

MEMORANDUM

OPSEU



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

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

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

DATE: July 14, 2004

**RE: JOINT EMPLOYMENT STABILITY SUB-COMMITTEE
MINUTES – February 19, 2004**

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,

Leah Casselman
President

Terry Baxter
OPS Supervisor/Negotiator

100 Lesmill Road,
Toronto, Ontario
M3B 3P8
e-mail: opseu@opseu.org
www.opseu.org

100 chemin Lesmill,
Toronto, Ontario
M3B 3P8
courrier électronique
opseu@opseu.org
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

Thursday, February 19, 2004

1:00 p.m. – 3:00 p.m.

Queen's Park

For OPSEU: Laurie Chapman, Sandra Harper, Cameron Walker
For the Employer: Ade Adekeye, Kim Bellissimo, David Callum, Ann MacDonald, Carol Pauker
Regrets: Marilyn Miller

ITEM	ISSUE	EMPLOYER'S POSITION	UNION'S POSITION	ACT
Standing	December 2, 2003 minutes approved.			
Standing	Interpretive Bulletins	The Employer provided interpretive bulletins on the following provisions: Articles 6, 8, & 56 Article 31A.7.1 Article 31A.15 Articles 50, 51, 76, & 77 Appendix 24		Union to provide r
Standing	Corporate Transition Reports	The Employer provided the Union with copies of the monthly transition reports for November 2003, January 2004, and February 2004.		
Standing	I & IT	The Employer advised that there are no new updates on this item.		

JOINT EMPLOYMENT STABILITY SUB-COMMITTEE (JESS) MEETING

ITEM	ISSUE	EMPLOYER'S POSITION	UNION'S POSITION	ACTION REQUIRED
Standing	Job Threatened Positions	<p>The Employer provided a letter dated December 11, 2003, that was sent to HR Directors. The letter confirmed that all positions are potential redeployment/displacement opportunities regardless of whether or not they may be subject to change or "job threatened". Employees are to be offered the opportunity to displace or redeploy into these types of positions, while being advised of the impending action that may cause them to be declared surplus subsequently.</p>		Remove from agenda.
Standing	Bargaining Unit Integrity		<p>The Union asked whether the Employer still wants to set up a process to deal with BUI issues as they relate to IT.</p>	Employer to respond

JOINT EMPLOYMENT STABILITY SUB-COMMITTEE (JESS) MEETING

ITEM	ISSUE	EMPLOYER'S POSITION	UNION'S POSITION	ACTION REQUIRED
02 10 02	Conversion of Part-Time Unclassified Employees to Regular Part-Time Status	The Employer indicated that it was prepared to have a without prejudice discussion to reach a consensus or an understanding about what would work for the parties in ministries, other than the Attorney General, where the use of unclassified employees is standard. The Employer will not be in a position to make an agreement on this issue prior to collective bargaining and any consensus reached would have to be tabled and agreed to during bargaining.	The Union confirmed its willingness to participate in such a discussion, but that the discussion should be with the objective that the parties will jointly recommend to their bargaining teams the acceptance of any consensus that is reached.	Employer to provide the Union with its interests as they pertain to the Union's earlier proposal to facilitate discussion at the next meeting. The Employer also suggested that it compose a summary about feedback received from other ministries.
03 04 02	Security Checks	The Employer advised that there is no form that the Provincial Schools Authority (PSA) uses for employee security checks. The PSA asks employees to obtain a CPIC check from the police.	Which of the three CPIC levels that employees are being asked to obtain is unclear. The Union has been told that the process involves a credit check.	Employer to provide a copy of a letter to employees regarding the CPIC check request. Employer to verify whether the security clearance involves a credit check.
03 05 01	Transition Reports	The Employer would like to try sharing transition report information electronically in May 2004. When the information is shared electronically, the Employer will also be distributing the reports to the employer representatives of individual MERCs.	The Union suggested that the parties draft correspondence to MERCs describing the purpose of these reports and restrictions on their use.	Employer to prepare an initial draft.

JOINT EMPLOYMENT STABILITY SUB-COMMITTEE (JESS) MEETING

ITEM	ISSUE	EMPLOYER'S POSITION	UNION'S POSITION	ACTION REQUIRED
03 07 01	Taxable Benefits	The Employer advised that it will send instructions to HR Directors to advise employees that tuition benefits are taxed at source.		Remove from agenda.
03 10 01	GSB # 409/00 (Dupuis)			Parties to set additional date to discuss Dupuis compliance.
03 12 01	Article 8.6.3	The Employer advised that its interpretation of Article 8.6.3 is described in the Interpretive Bulletin regarding posting and filling of vacancies.	The Union advised that disputes over Article 8.6.3 have been filed for mediation/arbitration.	Parties to alert one another about when the mediation/arbitration is to take place.
04 02 01	Transformation Agenda	The Employer's understanding is that the February 20, 2004, multi-bargaining agent meeting will be used to open discussions on possible labour adjustment issues. After that meeting the Employer will be in a better position to discuss whether the JESS is the appropriate forum for these discussions.	The Union acknowledged the disclosure of the Transformation Agenda at the multi-bargaining agent meeting on February 13. The Union further advised that MERCs will be asking what programs will be reviewed. The Union asked whether JESS would be the forum in which discussions about the employment stability framework would take place.	The Employer will determine whether it agrees that these discussions should take place at JESS.
04 02 02	Max + Merit and Notice Period		The Union asked whether an employee who is bridging to pension will receive the Article UN 16.1 adjustment for the period in which she is returned to payroll at the conclusion of the notice period.	Employer to determine and respond.

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04 02 04	Job Mart/Topical		The Union advised that the limit on the number of position advertisements that appear in Topical poses a problem for Article 6. The limit will increase the number of jobs that are posted only on bulletin boards, but the Union wants the jobs to be available to as many bargaining unit members as possible. This practice should be reconsidered.	Employer to respond.
04 02 05	Common Counters		The Union asked whether the plan to move public counters away from Queen's Park is actively being pursued and, if so, whether there will be employment stability implications.	Employer to inform the Union about the contact for this initiative.
04 02 06	Vacancy Reports	The Employer is concerned that WIN reports may overstate the number of vacancies and that disputes will arise at MERCs about the existence of vacancies for the purposes of Article 6. The Employer advised that if this becomes the case and ministries find the requests burdensome, the issue would have to be revisited.	The Union advised that several ministries are presently producing some form of vacancy management reports and that these reports aid the MERCs to make the employment stability system work better.	Remove from agenda.

JOINT EMPLOYMENT STABILITY SUB-COMMITTEE (JESS) MEETING

ITEM	ISSUE	EMPLOYER'S POSITION	UNION'S POSITION	ACTION REQUIRED
04 02 07	Joint Training		Joint CERC training is scheduled for March 31 and April 1. The Union suggested that the JESS participate in this training by choosing a JESS agenda item for the training portion and by sitting in on the CERC meeting on April 1.	Parties to discuss possible agenda items to be used in training. Remove from agenda.
Standing	Next Meeting			March 17, 2004 1:00pm OPSEU, 100 Lesmill Rd.

Prepared by: David Callum (416-325-2073)