

**MEMORANDUM**

**OPSEU**



**SEFPO**

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

**TO:** All Presidents with members in the Ministry of Education  
All Stewards in the Ministry of Education

**FROM:** Terry Baxter, OPS Supervisor

**DATE:** June 3, 2004

**SUBJECT:** **Ministry of Education  
ERC Minutes – February 24, 2004**

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

Please post or otherwise make them available to the members in your workplaces.

Also attached is a MERC referral form which should be used when referring unresolved local issues to the ministry level. The referral should be sent care of the our Job Security Unit with all the supporting documentation, (e.g. minutes, correspondence, etc.), with any referrals.

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

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Leah Casselman  
President

/ms  
att.

cc: MERC Chairs  
Ministry ERC

Terry Baxter  
OPS Supervisor/Negotiator

## MINISTRY OF EDUCATION

### Ministry Employee Relations Committee

February 24, 2004  
Room 1952, Mowat Block  
9:30 a.m. – 12:00 p.m.

#### **For the Employer:**

Kim Bellissimio, Co-Chair  
David Doherty  
Deborah Metrakos  
Meredith Sandles

#### **For the Union:**

\*Alicia Czekierda, Co-Chair  
Bob Greer  
Bob Belontz  
Stephen George

\* chaired the meeting

#### **REVIEW OF AGENDA**

- After review, it was agreed that "**WIN Update**" and "**OPS Spirit Campaign**" be added to the agenda.

#### **BUSINESS ARISING**

##### **1. Workplace Harassment and Discrimination Prevention (WDHP) Policy**

Management confirmed that there had been a commitment at a previous MERC meeting to provide WDHP specific training at Provincial Schools, and that this commitment is not addressed by the Management Board Secretariat (MBS) training on WDHP in the context of the use of Information & Information Technology. Management indicated that the Provincial Schools Branch is currently planning a rollout of Conflict of Interest (COI) training for OPS staff, to be complete by the end of this school year. It further indicated that the Branch does not have the resources to provide the WDHP training until after the COI training is complete.

The Union expressed disappointment that there are no plans to rollout WDHP training at this time. It stated that it is unacceptable that the training is still not going forward, given that the commitment was made to start the training in the fall of 2003.

There was discussion of an e-mail exchange between Management and Union representatives following the last MERC. Management stated that the exchange was intended to clarify the commitment made to the WDHP training at a previous MERC. The Union expressed concern that the SSB generic training package does not cover Provincial Schools specific scenarios. It stressed that the WDHP policy has to be explained and

understood in the context of the environment of the Provincial Schools. Management responded by stating that it anticipates fulfilling its commitment by customizing available WDHP training, offered through Shared Services Bureau (SSB), to reflect the unique situation of the Provincial Schools.

As an interim measure, Management committed to an all-staff memo from the Director, Provincial Schools providing the intranet address and central contact person for WDHP questions. Hard copies of the policy as well as the fact sheet will be made available at all schools.

Management reiterated its commitment to provide WDHP training, but not by the end of this school year. It further reiterated its commitment to provide targeted training should difficulties be identified in a specific work unit. The Union indicated that a particular Provincial School requires specific targeted training in this area.

Management committed to create a customized training package for a particular Provincial School and to commence training this school year. It indicated that managers would be trained first, followed by staff. It invited the Union to provide input into the training scenarios, however it also indicated that approval of the training rests solely with Management. Management acknowledged the Union's desire to see the training package before the training is delivered. The parties agreed that all WDHP training will be mandatory.

**Action:** *The Director of Provincial Schools will send out an all-staff e-mail advising of the availability of hard copies of the policy and fact sheet, as well as a web link for the WDHP policy and the contact information of the Ministry WDHP Co-ordinator. WDHP training will commence at W. Ross MacDonald School this academic year, with training to follow at other Provincial and Demonstration schools.*

## **2. SSB – Seasonal Employee Benefits**

The Union stated that few concerns have been raised recently with respect to this issue. Such concerns may arise again in October. Management indicated that it appears that the problem that occurred last year arose due to incomplete information being received by the insurance carriers. The information will be reviewed to ensure that the situation does not arise again.

**Action:** *Move to standing items.*

## **3. Library Technician Vacancy**

Management indicated that the incumbent of the Library Technician position at E.C. Drury School has resigned. The position will not be filled, as it does not meet the business critical criteria, under the hiring restrictions.

**Action:** *Move to standing items*

#### **4. Council of Directors of Education**

Management advised this issue was raised at a meeting of Field Services Branch district managers and that future concerns should be directed to the Director, Field Services Branch through managers.

