

**MEMORANDUM**

**TO:** All Presidents with members in the Ministry of Community Safety & Correctional Services  
All Stewards in the Ministry of Community Safety & Correctional Services

**FROM:** Ruth Hamilton, OPS Supervisor

**DATE:** November 23, 2011

**SUBJECT:** **Ministry of Community Safety & Correctional Services  
ERC– October 27, 2011**

---

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,



Warren (Smokey) Thomas  
President



Ruth Hamilton  
OPS Supervisor

/sk

att.

cc: MERC Chairs  
Ministry ERC

**Ministry of Community Safety and Correctional Services  
Ministry Employee Relations Committee**

**Minutes**

Thursday, October 27, 2011

25 Grosvenor Street, 16<sup>th</sup> Floor, Main Boardroom, Toronto ON

---

**Attendees: For the Union**

Dan Sidsworth (Co-chair)  
Monte Vieselmeyer  
Jim Mitchell

**For the Ministry**

Marilyn Tomkinson (Co-chair)  
Emelie Milloy  
Rose Buhagiar  
Pauline Jones  
Christina Danylchenko  
Lisa Vescio

**Regrets:**

- Gorg Longhi
- Stephen George

**Guests/Observers:**

- Sean Milloy, Employee Relations Advisor, Centre for Employee Relations
- Matt Robinson, Business Advisor, HR Strategic Business Unit
- Bob Thomas, Labour Management Liaison, Health and Safety
- Kevin Sawicki, Manager, Strategic Labour Relations Initiatives, SBU
- Jim Verrinder, Project Manager, Electronic Security Services and Solutions

**Note Taker:**

- Lise Ledoux, Program Advisor to the MERC

**Announcements:**

Management co-chair announced that the September 28<sup>th</sup> meeting was adjourned and the Union requested a meeting with Deputy Hope which did occur the following day on September 29<sup>th</sup>.

Management co-chair welcomed Lisa Vescio as she returns to her position as Director, Organizational and Systemic Changes Branch.

## Previous Business:

### Community Services items

1. **11 04 19: Accommodations in P&P** – meeting was held on October 12 to jointly review the current accommodation process and work towards a best practices approach to workplace accommodations.

Action: ongoing. Next meeting is scheduled for November 30<sup>th</sup>.

2. **11 04 19: Lateral transfers in P&P** – Employer reviewing current process followed in each region.

Action: in progress

### Institutional Services items

1. **09 11 24: Grievance Improvement Proposals** – Med-Arb process has commenced. Union still receiving a lot of feedback from local Presidents. Union to review the draft joint communiqué and provide feedback.

Action: in progress. Pauline to request a copy of the draft communiqué is shared with the Union co-chair.

2. **10 01 27: Correctional Officer Recruitment Unit** – Union supports the Employer's initiative and their one concern with the policy is that the screening process is too long and feels that the Recruitment Unit required more resources and could be done by OPSEU bargaining unit staff. Issue regarding time length is under review by the Employer.

Union questioned when the next COTA class will commence.

Action: no update. Pauline to get an update from Carroll Robinson. The Employer will advise when new information becomes available including dates of when COTA classes will commence.

3. **10 06 02: Mentoring of New Hires (Job Orientation)** – Marilyn and Jim to will provide an update at the next meeting. Management co-chair will meet with the Northern Region staff that were involved with the mentorship program on November 1<sup>st</sup>.

Action: Marilyn will provide information to Jim when available and will work together to determine next steps.



4. **10 09 29: Thunder Bay Jail 2-hour Shifts** – Union reported that post direction from ADM, IS this practice continues in some Northern region institutions. Employer follow-up with identified institutions and they are no longer engaging in this practice.

Action: Union has informed that one institution in the Eastern Region continues to follow this practice. Pauline to follow-up with region.

5. **10 09 29: Dress Uniforms** – Employer advised that there has not been a scheduled meeting. The Request for Proposal is on MERX and Union co-chair will be invited to the next sub-committee meeting.

Action: complete. Remove item from agenda

6. **11 04 19: Local 678 - ARTC** – Union reported that there is an OLRB hearing scheduled on November 24th.

Action: no update

7. **11 04 19: Provincial Nursing Advisory Committee** – issue where new hires fall on the salary scale. Strategic Business Unit continues to follow-up with Corporate Health Care.

Action: no update

8. **11 04 19: 2010 Auditor General Report** – requested information has been provided to the Union.

