

**Ministry of Labour
MERC Meeting Minutes**

Date and Time: January 24, 2017, 10:00 a.m. – 4:00 p.m.
February 6, 2017, 4:00 – 5:30 (by teleconference)

Location: 400 University Avenue, 7th Floor, Lanark Room, Toronto, ON

For OPSEU: Neil Martin (Co-Chair), Ken Burns, Richard Hutchinson, Cindy Abric-Forsyth
Barry Norton, Trudy Deacon (observer)

For the Employer: Janis Bartley (A/Co-Chair)*, Sandra Lawson, Alec Farquhar, Minerva Papasin
Monique Gignac, Julie Bowring, Dayna Firth, Lesley Burrell, Jules Arntz-Gray (presenters),
Patricia Perez, Kristina Radulska (observers)
* Chaired meeting

NOTE: See Last Page for Acronym definition.

A. Business Arising from Previous Minutes – MERC minutes Follow Ups		
Issue	Discussion	Action Required
<p>2016-010 Recruitment and Retention (GTA)</p> <p>Date tabled: March 23, 2016</p>	<p>An agreement was reached with respect to lateral transfers in Central East Region.</p> <p>A sub-committee has been established to discuss ways to address the recruitment and retention issues. An initial meeting of the LERC was held and more will be scheduled in the near future.</p>	<p>OPSEU requested and the Employer agreed to provide information within the last 12-month period on:</p> <ul style="list-style-type: none"> • proactive and reactive inspections per unit/office, • Part 1 and Part 3 prosecutions per unit/office, • average number of field visits per inspector in each program. <p>Employer to provide the requested information by February 24.</p>
<p>2016-016 Attendance Support Management Program (ASMP)</p>	<p>New information was received and shared by the Employer, but indicated that there have been errors in the data received.</p>	<p>Employer requested OPSEU for specifics where there are challenges in the implementation of AMSP, so they can be addressed accordingly.</p>

<p>Date tabled: May 25, 2016</p>	<p>Employer provided information on efforts made and continuing efforts to work with managers to ensure that they receive the mandatory training on AMSP and use of the tracking system.</p> <p>Parties discussed the continuing challenges regarding the implementation and application of ASMP.</p>	<p>OPSEU to provide the requested information on an on-going basis.</p>
<p>2016-022 Balanced Scorecard, Operations Division (referral from SSM LERC)</p> <p>Date tabled: July 26, 2016</p>	<p>OPSEU provided the names of three members for the sub-committee of ESPAC. OPSEU maintains that ESPAC is not the proper forum to address these issues and prefer that a separate committee be formed. OPSEU also identified the concerns that their members continue to raise regarding the BSC and the Blended Model approach.</p>	<p>OPSEU, once again, requested the raw data from the survey results. Employer will follow-up and will respond before the next meeting.</p>
<p>2016-023 Performance Improvement Plan, Operations Division</p> <p>Date tabled: July 26, 2016</p>	<p>OPSEU reviewed the information that Employer provided on managing performance. OPSEU raised a concern that performance management reviews are only being triggered by failure to meet numerical targets.</p>	
<p>2016-025 Accreditation Program</p> <p>Date tabled: July 26, 2016</p>	<p>Jules Arntz-Gray, Chief Prevention Office (CPO) presented on Accreditation Consultation.</p> <p>OPSEU raised their concerns on information that has been communicated to employees on Accreditation. OPSEU remains concerned that the Accreditation will impede inspectors' access to workplaces and the negative impact Accreditation may have on inspector positions (FTEs).</p>	<p>CPO will invite MERC OPSEU representatives to stakeholders' consultations to observe. CPO will include MOL inspector representatives on internal consultations.</p> <p>Parties agreed that there will be further discussions on this item.</p>
<p>2016-026 Healthy and Productive Work Signature Initiative</p> <p>Date tabled: September 15, 2016</p>	<p>Monique Gignac and Julie Bowring from the Institute for Work and Health presented on Healthy and Productive Work Research Initiative.</p>	<p>MERC will have a further discussion on supporting this initiative.</p>

<p>2016-028 Workplace Violence Statistics</p> <p>Date tabled: September 15, 2016</p>	<p>Employer shared the Security Incident Reporting and Assessment Form that is used at MOL. The form is being reviewed for accessibility compliance. The form will be distributed to managers for their use, to be shared with their respective JHSCs.</p> <p>Employer also provided information on incidents reported for year 2015-2016.</p>	<p>This item will be reviewed in the Fall.</p>
<p>2016-030 Inspector Productivity</p> <p>Date tabled: September 15, 2016</p>		<p>To be deferred to the next meeting.</p>
<p>2016-031 Results of Peer Support Evaluation</p> <p>Date tabled: November 16, 2016</p>		<p>To be deferred to the next meeting.</p>
<p>2016-033 Fleet for ESOs</p> <p>Date tabled: November 16, 2016</p>	<p>OPSEU is inviting the Employer to have a more comprehensive discussion to address issues related to fleet.</p> <p>OPSEU indicated that they have no intention to renew the current Fleet Agreement, scheduled to end on March 31, 2017. OPSEU will re-open the Policy and individual grievances on fleet at the Grievance Settlement Board (GSB).</p>	<p>No further action required.</p>
<p>2016-034 New Hire Letters</p> <p>Date tabled: November 16, 2016</p>	<p>Parties agreed that this item has been resolved.</p>	<p>To be removed from the agenda.</p>
<p>2016-036 LERCs</p> <p>Date tabled: November 16, 2016</p>	<p>Parties discussed the important work of LERCs in workplaces.</p> <p>Employer will advise managers that when they are approached locally by their employees regarding establishing a LERC, managers should have the discussions and consider it.</p>	<p>No further action required.</p>

