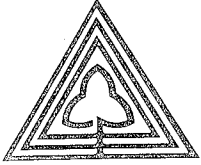


**MEMORANDUM**

**OPSEU**



**SEFPO**

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

**TO:** All Presidents and Stewards with members in the Ministry of  
Community Safety & Correctional Services

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

**DATE:** June 9, 2006

**SUBJECT:** **Ministry of Community Safety & Correctional Services  
Divisional Minutes – January 22-23, 2005**

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

Your making these available to your delegates and members would be appreciated.

AUTHORIZED FOR DISTRIBUTION:

IN SOLIDARITY,

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Leah Casselman  
President

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Terry Baxter  
OPS Supervisor/Negotiator

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/jm

cc: Executive Board Members  
Senior Staff  
Ministry ERC  
MERC Chairs  
Regional Offices

**MINISTRY OF COMMUNITY SAFETY  
AND CORRECTIONAL SERVICES**

**2005 CORRECTIONS DIVISIONAL MEETING  
JANUARY 22 AND 23, 2005  
SHERATON CENTRE**

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**SATURDAY, JANUARY 22, 2005**

**CALL TO ORDER**

Barry Scanlon, MERC Chair, called the meeting to order at 6:50 p.m.

**INTRODUCTIONS.**

Barry Scanlon	-	Chair, MERC Team
Dave Graves	-	Vice-Chair, MERC Team
Len Mason	-	Member, MERC Team
Gord Longhi	-	Probation & Parole Rep - MERC
Daryl Pitfield	-	Chair, Health & Safety Team
Edward Almeida	-	Vice-Chair, Health & Safety Team
Brian Wilson	-	Probation & Parole Rep, Health & Safety Team
Sandra Harper	-	Job Security Officer, OPSEU
Agnela Pereira	-	Recording Secretary, OPSEU

**ADOPTION OF THE AGENDA**

Moved: D. Bragaglia (L.135)

Seconded: D. Smythe (L.108)

To adopt the Agenda.

**CARRIED**

**ADOPTION OF THE PREVIOUS MINUTES**

Moved: N. Fraser (L.248)

Seconded: T. O'Neil (L.467)

To adopt the minutes of the previous Divisional Meeting.

**CARRIED**

## **BUSINESS ARISING FROM THE MINUTES**

Health & Safety – legal proceedings re: unqualified labour inspectors.

### **BY-LAW AMENDMENTS**

Proposed language.

Moved: D. Kerr (L.115)

Seconded: B. Wilson (L.317)

Proposal #1: Article 6.1 – add: Notwithstanding the above, the intent and scope of the Minister of Labour’s order with respect to the Corrections Provincial Occupational Health and Safety Committee shall continue to be adhered to.

**CARRIED**

Moved: D. Kerr (L.115)

Seconded: E. Portolese (L.424)

Proposal #2: Article 7.3 – delete all and replace with: Delegate entitlement shall be in accordance with policy.

#### **Amendment**

Moved: D. Murphy (L.368)

Seconded: M. Culkeen (L.368)

Replace the word “policy” with the words “the Constitution”.

Motion as amended.

**CARRIED**

Moved: D. Kerr (L.115)

Seconded: W. Young (L.221)

Proposal #3: Article 10.1 – add: this article shall be amended accordingly should changes to Appendix COR4 of the Correctional Bargaining Unit Collective Agreement be negotiated.

**CARRIED**

Moved: D. Kerr (L.115)

Seconded: E. Portolese (L.424)

Proposal #4: Article 10.4 – delete all and replace with:

A Health and Safety Subcommittee consisting of the Ministry ERC Chair, three (3) members to be elected by those delegates representing institutions, one (1) member to be elected by those delegates representing Probation and Parole, and one (1) member representing those members who were formerly Ministry of Community Safety and Correctional Services employees and who were transferred to the Ministry of Children and Youth services on April 1, 2004. The Division shall hold a subsequent election for the purpose of electing the Chair and Vice-Chair of the Subcommittee.