Action: Union to put forward some dates to schedule the next meeting.

9. **11 06 02: Use of tele-health type service (medical / psychiatric assessment) in non remote institutions** – Local currently recruiting for a replacement physician and Employer co-chair relayed this at their September 29<sup>th</sup> meeting.

Action: Linda Ogilvie will present at a future meeting.

10. **11 06 02: Transition Updates** – to date TIC is still set to open on November 4<sup>th</sup> at which time some of the Western Region intermittents will be diverted to Maplehurst CC. South West DC design component is near completion. No update on Toronto South DC.

Union reflected that the work completed by the Transition Unit is going very well and would like to thank Linda Elliott and the Transition Team for the work completed.

Action: ongoing



Both Community and Institutions Services items

1. **11 04 19: OPS 2011 Employee Engagement Survey** – the Deputy Minister shared a memorandum on October 20<sup>th</sup> to staff which reported that there was a 36% increase of Correctional Services participation. Survey results can be reviewed on the Ministry's intranet site: <http://intra.net.gov.on.ca/MCSCS-EmployeeEngagement/>.

Action: Action plans to be finalized in the new year. SBU will forward a copy of the results to the Union co-chair.

2. **11 06 02: Threats Against Staff Policy** – Union is recommending that a policy be established similar to Nova Scotia's policy which reflects the Criminal Code sec. 423.1 entitled "Intimidation of a Justice System Participant". Employer advised that the policy is still under review and has been revised to include what's reflected in the Criminal Code. The Union is frustrated with the length of time the Employer has taken to review this policy and the Union has raised this issue with the Deputy Minister. This matter has been discussed at the PJOHSC table and will be reviewed at that table as a priority.

Union requested clarification on the "Threat Against Staff" policy in respect to transferring of inmates. Employer confirms that the policy does not require any element of Security Threat Group activity in order to determine if the offender will be transferred.

Action: in progress

3. **11 06 02: Changing Face of Corrections report** – meeting occurred on August 23<sup>rd</sup>. The ADM, IS advised the Union that the recommendations are not being acted upon.

Action: complete. Remove item from agenda

4. **11 06 02: Review of MERC Sub-committees** – Employer to provide a list of the current sub-committees for review by the Union.

Action: Management co-chair will provide to the Union co-chair prior to the next meeting.

5. **11 06 02: Results Based Planning** – meeting occurred. The Union has requested regular updates as to the status of individuals on the surplus list within the Ministry.

Action: ongoing

6. **09 09 29 FLS Requirements all Community Services Locations** – SBU is currently working on a broader response.

Action: SBU to provide update at the next meeting.

**Standing Items:**

1. **Systemic Change Steering Committee (formerly SAROC)** – Parties to provide names of their respective membership for the Diversity Sub-committee at the next meeting. David Snoddy will remain as Management co-chair of the Systemic Change Steering Committee and initiatives are progressing with completion anticipated by the end of 2012.
2. **Diversity Efforts Underway in the Ministry** – 577 initiatives received from across the province that include staff and the clients that we serve (main categories: employee engagement, staff involvement, educational events and general communication).
3. **Labour Relations / Regional Labour Relations Forum (RLRF)** – currently cancelled due to fiscal constraints. Under review by the Employer. The Employer continues to promote local and regional consultation between the parties. Union was not consulted and does not support cancellation of the forums.
4. **Interest Based Problem Solving training (IBPS)** – Employer advised that this is a fee-for-service MOL and the Ontario Correctional Services College does not have the resources to do training.

Action: remove item from agenda and refer to the Training sub-committee.

5. **Fixed Term Correctional Officer Hours and Number of Unclassifieds to be provided quarterly** – provided to Union co-chair. Union questioned why the quarterly fixed term unclassified hours decreased, and the overtime hours have increased.

Action: Rose to review and provide a response.

