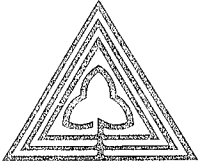


MEMORANDUM

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 – June 7, 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:

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Brian Gould
OPS Supervisor/Negotiator

cc: MERC Chairs
Ministry ERC

**MINISTRY EMPLOYEE RELATIONS COMMITTEE
MINISTRY OF EDUCATION**

MINUTES

**Wednesday June 7, 2006
Sir James Whitney School, Belleville, Ontario
10:00 a.m. – 1:00 p.m.**

For the Employer:

Lisa Sherin (Co-chair)
David Doherty
Deborah Metrakos
Mel Thompson
Breann Pyke
*Chair of the Meeting

For the Union:

Alicia Czekierda (Co-chair)*
Bob Greer
Chris Cormier
Stephen George

Guests:

Members of the Sir James Whitney Employee Relations Committee

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

Prior to the meeting Management shared with the Union the orientation packages distributed to staff at Sir James Whitney, W, Ross Macdonald and E. C. Drury schools. The package for Centre Jules Leger had not yet been received. The Union indicated that the packages, particularly the Sir James Whitney package, were very good. It suggested that some additional information could be added such as contact information for the local union representatives. It expressed concern about a sheet which employees are required to sign to verify that they have read the materials. The Union suggested that as the key issue is understanding the material, not just reading it, the materials need to be enhanced to provide direction on where to seek clarification on any of the policies included in the package.

It was agreed that it would be useful to develop a standardized basic package for all of the Provincial Schools, which the schools could then augment as required.

With respect specifically to the WDHP policy, the Union called upon Management to immediately implement WDHP training across the Ministry. It pointed to a recent WDHP investigation as evidence of such a need. It called upon the Ministry to immediately implement WDHP training across the Ministry. Management replied that it is reviewing the best means to ensure all staff are aware of Ministry and OPS policies including the WDHP Policy, and that it is reviewing existing Ministry practices, best practices in other Ministries, and training being developed corporately.

Commitment: Management will develop consistent checklist and orientation package for the Provincial Schools, including a component on the WDHP Policy. The materials will include references to where staff can seek clarification or additional information on the policies included in the package. They may be supplemented at the school level as appropriate. The sign-off sheet will be amended to indicate not only that the employee has read the materials but that they have read and understood the materials. Management will provide the package to the Union through the MERC Co-Chair.

2. Seasonal Employee Benefits

MERC discussed the ongoing problem of ensuring that benefit entitlement for Provincial Schools' seasonal employees is recognized by the insurance carrier

as soon as employees start work in September each year. Management reported that it has briefed the new Acting Director, Payroll Operations Branch, Ontario Shared Services, on this issue, and that it remains committed to working with the Bureau to track the process through the next cycle in the hope of identifying any problems. It confirmed that the Provincial Schools Branch prepares a list of returning seasonal employees for transmission to the insurance carrier, as soon as the contracts are signed at the end of June. Management also indicated that it is still investigating technological solutions to the problem.

The Union indicated that the low number of complaints last year was the result of many seasonal employees holding their receipts until October. The Union indicated that it will initiate two test cases in September to determine whether the problem has been fixed.

Commitment: Management will continue to work with the Ontario Shared Services Bureau to track the process of registering returning seasonal employees through the next cycle in an effort to resolve the problem.

3. IFIS Meal Allowance

On May 11, 2006 an all-staff memorandum was sent clarifying the Ministry application of the meal claim provisions of the OPS travel policy. That memorandum confirmed that staff may claim the full guideline amount for a meal regardless of whether the full amount was spent, and indicated that receipts must either be submitted with the claim or kept for a minimum of one year. The Union reiterated its position that in a meal allowance system receipts should not have to be kept. Management replied that keeping receipts is required by the OPS policy.

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

Prior to the MERC meeting Management and the Union had shared LERC training packages prepared by other Ministries. The Ministry of Community and Social Services / Ministry of Children and Youth Services (MCSS/MCYS) package was recognized as a particularly useful one. The Union suggested a two-day moderated session would provide an opportunity for the LERC teams to get to know each other better. It was recognised that effective LERCs could be helpful in resolving a number of contentious issues which are currently being directed to the MERC.

Management indicated that it had not yet had a chance to review the training packages in detail, and that it would like to assess the MCSS/MCYS package in the context of the larger training initiative for MERCs, which was being developed following the recent MERC Co-Chairs symposium. The Union agreed in principle, but stated that it had identified the need for training for Provincial Schools LERCs for some time, and that work on a training package for this group should not await the development of a Corporate model.

