

**OPSEU**



**SEFPO**

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

**MEMORANDUM**

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

**FROM:** Terry Baxter, OPS Supervisor/Negotiator

**DATE:** July 31, 2006

**SUBJECT:** **Ministry of Education  
ERC Minutes – December 9, 2005**

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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:

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Leah Casselman  
President

/jm  
att.

cc: MERC Chairs  
Ministry ERC

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Terry Baxter  
OPS Supervisor/Negotiator

# MINISTRY EMPLOYEE RELATIONS COMMITTEE

## MINISTRY OF EDUCATION

Friday, December 9, 2005  
Room 1621, Mowat Block  
9:30 a.m. – 12:00 p.m.

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### For the Employer:

Lisa Sherin (Co-chair)  
David Doherty  
Deborah Metrakos  
Kit Rankin  
Natalia Gonzalez

### Guests:

Pat Macdonald-Rea  
Jennifer Newman

\*Chair of the Meeting

### For the Union:

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

### Regrets:

Stephen George

### REVIEW OF THE AGENDA:

The Agenda was revised and approved.

### BUSINESS ARISING:

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

Management reported that 48 people attended the WDHP training for Provincial Schools staff, with 15 people absent. Training occurred at E.C. Drury and W. Ross MacDonald schools. Video conferencing was not required for other sites as staff were already being bussed in to those locations for other orientation sessions. There are no immediate plans to hold additional training for those

absent, as outside consultants are needed to provide the training. In the interim, tapes of previous sessions are available for those who were absent.

The Union requested that WDHP information be provided in the Provincial Schools Branch orientation material.

***Commitment:*** Management will provide the evaluations of the training provided and will review the Union's request for yearly WDHP training for new staff. The Provincial Schools Branch will review its orientation material with respect to WDHP training.

## **2. Computer Access at Provincial Schools**

The Union informed Management that at W. Ross MacDonald School, many OPSEU staff did not have log-on identification, had expired passwords, or simply did not check their e-mail regularly. The Union acknowledged that the number of computers available to staff was adequate, but indicated that not all staff feel comfortable using computers. With increasing reliance on paperless business operations, it suggested that there was a need for additional training.

Management agreed to send out a memorandum to all Provincial School staff advising them of the need to update their passwords. Management indicated that there were no on-site resources available to provide user support, so staff are referred to the I&IT HELP desk. It was agreed that further details regarding the number of staff involved and their specific training needs would be useful in order to properly respond to this issue.

***Commitment:*** Management will send out a memorandum to all staff advising them of the need to update passwords, and providing the I&IT HELP desk number for assistance. OPSEU will provide more details regarding the training needs of staff, which Management will consider in framing an appropriate response.

## **3. WSIB Summaries for Provincial Schools Branch and Ministry**

Management informed the Union that a summary of WSIB claims can be collected and distributed regularly. A prototype report was circulated. Information on the 'nature of the incident' can be incorporated into the summary where the new Form 7 is used to report the accident.

***Commitment:*** Management will distribute WSIB summaries for future meetings.

#### 4. Seasonal Employee Benefits - Provincial Schools

Management indicated that it was aware of only three cases where benefits were denied to seasonal employees, and these were resolved within 24 hours. It is Management's understanding that the carrier has not been requiring the claimant to resubmit the claim for processing. Management also indicated that it is difficult to make a case to the OSS and the insurance carrier that there is a systemic problem when the numbers identified are so low.

The Union suggested that the numbers were low as many staff delay claiming benefits until October of each school year in order to avoid rejection, as they have no confidence that the system will be fixed. The Union indicated that if a solution cannot be found it will move the item to the Central Employee Relations Committee (CERC) agenda.

**Commitment:** Management will contact the Director, Business Support Services, Ontario Shared Services, Ontario Shared Services in a further attempt to identify and rectify the problem.

#### 5. Ontarians with Disabilities Act (ODA)

Management reported to the Union that a Corporate Coordination Office has been established within the Ministry, which will deal with the ODA and its application. This Office is currently drafting a communication to increase staff awareness of the Ministry Accessibility Plan and the Ministry commitments it contains. The Plan is currently posted on the Ministry internet site at [www.edu.gov.on.ca/eng/general/accessibility/edu](http://www.edu.gov.on.ca/eng/general/accessibility/edu)

#### 6. IFIS Meal Accounts

The Union raised concern over inconsistent messaging over meal claims and the submission of receipts for meals. It noted that the *Travel, Meal and Hospitality Expenses Directive* indicates that receipts need not be submitted for expenses at or less than the guideline amounts. It also noted that the Directive refers to meal 'allowances' rather than 'reimbursement' for actual expenditures. During the recent expense training, however, staff understood Management to require the submission of receipts with their claims, which in turn raises questions as to whether the full allowance or only reimbursement of actual expenditures will be paid.

Management informed the Union that while MGS guidelines indicate that submitting meal receipts is not required, it is recommended that staff submit their

receipts to avoid having to keep their receipts for a year. Management confirmed that whether receipts are provided or not employees may claim the full meal allowance to which they are entitled by the OPS policy.

