

MEMORANDUM

TO: All Presidents and members in Ministry of Labour
All Stewards in Ministry of Labour

FROM: Ruth Hamilton, A/OPS Supervisor

DATE: October 4, 2010

SUBJECT: **Ministry of Labour**
MERC Minutes – September 28, 2010

Attached, for your information, please find the minutes of the above captioned meeting(s).

Please post or otherwise make them available to the members in your workplaces.

You will also find attached a MERC referral form which should be used when referring unresolved local issues to the ministry level. We request that you provide the Job Security Group with all supporting documentation, (i.e. 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

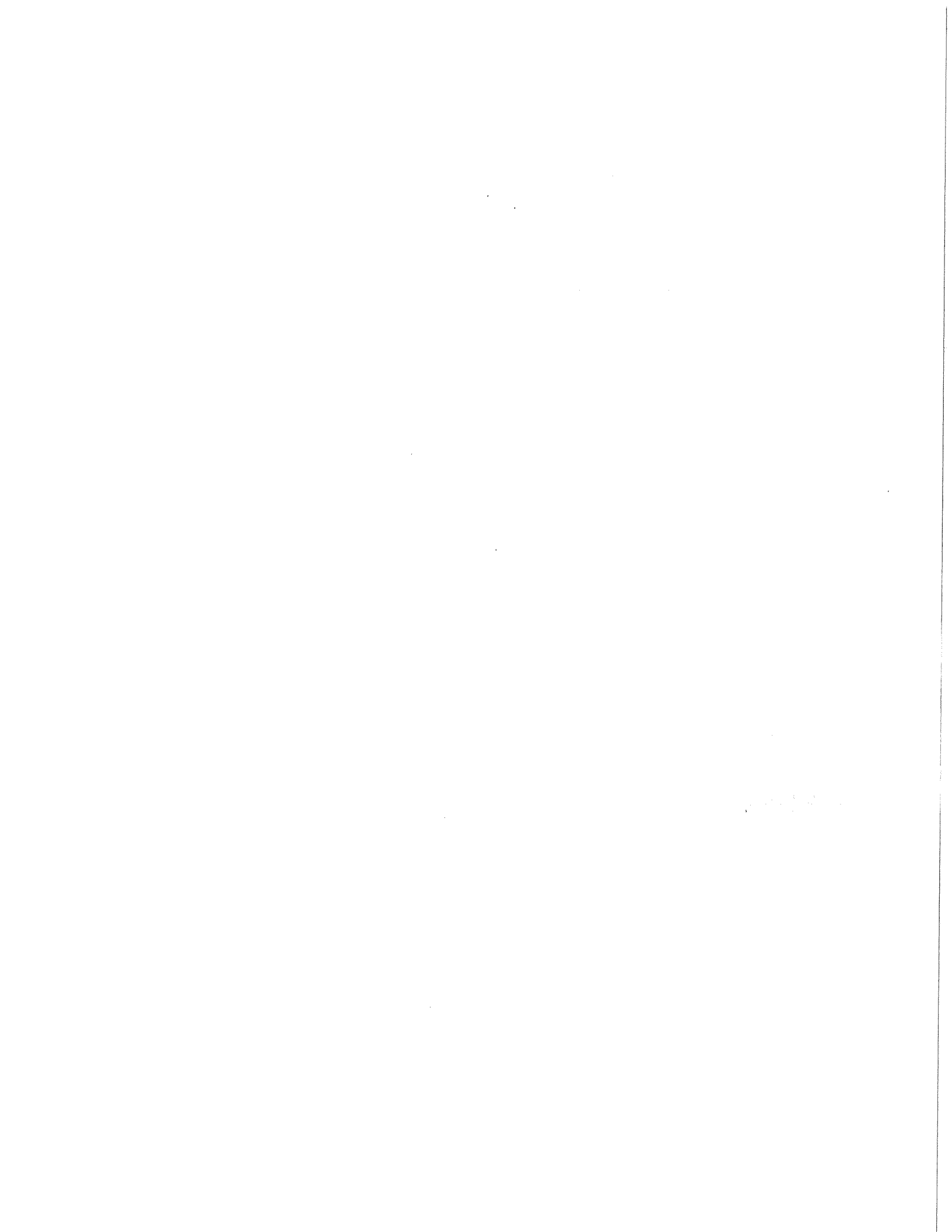


A/Ruth Hamilton
OPS Supervisor

/pb

att.

cc: MERC Chairs
Ministry ERC



**Ministry of Labour
MERC Meeting Minutes**

Date and Time: September 28, 2010, 9:00 a.m. to 2:30 p.m.

