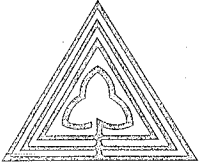


**MEMORANDUM**

**OPSEU**



**SEFPO**

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

**TO:** All Presidents with members in the Ministry of Municipal Affairs & Housing  
All Stewards in the Ministry of Municipal Affairs & Housing

**FROM:** Terry Baxter, OPS Supervisor/Negotiator

**DATE:** January 23<sup>rd</sup>, 2006

**SUBJECT:** **Ministry of Municipal Affairs & Housing  
ERC Minutes – December 1, 2005**

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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 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](mailto:opseu@opseu.org)  
[www.opseu.org](http://www.opseu.org)

Leah Casselman  
President

/jm  
att.

cc: MERC Chairs  
Ministry ERC

100 chemin Lesmill,  
Toronto, Ontario  
M3B 3P8  
courrier électronique  
[opseu@opseu.org](mailto:opseu@opseu.org)  
[www.opseu.org](http://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

Terry Baxter  
OPS Supervisor/Negotiator

**MINISTRY OF MUNICIPAL AFFAIRS  
MERC MEETING # 02-05  
MINUTES OF December 1st, 2005 MEETING  
BOARDROOM 3A - 777 BAY STREET, TORONTO**

**In Attendance:**

**FOR THE UNION:**

Ron Marciniak (Co-Chair)  
Kevin DesRosiers (Vice-Chair)  
Lorilee Riddell (Member)

Regrets:

Roxanne Theriault (Member)

*Stephen George (OPSEU Job Security Officer)*

MINUTES: Richard Safka

**FOR THE MINISTRY:**

Barbara Ross (Member)  
Carol Kiley (Member)  
Richard Safka (Intern)

Regrets:

Edith Brethour (Resource)  
Diane Phillipson (Co-Chair)

ITEM NO.	ISSUE	REFERRED TO	ACTION
	<p><b><i>Call to Order</i></b></p> <p>The meeting was called to order by the Employer, with Ron Marciniak acting as Employee Co-Chair.</p>		
	<p><b><u>MINUTES</u></b></p> <p>The minutes of the <b>August 18<sup>th</sup>, 2005</b> meeting were adopted.</p>		

ITEM NO.	ISSUE	REFERRED TO	ACTION
<b>Standing Items:</b>			
53.0	<p><b><u>E-Filing Initiative</u></b> Management provided updates on E-Filing Initiatives in the following areas:</p> <p><b><u>ORHT E-Filing Initiative</u></b> Management provided an updated, broad critical path of the ORHT initiative. Four applications will be at the core of the project, the English and French versions of the two most common applications processed. The process has moved beyond processing fake applications to processing real applications, but stopping before the material production stage. The difficulties to date have included a number of error messages and difficulties in the incorporation for the French applications. Phase 2 is scheduled for April. Management expressed the belief that there would be no staff reductions as a result of the initiative but redeployment of resources to other functions is likely. There would likely be the creation of Customer Service Representative positions to assist with E-filing. Additionally, the paper process will still have to continue because the documents are legal in nature and require hard copy duplication.</p>		Item remains on agenda as an update item.
<b>New Business</b>			
80.0	<p><b><u>Health &amp; Safety Committees Composite</u></b> Management presented its findings in relation to the creation of an inter-ministry joint health and safety committee. The multi-ministry JHSC structure was researched, but found to be in violation of the Occupational Health and Safety Act. It was also presented that the 777 Bay Building Committee only holds seats for appointed representatives of its tenants. The committee also primarily addresses issues of security, not health and safety. Management's recommendation was the issues of health and safety are best served through individual JHSCs. The Union expressed concern that the smaller ministries in the building had neither the manpower nor the resources to conduct a JHSC. Management noted the OHSA states that any Employer with over five employees but less than 20 must appoint a Health and Safety representative. This representative would bring issues of concern to management and conduct monthly inspections of the workplace and could informally network with other health and safety reps at 777 Bay. In addition, any items brought forward to the MMAH JHSC at 777 Bay that have implications for other OPS tenants, the JHSC can request to have an agenda item to be discussed at the 777 Building Committee meeting.</p>		Union to investigate the appointment of Health and Safety representatives. Item to remain on agenda.
81.0	<p><b><u>Eye Examinations – VDT</u></b> Management provided information on the process for Union members to claim their \$50 VDT Eye Care expenses. The Union posed a number of hypothetical scenarios for filing. They included whether it was feasible to conduct a partial filing under Article 9.0 and Article 39.3. Management agreed to investigate the questions posed.</p>		Management to investigate multiple scenarios to clarify Union questions