The Union reiterated its position that the MERC is the forum at which these issues should be raised. Another concern of the union is that the Council is doing work that belongs to Education Officers, while contracts for some unclassified Education Officers are not renewed.

**Action:** *Move to standing items.*

#### **5. Ontarians with Disabilities Act Compliance**

Management advised that the EDU report is still awaiting the Minister's signature.

**Action:** *Management will provide a copy to the MERC Co-Chair at least one day before it is released to the public. Move to standing items.*

#### **6. Criminal Reference Checks Update**

Management advised that the new policy regarding criminal reference checks is complete and the communication plan is in development. The communication plan will also include a process for disclosure to bargaining agents.

Management reiterated that this policy was developed pursuant to *Regulation 521* under the *Education Act* and is completely separate and apart from Management Board's security check initiative.

**Action:** *Move to standing items.*

#### **7. WIN Update**

The Union expressed concern that the new MyOPS intranet site is just as difficult to navigate as the previous site. Management indicated that the initiative was designed to consolidate information from several sites to one location. The Union expressed concern that the site seems to be getting more complicated, rather than more user-friendly.

The Union indicated that there are issues in Provincial Schools with many staff having little or no access to computers and e-mail, little or no knowledge of resources available and a need for computer skills training. The Union also indicated that staff have been directed to use breaks to submit their attendance electronically and that some do not have WIN numbers.

The Union suggested that management should encourage staff to get on-line and should provide the time to do so. Management acknowledged the Union's concerns.

The Union also raised concern over the potential for staff to lose excess vacation or other credits because of their inability to check their attendance balances at the end of last year. Management indicated that this concern has been addressed in a memo distributed to all staff.

**Action:** *Management will look into the issue of computer access at Provincial Schools and will report back at the next meeting.*

## **STANDING ITEMS**

### **1. Seniority Lists, True Vacancy Report, Unclassified Contracts:**

The seniority, true vacancy, and unclassified contract reports were distributed at the meeting.

The Union indicated that in a number of cases the start dates for unclassified staff are incorrect. Management responded that it is aware of the issue and has been in contact with SSB regarding the problem. It appears that there may be inconsistencies in the way the "start date" field is being completed. In some cases the date may reflect the start of the most recent contract. SSB has been asked to clarify the appropriate use of this field. Use of another WIN data field for the purpose of the unclassified report may have to be considered. In the interim, Management committed to addressing specific cases brought forward by the Union.

**Action:** *The Union will provide Management with details of specific problems with unclassified contract report data. Management will provide an update on the use of the 'start date' field at the next meeting.*

### **2. Provincial Schools Governance**

Management advised that there is nothing new to report on this item.

### **3. Term Classified Appointments**

Management advised that there is nothing new to report on this item.

### **4. Field Services Branch – Use of Secondees**

Management advised that there is nothing new to report on this item. The Union requested that this remain a standing item.

### **5. OAG Learning Strategies Update**

Management advised that several "Munch 'n Movie" sessions have been held since the winter of 2003, covering a wide range of topics. The OAG website is up and running and the latest issue of The OAG Bulletin was published in January 2004. The Community of Practice

has met three times and things are going well. Career development workshop, job shadowing and a rollout of the Community of Practice to the regions are being considered for next steps.

The Union indicated that Munch n' Movie sessions are currently being held in London and Brantford and that Training, Colleges and Universities' staff have also been invited to attend. It further indicated that feedback has been positive regarding these sessions.

**Action:** *Management will find out if other schools are involved in the initiative and report back at the next meeting.*

## **NEW BUSINESS**

### **1. Management Representation on MERC**

The Union stated that it was pleased to see the Provincial Schools representative at the meeting. However, it was concerned that the Director, Field Services Branch was not in attendance. Management indicated that it intends to invite the Director of Field Services to join MERC, but wished to allow him to settle into his new role first.

**Action:** *The Management Co-Chair will speak with the Director, Field Services Branch regarding his participation in MERC.*

### **2. OPS Ideas Campaign**

Management advised that the OPS Ideas Campaign resulted in over 11,000 ideas being submitted for consideration, 6,000 of those in the last week of the campaign. Cabinet Office is currently sorting the ideas. About 90% of the ideas have corporate implications while 10% are Ministry specific. Management indicated that it anticipates that the Ministry will receive its ideas the last week of February or first week of March. Feedback will be provided to all OPS staff, though Management could not confirm the timing of the communication.

Management provided a breakdown of the number of ideas submitted by category and advised that the ideas are still available online through MyOPS for viewing.