The Union also raised concern over the lack of LERCs in the Field Services Branch, and the difficulty of creating functional LERCs for that branch given the size small number of staff at each location. Management pointed to the Workplace Training Branch District LERC model as potentially useful in this context.

Commitments: *Management agreed to work with the Union to conduct an assessment of the learning needs of Provincial Schools Branch Employee Relations Committees and to develop appropriate training options in response to the identified needs.*

Management will relay the Union's interest in developing a LERC for the Field Services Branch to the Director of that Branch.

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

Management reiterated that the movement from Seasonal Classroom Assistants (36.25 hours per week) to 32-hour Unclassified Classroom Assistants has been exclusively through attrition, and is consistent with the hours being worked by Classroom Assistants in comparator school boards. It reported the following breakdown of Classroom Assistants:

School	# Seasonal (36.25 hrs)	# 32-hour Unclassified
Robarts/Amethyst	9	1
W. Ross Macdonald	9	0
E.C. Drury/Trillium	12	14
Sir James Whitney	8	3
Centre Jules Leger	1	1

Management indicated that it was reviewing a number of options to provide meaningful additional work for Classroom Assistants to justify increasing their hours, with the result that they would be entitled to benefits under the Collective Agreement. One such option, which would reallocate certain residence duties from existing 7-10 hour contracts to some of the affected Classroom Assistant positions, was discussed.

Commitment: *The Union will review the Management proposal and provide comments by June 16, 2006.*

Management will continue to report back through MERC on any additional work which can be allocated to Classroom Assistants.

6. Criminal Reference Checks

Management reported that all OPSEU employees are currently in compliance with the requirement to submit their 2005/06 Annual Offence Declaration. Managers have been provided the forms for 2006/07 and are responsible for ensuring that staff submit them prior to commencement of the next school year.

7. Seniority Lists, True Vacancy Report, Unclassified Contracts

The above reports were distributed at the meeting. Management clarified 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.

The Union indicated that it would be helpful if position levels and a position code legend could be added to the Unclassified Contracts List..

Commitment: *Management will review available data fields to determine whether position levels can be added to the report. Management will also provide a legend of position codes with future unclassified contracts lists.*

8. Provincial Schools Governance

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

9. Office Administration Group (OAG) Learning Strategies Update

Management reviewed the attached report on the OAG Learning and Development initiative. The Union asked whether there was a process being put in place to track the effectiveness of the initiative. Management responded that it will benchmark and review performance and learning plans, review conference evaluations, participation rates etc, and that it will perform regular reviews of the initiative - possibly through OAG surveys.

A discussion ensued around an OPS-wide OAG Conference held in May, 2006. It was agreed that Ministry communications regarding such initiatives is an important part of the OAG communication plan.

***Commitments:** Management will provide the OPSEU Job Security Officer with a copy of the current contents of the OAG website.*

Management will provide MERC with information on the May 2006 OPS-wide OAG conference including information on participation, agenda items, discussions, and any identified learning needs.

10. Ontario Works Program

Management reported that the Ministry does not currently have anyone working under this program.

11. Workplace Safety and Insurance Board (WSIB) Summaries

A summary of WSIB claims filed for accidents within the Ministry was distributed. The Union requested that in future the summary be provided prior to the meeting.

***Commitment:** In future, the WSIB summary will be provided prior to the MERC meeting.*

NEW BUSINESS:

1. Disclosure - Article 1.4 of the Collective Agreement

At the March 8, 2006 MERC the Union circulated a template which it asked Management to use for future Article 1.4 disclosures. Management reported that

this issue had been discussed at the Central Employee Relations Committee (CERC). The CERC Management team indicated that the template would not be used as it required significant information which was not required by Article 1.4, but that Ministries were expected to provide the information in an organized manner. Management further reported that a discussion had occurred amongst ministry Labour Relations Consultants and it was agreed that the job specifications would be provided with a covering memo detailing the position title, branch, classification, bargaining unit status, and job description date.

2. Interpreter's Position - Belleville

This issue relates to the backfilling of a Sign Language Interpreter at the Sir James Whitney School who has been on an extended leave of absence. Management reported that the leave would end at the end of the current school year.

3. Staff Reclassification

The Union requested an update on a reclassification which was discussed at the March 8, 2006 MERC. Management reported that the reclassification took effect on March 31, 2006.

