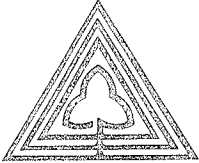


MEMORANDUM

OPSEU



SEFPO

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

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

FROM: Brian Gould, OPS Supervisor/Negotiator

DATE: January 25, 2007

SUBJECT: **Ministry of Education
ERC Minutes – October 5, 2006**

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,

100 Lesmill Road,
Toronto, Ontario
M3B 3P8
e-mail: opseu@opseu.org
www.opseu.org

Leah Casselman
President

100 chemin Lesmill,
Toronto, Ontario
M3B 3P8

courrier électronique /jmh
opseu@opseu.org att.
www.opseu.org

Brian Gould
OPS Supervisor/Negotiator

Tel: (416) 443-8888
Fax: (416) 443-9670

cc: MERC Chairs
Ministry ERC

Ontario:
Toll free: 1-800-268-7376

TDD:
(416) 443-9898
or
1-800-663-1070

**MINISTRY EMPLOYEE RELATIONS COMMITTEE
MINISTRY OF EDUCATION**

MINUTES

**Thursday October 5, 2006
Robarts School for the Deaf
1090 Highbury Ave., London, Ontario
9:30 a.m. – Noon**

For the Employer:

Lisa Sherin (Co-chair)*
David Doherty
Mel Thompson (by teleconference)
Deborah Metrakos
Jay Naik
Reena Sharma
*Chair of the Meeting

For the Union:

Alicia Czekierda (Co-chair)
Chris Cormier
Stephen George

Guests:

Members of the Robarts/Amethyst Employee Relations Committee:
Linda McMillen
Dean Kelly

Regrets:

Kit Rankin

REVIEW OF THE AGENDA:

The agenda was reviewed, revised and approved.

REVIEW OF THE MINUTES:

The minutes were reviewed and approved.

BUSINESS ARISING:

1. Workplace Discrimination and Harassment Prevention (WDHP) Policy Update

Management presented an update on the orientation training for the provincial schools, including orientation materials on the Workplace Discrimination and Harassment Prevention (WDHP) Policy. The Union called upon the Ministry to immediately implement mandatory WDHP. While it is aware that WDHP training has been implemented across provincial schools, the Union indicated that it would like to see the training extended across the Ministry. It announced that it has decided to pursue the matter through a letter to the Deputy Minister and failing resolution at that level, will raise the item at the Central Employee Relations Committee (CERC). The Union withdrew the issue from the MERC agenda.

Management replied that the CERC has now established a training subcommittee, which would be an appropriate forum for discussing the approach to WDHP training across the OPS. The Union indicated that it did not believe that WDHP training was within the training package being developed by the subcommittee.

With respect to the orientation materials produced for use at Provincial Schools, the Union requested that the materials be produced in American Sign Language (ASL) and la langue des signes québécoise (LSQ) to allow deaf employees to learn policies and procedures in their first language. Currently, the policies and procedures must be signed by an interpreter. Management indicated that some sites do have an inventory of policies interpreted on videotape.

***Commitment:** Management will review policies currently available in ASL/LSQ on videotape and consider the possibility of producing ASL/LSQ tapes for all material in the orientation package.*

The Union will clarify at the next meeting of the CERC training subcommittee whether the committee's mandate extends to WDHP training.

2. Seasonal Employee Benefits

Management has worked with Ontario Shared Services to set up a system to ensure prompt reinstatement of seasonal benefits each year. The system involves both the submission of a list of returning employees, which is to override the list generated from WIN, and a letter to the insurer identifying the claimant's right to claim benefits. Management reported that the process appears to be working as there has only been one complaint this year, which related to pre-

authorization of orthodontic work, rather than the submission of a claim. The issue was resolved within five days.

The Union indicated that some members are still sceptical and so put off submitting their receipts until October. It was suggested that in order to build confidence in the new process, there should be a communication at the end of the year explaining the system put in place to ensure reinstatement of benefits.

This item will be removed from the agenda.

Commitment: Management will continue to work with the Ontario Shared Services Bureau to track the process of registering returning seasonal employees and remains committed to dealing with issues going forward. At the end of the academic year Management will send out a communication to let Provincial School employees know the process that has been put in place to ensure reinstatement of seasonal benefits.

3. Local Employee Relations Committees (LERCs) / Training Module:

The Union suggested using the Ministry of Community and Social Services / Ministry of Children and Youth Services (MCSS/MCYS) LERC training package as a model for the Ministry. It felt that a lot of work has gone into this package and that it would work well in provincial schools. It noted that other Ministries are using the model pending the development of a corporate LERC/MERC training package.