ITEM NO.	ISSUE	REFERRED TO	ACTION
82.0	<p><b><u>Joint Labour/Management Training</u></b></p> <p>Both the Union and Management agreed with the concept of Joint Training and suggested that the two MERC Co-Chairs work together to come up with some ideas of what form the training is to take. The Union agreed with Management's suggestion.</p>		The Union and Management to meet on December 21 <sup>st</sup> to generate ideas for the training
83.0	<p><b><u>Employee Performance Plans</u></b></p> <p>Management investigated the use of the term 'commitment' on the performance plans of OPSEU employees. It was found that the term 'commitment' is used in the corporate policy and is therefore adhered to by managers.</p>		Item to be removed from the agenda.
84.0	<p><b><u>MSD Guidelines for Overtime/Travel Time</u></b></p> <p>Management presented the modified guidelines for overtime and travel. The guidelines were done to encompass the entire Ministry, and outlined the specific guidelines for each respective bargaining agent. The Union agreed to review the document and respond as soon as possible.</p>		Union to review Ministry Guidelines and submit comments and changes if necessary.
85.0	<p><b><u>MERC Terms of Reference</u></b></p> <p>Management submitted the revised Terms of Reference to the Union prior to the meeting. The Union presented additional language on caucus time. Management agreed to review the document and respond as soon as possible.</p>		Management to review the language and respond.
86.0	<p><b><u>Proposed Meeting Dates for 2006</u></b></p> <p>Management submitted a list of dates for future MERC meetings, extending into 2006. The Union tentatively accepted the dates.</p>		Remove item from agenda
87.0	<p><b><u>MAH Organizational Review Update</u></b></p> <p>Management stated that the review is currently in the phase of analyzing the data collected through the survey and focus groups. No final decisions have been made. The process remains very preliminary, and no timelines for restructuring have been set out.</p>		To become a standing item
88.0	<p><b><u>Unclassified Positions</u></b></p> <p>The Union, in the interest of following up on the agreement in bargaining regarding the reduction in the use of unclassified employees. The Union proposed metrics to follow future trends in the use of unclassified employees, such as absolute numbers, and the percentage of the workers in the Ministry that are unclassified. The Union also requested the average length of service for all unclassified employees. Management stated that while there was an agreement in bargaining, there has been no corporate direction on this issue and no specifics as to where the reductions in unclassified employees will take place.</p>		To become a standing item. Management to look into request for the statistics surrounding the use of unclassified employees
89.0	<p><b><u>Successor Rights</u></b></p> <p>The Union expressed its disapproval of the lack of successor rights for public sector employees in Ontario and their desire to have them returned. Management noted the Union's comments</p>		Item to be removed from agenda

ITEM NO.	ISSUE	REFERRED TO	ACTION
	and recommended that if the Union wished to pursue the issue further, it should take place at the CERC level.		
90.0	<p><b><u>Ministry Grievance Process</u></b></p> <p>While not explicitly stated in the collective agreement under Article 22.0, the Union requested the confirmation and endorsement by management for the Ministry practice for confirmation of a Stage 1 dispute settlement. While not explicitly stated in the Collective Agreement, it is the Ministry practice to allow for representation at Stage 1 as it is in the interest of the parties to attempt to resolve issues early in the grievance process. The members of MERC agreed that Stage 1 is not a formal stage as outlined in the collective agreement. As such, employees should notify their managers that the Stage 1 step in the dispute resolution process is in fact taking place as outlined in Article 22.0.</p>		Item to be removed from agenda.
91.0	<p><b><u>Accessing Of Outlook Calendars</u></b></p> <p>The Union presented the concern of Managers/Supervisors/Directors having complete proxy access to employee's outlook calendars. Proxy access that would allow managers to know the specific details and information stored in the outlook calendars. The Union expressed concern with the lack of privacy, while Management reiterated that Management does have the inherent right to know where its employees are during working hours. Management is to investigate the issue of proxy access.</p>		Management to look into the issue and respond
	<p><b><u>Next Meeting</u></b></p> <p>Meeting will be held March 2nd, 2006, 777 Bay St., 3<sup>rd</sup> floor, Boardroom 3A – 2:00 p.m.</p>		

Original signed by

Barbara Ross  
Barbara Ross, Co-Chair

Date: Dec 23/05

Original signed by

Ronald Marciniak  
Ron-Marciniak, Co-Chair

Date: Dec 23/05