

MEMORANDUM

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

FROM: Brian Gould, OPS Supervisor/Negotiator

DATE: June 12, 2008

SUBJECT: **Ministry of Environment**
ERC Minutes – March 27, 2008

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

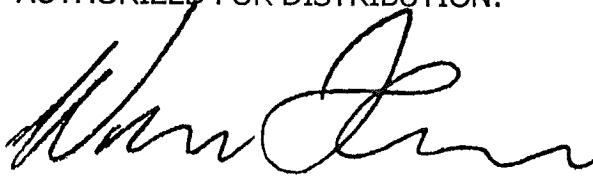
Please post or otherwise make them available to the members in your workplaces.

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.

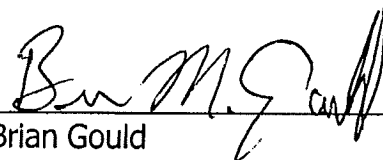
PLEASE NOTE: THESE MINISTRY MINUTES WERE PREPARED BY THE EMPLOYER.

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 THE ENVIRONMENT
MINISTRY EMPLOYEE RELATIONS (OPSEU) COMMITTEE
MINISTRY HEALTH & SAFETY (OPSEU) COMMITTEE**

Thursday, March 27, 2008

1:00 p.m. to 4:00 p.m.

Boardroom 1040

10th Floor

40 St. Clair Ave. West

Toronto

In attendance:

Management

Debra Sikora, Co-Chair
Jacques LeGris, H&S Co-Chair
Gayla Campney

Union

Janis Pechinger, H&S Co-Chair
Charles Wakefield
Larry Lefebvre

Advisors:

Doug Milic

Sandra Harper

Minute-Taker:

Tracy Noble

Regrets:

Rheal Delaquis
Dean Hustwick

ITEM	DISCUSSION	ACTION
A. Review of Previous Minutes	Previous minutes were reviewed and signed.	In future, a HUB e-mail will be issued to advise staff of updates to the MERC site.
B. Previous and Standing Business		
1. Fixed Term Staff Usage Report	<p>Prior to the meeting management provided the Union with the fixed term usage report (formerly unclassified staff report). At the meeting the Union identified a number of situations for management to review for potential conversion purposes.</p> <p>Union and Management discussed an individual situation raised between meetings. It was agreed based on the facts of the situation the individual was not eligible for conversion.</p>	Management to review and respond about the identified situations.
2. II&E Secretariat Update	<p>Management indicated that there were 4 Regional Conferences scheduled for this month. London and Ottawa which had already occurred, Toronto on March 17th and Sudbury on March 19th.</p> <p>Management indicated that the Regulatory Modernization Act (RMA) came into effect in January. However specific provisions require enactment of regulations (collection, use and disclosure of information); publication of compliance information; and multiple authorizations for joint teams. The Ministry of Labour is leading the process for final approval of the draft regulation.</p> <p>In addition working groups of staff from across the OPS have been working to develop guidelines to support implementation of the RMA. These guidelines are likely to be finalized once the regulation is complete. Management will let the union know when they get more information.</p>	Standing Item for updates
3. DWMD	<p><i>i) After Hours Response Program</i></p> <p>Management indicated that they had sent the union information on the Protocol on March 17th. They had not heard anything back from the union as yet.</p> <p>Union indicated that some of the Union MERC</p>	Management to resend email on Protocol to Union MERC members.

	members had not seen the e-mail. Management agreed to resend the e-mail to union.	
4. Restructuring in EMRB - Trans-boundary Science Unit	Management indicated that as of March 31 st the Trans-boundary Science Unit is no longer in place. This was a temporary unit and the project has ended. Employees have either gone back to their home positions or they have obtained other positions. Notice of the ending of the project/unit was sent to the union on March 12 th . It was agreed to remove this from the agenda.	Remove from agenda.
5. Laboratory Analysis	<p>Management indicated that they had looked into the union request for information on the number of samples done historically and currently as well as on the use of external laboratories.</p> <p>Management indicated that it is unable to provide the information based on the logistics of compiling the data as well as issues related to accuracy. There are also issues related to determining the context of any activity.</p> <p>Management also indicated that the Laboratory Services Branch could only report on its own data.</p> <p>It was agreed to provide statistics on this annually. Union asked management to advise Directors not to use outside laboratories unless it is an emergency.</p> <p>Management indicated that external laboratories were used to deal with issues such as the shelf life of samples and are primarily being used in the north.</p> <p>In response the matter of budget size, management indicated that operating funding and staff increases were increased.</p> <p>The recent budget indicated a renewing of infrastructure and equipment. A communication on this matter will be issued.</p> <p>The union indicated that maybe the ministry should not have closed all the labs they had before and should look to reopening labs in London, Kingston, and Thunder Bay.</p>	Management and Union agreed to an annual review of laboratory statistics.

