

MEMORANDUM

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

FROM: Ruth Hamilton, OPS Supervisor

DATE: July 08, 2011

SUBJECT: **Ministry of Labour**
MERC Minutes – June 28, 2011

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



Ruth Hamilton
OPS Supervisor

/sk

att.

cc: MERC Chairs
Ministry ERC

**Ministry of Labour
MERC Meeting Minutes**

Date and Time: June 28, 2011: 9:00 am – 1:00 pm.

Location: 400 University Ave., Boardroom 7A

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

For the Employer: Fil Savoia, Wendy Chadwick, Marcellina Galvan, Steven MacKay

Guests: John Vander Doelen, Sandra Lawson, Lynda Shephard

Regrets: Len Marino (co-chair), Stephen George, Marty Petruzzo, Anna Barrett

Issue	Discussion	Action Required
<p>2011-001 Alternate Work Agreements</p> <p>Date tabled: Nov 27, 2007</p>	<p><u>June 28, 2011:</u> The Employer provided a copy of the CWW agreement template for the Northern Region.</p> <p><u>May 17, 2011:</u> OPSEU asked the Employer to provide them with a copy of the CWW agreement being used in the Northern Region.</p>	<p>The Employer will provide a revised Appendix B template with 10(b) removed and the names of employees participating in flexible work arrangements.</p> <p>The Employer committed to providing a copy of the document.</p> <p>The Director of the Strategic Business Unit will follow-up with MGS to explore when the corporate flexible work arrangement policy will be released and if CERC has had any input.</p>

Issue	Discussion	Action Required
<p>2011-002 Corporate Health & Safety</p> <p>1. Provincial Health and Safety Advisory Committee</p> <p>2. Designated Substances Exposures/Designated Substance Regulation (DSR) for Health & Safety Inspectorate</p> <p>Date tabled: April 1, 2010</p>	<p><u>June 28, 2011:</u></p> <p>1. A Business Advisor within the SBU will be taking the lead on the establishment of this committee. The committee has not been established as of yet and is expected to be up and running by September 2011.</p> <p>OPSEU asked that they be consulted on any potential changes to the committee.</p> <p>2. In response to concerns raised by OPSEU regarding the delay on this initiative, the Employer confirmed that Work on the DSR will begin in the Fall.</p> <p><u>May 17, 2011:</u> SBU Advisor will be taking the lead on this initiative for the Ministry. No further update at this time.</p>	<p>The Employer will provide OPSEU with names of the committee members once the committee has been established.</p> <p>The Employer confirmed that they will consult OPSEU prior to any changes to the role of the committee.</p> <p>The Employer is committed to moving this initiative forward in parallel with the establishment of the Provincial Health and Safety Advisory committee.</p> <p>The Employer committed to providing a status update by end of June 2011.</p>
<p>2011-003 New Healthy Workplace Committee</p>	<p><u>June 28, 2011:</u> The Employer confirmed that the committee has been established and that one meeting has taken place.</p> <p><u>May 17, 2011:</u> Briefly discussed at meeting. OPSEU requested that a Terms of Reference be developed for the committee.</p>	<p>Terms of Reference to be provided. Item completed and can be removed.</p> <p>Further discussions at the June 28th meeting.</p>

Issue	Discussion	Action Required
<p>2011-004 Local Joint Health & Safety Committee</p> <p>Date tabled: August 24, 2010</p>	<p>June 28, 2011: The Terms of Reference for JHSC will be dealt with by the Corporate Health and Safety Advisory Committee.</p> <p>May 17, 2011: SBU Advisor will be taking the lead on this initiative for the Ministry. No further update at this time.</p>	<p>The Employer is committed to moving this initiative forward in parallel with the establishment of the Provincial Health and Safety Advisory committee.</p> <p>The Employer committed to providing a status update by end of June 2011.</p>
<p>2011-005 Operations Division – Extended Hours for H & S Inspectors</p> <p>Date Tabled: Sept. 28, 2010</p>	<p>June 28, 2011: The Employer advised OPSEU that this matter is to be discussed at the Divisional Executive committee meeting on June 30th. It is expected that next steps will be determined at that meeting.</p> <p>May 17, 2011: Defer to September 2011.</p> <p>April 14, 2011: Defer to next meeting</p> <p>Jan. 25, 2011:</p> <p>Dec. 20, 2011: OPSEU has relayed concerns over extended hours of work, and how they will be implemented.</p> <p>Sept. 28, 2010: The Employer advised OPSEU that they</p>	<p>Once next steps have been determined, the Employer will consult with OPSEU.</p> <p>Expert Panel recommendations to be reviewed by management.</p> <p>OPSEU will be included in the recommendation roll-out process,</p> <p>Expert Panel recommendations to be reviewed by</p>

