

## MEMORANDUM

**TO:** All Presidents with members in the Ministry of Education  
All Stewards in the Ministry of Education

**FROM:** Brian Gould, OPS Supervisor/Negotiator

**DATE:** March 25, 2008

**SUBJECT:** **Ministry of Education**  
**ERC Minutes – December 14, 2007**

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Attached, for your information, are the minutes of the above captioned meeting.

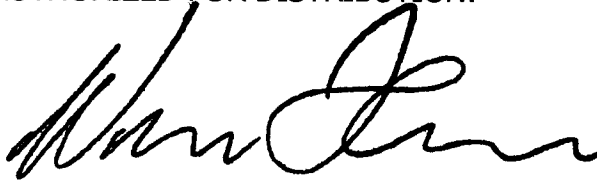
Please post or otherwise make them available to the members in your workplaces.

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:

IN SOLIDARITY,



Warren (Smokey) Thomas  
President



Brian Gould  
OPS Supervisor/Negotiator

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att.

cc: MERC Chairs  
Ministry ERC

**MINISTRY OF EDUCATION  
MINISTRY EMPLOYEE RELATIONS COMMITTEE (MERC)  
Ottawa Room, 2<sup>nd</sup> Floor, Mowat Block, 900 Bay Street, Toronto**

**For Management:**  
Lisa Sherin, Co-Chair  
Simon Ouellet  
David Doherty  
Deborah Metrakos  
Kathryn Dubois

**For OPSEU:**  
Alicia Czekierda, Co-Chair\*  
Chris Cormier  
Stephen George

\*Chair of the Meeting

AGENDA ITEMS	DISCUSSION	ACTION REQUIRED
Confirmation of Agenda	The Union added the following agenda items: <ul style="list-style-type: none"> <li>• Orientation Package</li> <li>• Workplace Discrimination and Harassment Prevention Policy Sub Committee</li> </ul>	
Minutes		
<b>BUSINESS ARISING</b>		
Local Employee Relations Committee (Local Employee Relations Committee) Training Module	The Union is asking the employer to provide names of individuals who will sit on the Local Employee Relations Committees as representatives of management in Milton and Ottawa.  Management has agreed to cover travel costs and there will be no loss of pay for the training of the Sir James Whitney Local Employee Relations Committee.  Management has indicated that in Milton they are underway in working	Management committed to identify management representatives for Centre Jules-Léger and E.C. Drury Provincial School.

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	with local OPSEU representative.	
Seniority List, True Vacancy Report, Unclassified Contracts List	<p>The Union inquired into the vacancies that appear in the true vacancy report.</p> <p>Management indicated that individual cases should be addressed outside of the Ministry Employee Relations Committee. Further, the WIN data is currently being cleaned up.</p>	<p>The Union committed to send the vacancy list to the local representatives for their review.</p> <p>The Union will send inquiries to the Provincial Schools Branch.</p>
Provincial Schools Governance	Nothing new to report	N/A
Residence Review	<p>Management sent a summary of the review process to Ministry Employee Relations Committee members on December 4, 2007.</p> <p>The Union inquired into the consulting process. Management explained that consultants will be observing the operations and will hold focus groups at all sites.</p> <p>Management indicated that at CJL, due to the French language requirement, management will attend to provide translation. The union asked whether an independent translator could be provided at CJL.</p> <p>The Union asked whether there is flexibility in including people from all shifts in the focus groups.</p>	<p>Management committed to follow up with the consulting company to inquire whether French language consulting services are included in the original contract. In the event that it is not included management will ask whether a translator may be provided.</p> <p>Management committed to send progress reports to Ministry Employee Relations Committee in between meetings.</p> <p>Management will relay this message to the consulting firm.</p>
Workplace Safety Insurance Board	Management indicated that the report has not yet been received from Ontario Shared Services.	Management commits to follow up and send to Ministry Employee


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Summaries		Relations Committee as soon as it is available.
YMCA Day Care at E. C. Drury School	<p>Management indicated that there is no formal service level written agreement.</p> <p>The Union expressed concern that there is no written agreement in place. The Union is concerned with the length of time it has taken to resolve this issue. Further, the union has indicated that it will be considering all actions that it may take in this regard.</p>	Management agreed to strongly advise Provincial Schools Branch management to commit the verbal agreement to writing.
Reducing Use of Unclassified Staff	<p>Management has indicated that there is not enough work for this position to justify a classified position. There have been discussions with the local union for over a year regarding adding enough additional functions to the position to justify a classified position. This position would then be reclassified as a maintenance mechanic 1. If that were to occur, management would seek OPSEU's approval to assign the new position to the incumbent without a competition.</p> <p>The provincial school branch has created 17 classified positions (15 in Milton and two in Ottawa).</p> <p>The Union indicated that positions should not be amalgamated. The Union suggested that the Provincial Schools Branch post a maintenance position. Furthermore, it asked if there is enough additional stores work to justify some additional weeks worked in the summer.</p>	This issue will be removed from the Ministry Employee Relations Committee agenda.
Results Based Planning Update	Management shared the impacts of the 2007/2008 plan at the last meeting. Additional positions resulting from that plan will be disclosed in the normal process. The 2008/2009 process has commenced but no	

