

MEMORANDUM

OPSEU



SEFPO

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

TO: All Presidents with members in the Ministry of Attorney General
All Stewards in the Ministry of Attorney General

FROM: Terry Baxter, OPS Supervisor/Negotiator

DATE: February 8, 2006

SUBJECT: **Ministry of Attorney General
ERC Minutes – October 28, 2005**

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 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.

AUTHORIZED FOR DISTRIBUTION:

IN SOLIDARITY,

Leah Casselman
President

/jm
att.

Terry Baxter
OPS Supervisor/Negotiator

cc: MERC Chairs
Ministry ERC

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MINUTES

Ministry of the Attorney General

MINISTRY EMPLOYEE RELATIONS COMMITTEE MEETING (MERC)

October 28, 2005

10:00 a.m. – 1:00 p.m.

HR Boardroom, 3rd Floor, 720 Bay St. Toronto, ON

For the Ministry

Valerie Neville (Co-Chair)
Mike Uhimann
Beverly Leonard
Karen Pashleigh

Regrets:

Wendy Eastaugh

Guests:

Terry Downey

Recording Secretary

Talya Schapiro

For the Union

Julie Weber (Co-Chair)
Pauline Tapping
Paul Myers
Kathleen Demareski
(OPSEU Job Security Officer)

Agenda Item	Issue	Follow-Up/Action
PRELIMINARY ITEMS:	Management and the Union signed off on the MERC minutes dated June 24, 2003, October 21, 2003 and October 19, 2004.	
PRESENTATIONS/ DISCLOSURES:	<p>a) Ontario Human Rights Commission (OHRC)</p> <p>Terry Downey attended the MERC as a guest to reiterate the Union's request that the OHRC be permitted to establish its own MERC. The OHRC currently has an active Local Employee Relations Committee (LERC) that meets regularly. However, it is the Union's position that since the LERC is addressing issues that extend beyond the scope of the local worksite and that are unique to the OHRC, a MERC would be a more appropriate forum in which to discuss these matters.</p>	Management to consider this request and advise the Union prior to the next scheduled MERC meeting.
STANDING ITEMS:		
Conversion	<p><u>a) Article 31A, 15 – Conversion of Unclassified Positions to Classified Positions</u></p> <p>A copy of this report was provided to the Union. The format will be changed prior to the next MERC meeting.</p> <p><u>b) Appendix 25 – Conversion of Unclassified Regular Part-Time Employees:</u></p> <p>The Appendix 25 committee has been meeting regularly to address issues that were not resolved through the collective bargaining process. Committee members include:</p> <p>UNION: Julie Weber, Paul Myers, Stephen George OPSEU Job Security Officer. Additional members will become involved during the rollout stage of this project. MANAGEMENT: Mike Uhlmann, Roy Dart, Randy Holloway, Ron Marks, Ed Johnson (MGS).</p> <p>Currently there are a few matters for which the parties have not been able to reach a resolution. These matters, if necessary, will be brought before Kevin Whitaker for mediation/arbitration, as per the process agreed to by the parties during collective bargaining. An updated communication including Qs and As was recently sent out to all staff across the province. These communications will continue as this project is implemented.</p>	<p>Management will continue to provide this report to the Union.</p> <p>Management to continue to provide updates at the MERC.</p>

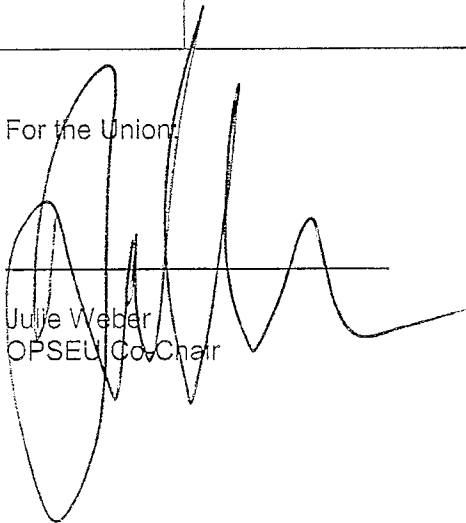
Courts Update	<p>Management had provided to the Union an electronic copy of the Court Services Division Client Satisfaction Survey following the October 19, 2004 MERC.</p> <p>There was nothing further to report.</p>	Management to continue to provide updates at the MERC.
Grievance Administration Project (GAP)	The scope of the GAP project has not been expanded to include additional sites as a result of the direction received from a Vice Chair at the Grievance Settlement Board. The parties are committed to working together to resolve some of the issues that have been encountered so that additional committees may be established.	Management to continue to provide updates at the MERC.
Vacancy Reports	A copy of these reports was provided to the Union at the MERC. This report will be reformatted to include the worksite location.	Management will continue to provide these reports to the MERC.
Enforcement Program – Risk Assessment	In May 2004, the Ministry of Labour inspector issued a final compliance order stating that the Ministry had complied with all three orders. Enforcement Officers in Toronto appealed the final compliance order. This matter has been referred to the Ontario Labour Relations Board. It was mediated in September without a resolution and additional dates for arbitration are in the process of being set.	This issue is to remain on the agenda as a standing item.
REPORT BACK ITEMS:		
Criminal Law Division – Administrative Review	There has been a change in management representatives for the Criminal Law Division. This matter will be deferred to the next MERC.	Item deferred to the next MERC meeting.
Client Services Representative – Class Allocation	The parties agreed that any disagreement on this issue will be resolved under Appendix 34 of the newly negotiated collective agreement.	This item can be taken off the agenda.
OVSS	Management provided the Union with the updated organizational charts for OVSS to reflect recent changes. An employee survey was recently distributed to staff at OVSS.	Management to provide the results of the survey to the Union upon completion.