Location: 400 University Ave., Boardroom 10A

For OPSEU: *Gib McIlwrath (co-chair), Leonard Elliott, Tom MacKay, Stephen George * chaired meeting

For the Employer: Len Marino (co-chair), Fil Savoia, Peter Augruso (alternate), Lynda Shephard, Anna Barrett, Wendy Chadwick, Sarah Thom

Guests: Julie Bussieres, Tom Zach

Regrets:

Issue	Discussion	Action Required
A. Business Arising from Previous Minutes – MERC minutes Follow Ups		
<p>2010-001 Vehicle and Equipment Initiative - Taskforce</p> <p>Date Tabled: June 29, 2009</p>	<p>Sept. 28, 2010: Copy of policy provided to OPSEU.</p> <p>The Employer's position is that if an inspector is concerned about driving on snow packed roads, they may request mud & snow tires from their manager. Such requests should not be denied.</p> <p>Aug 24, 2010: MOE Vehicle Road Safety Guideline shared with OPSEU.</p>	<p>Completed</p> <p>The Employer will draft messaging for managers clarifying the mud & snow tires requests.</p> <p>Further outstanding issue to be discussed at September meeting.</p>
<p>2010-002 Lateral Transfers</p> <p>Date tabled: May 21, 2010</p>	<p>Sept. 28, 2010: The Employer and OPSEU agreed that it will be helpful to discuss this matter with a representative of HR Ontario. There are two issues</p> <p>1) what constitutes a lateral transfer 2) when can a lateral be triggered.</p> <p>Aug 24, 2010: The Employer agreed to set up a meeting with a staff member of the HR Ontario, Recruitment Centre to discuss this matter of unresolved issue.</p>	<p>The Employer will make arrangements for OPSEU to meet with a representative from HR Ontario to discuss the lateral transfer process. OPSEU will hold their decision in abeyance pending the outcome of the meeting. Meeting tentatively scheduled for October 15, 2010.</p> <p>OPSEU to advise the Employer what their next steps will be.</p>

Issue	Discussion	Action Required
	<p>a) OPSEU believes there are two headquarters in London;</p> <p>b) The lateral transfer process should be used as per paragraph of the OPSEU Lateral Transfer Process Sheet</p> <p>c) The Employer's position is that the headquarters is the physical location.</p> <p>d) The Employer's position is that the lateral process should only be triggered as part of the recruitment process.</p> <p>OPSEU has requested that the draft document be held in abeyance until further notice.</p>	
<p>2010-003 CPIC Checks</p> <p>Date tabled: April 1, 2010</p>	<p>Sept. 28, 2010: OPSEU has been advised by MGS that a protocol is being developed to address retention, collection and storage of CIPC information. The hearing dates are scheduled for October 19 & 25, 2010.</p> <p>OPSEU expressed concerns that they have not been engaged in the development of the protocol as ordered in the interim decision.</p> <p>OPSEU has advised the Employer that they should go ahead and send letters to affected employees.</p> <p>Aug 24, 2010: The Employer provided OPSEU with a copy of Qs & As.</p>	<p>The Employer will have further discussions with MGS and Legal Services regarding the concerns OPSEU has raised prior to October 19, 2010.</p> <p>No further action at this meeting.</p>
<p>2010-004 Mol Committees and Memberships</p> <p>Date tabled: April 1, 2010</p>	<p>Sept. 28, 2010:</p>	<p>OPSEU to resend the document with changes.</p>

Issue	Discussion	Action Required
	<p>Aug 24, 2010: The Employer provided OPSEU with a copy of a draft document (MOL Committee Membership) detailing the types of committees and how selection is done.</p> <p>The document will be presented to DEC this week for comment/approval.</p>	<p>Any changes to the document will be forwarded to OPSEU with track changes by August 30, 2010.</p> <p>OPSEU to provide the Employer with comments by September 7, 2010.</p>
<p>2010-005 Alternate Work Agreements</p> <p>Date tabled: Nov 27, 2007</p>	<p>Sept. 28, 2010: The Employer provided OPSEU with a revised document for review.</p> <p>Aug 24, 2010: The AWA document worked on by OPSEU and the Employer is currently with DEC for approval.</p>	<p>OPSEU and the Employer will meet on October 15, 2010 to finalize the document.</p> <p>The Employer will provide OPSEU with a final document (with DEC approvals) incorporating changes by August 26, 2010.</p> <p>OPSEU to review and reply by September 7, 2010.</p>
<p>2010-006 Protocol for Officer Investigations</p> <p>Date tabled: February, 2010</p>	<p>Sept. 28, 2010:</p> <p>Aug 24, 2010: The Employer provided OPSEU with a copy of the complaint process proposed by Operations Division.</p>	<p>OPSEU to resend the document with their changes.</p> <p>OPSEU will review and provide comments by September 7, 2010.</p>
<p>2010-007 "Health Care" Inspectors</p> <p>Date tabled: April 1, 2010</p>	<p>Sept. 28, 2010:</p> <p>Aug 24, 2010: OPSEU asked the Employer what the long term plan for "Health Care" inspector position is and when</p>	<p>To be discussed in November 2010.</p> <p>The Employer agreed to develop a strategic plan to integrate health care into the industrial program with</p>