**Commitment:** *Management will send an all-staff e-mail to clarify the submission of receipts for meal claims.*

## **7. List of Local Employee Relations Committees (LERCs)**

In accordance with a commitment at the last MERC, Management had submitted a list of all LERCs. The Union requested that Management provide a list of management co-chairs for these LERCs and the dates of the most recent meetings to determine how regularly they met. The Union offered to provide the names of the OPSEU co-chairs.

**Commitment:** *Management will provide a list of Management co-chairs for all EDU LERCs and dates for meetings prior to the next meeting. The Union will similarly provide Management with a list for the Union co-chairs.*

## **8. Changes in Hours of Work – Provincial Schools Classroom Assistants**

At the previous MERC meeting the Union raised concern over the posting of vacant classroom assistant positions as 32 hour unclassified contracts, when previously they had been 36.25 seasonal unclassified contracts. It identified a number of issues related to the ability of 32 hour staff to maintain an appropriate service to a challenging clientele, as the reduction in the position hours would limit professional development, class preparation, and liaison with other school professionals. It also suggested that the change would make it difficult to attract and retain qualified staff as a 32 hour position does not have any benefit entitlements. At the current MERC meeting the Union added concern that the schools for the deaf and blind have been affected by this change whereas the demonstration schools have not. The Union felt this change is regressive and of concern to its members.

Management reviewed the results of a survey of the school boards in the areas where the Provincial Schools are located. The review indicated that none of the school boards employed classroom assistants for 36.25 hours. Most employed them for 30-32 hours per week. Salaries were also comparable between the boards and the Provincial Schools, though all boards paid benefits as most of their employees are covered by collective agreements based on the school year. Management noted that the Provincial Schools classroom assistants received

6% in lieu of benefits, which would cover the cost of taking out private benefits coverage.

Management indicated that in light of the issues raised by the Union it was conducting a comprehensive review of the use of classroom assistants including such issues as training, planning time, qualifications, and other operational needs which they could perform to augment their in-class hours. The review is ongoing and is expected to identify a series of options. Management indicated that it was unlikely that there would be any change resulting from this review in the current school year.

**Commitment:** *The Union will be involved through the MERC in further discussions on this issue once the information gathering and evaluation phase is further advanced.*

## **9. Results Based Planning**

Management indicated that a plan is currently in development for 2006- 2007, which is expected to receive the approval of the Minister in the near future, after which it will be submitted to Treasury Board. The purpose of the plan is to ensure the alignment of Ministry resources with government strategic priorities. For the Ministry of Education those priorities include higher literacy and numeracy achievement, and lower drop-out rates. The Union inquired as to whether there would be any impact on OPSEU positions arising from the plan. Management indicated that it would not be in a position to respond until the plan is finalized.

## **10. Criminal Reference Checks**

Management informed the Union that all Criminal Reference Checks had been submitted and that no action had to be taken. The Union requested information on the status of the submission of Annual Offence Declarations. Management committed to providing this information by the next meeting.

**Commitment:** *Management will report on the status of the submission of Annual Offence Declarations by the next MERC meeting.*

## **11. HR Plan for Education**

Management informed the Union that Human Resource planning is now being done corporately. All staff were notified of the release of the OPS Human Resource Plan on December 1, 2005. The e-mail included a link to the Plan. Copies of the Plan were distributed at the MERC. The Plan identifies three key priorities - engaging employees, attracting talent, and building OPS capacity. The Ministry will not be developing its own HR Plan as in past years, but will be assessing current initiatives against the OPS Plan. Management indicated that it will keep the Union apprised of progress as it reviews initiatives against the OPS Plan.

At the Union's request, Management provided an overview of the Human Resources Transformation initiative. The initiative, which will be phased in over three years, consists of three basic elements: HR Strategic Business Units, which will stay within Ministries; Regional Service Delivery Centres in four regions with satellite locations; and Centres of Expertise, which will concentrate specialized skills such as Organizational Development and Labour Relations. This model is intended to create consistent service delivery across the OPS. Operational details including staffing implications of the initiative are still under development.

## **12. Successor Rights**

The Union informed Management that this item will be moved to Central Employee Relations Committee (CERC), as the parties agree that action can not be taken on it at the MERC table.

## **13. Education Quality and Accountability Office (EQAO) Request For Proposal (RFP)**

The Union indicated concern in regards to an EQAO Request for Proposal issued in June 2005. Management reported that EQAO has confirmed that no existing staff will lose their jobs as a result of the RFP. EQAO has also indicated that job specifications will not be rewritten, and there will be no downward classification of existing staff. There are also no current plans to surplus staff in EQAO for any other reason. While there is some potential for change in jobs over time due to the evolution of EQAO, the changes are anticipated to be in the way functions are performed, not the functions themselves. Consequently job specifications themselves will not change. The current RFP is meant to replace existing contracts with EQAO, as well as cover two new initiatives. EQAO staff

will liaise with the new contractors as part of the contract administration duties they have always performed.

