

MEMORANDUM

OPSEU



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

TO: All Presidents with members in the Ministry of Training, Colleges and Universities
All Stewards in the Ministry of Training, Colleges and Universities

FROM: Terry Baxter, OPS Supervisor

DATE: September 16, 2004

SUBJECT: **Ministry of Ministry of Training, Colleges and Universities
ERC Minutes – June 10, 2004**

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.

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AUTHORIZED FOR DISTRIBUTION:

IN SOLIDARITY,

Leah Casselman
President

/ms
att.

cc: MERC Chairs
Ministry ERC

Terry Baxter
OPS Supervisor/Negotiator

Ministry Employee Relations Committee

Ministry of Training, Colleges and Universities

**Thursday, June 10, 2004
Room 1952A, Mowat Block
1:00pm - 3:00pm**

For the Employer:

Kim Bellissimo (Co-Chair)
Barb Simmons
Meredith Sandles
Scott Macklem

Regrets:

Kevin French
David Doherty

For the Union:

Sophia Ambrose (Co-Chair)*
Stephen George
Michelina Riccardi

Terri Elliott
Lucie Rondeau

*chair of this meeting

REVIEW OF AGENDA:

The agenda was reviewed and the following items were added: Month-end Reports and ASA Project.

BUSINESS ARISING:

1. WDHP

Management indicated that WDHP I&IT training was delivered in Thunder Bay on April 15. The Union expressed concern that the "training" consisted of 2-15 minute sessions with staff broken into two groups. The Union submitted that the sessions need to be more comprehensive and informative and that staff should leave the sessions feeling they've learned something. The Union was appalled that such little time was taken to deliver this important training. Management clarified that the more appropriate description of the sessions would be "information sessions" and that no one in the ministry received full training. However, Management agreed that the sessions should have lasted more than 15 minutes.

Action: Management committed to follow up with the Thunder Bay office regarding the information sessions.

2. Ontarians with Disabilities Act

Management advised that the ministry ODA Accessibility Plan was shared with the Union Co-Chair on March 10. There is currently work underway on planning the implementation strategy and rollout, including training. The Union indicated that they had not received a copy.

Action: Management committed to re-send a copy of the document to the Union team.

3. Implications of Federal Privacy Act

Management indicated that the concern regarding security of Social Insurance Numbers (SINs) is being discussed at the CERC table. Management will reserve further comment on this issue until the issue is discussed at CERC.

Action: Move to standing items.

4. Exemption Testing

Management distributed three documents relating to the administration of exemption tests in Ontario colleges per a commitment at the last MERC. The Union was provided with copies of the relevant service level agreement schedule, a security manual and a template compliance agreement for college contacts. No further discussion occurred as this issue is currently the subject of a grievance.

Action: N/A

5. Vacation Requests

The Union brought forth specific concerns in advance of the meeting. Management followed up with managers, as required, indicating the need to respond to requests in a timely manner.

Action: N/A

6. Job Competition Process: Interview Questions

The Union requested to speak off-line with the Senior Manager, Workplace Training Branch on this matter.

Action: N/A

7. Program Development Review (Results Based Planning)

Management clarified that for a number of years we identified this process as “business planning”, then “Program Development Review”, and now “Results-Based Planning”. The process has evolved over the years and Results-Based Planning is now the norm across the OPS.

Management noted that high-level disclosure regarding results-based planning was provided to the Union Co-Chair before the budget was announced.

Action: N/A

8. Rest Periods

Management clarified the statement made at the last meeting regarding rest periods. Management noted that a memo was sent to OPSEU MERC members from the Management Co-Chair on March 4 clarifying that practices vary from office to office and that managers have been instructed to continue past practice. Managers were also instructed to make staff aware that if they have questions regarding rest periods they should bring them forward. The Union asserted that managers did not make staff aware that if they had concerns regarding rest periods to bring them forward.

The Union presented a memo from 1982 outlining a practice for rest periods for administrative staff in Skills Development Branch. The Union submitted the memo as evidence of past practice and expressed concern that this past practice had been changed.

Management acknowledged the Union's concern.

Action: *Management committed to review the memo and respond at the next meeting.*

STANDING ITEMS:

1. Redeployment

Status: Management advised there is no new activity.

2. OAG Learning Needs Update

Status: Management advised that the OAG Learning Strategies project is continuing to grow. The pilot Community of Practice (COP) in the GTA will now expand to Thunder Bay, Guelph and Hamilton. The Thunder Bay kick-off was held on June 8th at the Intergovernmental Administrators' "Stepping Stones" Conference. The Union indicated that the conference was well attended by staff. The Union also indicated that staff from the federal and municipal governments were present at the conference and expressed interest in getting involved in the Community of Practice.

Management informed the Union that this group has a web site that is up and running. The Union inquired as to whether Management was tracking the results of the initiative (i.e. are staff being coached, who has benefited and how successful is it, is there any upward mobility by staff?) Management indicated that while upward movement is certainly one outcome of the initiative, it is not its expressed purpose. The initiative was developed to create networks and

build a sense of community among OAG staff.

