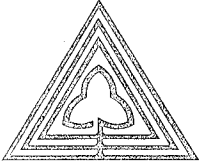


MEMORANDUM

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 Natural Resources

FROM: Terry Baxter, OPS Supervisor/Negotiator

DATE: May 9, 2005

**SUBJECT: Ministry of Natural Resources
Divisional Minutes – January 23, 2005**

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,

Leah Casselman
President

Terry Baxter
OPS Supervisor/Negotiator

/jm

cc: Executive Board Members
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**MINISTRY OF NATURAL RESOURCES
DIVISIONAL MEETING**

**2005 DIVISIONAL MEETING
JANUARY 23, 2005
SHERATON CENTRE, TORONTO**

CALL TO ORDER

Sister Elaine Bagnall, MNR MERC Chair, called the meeting to order at 9:30 a.m.

INTRODUCTIONS

Elaine Bagnall, Chair
Peter Wall, EBM, Vice-Chair, MERC
John Berry, MERC Member
Ed Evens, MERC Member
Barbara Szczepanski, Recording Secretary
Steve Nield, Staff Representative, Chatham Office

Sister Bagnall called for a standing moment of silence for the members whom we have lost.

ADOPTION OF THE AGENDA

MOTION

Moved: J. MacDonald (L.523) Seconded: M. Courchesne (L.623)

To adopt the agenda as presented.

CARRIED

ADOPTION OF THE PREVIOUS MINUTES

MOTION

Moved: L. Blake (L.455)

Seconded: J. Kaminski (L.721)

To adopt the previous Divisional minutes with changes to correct spelling (John MacDonald, L.623) throughout document.

CARRIED

BUSINESS ARISING FROM THE MINUTES & TEAM REPORTS

Sister Bagnall related that this business flows into the MERC Team reports and devoted the time to a question and answer period with the Team.

Items discussed were:

- Boot allowance.
- Use of the A-Star's that were lateral-fitted.

There was a power outage in the hotel at this time and the consensus of the members was to continue.

Further discussion:

- Foresters' credentials.
- Boot Safety issues.
- Sister Bagnall reported on results-based planning.
- S.I.R.D. (Science Information Research Development) realignment.
- Transformation for the fire program & job cuts.
- Sister Bagnall reported that there are no official meetings with the employer now because contract bargaining is taking place. Members should forward concerns to the MERC for determination as to whether they are bargaining issues.
- Closure of Frost Centre.

The MERC Team Report is attached.

ELECTIONS

Brother Steve Nield explained the protocol for the voting. He welcomed Sister Pat Schillemore, Job Security Officer for the MNR. Pat congratulated the present MERC Team on job well done and on having resolved a number of issues.

MERC Team

MOTION

Moved: S. Anderson (L.703) Seconded: A. Hymers (L.727)

That all candidates for the MERC Team make 2-minute presentations.

CARRIED

<u>Nominator</u>	<u>Nominee</u>	<u>Stand/Decline</u>	<u>Results</u>
P. Wall (L.638)	E. Bagnall (L.362)	Stand	Elected
E. Bagnall (L.362)	P. Wall (L.638)	Stand	Elected
J. Berry (L.649)	E. Evens (L.703)	Stand	Elected
J. MacDonald (L.623)	J. Berry (L.649)	Stand	
J. Finnigan (L.649)	D. Fluri (L.635)	Stand	Elected

MOTION

Moved: I. Cragg (L.644) Seconded: L. Alary (L.638)

To destroy the ballots.

CARRIED

ALTERNATES TO MERC TEAM

<u>Nominator</u>	<u>Nominee</u>	<u>Stand/Decline</u>	<u>Results</u>
J. MacDonald (L.623)	J. Berry (L.649)	Stand	1st Alternate
M. Courchesne (L.623)	J. MacDonald (L.623)	Decline	
E. Bagnall (L.362)	P. Verhelst (L.605)	Stand	2nd Alternate
D. Fluri (L.635)	G. Ross (L.663)	Decline	
P. Wall (L.638)	A. Visneskie (L.447)	Decline	

MOTION

Moved: P. Wall (L.638)

Seconded: D. Fluri (L.635)

To decide who is ranked 1st and 2nd Alternate by the flip of a coin.

DEFEATED

General consensus was to conduct a vote.

MOTION

Moved: F. Zroback (L.712)

Seconded: A. Visneski (L.447)

That the ballot count for Alternate not be revealed just the person elected.

CARRIED

MOTION

Moved: S. Anderson (L.703)

Seconded: J. Finnigan (L.649)

To destroy the ballots.