Amendment

Moved: D. Smythe (L.108)

Seconded: D. Johnson (L.108)

That the word “adult” be added between the words “representing” and “institutions”.

**CARRIED**

Motion as amended

**CARRIED**

Moved: E. Almeida (L.248)

Seconded: B. Chauvin (L.135)

Proposal #5: Article 11.1 – change the words “(currently five)” to “(currently four)”

Proposal #6: Article 3.1 – change “Article 20” to read “Article 21” and “Article 20.06” to read “Article 21.2”.

**CARRIED**

**MERC AND HEALTH & SAFETY REPORTS**

Gord Longhi – Probation and Parole Representative presented the Community Corrections Report. See attached.

Barry Scanlon presented the MERC Report:

- Agreement received on rollovers.
- Institutions on relief groups.

- Transition: still awaiting closures.
- Contract of private sector. Introduced Sean Wilson, President.
- Referred to report 'G' in the kits on creation of a private jail.
- Letter from Gavin Leeb re: conduct of investigators.
- Overtime protocol.
- Vacation protocol.
- Privacy issues.
- Critical issues.
- Sexual assault grievances

Questions were entertained.

Brian Wilson, Probation & Parole H&S Rep presented his report.

- Ergonomics – co-chaired the 1.6 million dollar project.
- Safety & Security Policy & Procedures – co-chaired the review committee.
- Community Risk Assessment – signed off on the memorandum of settlement.
- WHIMIS – on line training and annual review.
- SARS – coordinated best practices for P&P offices.
- Workplace violence policy – assisted in the development of the policy and recently completed a video.
- Provincial H&S committee minutes now online on Intranet.

Questions were entertained.

Daryl Pitfield, Health & Safety Chair's Report

- Community Escort policy.
- Training for officers.
- Workplace policy.
- Decertification.

Questions were entertained.

## **GRIEVANCE REPORTS**

Scott Andrews, Grievance Officer spoke briefly on the current situation. Stephen Giles and Mark Barclay would speak on these issues.

Tim Mulhall, Grievance Officer reported on:

- Changes in the way grievances are handled has resulted in 85-90% of cases being resolved.
- Transition process
- Continuing with the process of 3-day stretches.
- Med-arb process, members need assistance.
- Corrections Grievance team taking over the Youth Justice.
- Overtime issues.
- Letter going to members re clubs ad.
- Maplehurst – approximately 800 to 900 grievances. Med-arb process in February.

Stephen Giles, Grievance Officer's report:

- Strike grievances approximately 4500.
- Fifty per cent litigated, settled or withdrawn.
- Status report sent out to local presidents.
- Last year litigated approximately 300 grievances.
- A decision made on approximately 150 grievances.
- Members will be informed if their grievances have been upheld.

Questions were entertained.

### **Adjournment**

Moved: D. Smythe (L.108)

Seconded: D. Johnson (L.108)

To adjourn.

**CARRIED**

Meeting adjourned at 9:40 p.m.

**SUNDAY, JANUARY 23, 2005**

**CALL TO ORDER**

Barry Scanlon, MERC Chair, called the meeting to order at 9:30 a.m.

**CORRECTIONS BARGAINING TEAM REPORT**

Brother Scanlon introduced the Corrections Bargaining Team.

Monica Lazarus  
Len Mason  
Gord Longhi  
Dave Graves  
Brian Chauvin  
Robert Curran

The following was reported on:

- Replacement workers in strike situation
- Emergency services will not respond.
- A handout of bargaining proposals sent out to members

Questions were entertained.

Marg Simmons gave a brief update on the current bargaining status.

**ELECTIONS**

Sandra Harper assumed the Chair to conduct the elections. Sister Harper explained the changes to the election procedures this year. Any member from the floor can run whether the member is a delegate, alternate or observer. However, only delegates can nominate and vote.

Sister Harper was assisted by OPSEU Staff, Brian Gould and Barry Doyle.

Moved: D. Couture (L.252)

Seconded: B. Scanlon (L.234)

Each nominee is allowed a maximum of 3 minutes to speak.

