

MEMORANDUM

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

FROM: Brian Gould, OPS Supervisor/Negotiator

DATE: 22 November 2007

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

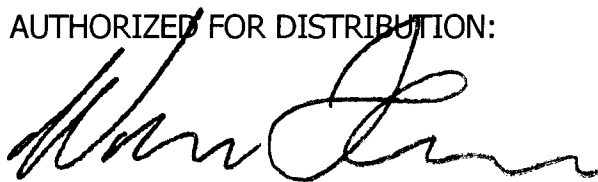
Attached, for your information, are the minutes of the above captioned meeting.

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.

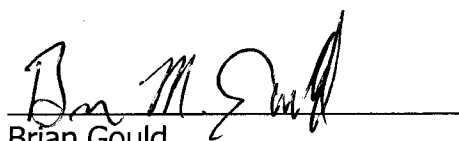
PLEASE NOTE: THESE MINISTRY MINUTES WERE PREPARED BY THE EMPLOYER.

AUTHORIZED FOR DISTRIBUTION:



Warren (Smokey) Thomas
President

IN SOLIDARITY,



Brian Gould
OPS Supervisor/Negotiator

/fs
att.

cc: MERC Chairs
Ministry ERC



MINISTRY OF FINANCE, MINISTRY OF REVENUE & ONTARIO PUBLIC SERVICE EMPLOYEES' UNION

MINISTRY EMPLOYEE RELATIONS COMMITTEE MEETING

5 PARK HOME AVENUE, NORTH YORK

November 21, 2007

For the Union

Kathleen Demareski (Co-Chair)
 Leo Herskovits
 Maurice Gabay (Regrets)
 Marg Simmons, OPSEU Job Security Officer

For the Ministry

Mark Grimsditch (Co-chair)
 Diane Painter
 Peter Deschamps
 Angella Walmsley (Recorder)

Guest: Art Slade

Agenda Item	Date Tabled	Issue	Follow-Up/Action
1. Minutes of the Previous Meeting		Minutes of the meeting held on August 15, 2007 were signed off on August 15, 2007.	Posted on the Ministry HRB intranet and OPSEU web site.
2. Notifications		6 Disclosures have taken place since the last meeting. CQSD – Budget Secretariat - Reporting Relationship (August, 2007) TRD – TCROB N/E – Reporting Relationship (August, 2007) TBO – OIA – Reporting Relationship (August, 2007) TRD - CASB – Reporting Relationship (September, 2007) OBT - Restructuring (September, 2007) TRD – CTAR/CASB/TASB – Relocation (September, 2007)	
3. Standing Items	Sept/02	A) Reports i) Unclassified Conversions There was 1 unclassified conversion since the last meeting.	
		ii) Surplus List For the period covering April 1, 2007 – present, there are 12 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 electronically 110 position descriptions to the Union covering the period August 16, 2007 – November 20, 2007.</p> <ul style="list-style-type: none"> - 25 OPSEU - 44 AMAPCEO - 41 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>	
	August/06	<p>ii) Ministry of Finance Grievance File Review (MFRC) Sub-Committee</p> <p>The committee continues to meet on a regular basis. To date the committee has dealt with 195 grievances and there are 47 issues still remaining to be addressed.</p> <p>The parties recognize that this pilot has been successful in dealing with the backlog of grievances and the ongoing conflicts that need to be resolved. As a result of Labour Relations and ERC training provided to local management and union representatives, the committee has recognized a reduction in the number of grievances filed for 2007.</p>	
	May/07	<p>iii) Changes to the Insurance Act</p> <p>As of April 1, 2007, the employer’s (MGS) auto liability coverage is \$5 million and non-owned auto liability is also \$5 million. The employer is liable first, followed by the employee. The employee’s policy is exposed if the judgement is over \$5 million. Will the employer cover the excess of \$5 million without exposing the employees insurance?</p> <p>The government has automobile liability insurance coverage of up to \$5 million. In the past, any insurance settlements have been well below \$5 million. We think that the current level of automobile insurance is appropriate and will adequately protect the government and its employees. However, if a judgment against an employee exceeds the government's automobile policy limit, with respect to the issue of payment alone, the government will pay amounts in excess of its auto insurance policy.</p>	<p>Remove from agenda.</p>

