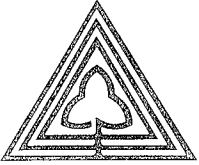


**MEMORANDUM**

**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:** June 6, 2006

**SUBJECT:** **Ministry of Attorney General  
ERC Minutes – February 16, 2006**

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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 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:

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Toll free: 1-800-268-7376

TDD:

(416) 443-9898

or

1-800-663-1070

Leah Casselman  
President

/jm  
att.

cc: MERC Chairs  
Ministry ERC

Terry Baxter  
OPS Supervisor/Negotiator

## **MINUTES**

Ministry of the Attorney General

### MINISTRY EMPLOYEE RELATIONS COMMITTEE MEETING (MERC)

February 16, 2006

9:00 a.m. – 12:30 p.m.

HR Boardroom, 3<sup>rd</sup> Floor, 720 Bay St. Toronto, ON

#### **For the Union**

Julie Weber (Co-Chair), OPSEU Local 228  
Pauline Tapping, OPSEU Local 310  
Paul Myers, OPSEU Local 526  
Judith Marion (OPSEU Job Security)

#### **For the Ministry**

Valerie Neville (Co-Chair), Corporate Services  
Management Division  
Rosalie Reis, Legal Services Divisio  
Beverly Leonard, Court Services Division  
Talya Schapiro (Recording Secretary)

#### **Regrets**

Karen Pashleigh

#### **Guests:**

Marlo Jakob, Court Services Division

Agenda Item	Issue	Follow-Up/Action
<b>MINUTES</b>	The parties signed off on the MERC minutes dated December 13, 2005.	
<b>STANDING ITEMS:</b>		
<b>Conversion</b>	<p><u>a) Article 31A. 15 – Conversion of Unclassified Positions to Classified Positions</u></p> <p>Report was provided to the Union.</p> <p><u>b) Appendix 32 (previously Appendix 25)– Conversion of Unclassified Flexible Part-Time Employees:</u></p> <p>The Memorandum of Settlement for all outstanding issues for Revitalized Workforce Project/Appendix 32 was signed off in December 2005. The terms of reference for the Assignment to Annual Hours Categories Committee and the Joint Dispute Resolution Committee were signed off on January 12, 2006. An updated joint memorandum and Q&amp;A's for all court staff has been signed off and is intended to be distributed by the Ministry, before the end of February 2006. The joint working group (OPSEU, MGS, MAG) is developing the local joint meeting framework, content and schedule for conducting local site meetings with all managers and staff across the province to review the model, the agreements and implementation process.</p>	
<b>Courts Update</b>	Client Satisfaction survey results are not yet available. It is anticipated that they will be finalized later in the spring. Copies of results will be provided once completed. A listing of the locations where this survey was administered was provided electronically to the Union prior to the MERC.	<p>Management to provide survey results upon completion.</p> <p>Management to continue to provide updates at the MERC.</p>
<b>Grievance Administration Project (GAP)</b>	No updates to report.	
<b>Vacancy Reports</b>	Provided to the Union.	Management to continue to provide updates at the MERC

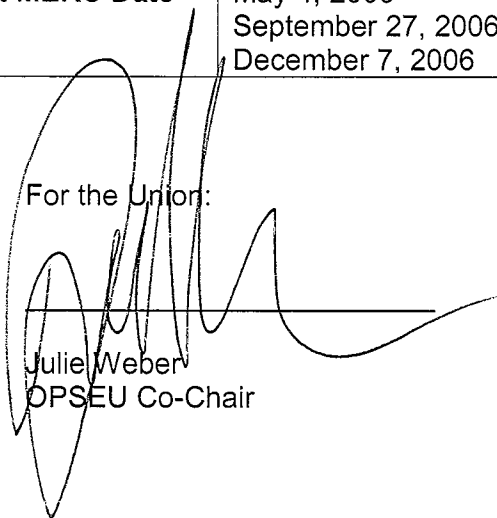
<b>Enforcement Program – Risk Assessment</b>	The OPSEU appeal of the Ministry of Labour orders took place before the Ontario Labour Relations Board (OLRB) on February 10, 2006. This matter remains before the OLRB with the next hearing dates scheduled for May 2006.	Management to continue to provide updates at the MERC.
<b>Interpreters</b>	<p>Management is currently reviewing practices and processes with respect to interpreters and will be releasing revised policies and procedures in the near future.</p> <p>The Union expressed concern with respect to interpreters who have been removed from the courtroom as a result of mistrials and complaints pertaining to the quality of their interpretation services.</p>	<p>Management to provide the Union with the finalized policies and processes upon completion.</p> <p>The Union requested a presentation of the finalized policies.</p>
<b>REPORT BACK ITEMS:</b>		
<b>Ontario Victim Services Secretariat</b>	<p>An employee survey was distributed to staff at the Ontario Victim Services Secretariat. The administration of this survey has not yet been completed.</p> <p>The Union requested information regarding the committee that was to be created to review the concerns pertaining to the shared position of the Domestic Violence Court Administrative Assistant.</p>	<p>Management to provide the results of the survey to the Union upon completion.</p> <p>Management to provide the requested information.</p>
<b>LERCs</b>	The parties met on February 15, 2006, to discuss the materials required to facilitate the Joint LERC training. A schedule for each location has yet to be determined. The parties are working on a training plan and finalizing a joint communication. The next LERC training meeting is scheduled for March 20, 2006	To remain a standing item on the agenda.
<b>Criminal Court Best practices</b>	<p>The Union inquired about the best practices pertaining to the integration of computers in the courtrooms, and whether ergonomic guidelines and requirements are considered as part of this process. Management advised that ergonomics are considered whenever a new court facility is under construction. Existing courtrooms are reviewed on a case-by-case basis.</p> <p>Management confirmed that the introduction of computers into the courtroom commenced in 2004 and will be due for a refresh in 2007, at which time smaller CPUs and flat screens are anticipated.</p>	<p>Management to explore what information is available on the importance of ergonomics and other health and safety related concerns for distribution to all Court Services Division (CSD) managers and furtherance to employees.</p> <p>The Union requested that Casey Fallon (Health and Safety, MAG) attend the next meeting to provide an update.</p> <p>Removed from agenda</p>