The Union inquired as to the status of the Policy Capacity Initiative. Management advised that a website has been created to support this initiative which is accessible through the Ministry intranet. Management advised that the Deputy Minister is looking at the implementation of the recommendations of this Initiative, including opening up Senior Management Committee to wider participation at the Director level.

**Action:** *Management will provide an Update at the next meeting*

### **3. Federal Privacy Act-Implications for EDU**

The Union indicated concern arising from an article in the Brantford Expositor regarding cameras in schools. It inquired as to the existence of a policy regarding security cameras in the schools, noting that a memo has been received regarding the use of cell phones with cameras. Management replied that it was not aware of the article but would look into whether there is a policy on security cameras.

With respect to the implications of the federal privacy legislation, Management indicated that its lawyers have indicated that the federal legislation does not apply to the OPS - a position which is confirmed in a recent publication by the Federal Privacy Commission. Private sector partners of the Ministry may, however, be subject to the federal law. It is not anticipated that this will have any significant impact for the Ministry.

**Action:** *The Union will fax a copy of the article to Management. Management will look into the existence of a policy regarding security cameras in Provincial Schools and report back at the next meeting.*

#### 4. Results-Based Planning

Management advised that an all-staff memo was sent by the Premier and the Secretary of the Cabinet, outlining the results-based planning initiative. It indicated that this process has replaced the former Business Planning process and that the Ideas Campaign, the public town hall consultations and the current horizontal review dovetail into Results Based Planning. Proposals are due to Management Board by March 3<sup>rd</sup>, then recommendations will be considered and a budget will be set by May 2004.

The Union requested disclosure of the ministry's plan at MERC. Management indicated that it would look into the Union's request.

**Action:** *Management will look into the disclosure procedure under the new process and report back at the next meeting. Move to standing items.*

#### 5. Disclosure Meetings

The Union indicated that it is aware of an interim directive requiring 10 days advance disclosure to the bargaining agents, including OPSEU. It expressed concern regarding a previous information sharing exercise. It distinguished between information sharing and disclosure, and stated that in cases of disclosure the past practice had been disclosure to the entire MERC team including the Job Security Officer representing the Bargaining Agent. It requested that this past practice should continue.

The Management Co-Chair responded that she was unfamiliar with past practice in this area for MERC. Management indicated that it would like to further familiarize itself with the new disclosure directive.

**Action:** *The Management Co-Chair will make inquiries regarding past practice of former MERC Management Team members. Management will respond at or before the next meeting regarding the directive.*

6. **OPS Spirit**

The Union requested information on benefit entitlements for members who may be injured in the course of volunteering for the OPS Spirit Habitat for Humanity building project this summer in Ottawa.

**Action:** *Management will look into the issue and report back at or before the next meeting.*

Meeting adjourned.

For the Union: *A. Galviera* Date: *May 28, 2004*

For the Employer: *Kim Bellusano* Date: *May 28/04*

Next meeting: May 28, 2004

**OPSEU**



**SEFPO**

## ***FOR MERC ACTION***

Strategic Action, from Local Employee Relations Committee  
(to be used when an issue is not resolved at LERC table)

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Ministry:

Workplace Location:

Local #:

### **Please use a Separate Form for Each Unresolved issue.**

- ✓ Please include the specific details about the issue.
- ✓ Provide any documentation that may assist the discussion at your Ministry Employee Relations Committee (MERC).

Is the issue related to (please ✓):

- |                          |  |                          |                                 |
|--------------------------|--|--------------------------|---------------------------------|
| <input type="checkbox"/> | Job Security and Article 20                              | <input type="checkbox"/> | Reasonable Efforts - Divestment |
| <input type="checkbox"/> | Employer's Corporate Initiative and work re-organization | <input type="checkbox"/> |                                 |
| <input type="checkbox"/> | Enforcing the Contract                                   | <input type="checkbox"/> | Contract Interpretation         |
| <input type="checkbox"/> | Health and Safety  |                          |                                 |
| <input type="checkbox"/> | Other: (please identify)                                 |                          |                                 |

Statement of the Issue:

The Resolution sought by your Local Employee Relations Committee (LERC):

Date Issue was declared unresolved by your LERC:

Is the Relevant material attached?      Yes  No

LERC Minutes dated:

Correspondence. Please list:

### **Local ERC Member Contact**

Name:

Home #:

Address:

Work #:

**FORWARD to: OPSEU Job Security Unit, 100 Lesmill, Toronto, Ontario M3B 2P8  
Fax: (416)448-7462**