**CARRIED**

MERC TEAM (3)

<u>Nominator</u>	<u>Nominee</u>	<u>Stand/Decline</u>	<u>Results</u>
L. Mason (L.737)	B. Scanlon (L.234)	Stand	Elected
D. Couture (L.252)	D. Graves (L.517)	Stand	Elected
E. Almeida (L.248)	L. Mason (L.737)	Stand	Elected

Moved: D. Couture (L.252)

Seconded: E. Almeida (L.248)

To destroy the ballots.

**CARRIED**

MERC Alternates

Moved: K. Aicken (L.247)

Seconded: G. Hope (L.225)

Alternates should be elected on the basis of plurality.

**CARRIED**

<u>Nominator</u>	<u>Nominee</u>	<u>Stand/Decline</u>	<u>Results</u>
C. Bishop (L.678)	N. Fraser (L.248)	Stand	1 <sup>st</sup> Alternate
D. Graves (L.517)	R. Dagenais (L.642)	Stand	2 <sup>nd</sup> Alternate
J. Nettinga (L.582)	R. Samsone (L.582)	Stand	3 <sup>rd</sup> Alternate

Moved: D. Graves (L.517)

Seconded: N. Fraser (L. 248)

To destroy the ballots.

**CARRIED**

HEALTH & SAFETY TEAM (3)

<u>Nominator</u>	<u>Nominee</u>	<u>Stand/Decline</u>	<u>Results</u>
D. Bragaglia (L.135)	B. Chauvin (L.135)	Stand	Elected
L. Mason (L.737)	E. Almeida (L.248)	Stand	Elected
G. Hope (L.225)	P. Johnstone (L.224)	Declined	
E. Casullo (L.234)	J. Howell (L.234)	Stand	
E. Almeida (L.248)	C. Bishop (L.678)	Stand	Elected

Moved: D. Couture (L.252)

Seconded: D. Graves (L.517)

Each nominee is allowed a maximum of 3 minutes to speak.

Moved: N. Fraser (L.248)

Seconded: D. Murphy (L.368)

To destroy the ballots.

**CARRIED**

Health & Safety Alternates

<u>Nominator</u>	<u>Nominee</u>	<u>Stand/Decline</u>	<u>Results</u>
B. Chauvin (L.135)	D. Bragaglia (L.135)	Stand	2 <sup>nd</sup> Alternate
P. Johnston (L.224)	J. Howell (L.234)	Stand	1 <sup>st</sup> Alternate
G. Gray (L.234)	E. Casullo (L.234)	Stand	3 <sup>rd</sup> Alternate

Moved: D. Graves (L.517)

Seconded: D. Couture (L.252)

To destroy the ballots.

**CARRIED**

PROBATION & PAROLE ELECTIONS

G. Longhi – MERC Representative  
E. Portolose – 1<sup>st</sup> Alternate  
R. Larcher – 2<sup>nd</sup> Alternate

Health & Safety

B. Wilson  
L. Kitchen – Alternate

Regional Elections

North:

B. Friday – Co-chair  
J. Watson  
R. Larcher  
D. Gallupe

East:

R. Curran – Co-chair  
S. Boudreau  
S. Martin  
M. Letwin

West:

D. Kerr -- Co-chair  
L. Vojtko  
L. Skitch  
T. Rath  
H. Young – Alternate

Central:

P. Attard – Co-chair  
G. Longhi  
C. Stansfield  
L. Kool  
S. McIntyre – Alternate

MERC Chair

<u>Nominator</u>	<u>Nominee</u>	<u>Stand/Decline</u>	<u>Results</u>
L. Mason (L.737)	B. Scanlon (L.234)	Stand	Acclaimed

L. Mason cast one ballot in support of B. Scanlon. B. Scanlon was acclaimed as MERC Chair.

Moved: D. Couture (L.252)

Seconded: D. Graves (L.517)

To destroy the ballot.