Management advised that planning for future initiatives includes career development workshops and short-term job shadowing arrangements.

3. Seniority List, True Vacancy Report, Unclassified Contracts

Status: The seniority list, true vacancy and unclassified contracts reports were distributed. Management advised that the format of the unclassified contracts report has been changed to address concerns regarding accuracy of start dates. The “Job Start Date” reflects the start date of the first contract held by the employee that is the same classification as the position they currently hold. The “Position Start Date” reflects the start date of the employee’s current contract. The Union noted that some of the unclassified staff are summer students.

Management also provided an update on conversion for 4 employees identified by the Union.

Action: Management will revisit the conversion entitlement for the staff identified by the Union and provide an update at the next meeting.

4. Workplace Training Branch – Local Employee Relations Committee Update

Status: Management advised that the Waterloo WTB office has stepped away from the Western District LERC to form their own office-level Local Employee Relations Committee. The committee has met twice in the last couple of months. Management also advised that the Mississauga office has put forth a request for a LERC. Management indicated that it expects to see more LERC activity once the summer is over.

The Union indicated that it understood that district LERCs were set up because there are not enough people to support a LERC in each office. Management indicated that the Local OPSEU President in Waterloo proposed the LERC in January of this year and local management agreed to form a LERC.

The Union indicated that the Eastern District LERC is going well. Management added that they expect to be in a position to explore a LERC in the Northern District once more permanent managers are in place.

5. Labour Market Agreement (LMA)

Status: Management advised that the federal and provincial governments signed a Memorandum of Understanding on May 14th. This agreement represents a commitment to exploring joint service delivery between governments. Management directed the Union to an e-mail from Bill Forward which referred to the MOU. Management indicated that it is too early to provide details on how the MOU relates to the LMA. However, the MERC will be the vehicle for providing information on the LMA and the One-Stop initiative. Management committed to provide information between meetings if required.

6. OPS Ideas Campaign

Status: Management distributed copies of the recent all-staff memo from Tony Dean, as well as the report referenced within. Management advised that a new icon has been added to MyOPS that will link to further updates on the campaign.

Action: *The Union will review the report and provide comments/questions at the next meeting.*

NEW BUSINESS:

1. PPAD and Appraisal 2003/04

The Union indicated that Western District staff are concerned that they are being asked to work on their PPADs retroactively with no review period. The Union also indicated that staff are uncomfortable filling in the template they have been provided. The template is in “management words” and not their own words. The Union further questioned why staff have to put personal percentages into the PPAD (eg. registrations). The Union expressed concern that this request not only overlaps with pre-existing processes for collecting stats (already done monthly), but that it conflicts with the team work approach that is encouraged in the office. The Union expressed concern that staff will be penalized for low registrations. The Union submitted that PPADs should reflect what the group has done.

The Union also expressed concern over inconsistent practice regarding PPADs across the province and even within districts. The Union indicated that some staff are given the template, but are not being forced to use it.

The Union asked that the 2003-04 PPAD's be pulled.

Management acknowledged the Union's concerns. Management indicated that creating PPADs retroactively is not normal practice and indicated that it will strive to get the 2004/2005 PPADs created in the first half of this year.

Action: *Management will raise these issues around PPADs at the WTB Manager's meeting next week and will report back to MERC.*

2. Mileage

The Union raised several issues relating to travel on Ministry business.

The Union indicated that mileage rates no longer reflect the increasing costs of gasoline, insurance costs, and loss of warranty. Management acknowledged their concern but noted that rates are set through collective bargaining. Management advised that the use of a privately owned vehicle is not a condition of employment, and that there have been discussions within WTB regarding the use of alternate forms of transportation including renting vehicles and use of

public transit. Management indicated that appointments would need to be grouped for greater efficiency.

The union advised that a manager indicated that if all Training Consultants (TC's) pull their cars off the road, TC's would jeopardize their jobs, as Job Connect and the Colleges would love to take over the TC's jobs. The Union expressed concern that if personal vehicles were off the road, Management would dictate scheduling, require prior approval for schedules and/or have admin staff schedule appointments for TC's, resulting in a loss of freedom to schedule their own appointments.

The Union also expressed concern with the alerts sent to staff on "Ozone Days" (Smog Alerts) suggesting use of energy/environmentally friendly methods of transportation. Management clarified that these alerts truly are suggestions and not directives. Management indicated that these alerts refer more to commuting than to travel for business/commercial purposes by encouraging people who have flexibility to use alternatives.

The Union also requested why staff have not been provided with the income tax form used to write-off use of personal vehicles for business purposes. Management committed to follow up.

Action: Management will advise WTB managers on the rules/entitlements regarding the use of personal vehicles. Management will also look into the tax form issue and report back at the next meeting.

