

Memorandum of Agreement

TERMS OF REFERENCE For Systemic Change Steering Committee

Purpose

The Ontario Public Service Employees Union (OPSEU) and the Ministry of Community Safety and Correctional Services (MCSCS), agree to focus their efforts to finalize the remaining outstanding orders of the Grievance Settlement Board in O'Brien v. MCS, GSB # 1948/93. The parties agree to work jointly towards the effective implementation of the Systemic Change Program initiatives arising from the O'Brien award, or towards redesigning the initiatives where necessary. It is understood that it is the Ministry's ultimate responsibility to manage all human rights, diversity, equity and inclusion issues, including organizational change within the Ministry.

Objectives

The parties agree to recognize broader diversity, inclusion and equity issues in completing all outstanding work. The initiatives in the Systemic Change Program (SCP), agreed to by the parties in the SCP work plan, details the outstanding work required for the implementation of the O'Brien GSB orders.

Dispute Resolution

A mutually agreed upon process for dispute resolution is set out in Appendix A to this agreement. The parties agree that nothing in this agreement and/or its Appendix A precludes either party from returning to the GSB to resolve disputes regarding scope or implementation arising from the O'Brien decision. For clarity the parties agree that no disputes other than those regarding scope or implementation arising from the O'Brien decision can be returned to the GSB as part of the implementation of the O'Brien decision.

Meetings

Meetings will take place quarterly for the purposes of reporting on progress made on objectives or for seeking direction/approval from the Systemic Change Steering Committee (SCSC). Meetings may be scheduled more frequently on joint approval of co-chairs. Any additional meetings are to be held by teleconference unless co-chairs agree that it is best to hold the meeting in person. On the joint approval of the co-chairs, sub-committee meetings shall take



place as required to complete the work on the implementation of the SCP initiatives.

Membership and Composition

The committee shall be comprised of five OPSEU members and five Management members with resource persons for both OPSEU and Management. OPSEU portion will be chosen by MERC and the Management portion will be selected by the employer. Each side shall appoint a co-chair and the co-chairs agree to act on a rotational basis. The parties agree that they shall consider and include individuals from underrepresented groups whenever possible to create a more diverse, equitable and inclusive committee.

Criteria for Membership

Members must not have any substantiated WDHP complaints within the past three years; be committed to dignity, respect, equity, inclusion, accessibility, maintaining an environment free of all forms of harassment and discrimination, promoting principles of achieving a safe and healthy work environment.

Agenda

The agenda will flow from initiatives and their associated timelines as identified in the SCP work plan, or as jointly agreed to by co-chairs. The agenda is to be shared with SCSC members five days prior to scheduled meetings.

Minutes

Minutes will be compiled at each Steering Committee meeting by a Ministry resource. When possible, the Parties agree the minutes will be signed off at conclusion of each SCSC meeting.

Expenses

The Ministry is responsible for costs associated with implementation of SCP initiatives including payment by the Ministry for all authorized time and expenses associated with the work of subcommittee members on initiatives. OPSEU is responsible for travel, meals, accommodations and expenses for their members for Steering Committee meetings, and includes a one day caucus prior to each Steering Committee meeting. The Steering Committee meeting and OPSEU caucus meeting will be considered a duty assignment and time will be paid by the employer. .

Duration

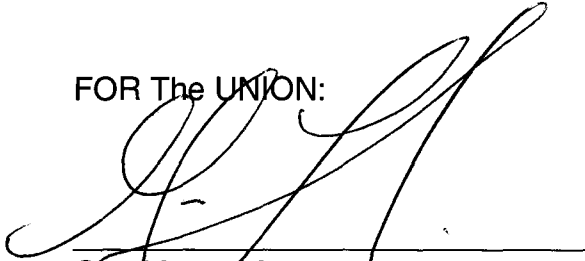
Upon completion of the implementation of the Systemic Change Program initiatives, outlined in the jointly agreed to work plan, the committee will have



fulfilled its mandate and will disband. Following the disbandment of SCSC, the oversight of ongoing SCP initiatives will rest with the Diversity Subcommittee of MERC. The Grievance Settlement Board will remain seized with the orders in accordance with the O'Brien award.

Signed this 20th day of January 2011.

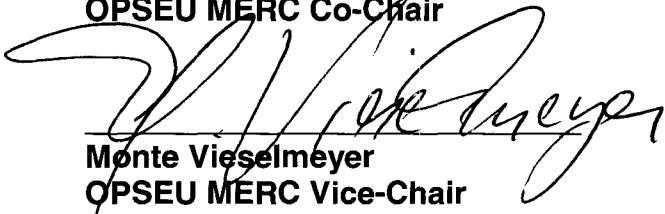
FOR The UNION:



Gord Longhi
OPSEU SCSC Co-Chair



Dan Sidsworth
OPSEU MERC Co-Chair



Monte Viesselmeyer
OPSEU MERC Vice-Chair



Jim Mitchell
OPSEU MERC Member



Jim Paul
OPSEU Senior Grievance Officer

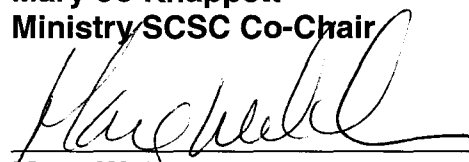


Margaret Smoke
OPSEU Human Rights Officer

FOR THE MINISTRY:



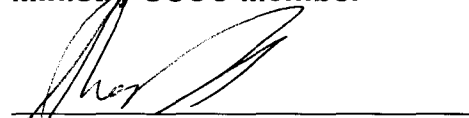
Mary-Jo Knappett
Ministry SCSC Co-Chair



Marg Welch
Ministry MERC Co-Chair



David Snoddy
Ministry SCSC Member



Shawn Dicks
Ministry SCSC Resource



APPENDIX A:

1 DISPUTE RESOLUTION

- 1.1 Where, as a result of discussion between the Union and the Management members of the Steering Committee, the parties develop further Systemic Change Program initiatives, or amend one of the existing initiatives, such agreements may be reduced to writing in a Memorandum of Understanding at the request of either party.
- 1.2 It is agreed that disputes concerning the interpretation of this Memorandum of Agreement, including allegations of violation, are to be brought before the Steering Committee by either party for discussion at a meeting (which may include telephone conference calls) for attempted resolution before further enforcement steps are taken.
- 1.3 Disputes which cannot be resolved at the Systemic Change Steering Committee may be referred to the Ministry Employee Relations Committee (MERC) at the request of either party. The party wishing to raise the matter at the MERC will send to the other party a notice setting out the nature of the dispute and the remedy that is requested.
- 1.4 A party in receipt of a notice of dispute shall respond in writing and shall set out its views as to the dispute, including the remedy that is being requested. Such response shall be communicated to the other party not less than two clear working days before the commencement of the MERC meeting as described herein.
- 1.5 The MERC shall convene a meeting within 10 working days of the receipt of the notice referred to in section 1.3 to discuss this dispute. Such meeting may include telephone conference attendance by the participants in whole or in part. The dispute will be discussed at such meeting, and the party who received the notice shall indicate whether it will comply with the remedy set out in the notice, in whole or in part, within two clear working days of the conclusion of the meeting.
- 1.6 Disputes that cannot be resolved at MERC by the parties shall return to the GSB for a decision.
- 1.7 Nothing in this Appendix or the attached Memorandum of Agreement restricts either party's right to file grievances in respect to any matter, or to pursue such grievances before the GSB, in accordance with the collective agreement.

