

OPSEU



SEFPO

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

MEMORANDUM

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

FROM: Terry Baxter, OPS Supervisor/Negotiator

DATE: June 7, 2004

SUBJECT: **The Ministry of Finance ERC Minutes – September 24, 2003**

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 our 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

/cf
att.

cc: MERC Chairs
Ministry ERC

Terry Baxter
OPS Sector Supervisor/Negotiator

Ministry of Finance

MERC Meeting

**33 King St W, Oshawa
September 24th, 2003**

For the Ministry

Des Kirk (Co-Chair)
Helen Ecker
Kevin Pumphrey
Mark Grimsditch
Ryan Wood (Recorder)

For the Union

Kathleen Demareski (Co-Chair)
Bob Walraven
Maurice Gabay
Barry Scanlon (Job Security Officer)

Date		Referred to	Action
Sept/02	<p><u>1. Minutes from the previous meeting</u></p> <p>Minutes of the June 26th, 2003 meeting were signed off on September 19th, 2003. Minutes to be posted to Intranet.</p> <p><u>Business arising from the minutes</u></p> <p><u>A) Reports</u></p> <p>Unclassified Conversions Management advised that there were 28 Unclassified Conversions since the last meeting.</p> <ul style="list-style-type: none"> 21 Collections and Compliance Branch 2 ITRP 2 Corporations Tax Branch 1 RST 1 Revenue Operations and Research Branch 1 PLFS Property Taxation Branch <p>Surplus List No new additions to the surplus were provided</p>		
Dec/00	<p><u>Ministry Updates</u></p> <p>(A) FSCO/OSC merger was removed from the agenda. It will be brought back if anything is to be reported by either party</p>	Management	To be removed from the agenda
June/01	<p><u>(B) Inspection/Investigation/Enforcement</u></p> <p>Management advised that it is investigating appropriate training for FCOs. CCRA was contacted and Collections and Compliance management have received a copy of a training package from CCRA and are reviewing it for content and applicability. No time frame is reported for review completion. Management undertakes to report any further developments.</p>		

<p>Oct/01</p>	<p>Inspection/Investigation/Enforcement training in relation to Field Collection Officers is the subject of a grievance and could not be discussed. This item will be removed from the agenda for future meetings. If this item has any impact on Ministry of Finance staffing in the future it will be returned to the agenda as needed.</p> <p>(C) Tax Revenue Division COI Guidelines Review</p> <p>(i) COI Ruling on Treasurers and Trustees</p> <p>Management confirmed that the Union's response to questions posed by the Legal Services Branch was received and forwarded to the ADM, Tax Revenue Division and Legal Services Branch for review and submission to the Deputy Minister.</p> <p>The Deputy Minister's ruling was shared with the Union Co-Chair on June 25, 2003. The Union requested that the ruling be reiterated in the MERC minutes as follows:</p> <p>As MERC has described the situation of the Union Local Treasurer and Trustee, our review does not indicate any conflict with Tax Revenue Division employees participating in these Union positions provided they adhere to the following guidelines:</p> <p>They do not conduct the activity on government work time or use Ministry of Finance assets to assist in the Local Union position;</p> <p>They do not provide tax advice on Ministry statutes, other than general information which they would be expected to give any taxpayer free of charge as part of their Ministry duties; and</p> <p>They do not use Ministry databases for any purposes not related to Ministry business.</p> <p>Management stated, in this regard, any Treasurer, or Trustee who has personally already sought a ruling will be receiving a letter from the Deputy Minister's office. The Union was advised that all of local Treasurers and Trustees must seek a ruling from the Deputy Minister.</p> <p>(D) Code of Professionalism</p>		
<p>Oct/01</p>	<p>Management confirmed that Tax Administration Service Commitments and Standards as formally announced in the 2003 Ontario Budget were confidentially disclosed to the Union in advance of TRD staff information sessions. Information sessions on these service commitments & standards have now been completed for TRD staff.</p> <p>The Ministry of Labour is the lead on the OPS Code of Professionalism and will decide a roll-out date. The Ministry of Finance anticipates that requirements of an OPS Code of Professionalism have already been embodied in the Tax Administration Service Standards & Commitments.</p>		

<p>May/02</p>	<p>Management undertakes to inform the MERC if any impact on and /or communication to MOF employees.</p> <p>The Ministry of Finance does not anticipate rolling out anything separately with regard to the Code of Professionalism.</p> <p>(E) Review of TRD Organizational structure by KPMG</p> <p>In respect of any future announcements to staff, Management undertakes to share these in advance to the MERC.</p>	<p>Management</p>	<p>Management will provide information at a future MERC</p>
<p>Mar/03</p>	<p>(J) Local Time off</p> <p>The Union asked that Management reconsider its position not to agree to the Union's request for the Ministry of Finance to administer OPSEU's Local Time Off Initiative that was adopted at their 2001 Annual Convention.</p> <p>The Union confirmed that this initiative would permit local executives time off to carry out the duties of their office and that the Ministry would be reimbursed the Local and OPSEU Head Office for this time off, as it is completely funded by the Local and OPSEU Head Office.</p> <p>Management reiterated its position that the Ministry is not prepared to agree to any local time off for Union business which is not covered by the provisions of the collective agreement. Management advised the union that this is an issue for central collective bargaining.</p> <p>The Union Co-chair indicated that this issue would be referred to the Deputy Minister under Article 16.3 of the collective agreement in an attempt to present further information and negotiate a resolution to this unresolved matter.</p>	<p>Union</p>	<p>To refer to D.M. in accordance with Article 16.3</p>
<p>June/03</p>	<p>(K) Performance Management and Career Planning</p> <p>Management is still developing information on performance metrics and will share this information with the MERC before any communication goes out to the employees</p>		
<p>June/03</p>	<p>Tax Administration Service Commitments & Standards - Quality Service Questionnaire</p> <p>Concern was raised by the Union over the public feedback section of the internet questionnaire given to the recipients of audits. This questionnaire allows the recipients of an audit to provide their name and get contacted by MOF regarding any concerns.</p> <p>The Union felt that auditors had been led to believe the data collected would be anonymous and that this information would not be reflected in their PMCP's.</p> <p>Management explained that there was no intent to use the information collected to evaluate staff. However, since the MOF is required to follow up on any concerns raised by the vendors/</p>		

