

MEMORANDUM

OPSEU



SEFPO

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

TO: All Presidents with members in the Ministry of Northern
Development & Mines

All Stewards in the Ministry of Northern Development & Mines

FROM: Cameron Walker, Supervisor Contract Enforcement

DATE: February 10, 2004

SUBJECT: **Ministry of Development & Mines
ERC Minutes – December 17, 2003**

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 our 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:

IN SOLIDARITY,

100 Lesmill Road,
Toronto, Ontario
M3B 3P8
e-mail: opseu@opseu.org
www.opseu.org

100 chemin Lesmill,
Toronto, Ontario
M3B 3P8
courrier électronique
opseu@opseu.org
www.opseu.org

Tel: (416) 443-8888
Fax: (416) 443-9670
Ontario:
Toll free: 1-800-268-7376
TDD:
(416) 443-9898
or
1-800-663-1070

Leah Casselman
President

/ms
att.

cc: MERC Chairs
Ministry ERC

Cameron Walker
Supervisor, Contract Enforcement

**Ministry of Northern Development & Mines
Ministry Employee Relations Committee**

**December 17, 2003
159 Cedar St., Deputy Minister's Boardroom,
Sudbury**

IN ATTENDANCE

For the Union:
Norm Trowell
Michel Lavoie
Sylvie Valcourt
Stephen George

For the Ministry:
Cleo Degagne
Jon Barrett
Ross Kelly
Fred Lalonde (t/c)

Guest:
Natasha Legault-Gigliotti

Recording Secretary:
Donna Fillier

The Union chaired the meeting that was called to order at 9:05 a.m.

1. Adoption of Agenda

The Union requested that the following items be added to the agenda:

- Under Business Arising from Previous Minutes - WIN Security
- Under Other Business - Report on Health & Safety Meeting with Neureka
 - Attendance Thresholds

2. Business Arising from Previous Minutes

Health & Safety Policies for "Small" Field Offices – A draft document coordinated by the Ministry's Health & Safety representative was shared with the committee members.

Action: Health & Safety rep. to distribute to all Health & Safety Committees and ask for comments back by mid February.

FEB 10 2004

WGMC-Building Updates – Employees are now receiving regular updates.

Food Services at WGMC – The Union stated there was lack of support for the staff in trying to retain food services for the building. Based on the overall efforts over an extended period of time it appears that no-one is interested in supplying the service to WGMC. Management felt they did what could be done and even asked ORC to go out again for a vendor but there were no interest.

Overtime/Travel Time-Discussions from CERC – The discussion at CERC was basically that travel time does apply to all schedules depending on the circumstances and the matter was returned to the MNDM MERC table. The Union asked if the Ministry had received any more clarification on the matter that could be shared with Managers as the Union feels that there still does not seem to be one standard approach. For example, there are two different types of time sheets being used in the same branch. Management stated that even though there may be different time sheets, the Collective Agreement is still to be applied correctly. Union pointed out that if the Collective Agreement is being applied correctly, then that implies it is being applied consistently, and if that is so, there is no need for Management to maintain two different templates for time sheets for two sections within the OGS, as it carries with it, at minimum, the optics that the collective agreement is being applied differently by individual managers. The Union contended that leaving the decision up to managers, based on their interpretation, is still a problem. The committee was informed that application of the Collective Agreement is the responsibility of managers but support and guidance is available to managers in carrying-out their accountabilities. Managers are typically consulting with Human Resources in complex interpretation matters.

Wilderness First Aid Training – The Union proposed that this should take the place of the two day standard first aid course, at least for the field crews. Management suggested that it be discussed at the Health and Safety Committee for other options, as it is very costly. The Union Co-Chair said it has been discussed there in the past and that was how it was decided that staff try this course last spring. The Management Co-Chair thought that perhaps it would be worthwhile to just have a couple of people from the H&S Committee put together a case that could be presented to the Ministry's Executive Committee. It was also suggested that there should maybe be a "middle of the road" option presented.

