



Ontario

Ministry of the Attorney
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Ministère du Procureur
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Court Services Division
Corporate Planning Branch

Division des services aux tribunaux
Direction de la planification interne

Ontario Public Service Employees Union

OPSEU



SEFPO

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

MEMORANDUM

To: All Court Staff
Court Services Division

From: Ministry of the Attorney General
Ontario Public Service Employees Union
Ministry of Government Services

Date: February , 2006

Subject: Workforce Revitalization Project
Memorandum of Settlement- Appendix 25/32

In our last joint update memorandum to you back in September, we advised that we had begun meeting to discuss how the provisions of the OPSEU Central Collective Agreement would apply to the new "Flexible Part-Time" (FPT) classified workforce model.

It was our mutual intention to resolve all of these outstanding issues by December 31, 2005.

We are very pleased to advise you that we have reached an agreement on all of these issues and have signed off on a Memorandum of Settlement pursuant to the new Memorandum Of Agreement under the Central Collective Agreement, which now appears as Appendix 32 in the Collective Agreement.

Attached, you will find a Q&A sheet which we have developed to address the main issues covered by the Memorandum of Settlement, in anticipation of questions that you may have once you review it.

We have now begun to discuss implementation details and to work through the development of a manageable, implementation plan for the province.

In keeping with our mutual commitment to ensure that employees are neither advantaged nor disadvantaged relative to any prospective roll-out dates for individual work locations, it is our intent to establish a single effective date for "conversion" which will apply to all staff in scope of the new FPT model. This date is intended to fall on or about October 1, 2006, and we will confirm the actual effective date in the near future.

Between now and the effective date we will be delivering joint information sessions to all court locations across the province on the new FPT model and getting all appointment and conversion paperwork for each staff member completed.

More information will follow shortly regarding the purpose, process and schedules for these local joint sessions.

As we've previously noted, this is a large, complex initiative which requires careful planning and management to ensure its success. We appreciate your patience and we will continue to keep you informed of our ongoing progress.

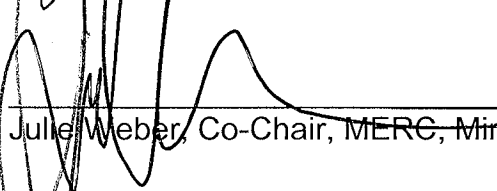
Should you have any questions in the interim, we encourage you to speak to your manager/supervisor, your local union representative, Ministry Employee Relations Committee (MERC) Co-Chair Julie Weber or Judith Marion, OPSEU Job Security Officer



Mike Uhlmann, Project Director, Revitalized Workforce
Court Services Division



Judith Marion, OPSEU Job Security Officer



Julie Weber, Co-Chair, MERC, Ministry of Attorney General

cc. Murray Segal, Deputy Attorney General
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Sandra Wain, Director, Corporate Planning Branch, MAG
Karen Pashleigh, Director, Human Resources Branch, MAG
Leah Casselman, President, OPSEU
Terry Baxter, Chief Negotiator, OPSEU
Members, MAG MERC
Edward Johnson, C.S.R.O.

Workforce Revitalization Project – Memorandum of Settlement Q&A's

1. Will I get seniority for past unclassified service and how will it be calculated ?

A. Yes. Article 18.1(c) of the Collective Agreement currently applies to Regular Part-Time staff (RPT) and we have agreed that it should also apply to FPT staff. Your seniority (continuous service) will be from January 1, 1984 , or from the date on which you commenced a period of “unbroken “ part-time employment in the public service immediately prior to appointment to an FPT position in the classified service, whichever date is later. “Unbroken” service is defined as service that is not interrupted by separation from the public service.

2. What is the significance of seniority ?

A. Seniority is an important factor in employment stability/displacement rights, the rate at which vacation credits are earned, and for job competitions (filling of vacancies), all of which will apply to FPT employees.

