

**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:** Terry Baxter, OPS Supervisor/Negotiator

**DATE:** January 23<sup>rd</sup>, 2006

**SUBJECT: Ministry of Finance  
ERC Minutes – December 2, 2005**

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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.**

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President

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Terry Baxter  
OPS Supervisor/Negotiator

cc: MERC Chairs  
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		<ul style="list-style-type: none"> <li>- Appendix 15 – list of unclassified employees and strategies for reducing the Ministry of Finance percentage.</li> <li>- Article 20B12 – Ministry vacancy list in preparation of the January 1, 2006 language changes in order to identify conditional assignments.</li> <li>- Article 20.B16 – Vacancy list reported to Employer by Ministry to be included in the registry.</li> </ul> <p>Management advised that a list of unclassified employees is not currently available for the Ministry of Finance and strategies for reducing the Ministry percentage are being addressed at the corporate level. Vacancy lists is an item on the Central Employee Relations Committee (CERC) agenda and therefore should not be discussed further by the MERC.</p> <p>The Union advised that other Ministry's have provided the Union with a list of unclassified employees and requested that management provide a Ministry of Finance list. Management agreed to consult with corporate Employee Relations regarding this request.</p> <p><b>New and Revised Job Descriptions</b></p> <p>Management provided 113 position descriptions to the Union covering the period from June 2005:</p> <p>40 OPSEU 30 AMAPCEO 43 MCP/Excluded</p>	<p>Management to respond to the Union's request at the next meeting.</p>
	<p>Oct/04</p> <p>May/02</p>	<p><u>Ministry Updates</u></p> <p><b>i) FSCO Organizational Changes</b></p> <p>The parties agreed to remove this item from the agenda and management will provide appropriate disclosure if a decision is made. Management confirmed that there are no plans for divestment at this time.</p> <p><b>ii) Review of Tax Revenue Division (TRD) Organizational Structure - Status</b></p> <p>On behalf of the Transition Project Office, management provided the following update regarding the status of the organizational structure review for the TRD:</p> <ul style="list-style-type: none"> <li>• On September 8, 2005, Marion Crane announced the appointment of Richard Gruchaia to the position of Director, Customer Service and Education Branch.</li> <li>• On October 21, 2005, the creation of a new temporary director's position was announced. Dave Parr was appointed to the position of Director, Audit Analysis and Centralized Programs, TCROB, effective October 24, 2005. Effective October 24, 2005, Pieta Settini moved to Acting Director, Tax Appeals Branch.</li> </ul>	<p>Remove item from agenda</p>

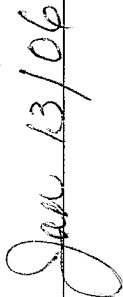
		<ul style="list-style-type: none"> <li>On November 18, 2005, employees in TCROB were advised of reporting relationship changes.</li> <li>On November 23, 2005, Marion Crane announced the realignment of Tax Advisory and Divisional Training Unit staff to Customer Service &amp; Education Branch, effective December 12, 2005. Also announced was the change of the name of the branch to the Tax Advisory Services Branch.</li> <li>November 30, 2005, Marion Crane announced the move of Audit and Inspection Section, Motor Fuels &amp; Tobacco Tax Branch and Specialty Assessments Unit, Corporations Tax Branch to TCROB, effective December 19, 2005. Also, the appointment of Mark Grimsditch to Director, Tax Processing Branch and Acting Director, Retail Sales Tax Branch while continuing as Director, Corporations Tax Branch.</li> </ul> <p><b>iii) Performance Management and Career Planning (PMCP)</b></p> <p>Management provided a response to the Union October 31, 2005, regarding some of the concerns raised. Given that this issue is currently the subject matter of a group grievance that is before the Grievance Settlement Board, it is management's position, that it is not appropriate to continue discussing this matter at MERC meetings.</p> <p>The parties agreed to remove the item from the agenda.</p> <p><b>iv) LERC Training</b></p> <p>In response to the Union's request, management provided a list of all Ministry LERC's including the names of members to the OPSEU Co-Chair.</p> <p>The MERC Co-Chairs met on October 13, 2005 to discuss the roll out of LERC training sessions. Training sessions have been scheduled and will take place on January 24<sup>th</sup> and 25<sup>th</sup> in London and on January 12<sup>th</sup> and 13<sup>th</sup> in North York.</p> <p>MERC Co-Chairs agreed to meet to review the training agenda and materials.</p> <p><b>v) Corporation Tax Administration Redesign (CTAR)</b></p> <p>Management requested that this item be removed from the agenda as a sub-committee of MERC members meets regularly with senior management to obtain weekly updates via teleconference. The Union agreed that updates are being provided on a weekly basis and that the Assistant Deputy Minister, TRD, will announce major changes directly to employees. Employees are encouraged to visit the TRD website to obtain information regarding the CTAR project and to raise any concerns directly with their Manager as they arise.</p>
June/03	Remove from agenda.	Co-chairs to meet to review training.
March/04		
Sept./05		