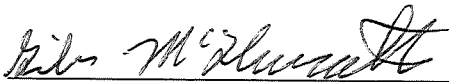
Issue	Discussion	Action Required
	will all inspectors be trained to perform all industrial sectors duties.	respect to training ie train all industrial inspectors in health care and HC into IHSP. The Employer committed to share a proposed draft plan with OPSEU prior to the November meeting.
<p>2010-008 LERC Training</p> <p>Date tabled: April 23, 2010</p>	<p><u>Sept. 28, 2010:</u></p> <p>1) The Employer advised that the Directors for the North and East have been provided with available dates for the training.</p> <p>2) OPSEU asked that available dates be pursued.</p> <p><u>Aug 24, 2010:</u> OPSEU has clarified that this items has two specific issues,</p> <p>1) North and East LERC training which is outstanding which MERC is to attend; and</p> <p>2) Discussion around MERC interest based problem solving training for MERC members.</p>	<p>1) The Employer will follow-up with the Directors in the East and North to see if a date for the training has been selected.</p> <p>2) Employer to pursue available dates after November for training.</p> <p>1) Employer agrees to training for all LERC members for the North and East Regions pending availability of dates.</p> <p>2) Employer to pursue available dates for training.</p>
<p>2010-009 ES Modernization Update</p> <p>Date tabled: April 1, 2010</p>	<p><u>Sept. 28, 2010:</u> Meeting was held on September 27, 2010 where a slide deck was provided to OPSEU.</p> <p><u>Aug 24, 2010:</u> The Employer provided OPSEU members with a written update.</p>	<p>The next meeting will be scheduled for December 2010.</p> <p>The Employer agreed to clarify the purpose of the sub-committee with the Employment Practices Director.</p> <p>The Employer will discuss the next date for the sub-committee.</p> <p>This topic was revisited and a decision not to move to "standing agenda items.</p>


Issue	Discussion	Action Required
<p>2010-010 Designated Substances Exposures/Designated Substance Regulation (DSR) for Health & Safety Inspectorate</p> <p>Date tabled: April 1, 2010</p>	<p><u>Sept. 28, 2010:</u></p> <ol style="list-style-type: none"> 1) Meeting was held between OPSEU and Ministry reps on September 20, 2010 to discuss DSR. 2) On the same date discussion on proposed health and safety program. <p><u>Aug 24, 2010:</u> The Employer provided OPSEU with a copy of the sub-committee minutes form July 27, 2010.</p>	<ol style="list-style-type: none"> 1) The policy and program for DSRs once finalized will be tabled at MERC. OHSB to schedule next sub-committee meeting. 2) Once recommendations are drafted, they will be tabled at MERC for discussion to adopt as Ministry wide program. <ol style="list-style-type: none"> 1) Second sub-committee meeting for interim medical surveillance policies and procedures tentatively scheduled for September 20th 2) Meeting tentatively scheduled for health and safety program consultation for September 14th 3) The draft protocol for escalation of local health and safety issues is being reviewed by DEC and draft will be forwarded to OPSEU for comments.
<p>2010-011 Expert panel</p> <p>Date tabled: April 1, 2010</p>	<p><u>Sept. 28, 2010:</u> A meeting was held on September 7, 2010.</p> <p><u>Aug 24, 2010:</u> The Director of the Review Project Secretariat attended the meeting to provide the committee members with an update.</p>	<p>OPSEU will be contacted mid October 2010.</p> <p>Meeting to be scheduled within two weeks and a second meeting early to mid November, 2010.</p> <p>OPSEU to identify priority areas for discussion and send to the Director of the Review Project to table at meetings.</p>