	<p>taxpayers individually on their questionnaire.</p> <p>Management agreed to take under advisement the Union's concern raised on behalf of Auditors.</p>		
Sept/03	<p>New Business</p> <p>Ontarian's with Disabilities Act 2001</p> <p>The Union requested a copy of the Ministry's Accessibility Plan. Management indicated that the plan has been completed and final approval is pending. Once the plan is approved it will be placed on the Ministry's website and a copy will be provided to the MERC.</p>		
Sept/03	<p>Hiring Freeze - August 8, 2003</p> <p>In reply to questions raised by the Union, Management stated that it will comply with the collective agreement with respect to conversion provisions and temporary assignments.</p> <p>During the hiring freeze all staffing exemptions must go the Deputy Minister who will make decisions on a case by case basis for business critical positions.</p>		
Sept/03	<p>Power Outage</p> <p>The Union asked the following questions related to the Emergency Blackout:</p> <ul style="list-style-type: none"> o Will the CWW day that has already been worked towards be re-scheduled for affected employees? 		
Sept/03	<ul style="list-style-type: none"> o Definition of Critical Services <p>Management responded as follows:</p> <ul style="list-style-type: none"> (i) Will the CWW day that has already been worked towards be re-scheduled for affected employees? <ul style="list-style-type: none"> A) If an employee was scheduled to be off on a CWW day which fell during the power emergency period, as part of an approved CWW arrangement, and the employee was not required to work (not critical), the employee's CWW day off is considered to have been taken. B) If an employee was on a CWW arrangement and did not have to work because he/she was not critical, then his /her CWW days are considered completed for that week. <p>Management advised that MBS worked with ministries in identifying critical services on a ministry-by-ministry basis.</p>		

Sept/03

Student Wages

Management provided the following information in response to questions raised by the Union:

MBS funds the corporate Summer Employment Program (SEP). This year 210 SEP employees were allocated across the ministry. These positions are advertised in the MBS booklet based on proposals for SEP employees submitted by branches in the Ministry. Resumes are received by Human Resource Branch (HRB) who group them by applicable skill. When approval is granted for a SEP employee for a branch, HRB provides a list of applicants to a manager for selection. SEP assignments are for 7 weeks in duration.

Students in the SEP program are paid \$6.85 per hour as per the collective agreement. If they are retained after their 7 week SEP assignment expires their pay rate is determined by examining Appendix A of the collective agreement (page 144) and determining whether they are backfilling a classified employee and if they are performing all the duties of the position. Decisions regarding pay levels are made by the branch with the consultation of HRB.

Mobile Solutions Strategy

The Union asked if MOF was involved in this initiative regarding Tax Auditors, Field Collectors and Special Investigators. Management indicated that representatives from SI did attend initial meetings on this matter to determine relevance. It was decided that it was not relevant to the Ministry of Finance at this time. If this issue does become relevant the Ministry of Finance will re-examine its participation.

The next meeting has been scheduled for December 18th, 2003 at 9:30 at the Ministry of Finance in Oshawa.

Next Meeting

The next meeting is scheduled for December 18th, 2003 in Boardroom 2A.


(Original Signed by)



Helen Ecker for
D. Kirk, Mgt Co-Chair

Dec 8, 2003
Dated

(Original Signed by)



K Demareski, Union Co-Chair

Dec 8/03
Dated

OPSEU



SEFPO

FOR MERC ACTION

Strategic Action from Local Employee Relations Committee
(to be used when an issue is not resolved at LERC table)

Ministry:

Workplace Location:

Local #:

Please use a Separate Form for Each Unresolved issue.

- ✓ Please include the specific details about the issue.
- ✓ Provide any documentation that may assist the discussion at your Ministry Employee Relations Committee (MERC).

Is the issue related to (please ✓):

- | | | | |
|--------------------------|--|--------------------------|---------------------------------|
| <input type="checkbox"/> | Job Security and Article 20 | <input type="checkbox"/> | Reasonable Efforts - Divestment |
| <input type="checkbox"/> | Employer's Corporate Initiative and work re-organization | <input type="checkbox"/> | Contract Interpretation |
| <input type="checkbox"/> | Enforcing the Contract | | |
| <input type="checkbox"/> | Health and Safety | | |
| <input type="checkbox"/> | Other: (please identify) | | |

Statement of the Issue:

The Resolution sought by your Local Employee Relations Committee (LERC):

Date Issue was declared unresolved by your LERC:

Is the Relevant material attached? Yes No

LERC Minutes dated:

Correspondence. Please list:

Local ERC Member Contact

Name:

Home #:

Address:

Work #:

**FORWARD to: OPSEU Job Security Unit, 100 Lesmill, Toronto, Ontario M3B 2P8
Fax: (416)448-7462**