FRANK Software – Q's & A's	The implementation and rollout of FRANK has now been completed. There is nothing further to report.	Item can be taken off the agenda.
CSD Client Satisfaction Survey	Management provided the Union w/ copy of survey electronically following the October 2004 MERC meeting. The CSD will be initiating another Client Satisfaction Survey in November 2005.	Management to provide the Union with the results of the November 2005 survey.
OPS Ideas Campaign	Management will follow up on this item and provide information regarding OPS Ideas that pertain to MAG.	Once the requested information is provided this item can be taken off the agenda.
Pay Stubs	As a result of a suggestion submitted through the OPS Ideas Campaign, the OPS has been moving towards a paperless pay stub system. Effective December 1, 2005, MAG will be implementing paperless pay stubs. Paperless pay stubs will be mandatory for all employees, with the following Corporate exclusions: irregularly scheduled employees, Judiciary, OICs, students and seasonal employees. Ministry specific exclusions include employees on extended leaves and those employees who do not have access to a computer. Employees who fall within these excluded categories will continue to receive pay stubs, by mail, at home. It is important that employees ensure that they have access to WIN and that their profiles are current.	No follow up required. Item can be taken off the agenda.
NEW BUSINESS:		
LERCS	Management provided the Union with a listing of locations where Local Employee Relations Committees (LERCs) are currently established. Both Management and the Union are committed to promoting the establishment of new LERCs. Management and the Union are working together to jointly deliver LERC training. Both parties are committed to ensuring that existing committees are functioning well and receive the necessary training.	Item to remain on the agenda. Updates to be provided with respect to the establishment of new LERCs and the delivery of joint LERC training.
Classification and Pay Equity Issues	The parties agreed that this issue would be more appropriately dealt with in the context of Appendix 34 of the recently negotiated collective agreement.	Item to be taken off the agenda.

MERC Referral Form	The parties agreed on the format of a MERC Referral Form. This form will be used to refer unresolved items from a Ministry LERC to the MERC for discussion.	Item to be taken off the agenda.
Co-op Students	This matter is the subject of a Union policy grievance. The parties have been engaged in discussions regarding this issue outside of the MERC.	Item to be taken off the agenda.
Terms of Reference	This item was deferred to the next MERC meeting. A DRAFT MERC Terms of Reference document was provided to the Union for review. The Union requested that a copy also be provided to them electronically.	Item to remain on the agenda.
Successor Rights	<p>The Union advised the employer that Dalton McGuinty had promised successor rights to Ontario Public Service (OPS) employees in his election campaign. The campaign was about rebuilding the public service which includes successor rights. No action has been taken for successor rights for the OPS. OPSEU are the only unionized workers in the government who do not have successor rights, which helps to attract and retain excellent employees.</p> <p>It is the Union's position that the Minister has a strong voice in Cabinet to persuade and encourage the Premier to fulfill his election promise and sustain successor rights for OPSEU employees. The Union is raising this item at MERC as it was a promise that was made to employees that was not kept. Where elected leaders fail to keep a promise to employees it has a negative impact on labour relations.</p>	No further action required. Item to be taken off the agenda.
Mileage	This item has more appropriately been raised at the Central Employee Relations Committee (CERC) for discussion.	Item can be taken off the agenda.
Organizational Charts	Organizational charts will be provided to the Union as they are updated.	Item can be taken off the agenda.
IT Horizontal Review and IT Baseline Review	This item was deferred to the next MERC meeting.	Item to remain on the agenda.
JHSCs	This item was deferred to the next MERC meeting.	Item to remain on the agenda.

Workload Issues	This item was deferred to the next MERC meeting.	Item to remain on the agenda.
Interpreters	This item was deferred to the next MERC meeting.	Item to remain on the agenda.
MERC Meetings	This item was deferred to the next MERC meeting.	Item to remain on the agenda.
Next MERC Date	December 13, 2005 – 10:00 a.m. – 1:00 p.m - HR Boardroom, 3 rd Floor, 720 Bay St. Toronto, ON	

For the Union:

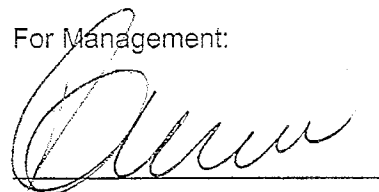


Julie Weber
OPSEU Co-Chair

Date:

Dec. 13 / 05

For Management:



Valerie Neville
Management Co-Chair

Date:

Dec 13 / 05