Issue	Discussion	Action Required
	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.	management. The Employer will schedule a separate meeting to have a full discussion regarding this topic.
2011-006 MOL Vehicle Policy Date Tabled: Sept. 28, 2010	<p><u>June 28, 2011:</u> The Employer provided OPSEU with a copy of the MOL Proposed Safe Driving Guideline.</p> <p>OPSEU provided a number of comments on the document. They also asked that the document clarify what is contained in the safety equipment kits and the requirement to have a safety kit in a MOL vehicle or their personal vehicle when being used to perform Ministry work.</p> <p><u>May 17, 2011:</u> The Employer provide a copy of the draft policy after the last meeting.</p>	<p>OPSEU to provide comments on the draft policy at the June meeting.</p>
2011-007 Temp Agency Staff Date Tabled: Dec. 20, 2010	<p><u>June 28, 2011:</u> OPSEU clarified their reference to CERC was not in relation to temp agency staff but temporary assignments. Temporary assignment lists are provided, see below.</p> <p><u>May 17, 2011:</u> The Employer provided their response that they would be unable to provide the information as per corporate direction.</p> <p>OPSEU reiterated their position based on a conversation with the CERC chair</p>	<p>This item has been completed. Can be removed from the agenda.</p> <p>The Employer will follow-up to ensure corporate direction has not changed.</p>

Issue	Discussion	Action Required
<p>2011-008 MERC Travel Requests Date Tabled: Dec. 20, 2010</p>	<p><u>June 28, 2011:</u> The Employer provided OPSEU with a draft document for review.</p> <p>OPSEU suggested that the Employer forward a copy of the meeting invitation to their managers so that they are aware of upcoming meetings. A copy should also be sent to OPSEU MERC members.</p> <p><u>May 17, 2011:</u> The Employer is currently reviewing a draft document.</p>	<p>The Employer will add wording to the document to reflect the potential need for caucus prior to meetings.</p> <p>OPSEU will provide feedback once they have consulted with the OPSEU Job Security Officer.</p> <p>A copy of the draft will be provided to OPSEU prior to the June 28th meeting.</p>
<p>2011-009 MTCU/MOL Date Tabled: April 14, 2011</p>	<p><u>June 28, 2011:</u> The Employer confirmed that the inspectors will continue to enforce TQAA.</p> <p><u>May 17, 2011:</u> No update at this point.</p> <p><u>April 14, 2011:</u> OPSEU expressed concerns regarding rumours that the Trades Qualification and Apprenticeship Act (TQAA) enforcement will be removed from inspectors' current duties and given to the College of Trades. OPSEU's position is that they are not in agreement and feel this is their work and should remain with them.</p>	<p>To be removed from the agenda.</p> <p>The Employer committed to following up on this matter and reporting back.</p>
<p>2011-010 CPIC Checks re: McNeil Decision</p>	<p><u>June 28, 2011:</u> The Employer has filed an application for judicial review of the Grievance Settlement Board's decision.</p> <p><u>May 17, 2011:</u> OPSEU requested a copy of the security clearance form that was used for new hires.</p>	<p>Defer to next meeting.</p> <p>The employer will provide OPSEU with a copy of the form.</p>

