

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: 06 June 2007

**SUBJECT: Ministry of Environment
ERC Minutes – September 28, 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,



Warren (Smokey) Thomas
President



Brian Gould
OPS Supervisor/Negotiator

/rw
att.

cc: MERC Chairs
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**MINUTES
MINISTRY OF THE ENVIRONMENT
MINISTRY EMPLOYEE RELATIONS (OPSEU) COMMITTEE
MINISTRY HEALTH & SAFETY (OPSEU) COMMITTEE**

**Thursday, September 28, 2006
HRB Boardroom, 5th Floor
40 St. Clair Avenue West
Toronto, Ontario**

In attendance:

Janet O'Grady
Rebecca McKenzie

Rhéal Delaquis, Co-Chair
Sam Chopra
Michael Ladouceur
Janis Pechinger, H&S Co-Chair

Advisor:

Doug Milic

Sandra Harper

Regrets:

Allan Gunn, Co-Chair
Jacques Legris, H&S Co-Chair

ITEM	DISCUSSION	ACTION
A. Review of Previous Minutes	Minutes of May 24, 2006 were reviewed, finalized and signed off at a latter date following the September meeting.	
B. Previous Business		
1. Unclassified Staff	<p>Management sent unclassified usage report on September 20th to the Union.</p> <p>A brief discussion of a number of situations raised from the previous report occurred.</p> <p>The Union requested that the ministry include in the letter confirming conversion, pursuant to article 31A.15.1.1, the continuous service date of the staff that will be used to calculate all benefit entitlements.</p> <p>Management indicated that employees are advised of their entitlements during their documentation process. However, they will verify and report back on the Union's proposal.</p> <p>Business Services Managers will be reminded to ensure employees being converted to classified staff are advised of their entitlements.</p> <p>The Union asked if the Ministry had any plans relating to the reduction of the percentage of unclassified staff in light of Appendix 33 of the collective agreement.</p> <p>The Union asked that managers be made aware of the issues relating to conversion and in the reduction of unclassified manpower versus the hiring of classified staff for positions that are not being backfilled for leaves pursuant to the collective agreement. Management advised the Union that no targets have been set and that the issues are recognized.</p>	Union to advise management of any questions related to August report.
2. Transformation Agenda	Management advised the Union that the Human Resources Branch of the Ministry will be going through transformation. There will be no immediate impact to staff, however the	Standing Item- updates as available

	outcome will see a change in several jobs within the Branch and a potential change in reporting relationships. More information will be provided as the project unfolds over the next 2 to 3 years.	
3. II&E Secretariat Update	Management indicated their understanding that IIE are meeting with OPSEU representatives at a workshop on October 16 th for a discussion on the Regulatory Modernization Act and implementation issues. Invitations were sent to three (3) MOE representatives from the OPSEU Bargaining Unit recommended by the Union.	Standing Item: Updates as available
4. LERC Training & Revitalization	<p>The Union provided its position on the preferred option. Management was advised that it was waiting on a decision (mandate) regarding two elements of the structure and process proposed.</p> <p>A meeting of the subcommittee was scheduled for October 4, 2006.</p> <p>The parties are anticipating using a training package being developed under the CERC for MERCs & LERCs.</p> <p>The Union undertook to raise at CERC the possibility of pilot training to occur at MOE and management would raise same with MGS.</p>	<p>The parties are to proceed in between meetings as soon as the Management obtains it's mandate</p> <p>Update at next meeting on status.</p>
5. Drinking Water Management Division	<p>Well Inspection Review:</p> <ul style="list-style-type: none"> • No decisions have been made. <p>CWWA- Negotiations & Internal Messaging:</p> <ul style="list-style-type: none"> • Management advised that a letter was sent to the managers on the process. • Management would try to provide the remainder of data relating to Union signatures on CWWA's. • Management will look into any documentation such as guiding principles that may apply to DWMD CWWA's. 	<p>Update as available</p> <p>Update on remainder of data if possible</p> <p>Management to advise Union of results.</p>

	<p>Manager Performing Bargaining Unit Work (East):</p> <ul style="list-style-type: none"> • Management provided the Union with an update on the recruitment that has occurred including any backfills. • A copy of the most recent inspection status reports which show current assignments was provided to the Union. • Management indicated that a staff member was assigned responsibility for addressing all Adverse Quality incidents and FOI requests for all three offices eliminating the need to assign geographic areas of responsibility until February '07 when the new hires will be fully trained. 	
6. Scientist Re-classification:	Final listing was provided to the Union.	
7. Seniority Lists	Management provided an update on location codes. Location codes are part of the WIN clean-up that is on-going.	
8. DWMD- Source Protection	Management advised the Union that the job descriptions for the five new positions in the temporary unit have not been completed. These will be provided when they become available.	Copies of job descriptions to be provided to the union when available
9. Sector Compliance Branch Realignment	<p>Management advised the Union that it will be removing the word “investigate/investigating” as appropriate, as this was an error in the purpose statement and should have read “inspect/inspecting”.</p> <p>The words investigation would remain in the body of the description where it states the position “recommends investigation...”.</p> <p>The Union continues to claim that the core duties of the 6 positions in the VEEU are the same as those of an EO4. The Union also provided scenarios which warrant having the positions reclassified to the EO4 level for the sake of providing thorough environmental enforcement. The Employer requested that a written submission which includes anecdotal</p>	<p>Management to provide revised job description.</p> <p>Union to provide additional details on classification</p>