Action: *Norm Trowell, and Ross Kelly will work together to prepare a report by the end of February. The report will then be presented to MEC for their consideration. Outcome will be reported at next MERC meeting.*

WHMIS Training – Management looked into the possibility of having Norcat provide training to staff as opposed to doing it on-line. There is quite a difference in cost; \$50/person through Norcat vs. \$10/person on-line. It was suggested that perhaps we could have a staff member become qualified to train employees in WHMIS.

***Action:** Union Co-Chair will look into whether there is presently a certified employee in the Geolabs and will advise Jonathan Barrett. Jonathan will follow-up on training options and report at the next MERC meeting.*

WIN Security – The Union wanted assurance that employees will be receiving their increases in January, considering all the problems with WIN lately. Management assured them that these would be implemented on schedule; i.e. pay of January 15 would reflect increase for first four days of January. Managers are being encouraged to approve max. merit increases as soon as possible. Also, the deletion of excess carry-over; i.e. vacation time will be delayed until February for this year only, given that WIN has not been accessible to employees since September. An e-mail has already been sent to all Admin. Suite users informing them that they can access an Attendance Credit Report through Report Mart.

3. **Geological Field Trips – Responsibilities of Government Party Leaders** – The Union is concerned that there are no formal guidelines for MNDM employees to follow when leading field trips. It was felt that the Ministry should have at least a one-pager of guidelines or check-off sheet. The Union suggested that the Ministry Executive Committee review our approach in this area. It was agreed that the Geoscience section would do the one-pager and bring it forward for initial review to the Director of OGS.

***Action:** Union Co-Chair will take the lead in preparing a draft document in consultation with some staff typically involved in conducting Field Trips.*

4. **Ministry Policy on the Use of Employee's Pictures** – The Union asked if there is a Ministry policy in place regarding the use of employee pictures for external publications. Management replied that there was no formal policy. After some discussion, it was determined there are at least two types of forms are being used in our Ministry. One being a consent form developed in a division while the Communications Services Branch uses a waiver form for any person from the public that may appear in pictures taken at events.
5. **Ontarians with Disabilities Act (ODA)** – An update was given on the status. The plans are now under review at MBS and there has been no indication of when Plans will be published. Management will inform the committee as information is received.
6. **Hiring Freeze** – Management reported "status quo" for the freeze.

7. **Update on Emeritus Position** – The concept has matured a little, but still needs to be piloted. It's a matter of waiting for an ideal candidate and circumstance. The Union asked why they would not have an employee mentor someone while they are still here instead of bringing them back after they retire. Management stated that the purpose of the Emeritus program is two-fold: to maximize knowledge transfer of our most senior geoscientists which has not been possible to any great extent in the past, and, to provide for the advancement of science beyond the day-to-day mandate of our recognized geoscientists.
8. **Guide to Business Conduct and Ethics** – The Union has a concern with the last statement on page 11: "Should you ever find a discrepancy between the standards found in the OPS and those found externally, you must comply with OPS direction and should bring the matter to your manager's attention immediately." Acknowledging that a proactive discussion between the employee and manager is the ideal approach, the Union feels the order of compliance/preference should be reversed.

Action: Management will review document and bring back to the next meeting.

9. **APGO Professional Practice and Ethics Exam** – The Union reported that to date approximately 90% have taken the exam and passed versus just over 40% as at last June.
10. **Pay of October 9/03** – A number of staff in the OGS had questions about their Oct. 9th pay. Extra money was shown, but they did not know what it was for. Management was approached to provide some explanation, but have not yet responded. It is suspected that this is for CTO payment from the summer, but the Union pointed-out that the figures do not seem to reconcile and if this is in fact a CTO pay-out, it should have been discussed with staff in advance in accordance with the Collective Agreement. The Union requested that Management follow-up and advise impacted staff of the details of their respective pay. Management suggested the first resort is normally between the employee and the SSB Compensation contact, should the manager be unable to explain the pay-out. The union's position would be that management would respond as follows: "We will investigate this incorrect pay-out; provide employees with a single, consistent, accurate explanation for what happened; offer a satisfactory rectification of the improper procedure; and assure employees that no similar cases shall occur again."