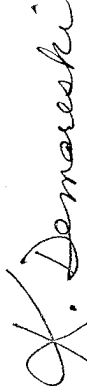
		<p>The following Union position regarding CTAR was tabled by the Union for the record:  <i>It is the Union's position to oppose the transfer. It is the Ministry Union Team's mandate to protect their members using any and all avenues to prevent job loss or transfers. The Union believes that the government still hasn't made a believable business case.</i></p> <p>The parties agreed to remove this item from the agenda.</p> <p><b>vi) Divisional Audit Committee (DAC)</b></p> <p>Management provided the following response to the Union's request for an update on initiatives or pilot programs under review for completing audit file work at home and also confirmation regarding office hours of work being an item on the DAC agenda.</p> <p>The DAC has drafted a paper on the issue of allowing auditors to do limited types of work at home, under specific conditions, and with management approval. The paper has been shared with the Human Resources Branch to obtain their feedback. As part of the review of this issue, the results of the Tax Appeals Branch Telework (working from home) pilot project will also be looked at. It is hoped that the review of this issue will be completed in the near future.</p> <p>The issue of reviewing office hours of work was considered by the Division's Strategic Leadership Team and it was agreed that office hours would be set by <b>management</b> at the regional office taking into account the following factors:</p> <ul style="list-style-type: none"> <li>• need to provide services to the public between 8:30 a.m. and 5:00 p.m.;</li> <li>• type of facility;</li> <li>• availability of security at each facility;</li> <li>• need for some staff, by virtue of the nature their work, to have extended hours of access; and,</li> <li>• management resources available to manage facilities outside the hours the facilities are available to the public.</li> </ul> <p>The parties agreed to keep the work from home issue on the agenda and to remove the office hours of operation issue.</p> <p>Management to provide an update regarding the work from home issue at the next meeting.</p>	<p>Remove from agenda.</p> <p>Remove office hours of operation from agenda.  Management to provide update at the next meeting.</p>
	<p>Sept./05</p>	<p><b>vii) Successor Rights</b></p> <p>The Union advised that a letter had been sent to the Deputy from the OPSEU MERC Team in accordance with Article 16.3 of the Collective Agreement. The Union anticipates receiving a response within 21 working days as per the relevant article.</p>	

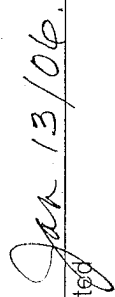
<p>3. New Business</p>	<p>Dec./05</p>	<p>Management advised that the information provided by the Union during the last MERC meeting regarding Successor Rights had been shared with Employee Relations, Centre for Leadership, Human Resource Management and had also been sent to the Deputy.</p> <p><b>i) Terms of Reference</b></p> <p>The Union provided a draft Terms of Reference document for management's review which captures all the agreed upon language from the Memorandum of Understanding dated April 1997. The Co-Chairs agreed to meet to review and discuss the document before December 31, 2005.</p> <p><b>ii) New and Revised Job Descriptions - Article 1.4</b></p> <p>The Union requested that information disclosed in accordance with Article 1.4 of the Collective Agreement be shared on a monthly basis. Management agreed to consider the request and report back at the next meeting.</p> <p><b>iii) Minutes of MERC Meetings</b></p> <p>The parties discussed options available to expedite the process for completing MERC minutes. The parties agreed to develop the first draft of the minutes for the next meeting during the meeting using a laptop computer. Management agreed to provide a laptop computer and administrative support available for the next meeting.</p> <p><b>iv) Lateral Transfer – Article 6.6.1</b></p> <p>The Union raised a concern with the manner in which the Ministry administers employee requests for lateral transfers under Article 6.6.1 of the Collective Agreement based on the fact that there is a potential for job loss when a MOA is signed for CTAR.</p> <p>It is the Union's position that the language outlined in Article 6 gives priority to posting positions versus lateral transfers. The language contained in Article 6.1.1 states that positions <b>shall</b> be posted whereas Article 6.6.1 states that an employee <b>may</b> be assigned.</p> <p>Given the fact that an Memorandum of Agreement is expected to be signed that may affect over 700 members in the Tax Revenue Division, the Union is not prepared to waive the members rights to have positions posted without careful consideration.</p> <p>Management agreed to consider the Union's request and to report back at the next meeting.</p>	<p>Co-chairs meet before December 31/05.</p> <p>Management report back at next meeting.</p> <p>Management provide a laptop computer and administrative support for next meeting.</p>
<p>4. Other Item</p>	<p>Sept./05</p>	<p>Management to consider request and report back at next meeting.</p>	<p>Management to consider request and report back at next meeting.</p>

2006 Meeting Schedule		February 14 <sup>th</sup> (Oshawa), May 16 <sup>th</sup> , August 16 <sup>th</sup> , and November 15 <sup>th</sup> , 2005.	
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 Gail Lynch  
 Management Co-Chair

  
 Dated

  
 Kathleen Demareski  
 Union Co-Chair

  
 Dated