

MEMORANDUM

OPSEU



SEFPO

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

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

FROM: Brian Gould, OPS Supervisor/Negotiator

DATE: February 23, 2007

SUBJECT: **Ministry of Finance**
ERC Minutes – February 21, 2007

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.

AUTHORIZED FOR DISTRIBUTION:

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MINISTRY OF FINANCE & ONTARIO PUBLIC SERVICE EMPLOYEES' UNION

MINISTRY EMPLOYEE RELATIONS COMMITTEE MEETING

5 PARK HOME AVENUE, NORTH YORK

February 21, 2007

For the Ministry

Mark Grimsditch (Co-chair)
Diane Painter
Peter Deschamps

Regrets: Angella Walmsley (Recorder)

Guests: Laura Bryce
Bart Nowak (Recorder)

For the Union

Kathleen Demareski (Co-Chair)
Leo Herskovits
Glenna Caldwell, OPSEU Job Security Officer

Regrets: Maurice Gabay

Agenda Item	Date Tabled	Issue	Follow-Up/Action
1. Minutes of the Previous Meeting		Minutes of the meeting held on November 15, 2006 were signed off on November 15, 2006.	Posted on the Ministry HRB intranet and OPSEU web site.
2. Notifications		5 Disclosures have taken place since the last meeting. DMO – Office of Economic Policy – Relocation/Reporting Relationship (December, 2006) TRD – TCROB Western Region – Reporting Relationship (January, 2007) CAC – I&IT Cluster – Relocation (January, 2007) TRD – TCROB Central and TCROB N/E Regions – Relocation (January, 2007) CQSD – Human Resources Branch – Reporting Relationship (February, 2007)	
3. Standing Items	Sept/02	A) Reports i) Unclassified Conversions There were 4 unclassified conversions since the last meeting.	
		ii) Surplus List For the period covering April 1, 2006 – present, there are 13 employees on the list. Copy was provided to Union.	

		<p>iii) Appendix 15 – Unclassified Listing</p> <p>A copy of the report was provided to the Union.</p>	
	Dec/05	<p>iv) New & Revised Job Descriptions – Article 1.4</p> <p>Management provided 68 position descriptions to the Union covering the period November 15, 2006 – February 20, 2007.</p> <ul style="list-style-type: none"> - 9 OPSEU - 19 AMAPCEO - 40 MCP/Excluded 	
4. Business Arising from the Minutes	May/02	<p>B) Ministry Updates</p> <p>j) Review of Tax Revenue Division (TRD) Organizational Structure</p> <p>There are no further announcements at this time. Management will provide appropriate disclosure when decisions are made.</p>	
	March/04	<p>ii) LERC Training</p> <p>Additional Conflict resolution training was provided to support a LERC. The Co-chairs will monitor the committee's progress to ensure appropriate supports are in place. The Mississauga LERC has requested LERC training due to the fact that there has been a significant change to the committee membership. The parties have scheduled this training for February 23rd, 2007.</p>	Remove from agenda
	August/06	<p>iii) Ministry of Finance Grievance File Review (MFRC) Sub-Committee</p> <p>The Terms of Reference have been signed by both parties. A memo signed by the OPSEU Co-Chair and the Supervisor of the Contract Enforcement Department of OPSEU was distributed to all Ministry of Finance stewards on January 12, 2007. To date the committee has been working on creating consolidated grievance list and have identified over 70 grievances that have been settled, closed or withdrawn. The Union Co-Chair has presented specific details to the Contract Enforcement Department in order that those files can be closed. Ministry of Finance stewards are encouraged to forward grievances to the committee instead of the Grievance Settlement Board during this pilot.</p>	

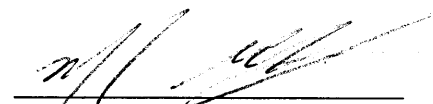
	November/06	<p>iv) Ontario Works Program</p> <p>The Union Co-Chair raised concerns regarding the usage of Ontario Works participants. The Union has proposed that individuals impacted by CTAR should be offered any and all additional training opportunities available in the Ministry. The Union is requesting the current number of total placements and what the target is for 2007/08.</p> <p>2006-2007 placements 40, Management does not have the allocation for 2007-2008. The union raised concerns that the information that placements may be privy to is confidential. Management stated that they are required to take an oath of confidentiality.</p>	Remove from agenda
	November/06	<p>v) Technological Training</p> <p>Union provided a copy of the CFLL MGS website page which states that there is no registration fee for scheduled courses.</p> <p>The CFLL no longer offers desktop computer training. Dedicated courses are to be arranged by the program area.</p>	Remove from agenda
5. New Business	Feb/07	<p>i) Designees at Stage 2 Meetings</p> <p>Referral from North York LERC Minutes of January 23, 2007 - The Union is recommending/requesting that the North York Tax office grievances (North York, Etobicoke, Scarborough) are heard by designees that do not report to any of the locations that form part of the Central Region.</p> <p>Stage Two Designees are selected from a roster, based primarily upon the geographic headquarters of the designee in relation to the location where the Stage Two is anticipated to be held. Managers who were directly involved in the decision that resulted in a grievance (e.g. on the selection panel of a competition grievance) will not be utilized as the designee for that particular Stage Two meeting. Unless a manager from TRD Central Region was directly involved in the decision that resulted in the grievance they will continue to be utilized as a designee, on a rotational basis, for NYTO grievances.</p> <p>Stage 2 Designee training has been developed by the Human Resources Branch with sessions occurring over the course of the year. The first session will be held in March 2007.</p>	Remove from agenda