	events be provided to assist them in conducting their review and discussion with the local management.	of EO3 position to management.
10. HWIN- RFI	Management advised the Union it received a number of submissions. An RFI is an exploratory device. No decisions have been made.	Update if any change
11. Restructuring in EMRB	<p>Trans-Boundary Science Job Descriptions:</p> <p>One job description that was completed was provided to the Union pursuant to article 1.4 of the collective agreement.</p> <p>Trans-Boundary Air:</p> <p>Copies of job descriptions of all the new positions were provided to the Union pursuant to Article 1.4 of the collective agreement.</p>	Provide copies of remaining job descriptions when they become available.
12. Article 1.4	<p>The parties agreed that new job descriptions, etc. under this article would be sent either as hard copy to the Union Co-chair or, if possible, electronically to all the members of the Union team.</p> <p>The Union was advised that usually the ministry does not have job descriptions for student jobs.</p> <p>The Union indicated it would provide a template related to the information requirement for management to review.</p>	
C. NEW BUSINESS		
1. DWMD – After Hours Response Program	<p>The Assistant Director of the Safe Drinking Water Branch provided an overview of the after hours response program. The program is currently in pilot phase and the protocol was based on the low frequency of calls. In addition, it was mentioned that the development of the pilot with made in consultation with staff.</p> <p>The Union expressed its concern that the program was implemented without the MERC being advised. The Union stated that by placing staff on a roster list, it no longer makes it “voluntary”, as management claims</p>	Management to discuss with MERC after completion of pilot review and to address the concerns raised about the draft protocol.

	<p>The Union indicated that delays in recruitment were resulting in work load issues that may eventually end at this table for resolution as per the provisions of Appendix 30 of the Collective Agreement.</p>	
<p>3. Travel Expense Submissions</p>	<p>The Union raised concerns that the new policy is being inappropriately implemented. The Union provided a written example from the Northern Region and cited other examples where the new Travel Expense Directive was being taken out of context when it comes to submitting receipts for meal reimbursements. The Union advised the Employer that when the rate increases were negotiated, the parties agreed that meal receipts would be submitted with each claim and it was understood that such receipts only need to contain the amount and the date when the cost are at or below the recommended amount and that costs exceeding the recommended amount need to be substantiated.</p> <p>Management indicated that they understood the issue was discussed at the CERC and that the matter is being reviewed by corporate policy staff including definitions such as "itemized receipts."</p>	
<p>4. Use of SIN Numbers on Premium Hours Report</p>	<p>The matter had been referred to CERC as the Union was concerned that the forms had the requirement for entering one's SIN number contrary to the employer's statement that SIN numbers will not be used and reliance will be on employees' WIN identification.</p> <p>Management indicated that the form is a standard form that requires the WIN identification number, not the SIN number. It may be that some areas are still using old forms. Accordingly, the Business Services Administration Managers (BSAMs) would be advised to ensure they have current forms and the employees be advised of the use of the WIN identification</p>	<p>Management to advise BSAMs</p>

<p>5. Reconciliation of Premium Hours</p>	<p>This matter was referred to CERC as pay stubs are an MGS responsibility. At CERC, the Union was advised that it was too complicated to be able to track on pay stubs and the matter was referred back to the Ministries.</p> <p>The Union indicated that there was a report that used to be generated (predates OSS). The Union advised the employer that the time spent doing the reconciliation takes away from doing workplan delivery activities.</p> <p>Management indicated that the ministry is not in a position to set up a separate system.</p>	
<p>6. OPS Survey Results-MOE results</p>	<p>A brief discussion about the survey results occurred and management advised of the Deputy Minister's planned tour of the province for meetings with staff.</p>	
<p>7. Accommodations in Kingston</p>	<p>The Union raised the issue of space allocation for the new Kingston offices and perceived inequitable treatment of staff. It was also identified that the JH&SC were looking at the air handling system which may not be sufficient.</p> <p>Essentially, the Union indicated that most senior management staff received office allocations that exceeded the accommodation guidelines. At the same time, hydro-geologists did not have sufficient space to spread out their working maps, and EOs have no space for their kit duffel bags. Lockers were promised however, a project budget cut resulted in no lockers being purchased.</p> <p>The Union sees a potential health and safety issue related to the facilities in place as it relates to employees coming from the field with soiled apparel and equipment. The Union indicated that the matter has not been resolved locally. It was stated that staff felt penalized and that there have been a variety of suggestions put forward.</p> <p>Management indicated that it would follow up</p>	<p>Management to follow up and advise the Union.</p>