6. **Hardcopy of Superintendents List E-Copy** – provided to Union co-chair.
7. **Joint Attendance Strategy and Implementation Committee** – it was reported at the last JASIC meeting that as of July 31, 2011 the attendance targets for 2011 were 14.619 eight-hour days, prorated. MERC recommends that the interim review of the Attendance Support and Management Pilot Program be referred to JASIC.
8. **Joint Cost Generating Savings Opportunities** – no update
9. **P & P workload sub-committee** – work continues to move forward

10. **Ministry file review committee** – next meeting has been scheduled for the week of October 31<sup>st</sup>
11. **MERC Investigations Sub-committee** – currently working on an information sheet for employees, with regard to s.22 investigations, that includes definitions, roles of participants and an explanation of the process. Next meeting scheduled for November 21<sup>st</sup>.
12. **Security Provisions and Inmate Population Management Committee Recommendation** – update to be provided at the next meeting

### New Business

1. **11 09 28 Thunder Bay Jail / Ongoing Poor Labour Relations** – The Union reports issues regarding occurrence reports being ordered to be written when FXT's don't answer the phone. (AS per GSB # 0389/97) The employer's expectation of "reasonably available" is not same as "immediately" anything more would be considered on call or standby. Why is the Thunder Bay Jail administration continuing to not follow Ministry Policy with regards to FXT issues?

Employer's response is that the Thunder Bay Jail has not scheduled two hour shifts in the past month and this would only occur if operationally required. There is no practice of requiring occurrence reports for not answering their telephones. Further clarification required.

Action: Employer will seek further clarification on the Union's concerns regarding the occurrence reports.

2. **11 09 28 Toronto Intermittent Centre issues** – Union's concern over MCSCS lack of cooperation, and commitment on joint training and development on Toronto Intermittent Centre Operating Model. The local parties had discussed schedules and local Union has asked that those discussions be deferred pending a response on the list of concerns submitted to the Employer on October 27<sup>th</sup>. The Employer is committed to work towards a resolution.

Action: MERC and PJOHSC representatives have agreed to meet and assist the local parties on October 28<sup>th</sup>.

3. **11 09 28 Ombudsman's Investigation on Use of Force** – Statement on meeting OPSEU MERC members had with Ombudsman's investigators. Meeting was held on August 24<sup>th</sup>. See attached correspondence from the Union.

Action: no further action. Item removed from agenda.



4. **11 09 28 Improving and Maintaining Local Labour Relations Re: Presidential Leave** – As per the agreement (2.a) recognition of CA article 23.9. a minimum of 4 hours to be used by local president at their discretion in order to conduct local union business outside of the workplace, as a part of the quantum of president's leave.

Action: Employer will review the concerns at four institutions and the Union's concerns regarding denial, cancellation and the four hours (CA article 23.9) off site not being recognized.

5. **11 09 28 Increase of the Interim Staffing Levels at Toronto Intermittent Centre Re: Correctional Officer** – the current TIC complement has increased from 46 to 50. Union's concern is that the present complement of 50 does not meet the operational needs and should be increased.

Action: MERC representatives have agreed to meet and assist the local parties on October 28<sup>th</sup>.

6. **11 09 28 Personal Protective Equipment** – Use of force and the scrutiny the Ministry and correctional officers are now facing. Request a review of the Personal Protective Equipment for correctional officers and the use for correctional officers assigned to inmate living units i.e., ballistic vests, restraints (handcuffs), chemical restraints (pepper spray) to increase the level of safety and use of force options.

Action: Union recommends that the PJOHSC review what type of personal protective equipment should be used and when it should be used. MERC Management co-chair will discuss with PJOHSC Management co-chair.

7. **11 09 28 Fixed Term Employees Suspension with Pay** – Unclassified members to be treated fairly and to be suspended with pay. FXT members to be considered in the same manner as classified members when suspensions are deemed by the employer necessary pending the out come of section 22 investigations.

Action: Stage 2 meeting has been scheduled for October 28<sup>th</sup> as this has been submitted as a policy grievance including MCYS.

8. **11 09 28 Length of time for Section 22 investigations to be shortened** – Many members complaining lack of information and length of time for outcome of the investigative process from beginning to end.

Action: Employer is exploring options to improve timeliness.

9. **11 09 28 ASMPP thresh-holds** – As per the C.A. a review of the ASMPP was to be conducted. One of the issues to be considered should be a review of the thresholds that trigger when a person moves through the different levels of the

program. The OPS attendance support program was recently changed and those thresholds and levels are significantly different than those set in the Correctional Bargaining Unit.

Action: MERC recommends that the discussions on threshold triggers be referred to JASIC.