Action: Union Co-Chair to detail an email with the problems encountered and Management Co-Chair will review the particulars.

11. **Long-Service Employee Recognition** – This has been resolved. Employees have received their plaques.

12. **WDHP Training** – A package has been sent out by MBS regarding IT Usage training (which also includes elements of Workplace Discrimination and Harassment Policy (WDHP) training). The Union asked when our Ministry plans on rolling it out to employees. Management just met last week on this, and Management Co-Chair needs to check with the Executive Committee to see what has been committed, but would suspect it would be done as soon as possible. Management agreed to pass on documents to the Committee concerning this training. The Union reported that other ministries have been holding information sessions during staff meetings. They have strong concerns with this approach. For example: the package refers to 15 prohibited grounds, but does not refer enough to WDHP itself; one of the scenarios used in the package concludes the code has been contravened, but does not tell you which ground is being violated; the complaint mechanism is not clearly articulated. The Union contends that the package is inadequate and lacking in specific information and an information session, added to a staff meeting, does not allow time for employees to ask questions. The Union requested that Management consider addressing these issues when the roll-out is done.
13. **Organizational Changes** – The Union asked if there are any organizational changes contemplated in light of the new government. Management indicated there has not been any talk of changes, but will inform the Union if anything does arise, as has been done in the past.
14. **Other Business**

Health & Safety Meeting with Neureka – Neureka attended the WGMC Health & Safety Committee in October and gave an overview on what their work involves. Staff had some concerns as they are using part of the Lab area and no one really knew what types of chemicals they were working with. The Committee sent a letter to them suggesting that they set up their own Health and Safety Committee as per legislation. This is being resolved with the assistance of Lab management.

Attendance Threshold – The attendance threshold for 2004 for this ministry is 6.8.

Action: *Health and Safety representative will forward information as has been done in the past.*

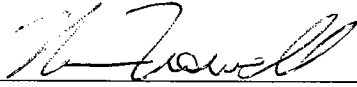
15. **Next Meeting:** The meeting dates for 2004 are as follows:

March 18

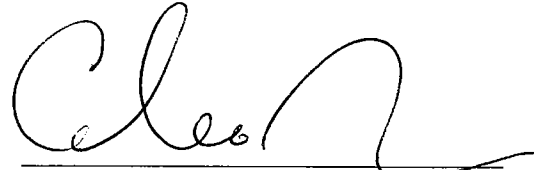
June 17

September 23

December 16



Norm Trowell, Union Co-Chair



Cleo Degagne, Management Co-Chair

OPSEU



SEFPO

FOR MERC ACTION

Strategic Action from Local Employee Relations Committee
(to be used when an issue is not resolved at LERC table)

Ministry:

Workplace Location:

Local #:

Please use a Separate Form for Each Unresolved issue.

- ✓ Please include the specific details about the issue.
- ✓ Provide any documentation that may assist the discussion at your Ministry Employee Relations Committee (MERC).

Is the issue related to (please ✓):

- | | |
|---|--|
| <input type="checkbox"/> Job Security and Article 20 | <input type="checkbox"/> Reasonable Efforts - Divestment |
| <input type="checkbox"/> Employer's Corporate Initiative and work re-organization | |
| <input type="checkbox"/> Enforcing the Contract | <input type="checkbox"/> Contract Interpretation |
| <input type="checkbox"/> Health and Safety | |
| <input type="checkbox"/> Other: (please identify) | |

Statement of the Issue:

The Resolution sought by your Local Employee Relations Committee (LERC):

Date Issue was declared unresolved by your LERC:

Is the Relevant material attached? Yes No

LERC Minutes dated:

Correspondence. Please list:

Local ERC Member Contact

Name:

Home #:

Address:

Work #:

**FORWARD to: OPSEU Job Security Unit, 100 Lesmill, Toronto, Ontario M3B 2P8
Fax: (416)448-7462**