		<p>The government has a track record of working with OPSEU and other bargaining agents to manage issues related to their membership, as demonstrated by the government's response to concerns raised about changes to the Insurance Act. We will continue to work collaboratively with OPSEU to address issues that impact on the bargaining agent's members.</p>	
	May/07	<p>iv) Ontario Child Care Supplement Program</p> <p>The parties have agreed that the OCCS Working Group will merge with the CTAR Working Group to discuss strategies and approaches to support staff throughout the transition.</p>	<p>Updates will be provided as necessary.</p>
	August/07	<p>v) Results Based Plans (RBP)</p> <p>The Union is requesting specific details of the Ministry of Finance and Revenue plans including a breakdown of specific impacts to OPSEU members.</p> <p>The Ministry of Finance and Revenue RBP's were provided confidentially to the MERC on November 16, 2007.</p>	<p>Remove from Agenda.</p>
5. New Business	Nov/07	<p>i) Assets Return Process</p> <p>On September 14, 2007 management clarified the return of asset process for all employees as per the memo sent to all MOF Executives on February 7, 2006. This memo advised that there was a new form and procedures. An issue/return of Ministry asset form is to be completed and kept on file for all employees who are in possession of Ministry assets and updated whenever assets are issued and returned.</p> <p>It is also the practice that when an employee terminates from the OPS, all assets are to be returned to the Branch and a completed/signed form is to be forwarded to OSS Pay & Benefits before final payment is released to the employee.</p> <p>Section 13 of the Employment Standards Act clearly states: "The employer shall not withhold wages payable to an employee, make a deduction from an employee's wages or cause the employee to return his or her wages to the employer unless authorized to do so under this section"</p>	<p>Management is still investigating the issue and will report back as soon as possible.</p>

		<p>Section 13 (3) states: "An employer may withhold or make a deduction from an employee's wages or cause the employee to return them with the employee's written consent"</p> <p>Does the form clearly state that by signing the form they authorize the employer to withhold wages or cause the employee to return wages?</p>	
	Nov/07	<p>ii) Article 1.4</p> <p>A memo was issued on September 7, 2007 from the Employee Relations Division, MGS and sent to all Ministry HR Directors outlining the new process for disclosing class standards and/or job descriptions. Ministries have been directed to send this information electronically which will ensure a standardized process and reduce the amount of paper used by the OPS.</p> <p>Management has provided the union with the job descriptions electronically per the direction from Employee Relations Division, MGCS.</p>	Remove from Agenda.
	Nov/07	<p>iii) Employee Relations Training</p> <p>Employee Relations Committees Best Practices and Procedures joint training is being offered across the OPS and co-facilitated by both parties through CERC. In order to participate in the joint training a request must be made by the entire committee and sent to the Corporate Staff Relations Officer, Employee Relations Division as referenced on the registration form. Should LERC Co-Chairs need additional information they may contact Diane Painter, Labour Relations Coordinator for the Ministry of Finance/Ministry of Revenue.</p> <p>The parties agree that there may be a large turnover of LERC members as a result of employees accepting job offers from the Canada Revenue Agency. The MERC promotes the role of the LERC as it is a mechanism to foster positive labour relations and support early resolution of issues. The MERC will continue to ensure that all participants at the Local level will receive the necessary training to carry out this important work.</p>	Parties will continue to monitor the need for training at the local level.

6. 2008 Meeting Schedule	Meetings are scheduled for: February 20, 2008 May 14, 2008 August 13, 2008 November 12, 2008	
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Dated this 21st day of November, 2007


Kathleen Demareski
Union Co-Chair


Mark Grimsditch
Management Co-Chair