Issue	Discussion	Action Required
<p>2010-012 Diversity Program</p> <p>Date tabled: April 1, 2010</p>	<p><u>Sept. 28, 2010:</u> Staff members of the Strategic Business Unit and Communications and Marketing Branch attended the meeting to provide a presentation on MOL's diversity plan.</p> <p><u>Aug 24, 2010:</u> Discussion about Ministry's plan and perceived lack of communication and strategy.</p>	<p>Any further questions that OPSEU has regarding the initiative can be forwarded to the Lead of the Diversity Program with a copy to the Director of the SBU.</p> <p>The Employer will distribute diversity materials ahead of the next meeting.</p> <p>Deferred to next meeting.</p>
<p>2010-013 Return to Work (RTW) Accommodation Plans</p> <p>Date tabled: May 21, 2010</p>	<p><u>Sept. 28, 2010:</u></p> <p><u>Aug 24, 2010:</u> OPSEU requested that the Employer review best practices around RTW accommodation plans.</p>	<p>To be discussed in November 2010. Documents to be forwarded to OPSEU prior to the November meeting.</p> <p>The Employer committed to collecting the best practices from the CEHSW materials and other Ministries.</p> <p>Timeframe: Prior to the November meeting</p>
<p>2010-014 Travel Expenses – Receipts: Revised Travel, Meals & Hospitality Directive</p> <p>Date tabled: April 23, 2010</p>	<p><u>Sept. 28, 2010:</u> OPSEU provided a few examples of the types of concerns they are receiving from their members.</p> <p><u>Aug 24, 2010:</u></p>	<p>OPSEU to provide listing of concerns to the CAO and the Regional Director of Central Region.</p> <p>Defer to September meeting</p>
<p>2010-015 Local Joint Health & Safety Committee</p> <p>Date tabled: August 24, 2010</p>	<p><u>Sept. 28, 2010:</u></p> <p><u>August 24, 2010:</u> The Employer has clarified that the lateral transfer list are held by the Regional Employee Mobility Employment Coordinator and the Ministry does not have access.</p>	<p>OPSEU to provide the Employer with comments.</p> <p>OPSEU will escalate this issue to CERC.</p>

Issue	Discussion	Action Required
Pending Items – Quarterly Updates/Waiting for GSB Decisions – All pending items to be removed and if needed to be reintroduced as new items		
<p>2010-016 Critical Incident Stress Program</p> <p>Date tabled: June 29, 2009</p>	<p><u>Sept. 28, 2010:</u> No discussion.</p> <p><u>Aug 24, 2010:</u></p>	<p>Program is ongoing. This agenda items is completed at this time. Item will be rescheduled as needed. Move to Pending agenda item area Bring forward in May 2011 after review of recommendations</p>
<p>2010-017 Underground Economy</p>	<p><u>Sept. 28, 2010:</u> No discussion.</p> <p><u>August 24, 2010:</u></p>	
<p>2010-018 Bargaining Unit Work (work refusal)</p> <p>Date tabled: Dec. 11, 2009</p>	<p><u>Sept. 28, 2010:</u> No discussion.</p>	
<p>2010-019 TQM Project Update – lists</p> <p>Date tabled: April 1, 2010</p>	<p><u>Sept. 28, 2010:</u></p> <ol style="list-style-type: none"> 1) Meeting was held on August 31, 2010. 2) Meeting held August 31, 2010. <p><u>Aug 24, 2010:</u> In response to request for “checklists” the Employer has scheduled a meeting with OPSEU for August 31st, in Hamilton regarding</p> <ol style="list-style-type: none"> 1) IRS Audit Pilot and 2) the TQM/Quality Assurance, Quality Control (QAQC) checklists. 	<ol style="list-style-type: none"> 1) A meeting has been scheduled for September 29, 2010 to review OPSEU’s input. 2) The Employer to table comments to TQM working group and provide new version. <p>The Employer will send out a meeting invitation request for the meeting.</p>

Issue	Discussion	Action Required
C. New Business		
2010-020 Operations Division – Extended Hours for H & S Inspectors Date Tabled: Sept. 28, 2010	<u>Sept. 28, 2010:</u> The Employer advised OPSEU that they will be looking at options for extended hours coverage for health and safety inspectors and asked about the possibility of establishing a working group to provide input on this topic.	The Employer will schedule a separate meeting to have a full discussion regarding this topic.
2010-021 MOL Vehicle Policy Date Tabled: Sept. 28, 2010	<u>Sept. 28, 2010:</u> OPSEU suggested that the MOE policy be used to develop a road and vehicle policy specifically for MOL.	The Employer will schedule a separate meeting to determine next steps on October 13, 2010.
2010-022 Spill Action Centre (SAC)	<u>Sept. 28, 2010:</u> The SAC policy will be amended to address after hour calls related to high risk complaints to inspectors.	The Employer will provide a copy of the new policy to OPSEU early October 2010.
STANDING AGENDA ITEMS		
2010-023 Staff Reports Tabled: August 24, 2010	<u>Sept. 28, 2010:</u> Reports are not available at this time. <u>August 24, 2010:</u> OPSEU has requested CERC identified reports to be distributed at each meeting.	The Strategic Business Unit (SBU) has agreed to provide a copy of the lists prior to the next meeting. The Strategic Business Unit (SBU) has agreed to provide a copy of the lists.


 Gib McIlwrath
 Co-Chair, OPSEU
26 sept. 2010


 Len Marino
 Co-Chair, Management
28-9-10