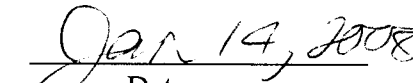
AGENDA ITEMS	DISCUSSION	ACTION REQUIRED
	decisions have yet been made.	
Workplace Violence and Prevention	Management is reviewing the toolkit to determine how to use it in the most efficient and effective manner across the numerous work sites of the two Ministries.	
Human Resource (HR) Transformation Update	<p>Management shared that the November Communique was e-mailed to Ministry Employee Relations Committee members on December 5, 2007.</p> <p>The Union asked why the Provincial Schools Branch is not subject to the HR transformation. Management indicated that the transformation extends to the HR branches. The HR function at the Provincial Schools Branch is not part of ministry HR.</p> <p>Management indicated that the HR transformation will provide a more consistent, focused approach to deal with HR issues. This will enable the branch to take a strategic, long range approach to human resources rather than simply addressing the day-to-day business needs.</p>	
<b>NEW BUSINESS</b>		
Family Stat Holidays	<p>The Union raised the issue that unclassified staff, including seasonal staff, are not paid for statutory holidays, but instead receive 4 per cent in lieu.</p> <p>Management indicated that it has raised the concern with Ministry of Government and Consumer Services.</p>	The Union will refer this issue to Central Employee Relations Committee.
Seasonal Seniority	The Union asked how downsizing works for seasonal staff within the	


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	<p>residence program at Provincial Schools Branch. As an example, it asked how the process worked with respect to downsizing of Residence Counselor 2 positions at Amethyst School in London.</p> <p>Management explained that under Article 32.5.1.1 where there is a shortage of seasonal work contracts are offered on the basis of seniority within the position. It is management's view that the positions of Residence Counselor 1 and 2 at Amethyst school are different positions. The classification and the position are not necessarily the same in all cases; it is the position that governs in surplus situations.</p>	
Time off for Union Business	<p>The union voiced concern as to the way in which leaves for 'union business' are administered. The union indicated a concern regarding the onerous process that is required to obtain a leave.</p> <p>Management clarified the process for leaves for union business. The collective agreement defines specific leaves for union business.. There are also, leaves for union business that are not explicitly defined in the collective agreement. In those cases, management takes a cooperative approach in approving those leaves. However, it needs confirmation from OPSEU corporate that it will be reimbursed for these leaves.</p> <p>Discussion ensued regarding how to simplify the process. The Job Security Officer committed to be the point of reference for any problems that arise within OPSEU.</p>	Management committed to inform the union when issues arise in granting union leaves.
New Dates	<p>March 20<sup>th</sup>, 2008  May 28<sup>th</sup>, 2008  October 7<sup>th</sup>, 2008</p>	

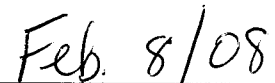
AGENDA ITEMS	DISCUSSION	ACTION REQUIRED
	December 9, 2008	
Confirmation of Decisions made at the Ministry Employee Relations Committee Training Session	<p>Management explained that a Workplace Discrimination and Harassment Prevention Policy subcommittee will meet via teleconference. The purpose of the committee is to develop a blended approach as to how WDHP training should be developed and designed. The brainstorming session from the Ministry Employee Relations Committee training will be used as a starting point. The results will be shared at the next MERC meeting.</p> <p>Real time minutes are in effect.</p> <p>The parties agreed to categorize agenda items as information, discussion or decision items. Further, the parties will try assigning time limits for decisions and guests.</p> <p>Both parties committed to share information between meetings. For report back agenda items, the information will be simply included in the minutes.</p> <p>The parties discussed how to prioritize the agenda. The parties agreed to the status quo.</p> <p>The parties discussed the Local Employee Relations Committee referral form.</p> <p>The parties agreed to use the Interest Based Negotiation model for contentious issues. This will be conducted outside of the Ministry Employee Relations Committee through a subcommittee.</p>	<p>Management has committed to send out dates in January for the Workplace Discrimination and Harassment Prevention Policy subcommittee's teleconference.</p> <p>The Union commits to encourage the Local Employee Relations Committees to use the Local Employee Relations Committee referral form</p>

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	The parties have agreed to develop a code of ethics at the next Ministry Employee Relations Committee. The COMSOC code of ethics will be shared.	
Provincial School's Branch Employee Relations Committee	This is tabled for the next meeting.	
Orientation	<p>Management indicated that once the name of the local presidents is obtained, that their name and contact information will be included in the offer letter.</p> <p>Further, the Employee's orientation checklist will include OPSEU information. The HR liaisons at all the branches have all been trained as to what is on the site.</p>	<p>Management will provide the union with a list of worksites.</p> <p>The Union committed to provide an up-to-date list of local presidents.</p> <p>Management committed to make OPSEU information more readily available online.</p>

  
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 Lisa Sherin, for Management

  
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 Date

  
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 Alicia Czekerda, for the Union

  
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 Date