**CARRIED**

MERC Vice-Chair

<u>Nominator</u>	<u>Nominee</u>	<u>Stand/Decline</u>	<u>Results</u>
B. Wilson (L.317)	G. Longhi (L.263)	Stand	
D. Couture (L.252)	D. Graves (L.517)	Stand	Elected

Moved: D. Couture (L.252)

Seconded: N. Fraser (L.248)

To destroy the ballots.

**CARRIED**

Health & Safety Chair

<u>Nominator</u>	<u>Nominee</u>	<u>Stand/Decline</u>	<u>Results</u>
E. Almeida (L.248)	D. Pitfield (L.618)	Stand	Acclaimed

E. Almeida cast one ballot in support of D. Pitfield. D. Pitfield was acclaimed as the Health & Safety Chair.

Moved: E. Almeida (L.248)

Seconded: D. Kerr (L.115)

To destroy the ballot.

**CARRIED**



Moved: N. Fraser (L.248)

Seconded: C. Bishop (L.678)

THAT the MERC Team is directed to provide local stewards with a “have to” guide for representing members during CSIU investigations. This guide is to be accompanied by training and timely access to professional and/or experienced support and provide each correctional workplace with no less than 3 accredited representatives.

1<sup>st</sup> Amendment

Moved: P. Johnstone (L.224)

Seconded: J. Howell (L.234)

Include WDHP and CSIU investigations.

**CARRIED**

2<sup>nd</sup> Amendment

Moved: E. Casullo (L.234)

Seconded: B. Wilson (L.317)

To include one representative per Community Corrections worksite.

**CARRIED**

Main Motion with amendments.

**CARRIED**

Moved: C. Bishop (L.678)

Seconded: B. Scanlon (L.234)

WHEREAS it is critical that we support the bargaining teams in order for them to achieve a good contract;

WHEREAS we will need to put pressure on the employer in the workplace as issues bargaining moves along:

THEREFORE be it resolved that the Division shall follow the direction of the bargaining teams with respect to timing and methods necessary to put pressure on the employer in the workplace as issues bargaining does move along.

**CARRIED**

Moved: D. Matthew (L.229)

Seconded: D. Sidsworth (L.234)

THAT the members of the Corrections MERC team i.e. the Chair, be provided with OPSSU office space for a trial period of one year and part-time support staff for that period in order to improve communication, records and document integrity and to improve the general operation of the Division, and that the MERC team make a presentation to the Executive Board on this issue.

**CARRIED**

Moved: N. Fraser (L.248)

Seconded: R. Noakes (L.517)

WHEREAS the government's contract with Management and Training Corporation (MTC) for the operation of Central North Correctional Centre (CNCC) ends in 2006;

WHEREAS the government may extend or renew the contract with MTC if we do not put great pressure on them to bring CNCC into the Ontario Public Service;

THEREFORE be it resolved that the Division begin a campaign as soon as possible to pressure the Liberal government to end the MTC contract in 2006.

**CARRIED**

Moved: N. Fraser (L.248)

Seconded: S. Smith (L.248)

WHEREAS Correctional workers are occasionally victims of crimes committed inside and outside their workplace, and

WHEREAS the employer regularly ignores and dismisses the concerns of our members in regards to seeing those charged and/or convicted of these crimes in their workplace,

BE IT RESOLVED that MERC is directed to create a protocol with the employer which facilitates the "immediate" transfer of any inmate when/which a correction worker has a legal and/or criminal conflict.

**CARRIED**

Moved: K. Aicken (L.247)

Seconded: P. Johnstone (L.224)

THAT the MERC team work with corporate corrections to develop a recruitment and hiring practice so that quality people can be recruited.

**CARRIED**

Moved: D. Bragaglia (L.135)

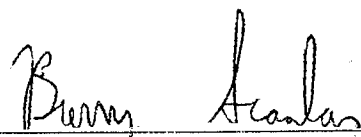
Seconded: D. Smythe (L.108)

To adjourn.

**CARRIED**

The meeting adjourned at 12:35 p.m.

AUTHORIZED FOR DISTRIBUTION:



Barry Seanlon  
MERC Chair  
Ministry of Correctional Services



Leah Casselman  
President  
OPSEU