	<p>ii) Personal Information and belongings in the workplace</p> <p>Referral from London LERC minutes of October 25, 2006.</p> <p>Management Co-Chair of the LERC has requested that this item be referred back to the London LERC for resolution.</p>	<p>Referred back to London LERC</p> <p>Item removed from agenda</p>
	<p>iii) Interpretation of Article 5.2</p> <p>Referral from Oshawa LERC – Management has taken the position that, as the OPSEU Collective Agreement is available electronically, they have satisfied their obligations under this article. The Union argues that management’s position undermines the intent of the article. The Union further argues that not all members have access to computers. The resolution sought by the LERC is that management must provide hard copies of the OPSEU Collective Agreement, at their expense, to all new hires.</p> <p>Employees have access to the Collective Agreement through the MOF and OPS Intranets as well as the OPSEU internet site. The Article requires the employer to ensure that sufficient copies of the Collective Agreement exist and to ensure that all employees have access to the Collective Agreement.</p> <p>The parties agree that this issue should be resolved locally and recommend the LERC find a creative solution and therefore this item is being referred back to the Oshawa LERC.</p>	<p>Referred back to Oshawa LERC</p> <p>Remove item from agenda</p>
	<p>iv) Budget 2007 – 2008</p> <p>In the 2003 election, Premier McGuinty promised to rebuild public services. This has not happened. In many cases, the Liberal government has continued to freeze or cut operating budgets and programs. In the Ministry of Finance, this has included cuts to the following:</p> <p>Senior Tax Credit Program – December 17, 2003 – 10 OPSEU members Permanently Physically Disabled Program (PPD) – Sept. 29, 2004 – 3 OPSEU members Financial Services Commission of Ontario (FSCO) – May 3, 2006 – 9 OPSEU members Corporations Tax Administration Redesign (CTAR) – On November 4, 2004, an announcement was made that the Federal and Provincial government was working towards a single administration of the corporation tax. On October 6, 2006 both governments signed a memorandum of agreement to solidify the deal brokered in November 2004. The Federal and Provincial governments are currently negotiating a Business Services Transition Agreement and a Human Services Agreement that will outline the direct impact to OPSEU members. The total number of OPSEU members that</p>	<p>Refer to CERC and or explore options under Article 16.3</p> <p>Management will take under advisement</p>

		<p>may be potentially impacted is almost 600.</p> <p>Ontario can do better! The 2007/08 provincial budget represents one of the last opportunities for the government to live up to its promise and restore public service before the next election. We are asking the employer to provide the Union with details of the its plan to restore operational funding and public service delivery in the Ministry of Finance to pre-1995 levels.</p>	
		<p>v) Bargaining Unit Integrity</p> <p>Recently, there has been newly created positions in the Ministry of Finance that are being improperly classified as AMAPCEO positions. The Union is putting management on notice that it will pursue any and all avenues to have these positions returned to the OPSEU bargaining unit. Examples provided to Management.</p> <p>It is the Ministry's position that job descriptions are written and then reviewed against the class standard, including any particular occupational or class series.</p>	<p>The Union will continue to monitor</p>
		<p>vi) Message from MERC</p> <p>The parties agree to issue a joint communication for all MOF employees to outline initiatives that are being worked on by union and management.</p>	<p>Management and Union representatives to finalize and distribute as soon as possible</p>
		<p>vii) Interest Based Problem-Solving Training</p> <p>The Union suggested that in addition to the fundamental LERC training that has already been provided, management consider hosting joint training on interest based problem solving.</p>	<p>MERC Co-Chairs to meet and discuss further</p>
6. 2007 Meeting Schedule		Meetings are scheduled for May 16, August 15, November 21, 2007.	

Dated this 21 day of February, 2007


 Kathleen Demareski
 Union Co-Chair


 Mark Grimsditch
 Management Co-Chair