

**APPENDIX 25
TERMS OF REFERENCE
FOR THE
SECTION 3 – ASSIGNMENT TO ANNUAL HOURS CATEGORIES
COMMITTEE**

Between

THE CROWN IN THE RIGHT OF ONTARIO (EMPLOYER)

- And -

THE MINISTRY OF THE ATTORNEY GENERAL (MINISTRY)

- And -

THE ONTARIO PUBLIC SERVICE EMPLOYEES' UNION (UNION)

1. NAME OF COMMITTEE:

The Committee shall be referred to as the "Section 3 – Assignment To Annual Hours Categories Committee" (AAHCC)

2. TERMINATION:

This Committee shall be in place for the duration of the rollout process for the new Flexible Part-Time Classified model.

3. PURPOSE OF COMMITTEE:

- 1 The purpose of the Committee is to assist the Ministry in assigning employees to the respective categories of annual hours, as outlined in Appendix 32, Section 2.

It is understood that assignment of employees to annual hours categories shall be determined by the Ministry in accordance with Section 3 of Appendix 32 and paragraph 11 of the MOS dated December 20, 2005.

4. SCOPE:

- 2 The employees included are specifically those Unclassified Court Clerks, Court Registrars, Court Monitors, Court Reporters, Court Service Officers, and Court Interpreters employed within the Court Services Division,

Ministry of the Attorney General, eligible for conversion to Classified Flexible Part-Time (FPT) status.

- 3 Unclassified "as-required" employees eligible for conversion to FPT status are those current employees who have worked 720 annual hours, or more, over a period of one (1) year prior to the date of ratification of the Collective Agreement, specifically June 24, 2005, subject to the provisions of paragraphs 6 and 11 or the Memorandum of Settlement between OPSEU and the Ministry of the Attorney General.

Without Precedent or Prejudice:

It is agreed that the discussions of the parties at the AAHCC are without precedent or prejudice.

5. COMMITTEE MEMBERS AND MEETINGS:

- 1 The AAHCC shall be composed of four (4) management and four (4) OPSEU representatives.
- 2 The Union shall designate one member to act as the Union Co-Chair of the AAHCC committee. The Ministry shall designate one member to act as the Ministry Co-Chair of the AAHCC committee.
- 3 The AAHCC shall review only the placement into hours of work categories of those unclassified "as-required" employees eligible for conversion to FPT status, as outlined in Section 4 of these Terms of Reference.
- 4 The Committee shall meet at least once per month, unless the AAHCC Co-Chairs mutually agree otherwise.
- 5 The AAHCC Co-Chairs shall mutually agree upon the date(s) and times that the AAHCC Committee shall meet.
- 6 The Union AAHCC members shall be granted time off with pay to attend committee meetings and the Ministry AAHCC Co-Chair shall notify local managers of their employee(s) involvement in the committee.
- 7 The Union members of the Committee shall receive reasonable time off with pay prior to each AAHCC meeting as agreed by the Co-Chairs to prepare for the meetings.
- 8 Management and/or the Union may alternate AAHCC committee members prior to the next AAHCC committee meeting, upon at least one (1) weeks notice to the other party. It is desirable that only one (1) AAHCC member of either party is alternated at a time to ensure continuity unless otherwise mutually agreed to by the Co-Chairs.

Guests:

- 1 Guests may attend the AAHCC committee meetings upon the agreement of the Union and Ministry AAHCC Co-Chairs.

Confidentiality:

- 2 Each AAHCC participant shall maintain any discussion between the parties and any information shared as confidential, except as agreed to by the parties.

6. PROCESS:

1. At least fourteen (14) calendar days prior to the scheduled AAHCC meeting date, the Ministry Co-Chair shall forward to the Union Co-Chair a report containing:
 - a. Proposed category placement for each employee who qualifies:
 - b. Historical hours of work and other factors (if any) used to determine: placement into the annual category for each employee:
 - c. A list of those employees who do and do not qualify for conversion:
 - d. Continuous service date where available:

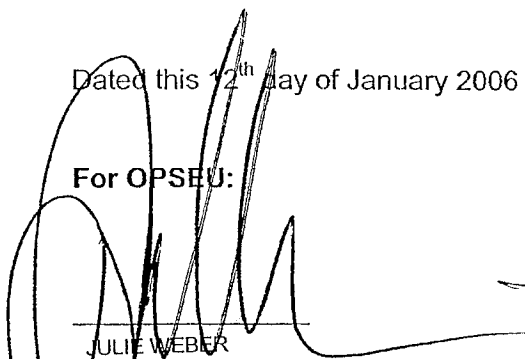
For each site that is, scheduled to be converted during the rollout process period.

2. The AAHCC shall discuss any concerns regarding placement into categories and attempt to resolve these.
3. If the AAHCC is unable to resolve the assignment of an employee to an annual hours category, the Ministry shall determine the annual hours category to which the employee will be assigned.
4. The Union AAHCC Co-Chair may request reconsideration of an employee's assignment to an annual hours category if new or additional information becomes available that should be considered by the AAHCC.
5. Any individual dispute regarding placement into categories, which are not resolved by the AAHCC, may be referred to the *Section 6 - Joint Dispute Resolution Committee*.
- 9 Where there is any discrepancy between these Terms of Reference, Appendix 25, and/or Appendix 32 of the Central Collective Agreement, and the Memorandum of Settlement dated December 20, 2005, the

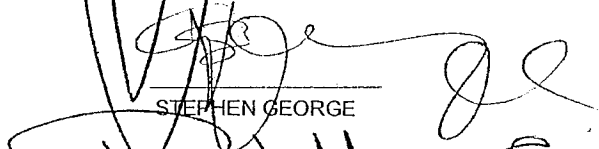
Memorandum of Settlement shall govern.

Dated this 12th day of January 2006 at Toronto, Ontario.

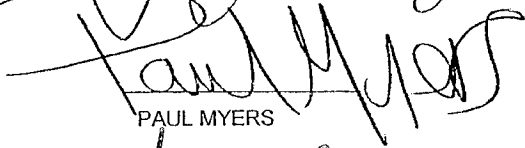
For OPSEU:



JULIE WEBER



STEPHEN GEORGE

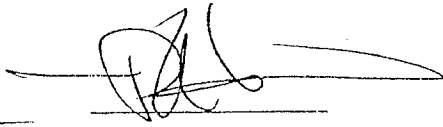


PAUL MYERS

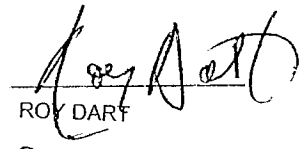


LEAH CASSLEMAN

For the Ministry:



MICHAEL UHLMANN

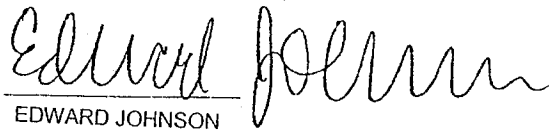


ROY DART



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For The Crown in Right of Ontario:



EDWARD JOHNSON