Management indicated that Branch meetings occurred on November 23, 2005 to address concerns raised by the RFP. The Union indicated that the meeting raised further concerns and that written, clear communication would help alleviate concerns. The Union requested that EQAO send an all-staff memo to address the continuing questions related to the RFP.

***Commitment:*** Management will work with EQAO to determine an appropriate means of addressing employee's continuing questions over the June 2005 RFP, including written confirmation that there would be no job loss resulting from the RFP.

#### **14. Seniority Lists, True Vacancy Reports, Unclassified Contracts Report**

The above lists were circulated. Management clarified that the Unclassified Contract Report contains a position entry date and a job code date. As indicated at previous MERC meetings, the position entry date is the date the employee entered his/her current position; the job code date is the date upon which the employee entered any position with the same classification as his/her current position. As requested at the last MERC, the continuous service date was also provided.

Management further indicated that as a result of certain discrepancies brought to its attention by the Union, it has determined that the position entry dates and the job code dates are unreliable prior to 2000, due to the manner in which data was migrated into the WIN system. Consequently this data is of little use in generating a seasonal seniority list. Should such a list be required in a surplus situation, it can readily be generated manually from the Corporate Personnel files of those who may be affected. The Ministry has been assured, however, that the continuous service date is accurate.

#### **15. Provincial Schools Governance**

Neither party had anything to report on this matter.

#### **16. OAG Learning Strategies Update**

An e-survey was recently sent out to all OAG staff, using the 2002 survey as a benchmark. There were 120 responses to this most recent survey, an overall

increase of 11% in responses since 2002. In addition to the survey, 19 one-on-one interviews have been held with participants. One focus group has been conducted with the members of the Community of Practice Pilot Project, with other focus groups to be held soon. Regional focus groups will also occur via teleconference. At the invitation of Management, the Union agreed to have its MERC members act as a focus group in an interview to be conducted by an external consultant.

Management reported that the time lines for this evaluation have not changed - a draft is expected by the end of December 2005. The evaluation will inform the initiative for the rest of 2005/06 through to 2007/08, which aligns with the time lines for the OPS Human Resource Plan.

## **NEW BUSINESS:**

### **1. Lifeguard Re-certification - Provincial Schools**

The Union took the position that all Provincial Schools lifeguards, who are required to have their National Lifeguard Service (NLS) certification renewed every two years, should be reimbursed for the cost of the re-certification. Management explained that when employees are hired with special licenses or certifications as a condition of employment, or as a primary function of their employment, then it is the personal obligation of the employee to maintain those certifications. There is an exception for engineers and lawyers, who negotiated for reimbursement in their respective collective agreements. Management further clarified that if particular training, which is not a requirement of the position, is deemed to be necessary by the Employer, then such training may be subject to reimbursement by the Employer. Management suggested that it would review the Union's request to use Provincial Schools facilities to assist in coordination of lifeguard re-certification.

***Commitment:*** Management will take this issue to Provincial Schools to look into using school facilities to assist in coordination of lifeguard re-certification.

### **2. Residential Counsellor 1 Job Description**

The Union requested a copy of the Provincial Schools RC1 job description. The job description was provided.

3. **Posting of MERC Minutes**

The Union requested that some means be found to alert staff when new minutes are posted to the intranet site. It suggested the use of the 'just in' feature of the Ministry intranet site.

**Commitment:** Management will review means of alerting staff when new minutes are posted.

4. **TVOntario**

The Union requested a status update in regards to the transfer of responsibility for TVOntario to the Ministry of Education, with particular interest in any impacts to OPSEU members. Management indicated that it would review the situation and report back at the next meeting.

**Commitment:** Management will provide an update at the next MERC meeting of the implications, if any, for OPSEU members of the transfer of responsibility for TVO to the Ministry of Education.

5. **2006 Meeting Dates**

It was agreed that future meetings would be held in March, June, October, and December of 2006. Specific dates will be agreed upon by the co- chairs.

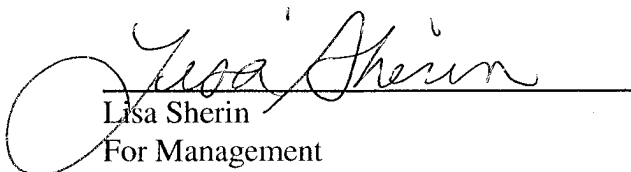
**Addendum:** EDU MERC meetings will occur on the following dates:

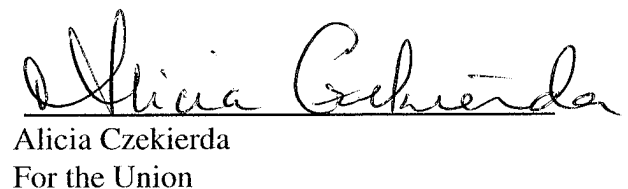
March 8, 2006, 9:30 a.m. – 12 p.m.

June 7, 2006, 9:30 a.m. – 12 p.m.

October 5, 2006, 9:30 a.m. – 12 p.m.

December 19, 2006, 9:30 a.m. – 12 p.m.

  
Lisa Sherin  
For Management

  
Alicia Czekierda  
For the Union

July 21, 2006