4. Travelling MERC Meetings

There was agreement that London and Ottawa should be considered as sites for the next MERC meetings. A discussion ensued as to whether some of the meetings should occur at Regional Offices rather than Provincial Schools.

Commitment: *The Co-Chairs will determine the location for the next meeting.*

5. OPSEU Office in Provincial Schools

The Union asked for an update on the establishment of an OPSEU office in the Macdonald Block.

Commitment: *Management will request a status update and will report back to the OPSEU Co-Chair prior to the next MERC meeting.*

6. Temporary Services Help, Vendor of Record Listing

Management indicated that the new vendor of record was to ensure that, where temporary services are used, that they are purchased from vendors who are aware of and meet OPS standards and who perform work at the agreed price. It stressed that there was no intention to increase the use of such services, and that the memo advising managers of the new VOR stressed that such services should only be used as a short-term solution to unanticipated business needs, or where resources cannot be reallocated internally or acquired through the normal staffing process.

The Union stressed the need to ensure that such temporary workers receive training on OPS policies and workplace issues.

7. MERC Co-Chairs Labour Relations Symposium Meeting, April 5, 2006

Management and the Union reported that the symposium was a very positive experience.

Commitment: *The symposium minutes will be attached to the minutes.*

8. Strategic Planning Committee and Survey - Provincial Schools Branch

A presentation was made on the Provincial Schools Branch Strategic Planning initiative. The Initiative is designed to solicit broad input into the identification of priorities for the future development of the Provincial Schools system. The final product will be a series of recommendations to the Provincial Schools Branch Director. Once completed the Provincial Schools Branch management team will review the recommendations to determine next steps. It is expected that not all of the recommendations will be implemented, and that some may require the approval of the Minister and/or central agencies.

The process of development of the strategic directions is being overseen by a Steering Committee of 35 individuals including managers, employees, parents, and community partners. All programs and campuses are represented on the Committee.

Town Hall meetings were recently held in Brantford, Belleville, London, Milton and Ottawa. The meetings were well publicised and attracted employees, parents and community partners. In total 300 people participated. The meetings reviewed the 12 strategic priorities and 60 sub-priorities developed through

previous staff surveys and focus groups. The Town Hall meetings added an additional priority - interpreters services - and recommended some changes to the communication enhancement priority.

The next step is to develop working groups for each of the 12 priorities, composed of a Steering Committee member as chair, and volunteers from the Town Hall meetings. A final report is expected to the Director by the end of December, 2006.

The Union raised a concern that in some of the materials bargaining unit members were presented as representing OPSEU. It indicated that while it has no concern over union members participating in this exercise, they should not be presented as speaking for the Union. In response to questions from the Union, Management confirmed that the strategic planning process does not have as an objective a reduction in jobs.

The Union raised questions regarding the low response rate to the employee surveys at some campuses, as well as the low response from school boards. Management responded that while it had hoped for a greater response, the response did exceed the 20% rate generally seen as the threshold for validity for a survey of this kind. With respect to the school boards, Management indicated that their survey input has been augmented by direct discussions at the Superintendent level.

9. Residential Counsellor 1 and 2 Job Specifications

At the March 8, 2006 MERC, Management agreed to provide the Union with copies, of the pre-2000 RC1 and RC2 job specifications, if available. The pre-2000 RC2 specification was found and forwarded to the Union prior to the MERC meeting, as requested. The pre-2000 RC1 specification could not be found. The issue was deferred to the next MERC to allow the Union time to review the specification provided.

10. Ministry Business Plans

The Union requested a copy of the most recent Business Plan. Management responded that Business Plans have been replaced by the *Results Based Plan*. The *Results Based Plan* was discussed at the March 8, 2006 meeting.

11. West Nile Virus

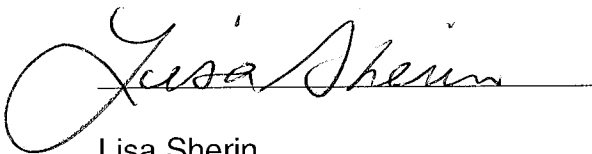
Management circulated an advance copy of the West Nile Virus material which will be distributed to Ministry staff.

12. Regional Office Alignment - Field Services Branch

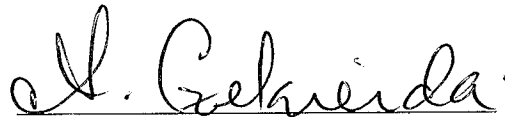
This item was deferred to the next meeting

The meeting was adjourned.

Minutes signed, December, 2006:



Lisa Sherin
For Management



Alicia Czekierda
For the Union