	on the issue.	
9. Job Security	<p>The Union indicated that in some areas in the OPS the Job Information Packages (JIP) have been problematic where if an employee fails to show certain training requirements for a job within the same classification, they may not be assigned to a position for which they are deemed qualified.</p> <p>The Union asked that procedures be established that would afford some protection or assistance in this area. Management indicated that at this juncture this has not been considered.</p>	
D. HEALTH & SAFETY		
1. Update on Off Road Tire Use Policy	<p>Management indicated that the MNR bulletin had been sent to the Health and Safety Risk Assessment group for consideration. Currently, a report back is anticipated in October.</p>	Update when available
2. PPE & Unclassified Staff	<p>The Union reiterated its position on having standard PPE equipment available for unclassified staff as with classified staff.</p> <p>Critically, the following items need to be addressed:</p> <ol style="list-style-type: none"> 1. Each location should have a list of pooled equipment and an indication of their location that can be provided to employees. 2. Each location should have a protocol established for ensuring shared equipment is properly cleaned and that this be tracked and identified. 3. The equipment is maintained to ensure proper working order. 	Management to update on the status
3. Guidelines on Confined Space Regulations	<p>Management advised that a guideline for confined space in ministry occupied workplaces is being finalized. The guideline was prepared as part of the Health and Safety Risk Assessment recommendations. Once the draft report, prepared by the working group, is completed the guide will be shared with MERC, JHSEC Co-chairs, directors and</p>	Management to distribute copies when available

	managers for their input before it is finalized.	
4. Visual Identity	Management indicated the issue is still under consideration by management and that there is nothing to report at this time.	Management to update
5. Defibrillator Distribution	Management advised the Union that MGS has committed to expanding the Automated External Defibrillator (AED) program to 100 ministry operated locations. The MOE is working with MGS in implementing the AED program in buildings where it (MOE) is the lead ministry. This would be the following locations on St. Clair Avenue West: 2, 40 & 135 and the facilities at 125 Resources Road. As soon as more information is available it will be shared with MERC and JHSC Co-chairs.	Management to provide information when available.
6. H&S Risk Assessment	<p>The Union indicated that to date they only received one workplace guide. The HSRA shows that there would be 21. The Union asked for an update on the work plans.</p> <p>Further the Union raised again that there has not been equitable opportunity for employee and union input.</p> <p>Considering that when comments are requested there are short turnaround times, the Union asked if there is a timetable for the 21 plans and if so, can management provide a copy to the Union. Some consideration of the turnaround time is needed to allow sufficient time in providing input and addressing errors and omissions.</p>	Management to provide update
7. Northern Region Issues	<p>The Union advised that requests were raised for self-defence training as staffs are worried about confrontational situations.</p> <p>In addition, the matter of egress equipment was raised by the Union. It was stated that there is a lack of egress equipment and training on use of egress packs.</p>	Management to update the Union
Business Between Meetings	<p>May 25</p> <ul style="list-style-type: none"> • EMRB Responses & Information <p>June 8</p> <ul style="list-style-type: none"> • Advertisement for Temporary Positions 	

	<p>June 13</p> <ul style="list-style-type: none"> • H&S Risk Assessment-Marine Safety Guideline <p>June 19</p> <ul style="list-style-type: none"> • Ministry of Energy Unit Transfer • Job descriptions Drinking Water Compliance /Registration Orientation Project Officer (EO2) <p>June 21</p> <ul style="list-style-type: none"> • Organizational Charges, Laboratory Services Branch <p>June 29</p> <ul style="list-style-type: none"> • Trans-boundary Science Unit • Trans-boundary Air disclosure update • IEB Review Project Update <p>July 5, 2006</p> <ul style="list-style-type: none"> • MOA with OIPC regarding transfer of jobs and functions from OSIFA & IFPD <p>July 11</p> <ul style="list-style-type: none"> • H&S Risk Assessment- Marine Safety Guidelines <p>August 18</p> <ul style="list-style-type: none"> • Disclosure- IEPD Change of Reporting Relationship for the Transformation Office & the Great Lakes Office <p>August 25</p> <ul style="list-style-type: none"> • South West Region Change in reporting relationships in Sarnia & Barrie District offices. <p>August 28</p> <ul style="list-style-type: none"> • ABC Modernization, Agency Cluster Pilot Project <p>September 6</p> <ul style="list-style-type: none"> • Release of OPS Employee Engagement Survey Results-MOE Results <p>September 27</p> <ul style="list-style-type: none"> • Guideline and SOP regarding Confined Space for MOE Occupied Workplaces. <p>Next Meeting- November 22, 2006</p>	
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Original Signed by:

Allan Gunn
Management Co-Chair

Rhéal Delaquis
Union Co-Chair