Issue	Discussion	Action Required
<p>2011-011 Interim Council/Bill 160</p>	<p>June 28, 2011: The Director of the Review Project Secretariat attended the meeting to provide the committee members with an update including working groups that have been established and the selection process for membership. It was also confirmed that the recruitment of the Chief Prevention Officer (CPO) is currently underway.</p> <p>May 17, 2011: OPSEU asked how the Memorandum of Understanding will be shared with staff and expressed their concerns that there be consistent messaging from the Employer.</p>	<p>Move to Pending Items</p>
<p>Pending Items - Quarterly Updates/Waiting for OSB Decisions - All pending items to be removed and if needed to be reintroduced as new items</p>		
<p>2011-012 Critical Incident Stress Program</p> <p>Date tabled: June 29, 2009</p>	<p>June 28, 2011:</p> <p>Dec. 20, 2010: OPSEU raised the issue of attaching a timeframe to this item.</p> <p>Sept. 28, 2010: No discussion.</p> <p>Aug 24, 2010:</p>	<p>Defer to the Fall.</p> <p>CISM Coordinator to attend MERC on a quarterly, or as needed, basis.</p> <p>Program is ongoing. This agenda item is completed at this time. Item will be rescheduled as needed. Move to Pending agenda item area</p>

Issue	Discussion	Action Required
		Bring forward in May 2011 after review of recommendations
<p>2011-013 Bargaining Unit Work (work refusal)</p> <p>Date tabled: Dec. 11, 2009</p>	<p><u>June 28, 2011:</u> No discussion.</p> <p><u>Dec. 20, 2010:</u> No discussion.</p> <p><u>Sept. 28, 2010:</u> No discussion.</p>	Pending GSB decision.
<p>2011-014 TQM Project Update – lists</p> <p>Date tabled: April 1, 2010</p>	<p><u>June 28, 2011:</u> A final status report will be reviewed at the Divisional Executive Committee at the end of June 2011. Therefore, the matter will be deferred to the Fall.</p> <p><u>Dec. 20, 2010:</u> No discussion.</p> <p><u>Sept. 28, 2010:</u></p> <p>1) Meeting was held on August 31, 2010.</p> <p>2) Meeting held August 31, 2010.</p> <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> <p>1) IRS Audit Pilot and</p> <p>2) the TQM/Quality Assurance, Quality Control (QAQC)</p>	<p>Defer to the Fall.</p> <p>Quarterly updates to be provided as needed.</p> <p>1) A meeting has been scheduled for September 29, 2010 to review OPSEU’s input.</p> <p>2) The Employer to table comments to TQM working group and provide new version.</p> <p>The Employer will send out a meeting invitation request for the meeting.</p>

Action Required	Discussion	Issue
<p>Defer to the Fall.</p> <p>Documents to be provided to MERC prior to next meeting.</p> <p>Documents to be provided to OPSEU prior to next MERC meeting.</p> <p>To be discussed at next meeting.</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><u>June 28, 2011:</u> Management advised OPSEU that updated documents posted on intranet site.</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>2011-015 Diversity Program</p> <p>Date tabled: April 1, 2010</p>
<p>Completed. Can be removed from agenda.</p>	<p><u>June 28, 2011:</u> The Employer provided OPSEU with a copy of the policy.</p>	<p>2011-016 Parkas</p> <p>Date Tabled: Jan. 25, 2011</p>

Issue	Discussion	Action Required
	<p>May 17, 2011: Pending signed settlement once policy has been provided.</p> <p>April 14, 2011: Defer to next meeting</p> <p>Jan. 25, 2011: OPSEU has raised concerns that parkas are not being replaced when they become worn, possibly in contravention of Article 9.4.</p> <p>The position of DEC is that the parka was a one-time purchase, and will be going to DEC to decide the protocol on a go-forward basis.</p>	<p>The Employer will provide MERC with a copy of the policy once it is finalized.</p> <p>Management to communicate decision made at DEC regarding the protocol.</p>
<p>2011-017 Paid Parking Date tabled: Jan. 25, 2011</p>	<p>June 28, 2011: No further discussion as this matter is now the subject of a grievance.</p> <p>April 14, 2011: Defer to next meeting</p> <p>Jan. 25, 2011: OPSEU's position is that if staff have carriage of a government vehicle they should be paid parking at their headquarters regardless of when they go to the office.</p>	<p>Management will arrange for a Corporate representative a separate meeting for management to discuss the policy around paid parking. The results of the meeting will be tabled with MERC at April meeting.</p>
<p>2011-018 Admin Review Date Tabled: Jan. 25, 2011</p>	<p>June 28, 2011: The project lead of this initiative attended by phone and provided an update on this initiative which included a slide deck presentation.</p>	