	Management indicated that these labs were not needed as the ministry had stopped taking samples from municipal and external organizations.	
6. Health & Safety Risk Assessment	<i>i) Field Communication tool – “Office Designate”</i> Management indicated that the matter is still under review on the issue of liabilities.	Management to advise union when receives answer
C. NEW BUSINESS		
1. MERC/LERC/RERC AGREEMENT	<p>Management indicated that all the management members have been selected.</p> <p>The Union indicated that it has not been able to attract sufficient representatives for the RERCs. There have been insufficient numbers for Eastern, South Western and West Central regions.</p> <p>The Union and management agreed to try to address the issue as follows:</p> <ul style="list-style-type: none"> - The union try to garnish more support - Add an addendum reducing the number of union members required to 3 as an interim measure and accommodate more later as per agreement. - In the interim get the local level running (at the regional offices) running, then let district offices join. If more than 3 offices join then it becomes a RERC and the LERC becomes defunct. <p>The union indicated that it would like to have those elected take the ERC training.</p> <p>The union asked about what happened to the training package.</p> <p>Management indicated that MGCS and OPSEU corporate advised that individuals can only get the package through the joint training.</p>	Management will draft and forward addendum for review.

<p>2. Sector Compliance Branch – Blitzes</p>	<p>In response to the Union’s query on 3rd parties performing blitzes, Management advised the union as follows:</p> <p>As part of the Hazardous Waste Audit, the auditor criticized the MOE for not sampling what was in trucks carrying hazardous waste. Sector Compliance Branch (SCB) was instructed to set up a program to address this issue. In setting up the program and discussing with the staff it was made clear that the staff did not have the correct training to carry out this function from a health & safety perspective.</p> <p>In response to this concern the branch sent officers to inspect vehicles as they were being received at the waste receiving facility. The receiving facility staff are required by law to verify that the waste received is in accordance with the manifest and their CofA. They do so by taking a sample and analyzing it. SCB staff requested a split sample and sent it to the MOE laboratory for analysis. Clearly shows no work was contracted out.</p> <p>In addition, the branch also set up a couple of roadside blitzes to verify that the trucks are carrying wastes they are approved to carry and to ensure that the waste is being properly manifested. To do this it was decided that a sample needs to be taken from the vehicle at a roadside station. Again, as a result of the H&S issues with roadside sampling it was decided that MOE would retain a trained consultant to operate under ministry direction and only for the purpose of taking roadside truck samples and having them analyzed. MOE staff would carry out what is called a regular VIP inspection whereby they would direct trucks to a safe location inspect the manifest and visually inspect the load and where warranted direct the consultant to take a sample of the vehicles content.</p>	
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	<p>This roadside approach using a consultant was to be used for a limited duration to address an immediate specific concern raised by the auditor. To date a consultant has been used on only 1 or 2 occasions. Any longer term plans have not yet been determined and consideration will be given to training MOE staff to sample if appropriate.</p> <p>Note this work has not been done by SCB staff.</p> <p>The Union indicated that it would be ideal to have a couple of teams at SCB trained to do these inspections so that they can address emergency situations like for leaking trucks.</p> <p>The Union asked management about what is in place to ensure that the consultant has the training required and does the inspections.</p> <p>Management indicated that it would be part of the contract.</p>	
<p>3. Setting of Meeting Dates for Next Year</p>	<p>The following dates were discussed</p> <ul style="list-style-type: none"> - June 11 - October 8 – Needs to be rescheduled. - December 10 	<p>Parties to supply available dates to replace Oct. 8th.</p>
<p>4. Employee Engagement Selection</p>	<p>The Union indicated that only 2 of the committee members are OPSEU members but clarified that they are not OPSEU representatives.</p> <p>Management indicated that there were 10 core members and that every bargaining agent was represented. The names were drawn randomly out of a hat. The only restriction was for how many were from one division. The remainder who volunteered can stay part of the focus group.</p> <p>Management indicated that this initiative is already underway with the orientation that took place a few weeks prior. In the 1st week of April, the committees will start with the 1st priority. The leads will talk to manager, colleagues, etc and then develop plans.</p> <p>The Union asked about the role of focus groups.</p>	

	<p>Management indicated that once the core teams develop the options, they will ask the focus groups for their recommendations.</p> <p>The Union asked if the focus groups will be split up to make recommendations for the different teams.</p> <p>Management indicated that the focus groups will look at all the priorities.</p>	
5. Uniforms	<p>Management advised that certain groups that meet the public will be provided with new uniforms. The uniform will consist of sage green golf shirts and navy cargo pants.</p>	
5. Business Between Meetings	<p>Dec. 4 – Toxics Reduction Strategy Dec. 6- HR Transformation Communiqué Dec. 20- MOE Engagement Update Jan. 18- Air Policy Instruments Unit Jan. 28 – Agency Cluster Project update-Change in location. Feb. 6 – Hr. Transformation update Feb. 11- Business Effectiveness/Delivery model enhancements Feb. 20- Air Policy & Climate Change Branch IEPD -EIESB Change in Reporting Relationship Feb. 22 –H&S Risk Assessment, Information Sessions on B!\$ Bee Sampling Feb. 29- Reporting Change –Laboratory Services Branch -H&SRA- Bee Sampling –Revised March 3- Business Effectiveness Updated Org. Charts - Business Effectiveness Information Material for Staff meeting. March 5 – Revised Deck for Teleconference /Information materials for Staff meeting. March 11 – Update on the creation of the Toxic Reductions Unit IEPD March 12- Update status on Transboundary Air Unit March 17- reclassification March 17- HR Service Delivery Transformation March 17 - After Hours Procedures SOP final</p>	

ORIGINAL SIGNED BY:

Debra Sikora

Debra Sikora, Management Co-Chair

Rheal Delaquis

Rheal Delaquis, Union Co-Chair