A discussion occurred over issues that would need to be addressed before implementing training including who would facilitate the discussions, the role of Management and Union co-trainers, costs, rolling out the initiative and determining cohesion with any corporate direction on LERC training. It was agreed that a subcommittee should be struck to develop a workplan. The Union nominated Alicia Czekierda as its member of the subcommittee.

Commitments: Management agreed to contact the Union Co-chair with its nominee to the committee.

4. Changes in Hours of Work - Provincial Schools Classroom Assistants

Management indicated that it continues to look for meaningful work to supplement the hours of classroom assistants on a case-by-case basis. It cannot, however, commit to increasing the hours for all classroom assistants to 36 ¼ hours per week.

The Union indicated that employees do not understand why this issue has not been resolved. It appears to some members that there are funds for the hiring of three principals but no resources to increase classroom assistant hours.

Management responded that it is its responsibility to decide where to allocate resources. It indicated that the reduction in classroom hours through attrition is not based on reallocating money to management positions, but rather on an assessment of the work performed by the position. While it appreciates that this is a major issue for some employees, it reiterated that employees can be paid for meaningful work.

It was agreed that this item will be removed from the agenda.

5. Annual Offence Declarations

The Union inquired whether all Annual Offence Declarations had been submitted. Management responded that there is a great improvement in the submission rate over previous years. Some are outstanding, in some cases because the employees are on leave. The Union asked to be kept up-to-date on the situation and offered to help if there were any areas where it could be of assistance. It was agreed that the item be removed from the agenda.

6. Seniority Lists, True Vacancy Report, Unclassified Contracts

Management provided the union with an unclassified contract list that included the added level "Job Code Description". Previously, Management committed to providing a legend of position codes with the list. This added section replaces that legend by inserting the information directly into the spreadsheet.

The Union inquired about the percentage of unclassified employees within the Ministry of Education. Management provided the snapshot numbers that MGS had provided to OPSEU Corporate: 17.8 per cent across the total OPS and 17.7 per cent across EDU/TCU combined, excluding seasonals/students. The Union requested the data for the percentage of unclassified positions including seasonal employees, for the Ministry of Education alone.

With respect to the True Vacancy Report, Management reported that approximately 400 out of the 500 vacancies reported are within the Provincial Schools Branch. Management reiterated that the True Vacancy List contains many positions that are not funded, and that exceed the Full-Time Equivalent Position (FTE) cap for the Ministry. It indicated that a process is underway to de-

activate those positions that are unfunded - recognizing that some positions in excess of the FTE cap will continue on the list to allow for on-call positions at the Provincial Schools. Excluding provincial schools, there are approximately 40 true vacancy positions across the Ministry.

Commitment: *Management will review available data and, if able to do so, will provide the Union with data on the number of unclassified employees – including seasonal employees – within the Ministry of Education as a percentage of the Ministry's workforce.*

7. Provincial Schools Governance

Management indicated that there was nothing new to report on this item.

8. Residential Counsellors 1 & 2 Job Specifications:

The Union informed Management that while they are still in the preliminary evaluation stages, it has been brought to their attention that the job specifications for the RC 1 and 2 positions appear to be very similar. It noted that a key difference appears to be that RC1's work nights. It expressed concern that working night shifts limits the ability of RC1's to progress to RC2 positions, in the way that use to happen routinely.

Management confirmed that in the past the RC1 position was used as an under-fill for the RC2 position. The assumption was that RC1's would eventually progress to be RC2's. Now they are two distinct positions with RC1's being responsible for night care. As a result, unlike RC2's, RC1's have no responsibility for programming, parent/family liaison, and have limited client contact.

A discussion ensued as to means of progressing to the RC2 position. There was agreement that better use needs to be made of training plans to ensure that RC1 staff are in a position to compete for RC2 positions when they become vacant.

This item will remain on the agenda.

9. WSIB Summaries:

The Union reported that it is looking at the WSIB summary report and would like to include the reports in LERC and Occupational Health and Safety Committee

training. It indicated that it would contact local members to attempt to identify underlying reasons for the incidents. Management indicated it appreciates any feedback that could reduce the incidence of workplace accidents.

