

**MINISTRY OF MUNICIPAL AFFAIRS
MERC MEETING # 04-06
MINUTES November 30, 2006 MEETING
BOARDROOM 3A - 777 BAY STREET, TORONTO**

In Attendance:

FOR THE UNION:

Ron Marciniak (Co-Chair)
Kevin DesRosiers (Vice-Chair)
Roxanne Theriault (Member)
Stephen George (OPSEU Job Security Officer)

FOR THE MINISTRY:

Edith Brethour (Acting Co-Chair)
Carol Kiley (Member)
Larry Clay (Member)
Lisa Mayerhofer (Labour Relations Analyst)

Regrets: Diane Phillipson (Co-Chair)
Gloria Ting, Member

MINUTES: Lisa Mayerhofer

The meeting commenced with Management introducing Larry Clay, a new MERC member on the Management team. Management stated that Edith Brethour would be acting as Co-Chair for Management.

ITEM NO.	ISSUE	REFERRED TO	ACTION
	<p><i>Call to Order</i></p> <p>The meeting was called to order by the Union at 2:05pm, with Ron Marciniak acting as Union Co-Chair.</p>		
	<p><u>MINUTES</u></p> <p>The minutes of the August 31, 2006 meeting were adopted.</p>		
Standing Items			
53.0	<p><u>E-Filing Initiative</u></p> <p>Management advised that the ORHT E-Filing Pilot is still on hold. No updates.</p>		Remains on agenda as an update item.

ITEM NO.	ISSUE	REFERRED TO	ACTION
87.0	<p><u>MMAH Organizational Review Update</u></p> <p>Management advised that the MAH survey results were sent to employees via an e-news from the Deputy on October 26th. The Union experienced some difficulty in extracting document links in the e-news. Management will forward any future document links in e-news to the Union electronically.</p>		Remains on agenda as an update item.
88.0	<p><u>Unclassified Positions</u></p> <p>Management provided a list of unclassified employees to the Union on November 28th that included the start and end date of assignments. After some discussion, management agreed to consider adding the chronology of work assignments for each unclassified employee. The Union also requested that employees e-mail address be added to the report and management agreed. The reporting of the "length of time in assignment" will be reviewed by the Union, i.e. month/year.</p> <p>Based on the reports, the Union calculated that in August there were 43 unclassified employees and in November there were 59. The Union may wish to discuss this at a future meeting.</p>		<p>Management to include email addresses on the spreadsheet going forward.</p> <p>Management to confirm how consecutive assignments are tracked.</p> <p>Item remains on the agenda.</p>
Business Arising from Last Meeting			
80.0	<p><u>Health & Safety Committee Composite</u></p> <p>Management confirmed that a copy of the 777 Building Committee's draft terms of reference had been provided to the Union. The Union stated that it previously had expressed interest in creating an inter-ministry joint health and safety committee, but had been told that it would be in violation of the Occupational Health and Safety Act.</p>		Item to be removed from the agenda.
85.0	<p><u>MERC Terms of Reference</u></p> <p>The Union commented on the feedback that Management had previously provided on the draft MERC Terms of Reference. Union and Management agreed to change the wording in the final sentence in Article 4.1.4 to state, "The Employer shall not unreasonably deny the Union's request." The Union had additional comments on subsequent sections and the Employer will take them under review and respond before the next MERC meeting.</p>		<p>Management to respond prior to next MERC.</p> <p>Item to remain on the agenda.</p>
95.0	<p><u>Article 1.4</u></p> <p>Management provided the Union with the new Article 1.4 form that was recently agreed to at CERC. Management reported that there were three new AMAPCEO positions and provided the Union with copies of the job descriptions. The Union confirmed that Kevin DesRosiers would be collecting the information.</p>		Item to remain on the agenda as a standing item.

ITEM NO.	ISSUE	REFERRED TO	ACTION
98.0	<p><u>New Meal and Kilometric Rates</u></p> <p>Management provided clarification on reimbursement of expenses under the new three meal Total Claim category of the amended Travel, Meal and Hospitality Expenses Directive. OPSEU had questioned the 3-meal category and had asked:</p> <p>Management explained that the 3-meal category only applies when three meals are expensed daily. If the \$40 daily maximum is exceeded, the manager has the discretion to approve the expense, if reasonable. If a claim is for two meals the single meal rate would apply.</p>		Item to be removed from the agenda.
99.0	<p><u>Unclassified Conversion</u></p> <p>The Union requested clarification on the filling of a vacancy by an unclassified employee. The Union previously provided Management with the scenarios and Management had responded. The scenarios were:</p> <p>1. A person is assigned to an unclassified contract to backfill for a leave in a classified position. No competition is held. The unclassified person has been there for 18 months and now the home incumbent who was on leave is not returning, creating a vacancy. There is continuing need for the work. Does the unclassified person get converted to classified or does a competition need to be held?</p> <p>Management responded that under Article 6.1.1 the vacancy would be posted.</p> <p>2. Same scenario, but the unclassified person competed for the temporary assignment.</p> <p>Management replied that the unclassified person may be converted to classified under Article 8.6.3. However, if there is a conversion, the manager runs the potential risk that other employees may challenge the conversion because of a missed opportunity for a classified position.</p>		Item to be removed from the agenda.
New Business			
100.0	<p><u>Public Service of Ontario Statute Law Amendment Act</u></p> <p>The Union reported that it was pleased that the proposed legislation will restore successor rights for public servants and provide whistleblower protection. The Union questioned if whistleblower protection provided for anonymity and management confirmed that it did. The Union asked if a communication piece will be done and management responded that a memorandum had been sent from the Cabinet Office and there are updates on the Legislative Assembly's website. Once the amendments are proclaimed, Management will send a communication.</p>		Item to be removed from the agenda.

ITEM NO.	ISSUE	REFERRED TO	ACTION
101.0	<p><u>Introduction of MERC Team</u></p> <p>The Union reported that the current OPSEU members were re-elected at the OPSEU Divisional meetings held November 25-26, 2006. The Union expressed that it would like to better communicate the function of the MERC team, and suggested a joint communication be sent out by Management. Kevin will be coordinating the information for the Union and will provide input to Management by the next MERC meeting.</p>		<p>Management and Union to prepare a joint communication.</p> <p>Item to remain on the agenda.</p>
102	<p><u>2007 Meeting Dates</u></p> <p>Management proposed that MERC meetings be held on Wednesdays in 2007. The Union and Management agreed to future meetings dates. The Union requested that Management send a notice of meeting dates to managers and suggested that this could be part of the joint communication.</p>		<p>Management to include in the joint communication and distribute to managers.</p> <p>Item to be removed from the agenda</p>
	<p><u>Next Meeting – February 14, 2007</u></p> <p>777 Bay St., 3rd floor, Boardroom 3A , 2:00 p.m.</p>		

Original signed by

Diane Phillipson

Diane Phillipson, Co-Chair

Date: January 17, 2007

Original signed by

Ron Marciniak

Ron Marciniak, Co-Chair

Date: Jan. 22/07