

MEMORANDUM

TO: All Presidents and members in Ministry of Labour
All Stewards in Ministry of Labour

FROM: Ruth Hamilton, A/OPS Supervisor

DATE: December 17, 2010

SUBJECT: **Joint Employment Stability Sub-Committee (Jess)
Minutes – December 16, 2010**

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

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

AUTHORIZED FOR DISTRIBUTION:

IN SOLIDARITY,



Warren (Smokey) Thomas
President



Ruth Hamilton
A/OPS Supervisor

/pb

att.

cc: Senior Staff
Job Security

JOINT EMPLOYMENT STABILITY SUB-COMMITTEE (JESS) MEETING

ABBREVIATED MINUTES

December 16, 2010
 1:00 p.m. – 4:00 p.m.
 Queen's Park – Bargaining Centre
 77 Wellesley Street West, 7th Floor
 Toronto, Ontario

OPSEU: Cameron Walker, Sandra Harper, Chris Cormier, Elaine Bagnall, Cindy Forsyth
 Employer: Shirley Shamash, Kate Allingham, Robert Gordica, Chris Wright, Mike Bailey, Deborah-Anne Long
 Minutes: Ruben Trancoso

Regrets: Peter Wall

ITEM	ISSUE	EMPLOYER'S POSITION	UNION'S POSITION	ACTION REQUIRED
HOUSEKEEPING				
Minutes	October 20, 2010 November 17, 2010	Revisions were agreed to. Cancellation template received.		Employer to revise October 20, 2010 Minutes and to prepare Minutes for December 16, 2010 Minutes.
BUSINESS ARISING				
09 02 20 a)	Explanatory Notes – Revision Per New Collective Agreement	The parties continued to discuss issues with respect to the interpretation and application of Appendix 40.		Employer to consider issues raised and to update draft explanatory note as necessary.
09 06 17 a)	Dispute Resolution Guidelines	Discussion of item deferred to February 2011.		Union to provide draft for discussion.
09 06 17 b)	Assignment Letters	The parties reviewed the template assignment letters 1-8. The parties discussed processes related to template assignment letter 15		Employer to revise letters 1-8 based on comments received. Union to provide comment on letters 9-14 and the parties to continue to discuss letter 15.
09 06 17 c)	Appendix 40 Template Letters	Discussion of item deferred until the parties finalize the draft explanatory note on Appendix 40.		The parties will continue to address concerns relating to template letters for pending transformations that fall within the scope of Appendix 40.

CONFIDENTIAL

JOINT EMPLOYMENT STABILITY SUB-COMMITTEE (JESS) MEETING

ITEM	ISSUE	EMPLOYER'S POSITION	UNION'S POSITION	ACTION REQUIRED
09 08 19	Security Screening if Refuse or Fail	Discussion of item deferred.		The employer to contact Union as soon as practical.
10 01 20	CERC Referral: Temporary Assignments	The employer provided a draft MOA.		Union to review and respond. Employer to provide position on health re-assignment prior to next CERC meeting.
10 07 21 a)	Clarification on Displacement Between Agency and Ministry Employees	Discussion of item deferred.		Parties to continue to address concerns identified in corporate policy grievance. In the interim, issues will be addressed on a case by case basis.
10 10 20 a)	Confirmation of Refusal of Conditional Assignment	The employer confirmed that an employee who turns down a conditional assignment opportunity is eligible to access Surplus Factor 80 if no permanent position is found for them by the end of their notice period and they are laid off.		Item resolved. Remove from agenda.
10 10 20 b)	GSB Award	The parties to continue discussions to implement the GSB decision.		Parties will discuss decision and will explore a joint recommendation for the CERC.
10 10 20 c)	VEO	The employer has confirmed that the "v" in the weekly reports refers to the VEO vacancies.		Item resolved. Remove from agenda.
10 10 20 d)	MFRC – Appendix 40	Grievance proceeding through regular process.		Item resolved. Remove from agenda.
DEFERRED: PENDING GRIEVANCE OUTCOME				
06 06 21	Article 22.7	Discussion of item deferred.		Union to respond to Employer proposal. Employer to respond to questions regarding open targeted posting process.
STANDING ITEMS				
	Interpretive Bulletins	No new interpretive bulletins relating to employment stability.		No further action required at this time.
	Corporate Transition Reports	Employer provided report for period as of December 1, 2010.		No further action required at this time.

JOINT EMPLOYMENT STABILITY SUB-COMMITTEE (JESS) MEETING

ITEM	ISSUE	EMPLOYER'S POSITION	UNION'S POSITION	ACTION REQUIRED
	Conditional Assignment Stats	Employer provided report for month of November 1, 2010.		No further action required at this time.
	Advanced Direct Assignment Stats	Employer provided report on Advanced Direct Assignment Search (50 or more) year to date December 1, 2010. Employer provided report on Advanced Direct Assignment Search (Appendix 40) year to date December 1, 2010.		No further action required at this time.
	MERC Reports	Employer provided listing of employees by ministry.		No further action required at this time.
	Regional Recruitment Centres	No updates.		No further action required at this time.
NEW BUSINESS				
	Conditional assignments of RST transferring employees	The parties discussed concerns regarding pending ADA opportunities for RST transferring employees.		Employer to respond to Union as soon as practical.

Prepared by: Ruben Trancoso
(416) 325-6410

Shirley Shamash
(416) 325-7094