3. How will the posting and filling of FPT positions work ?

A. We have agreed to adopt Article 56 of the Collective Agreement (Posting and Filling of Regular Part-Time Positions) with a few modifications. The Term “RPT” is replaced with FPT. Positions in each of the 5 categories of annual hours of work are considered separate positions for the purposes of posting and filling. We have agreed to try a process which waives the posting and filling requirements and allows movement between categories, on the basis of seniority, where:

- The vacant position is identical to the one occupied by the senior employee, and;
- The vacant position is in the same work location, and;
- The move results in a maximum jump of 2 categories above the employee's current category of hours.

4. How will paid vacation credits be earned and used ?

A. Article 72 (vacations and vacation credits) for RPT employees will apply to FPT employees with slight modifications. For RPT employees, credits are prorated on the basis of the ratio that an employee's weekly hours of work bear to full time employment. In order for this to work for FPT employees we have defined a day as being prorated from the annual hours of work separately for each of the 5 categories So, for example a 1400 hour category employee would have a day defined as 5.36 hours for vacation purposes and would be credited with 5.36 hours for each vacation day he or she takes, against the annual total work hours. The same formula would apply for paid sick leave and other paid leave's of absence. Vacation credits are also earned at higher rates for longer continuous service, as set out in Article 72

5. Will I be covered by Long Term Income Protection (LTIP) ?

A. Yes. Article 70 as defined by the Memorandum of Settlement will apply to FPT employees.

6. I joined the OPS as a court support employee after the new Collective Agreement was ratified (June 24, 2005). Am I eligible to be included in the FPT model ?

A. Yes. You will be eligible for conversion into the FPT model after 6 months of post training work related experience

7. If I was absent due to illness for an extended period during the one-year review period being used as a factor to determine my annual hours category, will I be disadvantaged by being placed in a lower category as a result.

A. No, If you were unavailable due to illness for an extended period during that period, your actual working hours would be prorated over the portion of 12months that you were not ill.

8. I currently have a number of separate, concurrent contracts for different functions in the courts (multiple contracts) do all of these hours count towards my category placement and how will my rate of pay be determined

A. All hours worked are considered in determining category placement. Because it is technically not possible to have more than one rate of pay in the classified service we have developed a "blended wage rate" formula based on taking the hourly rate you have been paid for each of your contracts multiplied by the % of time spent in each function during the review period to come up with a blended rate for pay administration purposes. That blended rate will be matched to the closest step (but not lower than) in the current classification ranges, and that will be your hourly rate of pay for all functions you perform. We have also included an annual review and lump sum adjustment process in the event that you end up working a higher percentage of time in a higher function than that which was used to determine your blended rate. Appendix 1 of the Memorandum of Settlement sets this process out in detail.

9. If I opt out of the optional benefits coverages will I receive a % of my hourly rate in lieu ?

A. No. Certain benefits are mandatory and the premiums are paid for by the employer. Others , such as the dental plan and supplementary health and hospital insurance plan are optional to you. If you elect to participate in the plan you will pay premiums, offset to varying degrees by the employer's share depending on what your annual hours of work category bears to full time employment (Article 67 and 68 of the Collective Agreement). If you opt out of these optional benefits you will not have to pay premiums for them, nor will you receive a % of pay in lieu

10. Are there any specific benefits for those of us working in small, isolated communities ?

A. Yes. We have agreed that Article 61 of the Collective Agreement (isolation pay) will apply to FPT employees

11. I am an unclassified Court Interpreter. Am I eligible to be converted to Flexible Part- Time classified status?

A. We have agreed to include current unclassified Interpreters in the conversion process provided they otherwise qualify under Appendix 32 of the Central Collective Agreement for conversion.

12. When will I be notified of the annual hours of work category I'm being converted into?

A. After our Joint information session in your workplace , your manager / supervisor will provide you with written notice of the category you qualify to be converted into. Your historical work hours and any other factors used to determine your category will also be available should you wish to review it.

We are currently developing a meeting schedule for all court sites and will provide further information to you shortly. The effective date of your conversion into your category and to your new Flexible Part-Time Classified status will be on or about October 1, 2006, as noted in the cover memo.