CARRIED

CHAIR TO MERC TEAM

<u>Nominator</u>	<u>Nominee</u>	<u>Stand/Decline</u>	<u>Results</u>
P. Wall (L.638)	E. Bagnall (L.362)	Stand	Acclaimed
W. Cole (L.603)	D. Fluri (L.635)	Not Present	

VICE-CHAIR TO MERC TEAM

<u>Nominator</u>	<u>Nominee</u>	<u>Stand/Decline</u>	<u>Results</u>
P. Verhelst (L.605)	P. Wall (L.638)	Stand	Acclaimed
R. Recoskie (L.649)	E. Evans (L.703)	Decline	

Sister Bagnall, MERC Chair, thanked the delegates for all of their support.

NEW BUSINESS

MOTION

Moved: A. Hymers (L.727) Seconded: P. Verhelst (L.605)

That the MERC Team enforce that Aviation Services management respect and honour Air Service Bargaining Unit staff by ensuring that staff be provided with training and development opportunities, temporary acting assignments, appointments, expression of interests, etc., accordingly.

CARRIED

MOTION

Moved: I. Cragg (L.644) Seconded: P. Leale (L.627)

That updated MNR seniority lists be provided to locals as soon as possible.

Discussion ensued related to the need for a policy change if Local Presidents were to receive the seniority lists.

It was noted that the AMAPCEO seniority list is posted on the MNR website (Outlook Public folders).

CARRIED

The document, “Employer & Union Proposals – Central/Unified Table”, was discussed. The MERC Team will enquire of the Bargaining Team why certain special cases were singled out for bargaining consideration (Page 5, #6).

MOTION

Moved: I. Cragg (L.644)

Seconded: P. Leale (L.627)

That the new MERC Team immediately request documentation regarding any transformation plans pertaining to MNR.

CARRIED

MOTION

Moved: F. Zroback (L.712)

Seconded: No Seconder.

To adjourn.

The motion was withdrawn by Brother Zroback (L.712) after some discussion.

There was discussion with respect to the lateral transfer policy being flawed.

Brother Wall (L.638) took over as Chairperson.

MOTION

Moved: E. Bagnall (L.362)

Seconded: P. Wall (L.638)

That the MERC Team bring forward under Appendix 7 Unified that the Water Operator License apply to anyone who requires this license at work.

CARRIED

MOTION

Moved: P. Verhelst (L.605)

Seconded: F. Zroback (L.712)

That the MERC Team investigate and report on Aviation Management doing an excessive amount of bargaining unit work.

CARRIED

ADJOURNMENT

MOTION

Moved: P. Wall (L.638)

Seconded: I. Cragg (L.644)


To adjourn.

CARRIED

The meeting was adjourned at 12:20 p.m.

AUTHORIZED FOR DISTRIBUTION:

Elaine Bagnall
Elaine Bagnall
MERC Chair
Ministry of Natural Resources

Leah Casselman

Leah Casselman
President
OPSEU

Attachment (1)

MNR MERC TEAM UPDATE

A-Star
Lateral Transfer Policy
Pension Issues
Boot Policy
CL-415 Pilot Agreement
CO Radio Issue

Frost Center
Land Resources Cluster
Code of Professionalism
Out of Province Pay/Per Diem
Health & Safety Policies

A-Star

During discussions on the A-Star (B2 helicopter), the team voiced concerns over the overall safety of the aircraft. The team indicated that we had reservations of other B2s flying for the ministry while ours were voluntarily grounded and were advised by management that they were not hiring others at that time. The ministry went above the air worthiness directives in regards to safety by having tests around hydraulics and installing a new belt system that would increase the life expectancy of the belts to 1500 hours from 600 hours. We wanted to make it a condition of employment to have all B2s retro fitted to meet the ministry standards even though they were above those Transport Canada. Management indicated that they could not impose the same requirements on hires. Since initial discussions took place at the MERC, all B2s now require the belt replacement be completed to be employed by the MNR. To date, we still have not received a copy of Transport Canada's report.

Lateral Transfer Policy

In September 2000, Management provided the Union with a written copy of a new proposed MNR Lateral Transfer Policy. OPSEU's response at that time was that they could not be a party to and would challenge any employer policy that would serve to contravene the Collective Agreement. In November 2004, the Union and Management reached an agreement on the Policy. Currently, the policy that is in place is to be reviewed in 3 and 6 months from the date of signing the agreement. The first review of how the process is working should be taking place Jan. or Feb. This policy will need to be watched and updates requested to ensure that it is fair for all.

Pensions

The team asked management to revisit the buy back opportunity in hopes that an agreement could be reached to allow people to buy back at a later date. Currently you have 24 months in which to buy back pension once you become available. Management would not entertain the idea, and indicated that this could be a bargaining issue and would require a change to policy by both parties. This is part of the plan design between OPSEU and the Government and is not negotiable by MERC teams. We did send this issue forward to Deputy Minister and then to CERC. Unfortunately, there was no resolve to this at any level. It was then brought to the bargaining team for discussion.