<b>Newmarket Referral</b>	The Union raised a concern regarding schedule / shift changes. Management at the Newmarket Courthouse have not yet made a formal decision regarding the proposed scheduling / shift changes. They are considering options.	Removed from agenda.
<b>NEW ITEMS:</b>		
<b>Terms of Reference</b>	The Union has provided comments on the draft Terms of Reference. Management will review and respond.	Management to review
<b>Joint Health and Safety Committees</b>		Item deferred to next MERC meeting. To be made a standing item
<b>Workload Issues</b>		Item deferred to next MERC meeting. To be made a standing item
<b>Compassionate Leave – Unclassified employees</b>	The Union raised a concern regarding an unclassified employee who was denied their request for compassionate leave.  Management confirmed that Ministry managers have been made aware of the change in the OPSEU Collective Agreement where by Unclassified employees are entitled to compassionate leave as per Art. 49.	No follow up required. Remove from agenda.
<b>Court Services Officers (CSOs)– Sequestered Juries</b>	The Union raised a concern regarding the number of Court Services Officers (CSOs) who are assigned to stay with a sequestered jury during the course of a trial and whether a change in this number would constitute non-compliance with the Juries Act.  Management advised that the number of CSOs scheduled for a sequestered jury is up to the manager’s discretion, with considerations often including the severity of the case, media/public interest, court location, etc. The Juries Act does not mandate the number of CSOs required to remain with a sequestered jury.	No follow up required. Remove from agenda.

<p><b>Auditor's Report</b></p>	<p>The Union raised a number of questions regarding the provincial auditor's report. The Union requested an update on JDRI, specifically the court locations involved. The Union referenced the recommendations of the report where it is stated that adequate services should be in place so that consultants are retained on a competitive basis.</p> <p>Management confirmed that the consultants referenced in this report are retained to complete project work, not bargaining unit work.</p> <p>The Union asked about whether agency staff is performing bargaining unit work.</p> <p>Management responded that the bargaining unit integrity policy grievance has been addressing this question and this issue is therefore being dealt with through the grievance procedure.</p>	<p>Management to provide the requested updates at the next MERC.</p>
<p><b>Durham College/Training initiative</b></p>	<p>Management reported that Durham college recently approached the Ministry regarding an eight -month court support certificate program. Participants in this program would be trained in the following disciplines: courtroom clerk, court registrar, court services officer, court monitor/clerk monitor. The Ministry has been asked to participate on an advisory basis.</p> <p>The Union raised the issue of refresher training being provided to existing Ministry employees. Management advised that the Court Services Division is undertaking a court support refresher training initiative. A Request for Resources to retain an outside consultant to assist in the development and delivery of the province-wide training is currently in progress. More information will be provided as details are finalized.</p>	<p>Management to provide updates, as available.</p>
<p><b>Workload issues – Criminal Prosecutions</b></p>	<p>The Union raised concerns regarding workload issues in Criminal Prosecutions, 720 Bay.</p> <p>Management will follow up with this concern and report back to the union.</p>	<p>Management to follow up and report back.</p>

<b>Stage II meetings disclosure</b>	The Union requested a protocol to advise the Local Union representatives of who will be attending Stage II grievance meetings from management / Human Resources. Management will commit to providing this information to the Union in advance of the Stage II meeting.	No follow up required. Remove from agenda.
<b>Article 1.4</b>	Management is now required to disclose at each MERC table any new classifications or new positions within an existing class as per Art. 1.4 of the Collective Agreement. The Union provided Management with a copy of a letter (dated December 6, 2005) to Gayle Fisher, ADM, MGS, from Terry Baxter, OPSEU, OPS Chief Negotiator, proposing the use of a spreadsheet to disclose this information to each MERC.	Management to follow up and report back.
<b>Ontario Human Rights Commission</b>	The parties confirmed that any disclosure pertaining to the Ontario Human Rights Commission should also be provided at MERC and that any unresolved issues at the OHRC MERC are to be referred to the MAG MERC.	No follow up required. Remove from agenda.
<b>Next MERC Date</b>	May 4, 2006 September 27, 2006 December 7, 2006	

For the Union:

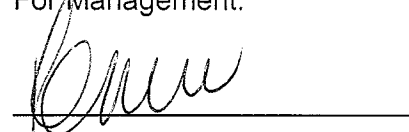


Julie Weber  
OPSEU Co-Chair

Date:

June 5/06

For Management:



Valerie Neville  
Management Co-Chair

Date:

June 5/06