10. **11 09 28 Mental Health Training for Correctional Officers** – Increase knowledge of offenders with mental disorders:

- symptoms
- interventions/treatments
- issues (stigma, discrimination, risk)
- legislation, MCSCS initiatives

Enhance skills and strategies for effectively interacting with and supporting offenders with mental disorders:

- communication and interpersonal skills
- recognizing and describing symptoms
- tailoring skills and strategies for Aboriginal offenders
- referring, consulting and collaborating with mental health professionals, community resources, family members

Action: MERC refers this issue to the Training sub-committee. Item removed from agenda.

11. **11 09 28 IS Incident Workload Issues** – Use of force and the scrutiny the Ministry and correctional officers are now facing. The Union requests a review of the way incidents are handled, i.e., delegation of work, level of report writing, relieve of duties to complete incident packages.

Action: Employer will consult with Colette DesRoches, Use of Force Auditor and report back to the Union co-chair at the next MERC meeting.

12. **11 09 28 Discharge Planning** – presentation by Lisa Vescio who conducted a comprehensive review of the *Homeless and Jailed: Jailed and Homeless* report by the John Howard Society of Toronto.

Action: complete. Item removed from agenda.



13. **11 09 28 Integrated Security Project** – presentation by Jim Verrinder, Project Manager, Electronic Security Services and Solutions.

Action: complete. Item removed from agenda

14. **11 10 27 Pay cheque errors** – Union reports that issues are more frequent and not being resolved in a timely fashion.

Action: MERC referring to CERC.

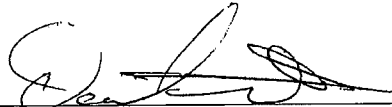
**Next Meeting:**

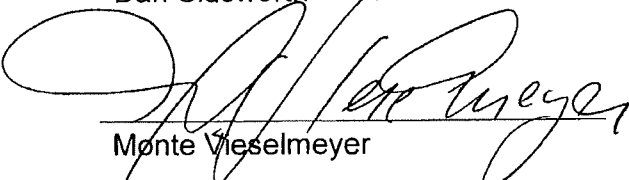
**Date:** Wednesday, November 23, 2011


**Location:** tbd

**Time:** 9:30 a.m.

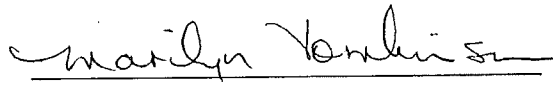
**For the Union:**

  
\_\_\_\_\_  
Dan Sidsworth

  
\_\_\_\_\_  
Monte Vieselmeyer


  
\_\_\_\_\_  
Jim Mitchell

**For the Ministry:**

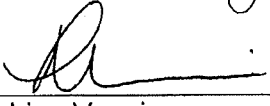
  
\_\_\_\_\_  
Marilyn Tomkinson

\_\_\_\_\_  
Emelie Milloy

  
\_\_\_\_\_  
Rose Buhagiar

  
\_\_\_\_\_  
Pauline Jones

  
\_\_\_\_\_  
Christina Danylchenko

  
\_\_\_\_\_  
Lisa Vescio

## **Ontario Ombudsman's Special Report on Use of Force in MCSCS Institutional Services**

The MERC members met with the Ombudsman Office on August 24, 2011. The investigation will look at the Ministry of Community Safety and Correctional Services' response to inmate complaints of excessive force, including how it conducts investigations and enforces policies on the use of force.

We put forward the argument that the investigation should be a more comprehensive look into the Correctional Services System in Ontario with a view of addressing the many concerns of our members have including but not limited to: staffing levels, lack of core inmate programming, overcrowding, access to training, increase workloads, no increase in staffing levels, staff shortages, Limited access to existing Personal Protective Equipment, Length of internal investigations, Little to no inmate core programming, Increase level of violence in the workplace, Increase in the level of gang activities in institutions, Lack of resources for Occupational Stress Injuries and Post Traumatic Stress Disorders

The MERC members but forward that the investigations are too long, unfocused, and drawn out, many times lasting more than a year. (Fixed Term) Unclassified Correctional Officers are treated significantly differently with less concern for personal welfare then (Regular) full time status.

We put forward that a report that did not look into the systemic problems of Corrections in Ontario was doing a disservice to our members, the inmates and the citizens of this great province.

We have made are selves and members available to assist in any way possible to aid the Ombudsman in this investigation.

In Solidarity,

Dan Sidsworth  
OPSEU  
MERC Chair  
MCSCS  
w 905-878-8141 ex.2415  
c 905-691-7955  
[dansidsworth@cogeco.ca](mailto:dansidsworth@cogeco.ca)