NEW BUSINESS:

1. Job Evaluations Project Update:

Management reported there are 200 staff and their managers OPS-wide who are participating in the testing phase. In EDU seven staff were identified, in the following positions:

- 1 Education Officer
- 1 Systems Officer 4
- 1 Social Worker 1
- 2 Residential Counsellor 2
- 1 Residential Counsellor 3

All have been contacted directly by MGS to participate in focus groups.

2. Ideas Campaign Update:

Management reported that employees were invited via email from Tony Dean, Secretary of Cabinet, to submit ideas through MY OPS. The Ideas campaign has now become permanent, and has been linked to the Employee Engagement Survey. The Ministry of Government Services (MGS) will direct ideas submitted through MY OPS to the Ministry where appropriate. Kate Joakim will act as the Ministry coordinator for the initiative.

The Union asked that a summary of the ideas be provided, and asked about the implementation of ideas from the first campaign. Management replied that no ideas had yet been received from MGS for the current campaign, and that the ideas from the last campaign all related to program improvements not human resource issues.

Commitment: Management will provide the Union with a summary of ideas received through the Ideas Campaign.

3. Health and Safety/ Workplace Bullying:

The Union reported that it has received several emails concerning bullying and is concerned that there is no OPS or Ministry policy on the subject. It indicated that bullying is a special type of harassment that has not been formally recognized in the Ontario Public Service.

Commitment: *Management will refer the Union's concerns to the Corporate Human Resource Policy Branch and inquire whether there is any initiative planned to address bullying.*

4. Exit Interviews:

The Union inquired about whether exit interviews are being conducted. Management reported that exit interviews are done, although probably not everyone is aware of the process. It confirmed the need to reissue a communication to ensure that staff are aware of the opportunity for such interviews.

Commitment: *Management will issue a communication advising staff of the process for exit interviews.*

5. Residential Review:

The Union asked for more information on the provincial schools residential review that it heard was about to commence. Management indicated that it is planning to conduct a review of school residences with the intent of ensuring greater consistency and to promote 'best practices'. The review is not intended as a cost cutting exercise. The review is still in the planning stage, but is expected to include staff and stakeholders.

Commitment: *Management will provide periodic updates*

6. RC 3's doing CYW 3's Job

The Union reported that Residential Counsellor 3 staff in London are being asked to perform some duties of a Child Youth Worker 3 employee on leave. It confirmed that the issue had been raised with local management but was not discussed at the LERC. Management indicated that it was inappropriate to

discuss the issue at MERC without management having had the opportunity to first review the case with the local manager.

Commitment: *The Manager of Finance and Administration, Provincial Schools Branch will review the issue with the local manager and will then discuss the matter directly with the Union co-chair.*

7. System Officer 1 Issues- Robarts School

The Union raised a concern regarding a Systems Officer at Robarts School. Management indicated that it thought this issue had been resolved. It was agreed that further discussion should occur at the local level in order to clarify any outstanding issues.

8. Failure to Fill Vacancies

The Union expressed concern over the time taken to fill vacancies in light of staff workload concerns. It noted in particular three positions - two Human Resource liaison positions and one Finance Officer 2 position.

Management reported that interviews for these positions are scheduled to start October 10 and October 19. It indicated that the delay was in part because several applicants were not available for interviews in the summer. The work of these positions has been temporarily reassigned pending completion of the competitions.

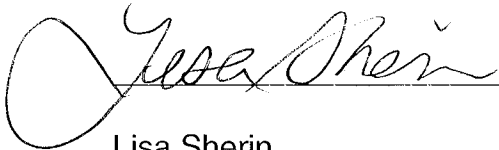
In response to a question from the Union, Management indicated that there are a number of factors that affect the timing of competitions including FTE issues, the time of year, other positions being recruited, and other human resource activity.

A discussion ensued as to why certain positions are classified and others seasonal. Management indicated that these decisions are made based on business needs. In the case of the Human Resource Liaison and Financial Officer positions at issue, it was noted that these are classified, as there is consistent work in finance and human resources in the summer in preparation for the start of the school year.

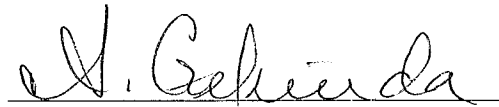
Next Meeting: December 19, Toronto

The meeting was adjourned.

Minutes signed 2006:

A handwritten signature in cursive script, appearing to read "Lisa Sherin", written over a horizontal line.

Lisa Sherin
For Management

A handwritten signature in cursive script, appearing to read "A. Czekierda", written over a horizontal line.

Alicia Czekierda
For the Union