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	<p>OPSEU asked how employees are chosen to participate on the validation committees for the focus groups.</p> <p>May 17, 2011: The Employer provided OPSEU with an updated slide deck. OPSEU raised an issue that a manager sat in on the sessions.</p>	<p>The Employer committed to providing OPSEU with clarification on how employees are identified when they get more than one volunteer.</p> <p>The Employer to make arrangements for another meeting.</p>
<p>2011-019 ES Modernization Update</p> <p>Date tabled: April 1, 2010</p>	<p>June 28, 2011: The sub-committee met on June 14, 2011 and an update on the program was provided. The next meeting will be scheduled for the third week of September 2011.</p> <p>May 17, 2011: OPSEU expressed concern that a meeting has not been scheduled. They advised that their concerns are related to the elimination of the backlog and what that means to employees in the program.</p> <p>Jan. 25, 2011:</p> <p>Dec. 20, 2010: Update on ES Facilitated Settlement Pilot provided.</p> <p>Sept. 28, 2010: Meeting was held on September 27, 2010 where a slide deck was provided to OPSEU.</p>	<p>The Employer will confirm a meeting date via email once they have received available dates from OPSEU.</p> <p>The Employer committed to following up with the Director of the Employment Practices Branch.</p> <p>Quarterly meeting will be held January 31, 2011.</p> <p>OPSEU will discuss concerns at next scheduled ES Modernization sub-committee meeting.</p> <p>The next meeting will be scheduled for December 2010.</p>

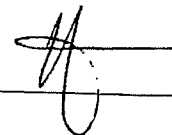
Issue	Discussion	Action Required
	<p>Aug 24, 2010: The Employer provided OPSEU members with a written update.</p>	<p>The Employer agreed to clarify the purpose of the sub-committee with the Employment Practices Director.</p> <p>The Employer will discuss the next date for the sub-committee.</p> <p>This topic was revisited and a decision not to move to "standing agenda items.</p>
<p>2011-020 Lateral Transfers</p> <p>Date tabled: May 21, 2010</p>	<p>June 28, 2011:</p> <p>May 17, 2011: OPSEU advised the Employer that they need to decide whether or not they want to do a joint CERC submission with the Employer.</p>	<p>Both the Employer and OPSEU to forward to CERC.</p> <p>OPSEU will advise the Employer if they want to do a joint submission to CERC.</p>
<p>2011-021 5% Reduction/London Office – Staffing Strategy</p>	<p>June 28, 2011: Ongoing discussion. OPSEU raised concerns regarding this matter.</p> <p>April 14, 2011: OPSEU asked for a status on the Ministry's 5% reduction strategy. The Employer confirmed that they have identified a plan to achieve their 5% reduction target, pending approval from Management Board of Cabinet/ Treasury Board; with Ministry implementation to be completed by March 31, 2012.</p>	<p>Following corporate disclosure, further discussions will take place.</p>
<p>C. New Business</p>		

Issue	Discussion	Action Required
2011-022 CERC Issue	<p><u>June 28, 2011:</u></p> <p><u>May 17, 2011:</u> Defer to the June 28th meeting.</p> <p><u>April 14, 2011:</u> Defer to next meeting</p>	Defer to next meeting
2011-023 Disclosures	<p><u>June 28, 2011:</u></p> <p><u>May 17, 2011:</u> Defer to June 28th meeting.</p>	Defer to next meeting
2011-024 Succession Planning	<p><u>June 28, 2011:</u></p>	Defer to next meeting
2011-025 Return to Work	<p><u>June 28, 2011:</u></p>	Defer to next meeting
2011-026 Attendance		Defer to next meeting

Issue	Discussion	Action Required
Management Program		
2011-027 Mississauga Workplace Assessment Date Tabled: June 28, 2011	<u>June 28, 2011:</u> The Employer and OPSEU discussed this issue. The Employer provided an update on next steps.	
2011-028 MTO/MOL Leadership Program		Defer to next meeting
STANDING AGENDA ITEMS		
2010-029 Staff Reports Tabled: August 24, 2010	<u>June 28, 2011:</u> Lists were provided to OPSEU.	



Len Elliott
 Co-Chair, OPSEU
 Date: June 28, 2011:



Len Marino
 Co-Chair, Management
 Date: June 28, 2011: