PLEASE NOTE: THESE MINUTES WERE PREPARED BY THE EMPLOYER.**

AUTHORIZED FOR DISTRIBUTION:

IN SOLIDARITY,

100 Lesmill Road,  
Toronto, Ontario  
M3B 3P8

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Leah Casselman  
President



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Terry Baxter  
OPS Supervisor/Negotiator

e-mail: [opseu@opseu.org](mailto:opseu@opseu.org)  
[www.opseu.org](http://www.opseu.org)

100 chemin Lesmill,  
Toronto, Ontario  
M3B 3P8

courrier électronique  
[opseu@opseu.org](mailto:opseu@opseu.org)  
[www.opseu.org](http://www.opseu.org)

Tel: (416) 443-8888  
Fax: (416) 443-9670

Ontario:

Toll free: 1-800-268-7376

TDD:

(416) 443-9898

or

1-800-663-1070

LC/ms

att.

c. Senior Staff  
Job Security

**JOINT EMPLOYMENT STABILITY SUB-COMMITTEE (JESS) MEETING**

**ABBREVIATED MINUTES**

**December 2<sup>nd</sup>, 2004**

**9:30 a.m. – 12:30 p.m.**

**77 Wellesley St. W., Ferguson Block.**

**For OPSEU:** Sandra Harper, Marilyn Miller, Cameron Walker  
**For the Employer:** Tom Sharp, Ann MacDonald, Tristan Fehrenbach  
**Regrets:** Kim Bellissimo, Sandra Noad

<b>ITEM</b>	<b>ISSUE</b>	<b>EMPLOYER'S POSITION</b>	<b>UNION'S POSITION</b>	<b>AC</b>
Standing	September & October minutes reviewed.			Employer minutes t
	New Meeting Dates for 2005			Parties ag dates for Jan 12 Feb 9 Mar 9 April 13
Standing	Interpretive Bulletins	The Employer advised that due to the commencement of bargaining between the parties, the Union's request for electronic copies of all interpretive bulletins should be made through the bargaining teams. Alternatively, the Union may provide a written request to the JESS Co-Chair (cc. Union lead negotiator), who will take the request to the Employer's bargaining team.	Union asked for confirmation that the Employer's practice of providing the JESS team with copies of any new interpretive bulletins has not changed as a result of bargaining.	Employer Employer same for bulletins.

**JOINT EMPLOYMENT STABILITY SUB-COMMITTEE (JESS) MEETING**

<b>ITEM</b>	<b>ISSUE</b>	<b>EMPLOYER'S POSITION</b>	<b>UNION'S POSITION</b>	<b>ACTION REQUIRED</b>
Standing	Corporate Transition Reports	The Employer provided the latest transition reports to OPSEU.  The Employer clarified the periods covered in the reports. And how the data is reported.	The Union received the latest transition report.  The Union posed several follow-up questions. One requires further follow-up from the Employer: If an employee is laid-off in December, does that individual appear on the list at the end of the report for December, given that report was run on December 1 <sup>st</sup> ?	Employer to investigate and respond to the unanswered question.
Standing	I & IT			Deferred
02 10 02	Conversion of Part-Time Unclassified Employees to Regular Part-Time Status	Given that the parties have entered bargaining, and that the MAG pilot has not concluded with the benefit of review, the employer's position is that the non MAG working group be stood down.	Union agreed to defer the working group until after bargaining.	Removed from the Agenda until after bargaining.
03 04 02	Security Checks	The Employer committed to addressing the Union's questions at the December 15 <sup>th</sup> JESS meeting, as Kim Bellissimo (EDU) would be in attendance at that meeting.		Employer to provide a response to questions from the October minutes.

**JOINT EMPLOYMENT STABILITY SUB-COMMITTEE (JESS) MEETING**

ITEM	ISSUE	EMPLOYER'S POSITION	UNION'S POSITION	ACTION REQUIRED
03 05 01	Transition Reports	<p>The Employer's intention is still to provide this report electronically. Due to resource issues, this has not yet happened. Two proposals are being considered:</p> <ol style="list-style-type: none"> <li>1) Provide Union with an Excel Spreadsheet Report.</li> <li>2) Provide Paper Reports separated by Ministry.</li> </ol>	<p>The Union expressed their desire to discuss the protocol for how these reports are shared.</p>	<p>The Employer will report at the December 15<sup>th</sup> meeting as to which proposed reports is more feasible and provide a target date for the availability of that report.</p>
03 10 01	<p>Surplus &amp; Pre-Surplus Letters</p> <p>GSB # 409/00 (Dupuis)</p>	<p>The Employer confirmed that Tom Sharp will take over the Dupuis file for Employee Relations Division. The Employer anticipates being prepared to engage in discussion by January.</p>	<p>The Union confirmed that Job Security Officers do appear to be copied on these letters by all ministries. There remains some concern that copies are going out too slowly in some cases.</p> <p>In some ministries, The Union is seeking a spreadsheet with summary data on who elected what option. If not resolved at the ministry level, the Union may approach JESS on this matter.</p>	<p>The Union proposed that:</p> <p>The JESS co-chairs will discuss the 2 cases that have arisen. Discussions regarding a general protocol will be deferred until after bargaining.</p> <p>Item removed until after bargaining.</p>

**JOINT EMPLOYMENT STABILITY SUB-COMMITTEE (JESS) MEETING**

<b>ITEM</b>	<b>ISSUE</b>	<b>EMPLOYER'S POSITION</b>	<b>UNION'S POSITION</b>	<b>ACTION REQUIRED</b>
04 02 05	Service Ontario (Common Counters)	Based on the November 4 <sup>th</sup> MCBS MERC teleconference, a number of details remain to be finalized in the Service Ontario Common Counters initiative. While business models have yet to be finalized, the Employer does not anticipate layoffs or significant relocations at this time.		Removed from Agenda  If the parties become aware of further issues surrounding this initiative that should be addressed at JESS, the item will be returned to the agenda.
04 02 04	Job Mart/Topical	The hiring freeze continues with a maximum of 35 ads in job mart.		Remains on agenda.
04 09 01	Shared Service Bureau Reorganization	The Employer responded to the Unions proposal to use the JESS as a dispute resolution forum for disputes arising out of the SSB relocation.  The Employer expressed willingness to do this where: 1) The MBS MERC has had an opportunity to attempt a resolution first. 2) No grievance has been filed. 3) Where there is no sign-off from the employee on a proposed resolution there is no agreement at JESS	The Union believes there is benefit to allowing the JESS to hear disputes via its dispute resolution mechanism after a grievance has been filed. The Union requests that the Employer consider hearing disputes where this is the case.	The Employer will consider the possibility of hearing disputes at JESS where a grievance has already been filed.
NEW ITEMS				

**JOINT EMPLOYMENT STABILITY SUB-COMMITTEE (JESS) MEETING**

<b>ITEM</b>	<b>ISSUE</b>	<b>EMPLOYER'S POSITION</b>	<b>UNION'S POSITION</b>	<b>ACTION REQUIRED</b>
04 10 01	Article 20.17.3	<p>The Employer responded to the key questions raised by the Union.</p> <p>The Employer stated that ultimate authority to approve or deny redeployment into a vacancy lies with the Corporate Employer (Human Resources Service Delivery Branch, Employment Programs &amp; Services Unit).</p>	<p>The Union is concerned that this is not consistently applied in practice.</p> <p>NOTE: The Parties began discussion of this item but ran out of time.</p>	<p>The parties agree to continue the discussion at the subsequent JESS meeting.</p>

Prepared by: Tom Sharp (416-325-6413)