

# Lock Talk



A publication of the OPSEU Corrections Division • January 19, 2012

---

## Correcting a historic wrong

The union members of the MERC have negotiated a memorandum of settlement specific to Institutional Services which will allow suspensions with pay to also apply to Fixed Term members. This brings the employer's practices in compliance with the Public Services Act, Section 36.

Under this agreement, consideration must now be given to members to remain in the workplace (including whether they can be assigned other duties) pending the outcome of investigations. Where the employer determines that a member cannot remain in the workplace pending the outcome of an investigation, and the employer will suspend the member, consideration of whether it is with or without pay will now be extended to include Fixed Term members. It is hoped that this will now make the practice consistent across the province and provide some protection to all members who face a heightened level of scrutiny in our daily duties. (See agreement at [http://www.opseu.org/ops/ministry/locktalk/120110\\_MOS\\_FixedTermEmployees.pdf](http://www.opseu.org/ops/ministry/locktalk/120110_MOS_FixedTermEmployees.pdf))

The MERC struck a Sub-committee regarding investigations which flowed out of a policy grievance. Part of that mandate was to put out material to assist members

in the employer's process. A bulletin describing the Section 22 Investigations process is to be posted in the workplace, in an effort to address member's questions about the process. (See bulletin at [http://www.opseu.org/ops/ministry/locktalk/InfoBulletin\\_Section22.pdf](http://www.opseu.org/ops/ministry/locktalk/InfoBulletin_Section22.pdf))

The MCSCS OPSEU MERC members are dealing with two pressing concerns at this time. The first is the pending Ombudsman's Special Investigations report. The second concern is the significant changes this has provoked in MCSCS in the way investigations are conducted and the modifications to policies on the use of force. We continue to bring forward the division's concerns regarding the changes to the use of force, lack of training, report writing, and immediate relief to write these reports.

We have met with the Ombudsman's investigators, the Minister of MCSCS, and the Deputy Minister in regards to the report. We have also met with the NDP and PC Corrections Opposition Critics at Queen's Park to brief them on our concerns. We continue to meet with all of the above to express our concerns and have been successful in negotiating settlements to assist our members in these

*(Continued on page 2)*

*(Continued from page 1)*

areas. We have used very strong language at the MERC table expressing our frustration and lack of response in that forum.

## **Meet us at the February 4 meeting**

On February 4 there is an OPS All-Presidents' Meeting at the Hilton Doubletree Hotel, Toronto Airport to address the Drummond Report that is going to have significant impact on our next round of bargaining. At this conference we will have a caucus with the Institutional Services Local Presidents to speak to the above institutional concerns and put in place measures to assist in the protection of our members.

Authorized for distribution:



Dan Sidsworth, MCSCS MERC Chair



Warren (Smokey) Thomas, President

## **Follow us on Twitter**

You can now follow us on Twitter at:

**Dan Sidsworth:**

@DanSidsworth

**Jim Mitchell:**

@baretruck

**Monty Vieselmeyer:**

@MVieselmeyer

**Gord Longhi:**

@GordLonghi