3. Budget Announcement

Management referred to the communiqué from Bill Forward (previously distributed) regarding the One-Stop initiative. The Union queried who would be involved in the initiative. Management clarified that the One-Stop initiative and the LMDA are two different things, though both involve intergovernmental cooperation. The May 14 agreement regarding joint service delivery involves more than the LMDA, including several initiatives outside of this ministry (eg. joint counter for passports and health cards). Management indicated that the MOU, the LMDA and the One-Stop initiative are potentially aligned, but that detail is not available at this time.

Management also advised that the Expert Panel on Postsecondary Education has also been formed. Bob Rae, Bill Davis and Richard Johnson are among those who will serve on the panel. The panel will provide innovative recommendations for postsecondary education in Ontario. The panel will need resources, however the plan for this is still in development. Leah Meyers has been appointed as the ADM who will lead the secretariat that will support the panel. There have not been any further communications regarding the work of the panel. Further information will likely be released when the panel has begun its work.

Action: Management to provide updates sent to WTB staff to Sophia Ambrose.

4. Electrical Safety Authority

The Union pointed to a pilot project in Hamilton noted in the Framework for Action 7 report released earlier this year. The Union expressed concern regarding work being performed by the Ministry of Labour and the Electrical Safety Authority.

Management clarified that the authority to certify trades people is not being turned over to the Electrical Safety Authority. Any related activity falls under the guise of municipal authority and is not related to the TQAA.

Management also advised that the joint TCU/Ministry of Labour project involves MOL inspectors attending residential job sites and checking for non-certified trades people and unregistered apprentices. Management reminded the MERC that the authority to enforce the TQAA was transferred to the Ministry of Labour some years ago. Management clarified that Ministry of Labour staff are not doing the work of TCU staff.

Action: Management will clarify this issue with staff and provide a copy of the terms of reference at the next MERC.

5. Job Specifications

The Union expressed concern that staff in Thunder Bay Workplace Training Branch have been questioned and refused copies of job specs by their managers. The Union indicated that staff would like a contact person in HR that they can request a copy of their job spec from instead of going to their managers.

Action: Management will advise WTB staff to contact Pam Asare-Quansah or Betty Durga to obtain copies of their job specs.

6. Learning Initiatives for Managers

Management advised that training entitled “Labour Relations Essentials” has been offered to ministry managers twice. The most recent session featured building a positive labour relations climate, delegation of authority, termination of unclassified contracts and workplace accommodation. The previous session covered conversions, schedule 6 overtime entitlement, and bargaining unit integrity. Management indicated that the intent is to provide this session twice per year to help managers achieve a better understanding of collective agreements and help them to maintain good working relationships with staff.

The Union queried whether the training was mandatory. Management indicated that it was not, but 33 managers attended, several of those via teleconference. The Union applauded the effort and urged management to make the training mandatory. The Union indicated that such training would help heal rifts, increase understanding and make the workplace more comfortable. The Union suggested that anger management, WDHP and WDHP I&IT may be topics to address at a

future session and that staff should be called upon to participate.

Management indicated that the training is not just for new managers and that all managers are strongly encouraged to participate. Management also indicated that MBS is working on training for managers and that Centre for Leadership courses are now open to non-SMG managers. Management further indicated that targeted WDHP training is done where necessary and encouraged the Union to bring forward specific concerns. Management indicated that topics may be derived from issues raised at MERC, grievance activity and WDHP activity and that mandatory training will be held where necessary.

7. Month-end Reports

The Union expressed concern that staff in the Western District are being asked to use Outlook to track vacation, sick and other leaves, to mark them as private and provide manager access, but also share Outlook access with co-workers. Management clarified that only the calendar function need be shared with co-workers so they may see availability to book meetings.

The Union expressed concern that staff were being asked to track vacation and sick time in Outlook when it is already captured in WIN. The Union also expressed concern with “detailed tracking” of appointments, travel and office time. The Union inquired whether this was related to the concept of “core responsibilities”.

Management committed to follow up on the intent of the memo regarding the use of Outlook. Management also clarified that the discussion of “core responsibilities” at an OMT meeting last December is not related to the tracking of work in Outlook.

Action: Management will follow up on the intent of the memo regarding the use of Outlook. Management will also provide the Union with a copy of the memo sent to the OPSEU MERC Co-Chair regarding the core responsibilities chart .

8. ASA Project

The Union inquired as to why an unclassified employee was awarded a position on the ASA project and queried whether their original position is being backfilled. Management indicated that 8 staff has been seconded into temporary positions for less than six months based on a request for expressions of interest. One of these people was working on unclassified contract in a temporary position. Five of eight positions have been backfilled and the other three will be backfilled soon.

Management indicated that they received over 30 résumés and there were 4 to 5 temporary positions at the 16 level and 4 to 5 temporary positions at the 19 level. Phone interviews were conducted.

The Union expressed concern that the ministry should be concerned with “promoting from within” and a classified staff should have been given this opportunity. Management indicated