<p>2016-037 Health Care Inspector Rotation</p> <p>Date tabled: November 16, 2016</p>	<p>Employer advised that the commitment on health care inspector rotation may not have been adhered to. Employer advised that all Industrial inspectors have been trained on Health Care Regulations.</p> <p>OPSEU maintains that they are Industrial inspectors. If the Employer requires leads, the lead position should be rotated every two years.</p>	<p>Employer will follow-up and will respond before the next meeting.</p>
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B. New Business		
Issue	Discussion	Action Required
<p>2017-001 Use of Inspectors Across Programs</p> <p>Date tabled: January 24, 2017</p>	<p>OPSEU is requesting for the number of inspectors who are currently working in more than one program and where they are located.</p>	<p>Employer will provide the requested numbers and a copy of the inspector job descriptions by February 28, 2017.</p>
<p>2017-002 Sault Ste. Marie – LERC</p> <p>Date tabled: January 24, 2017</p>	<p>OPSEU advised that their members are having issues with the management team at the LERC table. OPSEU is asking MERC to make efforts to improve relationships in that committee.</p>	<p>Employer will look at short-term and long-term options to assist the SSM LERC to improve their relationships with each other.</p>
<p>2017-003 Digital Government</p> <p>Date tabled: January 24, 2017</p>	<p>OPSEU is requesting information on Digital Government and how it impacts MOL.</p>	<p>Employer will arrange for a presenter to provide information at the next meeting.</p>
<p>2017-004 Interactive Solutions, Dispute Resolution Services</p> <p>Date tabled: January 24, 2017</p>	<p>Dayna Firth, Acting Director of the Dispute Resolution Services (DRS), presented on the support DRS offers regarding workplace and relationship restoration.</p>	
<p>2017-005 ESOs Assisting Ministry of Finance (MOF) with Collections Investigations</p> <p>Date tabled: January 24, 2017</p>	<p>OPSEU raised some concerns with the memo sent by the Director of the Employment Practices Branch regarding Ministry of Finance (MOF)'s request for assistance in obtaining information about employers with unpaid orders through field observation.</p>	<p>Employer to follow-up and will provide a response before the next meeting.</p>

	<p>Specifically, it is OPSEU's view that:</p> <ul style="list-style-type: none"> - this is not within the ESO job function, - there is no proper health and safety assessment for ESOs, - this is MOF work and they have been doing it for years, and - ESOs are currently busy with their regular work with claims and investigations. 	
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STANDING AGENDA ITEMS		
Issue	Discussion	Action required
2013-002 Committee's Accomplishments	No updates at this time.	
2013-016 Staff Reports	Employer provided staff reports to OPSEU for review. OPSEU raised concerns with the Prevention Office.	
2014-009 MERC Health and Safety Sub-committee Date tabled: July 16, 2014	Lesley Burrell, Operations Integration Unit, provided updates on the Operations Division Employee Health and Safety Program.	
2014-022 Quality Assurance (QA) Update Date tabled: July 16, 2014	The meeting for the committee is scheduled next week. This QA only deals with health and safety.	
2014-024 Risk-Based Approach – Better Information for Better Prevention Date tabled: Sept. 29, 2014	No updates at this time.	
2014-025 York University Research Project	No updates at this time.	

Date tabled: Sept. 29, 2014		
2016-003 Joint Employment Accommodation and Return to Work Program Date tabled: Jan. 21, 2016	The Working Group provided updates, including the sessions on change management and First Aid on Mental Health.	
2016-005 New Employment Standards (ES) Direction for the Program Date tabled: Jan. 21, 2016	No updates from the sub-committee at this time.	
2016-011 Transition Exit Initiative (TEI) Date tabled: March 23, 2016	No updates at this time.	
Future Meetings	Next meetings: March 22 and May 31	

Neil Martin
Co-Chair, OPSEU
Date: February 6, 2017

Janis Bartley
A/Co-Chair, Management
Date: February 6, 2017

List of Acronyms

MERC	Ministry Employee Relations Committee
MOL	Ministry of Labour
OPSEU	Ontario Public Service Employee Union
H&S	Health & Safety
ES	Employment Standards
ASMP	Attendance Support Management Program
MOF	Ministry of Finance

GTA	Greater Toronto Area
BSC	Balanced Scorecard
ESPAC	Employment Standards Program Advisory Committee
SSM	Sault Ste Marie
LERC	Local Employee Relations Committee
IWH	Institute for Work and Health
GSB	Grievance Settlement Board