Boot Policy

The MERC team originally tabled a request to increase the boot allowance to \$300 a year, but was successful at getting an increase in the reimbursement for boots. It will increase to \$75.00 and \$150.00. This amount includes taxes. Seasonal staff will now be able to be reimbursed for one pair of boots after completing 2 years. This is an improvement over the Collective Agreement, where seasonal staff was not eligible for reimbursement until the 4th year of service. Other contract staff and students are still not eligible under the new policy. The safety boot definition has also been addressed. A need for different types of boots became apparent when fire fighters were out of province and were dealing with conditions in mountainous areas.

CL415 Pilot Agreement

Discussions began at the MERC table for the CL415 pilots about 5 years ago. The ministry and the pilots were close to an agreement prior to this team's term, but were turned down by the pilots when it came to a vote. Further discussions took place with this team and then with negotiations between OPSEU and the employer. An agreement was made, went to vote and was ratified by the pilots. Thanks to Pat Schillemore-OPSEU Job Security Officer for her persistence in getting a deal! As a result of the deal, over 50 grievances were dropped by the pilots.

CO Radio Issue

This issue was on-going item from the previous MERC team. The Ministry of Labour had issued an order in Feb 2001 on the MNR in regards to a safety concerns for CO radio coverage. The ministry has now complied with all of the order from Labour and the orders have been signed off.

Frost Center

While the news of the closure shook the ministry, the team dealt with issues surrounding the Frost Center and the placement of people that were affected by the closure. A couple of individuals were able to retire and vacancies were identified for others. Other individuals were successful in job competitions.

Land Resources Cluster

The cluster consists of OMAF (Agriculture & Food), MOE (Environment), MNDM (Development & Mines) and MNR (Natural Resources). All new positions that will be created will be under MNR. Within the other 3 ministries there were issues with System Officers 3s being downgraded to System Officers 2s. They were red-circled at their rate of pay. Within the MNR, there is potential for 2 individuals to be surplus and we will possibly lose 2 contract staff. The chairs of the MERCs formed a sub-committee to deal with any issues that arose from the cluster re-alignment and met with management on 2 occasions. At the second meeting, a number of outstanding issues were dealt with.

Code of Professionalism

There were 7 ministries involved in the development of this policy with Labour as the lead ministry. A couple of team members were able to sit in on the training that was being given to managers and supervisors. While on the surface it appears that this code is just being put into writing and that employees normally adhere to the type of items contained in the code, we will continue to monitor it to see if there is any type of discipline that comes out of it. There were discussions about being included in performance appraisals.

Out of Province Pay/Per Diem

Given that the number of times people need to travel outside the province to provide our services, the team requested that management review the pay issues. Concerns by the Union included standby time for fire fighters out of province. The team requested that they be given a standard of 10-12 hours a day vs. the 8 hours a day of stand by time they normally received. Management indicated that they would review it, but did not come to an agreement with the Union.

The team requested that a per diem be given to individuals that were working out of province to cover issues like cutting the grass, housing upkeep, etc. Management indicated that it was part of the job and a condition of employment. Management also indicated that this issue would be best dealt with at the central table or as a bargaining issue. As a result, the issue was forward to the Deputy Minister and to CERC, where no changes were made. It was then sent forward to the bargaining team.

Health and Safety Policies

The ministry is currently creating, reviewing and updating their health and safety policies. As a result the team looks at each policy and advises management of changes or omissions that OPSEU would like to see incorporated. This is done with eye to training of employees, the possibility of injury to employees and possible discipline. Among the policies that the committee reviewed were:

- Black Bear Policy
- Personal Protective Equipment Policy
- Vehicle Standards
- Boat Safety
- Aggregates Training
- Radio field procedure policies for COs
- IRS Policy (Internal Responsibility System)
- Safety First
- Safe Operating Procedures for Handling Dead Animals

These are by no means all of the issues that the MERC team has looked at over the last 2 years, but they are intended to give you an idea of the items that tended to dominate the meetings. Some of the other discussions that took place were:

- Outdoor card center and the treatment of staff in the Toronto location
- Deputy Conservation Officers-the policy surrounding the when, how and who
- Professional Fees in particular the issue around the foresters having to become a member of the Professional Forester's Association as a condition of employment.
- Partnership audit
- Budget discussions and how they may affect staff
- Pre-fit report-numbers of pass and fail rates
- Twin Otter incident
- OPS Ideas Campaign-we have requested a copy of those for the MNR-has not been received as the team was directed to no longer hold formal meetings with the management team

Communications

The MNR MERC team believes that communications are important to keep the membership informed. Currently, we use private email to update the members on MERC meetings and the latest happenings that would be of interest to the membership.

- Elaine Bagnall, MNR MERC Chair
- Peter Wall, MNR MERC Vice Chair
- Ed Evens, MNR MERC Team Member
- John Berry, MNR MERC Team Member