

**Ontario Public Service Employees  
Union  
(OPSEU)**

**Ministry of the Attorney General  
(MAG)**

**OPSEU MAG MERC TEAM  
Report**

**Tuesday, February 6, 2007**



**1. PRIOR MINUTES:**

*October 23, 2006 - signed off.*

*December 6, 2006 - Union to provide changes to Employer on February 7th*

**2. STANDING ITEMS:**

**A) Conversion**

**a) Article 31A.15 - Conversion of Unclassified Positions to Classified Positions:**

*No disclosure provided*

**b) Appendix # 25 - Conversion of Unclassified / Part-Time Employees:**

*Disclosure received*

**B) Courts Update**

*Employer had no update*

**C) Grievance Administrative Project (GAP/WLRC)**

*Employer advised there is an Agreement currently being negotiated regarding GAP between OPSEU & Ministry of Government Services (MGS) re: the expedited Grievance process / handling.*

**D) Vacancy Reports**

*Disclosure received*

**E) Enforcement Program**

*Employer reported they are back to the Ontario Labour Relations Board (OLRB) on February 20, & 21, 2007. The Employer is proceeding ahead with the enforcement training eg., Ministry of Labour disengagement policy which consists of six three day training sessions provided since September 2006. Participant feedback is very good. Subsequent training sessions commence on February 6 - 8, 20 - 22, 27 - March 1, and March 27 - 29.*

**F) LERC's**

*Employer reported that discussions have commenced Corporately regarding the central LERC training. Leslie McCleod will be facilitating the training tentatively dates to be set in March 2007. Dates are currently being agreed upon. Training within MAG took place previously in the North. The Union requested disclosure in the future by the Employer regarding any and all training for LERC's within our Ministry. Employer will look into the training issues in the North and provide the Union with further disclosure regarding locations.*

**G) JH & SC's**

*Employer is currently drafting guidelines and will forward them to the Union for review. These guidelines are being prepared to support / assist local JH&SC's. These guidelines will be similar to the Ministry of Transportation (MTO) guidelines.*

**H) Workload Issues**

*The Union is awaiting further information form the SCJ Civil Office in Brampton. Once further information is received the Employer will be able to respond.*

**I) Article 1.4**

*Disclosure received.*

*The Union was advised that the Toronto OPGT office will have F03 positions moved to AMAPCEO. No disclosure received regarding this matter. The Employer reported this is not their understanding.*

*The Union was advised that several Group Leader positions in the Toronto Courts were being moved to AMAPCEO from OPSEU. No disclosure received regarding this matter. The Employer reported this is not their understanding.*

**3. REPORT BACK ITEMS:**

**A) Ontario Victim Services Secretariat**

*The Employer reported that Focus Groups will/have commenced meeting in each Region for line-level-staff. Focus groups will also be held separately for Managers, Corporate Managers, and Corporate-line-staff. The intention of these Focus Groups is a result of the surveys. The Employer wants to be the*

*Employer of choice. The Employer will provide further disclosure.*

*The Union requested that an individual from MERC be invited to attend a focus group for line-level-staff. The Employer to report back to the Union regarding the request.*

**B) Terms of Reference - MERC, & LERC's**

*The Union forwarded the most recent changes to the TOR. The Employer is to respond to the proposed changes.*

**C) Criminal Court Administrative Best Practices**

*No updates. Remove from agenda.*

**D) Durham College/Training Initiative - Presentation (2:00 - 3:00 PM)**

*Presentation provided by Durham College regarding the Court Support Services Program. For more information on Durham College and the aforesaid program please visit [www.durhamcollege.ca](http://www.durhamcollege.ca).*

**E) Windsor Health and Safety Issue**

*The Employer went to Windsor to present the DRAFT Violence in the Workplace Policy to the JH&SC members. The local JH&SC is currently reviewing the DRAFT policy to ensure all issues raised have been addressed per the Ministry of Labour (MOL) Order. The JH&SC are to respond to the Employer regarding the aforesaid MOL Order.*

**F) AUDIT - Justice Cluster**

*The Union requested further disclosure regarding the consequences of the AUDIT - Justice Cluster on staff. The Employer advised they are not aware of any implications and will continue to provide disclosure. This review involves the Assessment Review Board, Ontario Municipal Board, Board of Negotiations / Environment, Land Planning Sector, et cetera.*

**G) Flexible Part-Time Employee's**

*Disclosure received re: Vacancies.*

*Employer disclosed pay roll issues have almost been completely resolved.*

*Employer advised this is a new program and they are currently trying to*

*resolve / work-out the problems.*

*The Union advised the Employer that we have nothing to do with pay roll issues and the Employer should clarify the problems.*

*The Employer stated that this is a new system and that a number of issues contributed to the payroll issues previously experienced by FPT staff. The Employer advised that we need to continue to monitor these issues and fix the problems when they are brought to our attention, and we will ensure that people get paid.*

*The Employer confirmed that if by no fault of the Employee they did not work their minimum hours they will not pay back the money.*

*The Union advised the Employer that an individual had their category changed arbitrarily by the Employer from a 1500 to a 1200 hour category. No disclosure was given to the Union. The JDRC was NOT consulted. The Employer refused to accommodate this individual. The Employer advised they will not respond as this matter is being dealt with locally via the grievance process. The Union reiterated disapproval et cetera, of the matter.*

#### H) Timelines of Court Support Staff Schedules

*The Employer advised the Union that schedules are all over the map. Schedules are based on local Judiciary, the Bench, Bars, Committees and the nature of the Courts (matters get re-scheduled). The Employer advised that some areas are able to provide advance notice while others are not. The Employer advised it is easier to predict OCJ rather than SCJ.*

*The Union disagreed with the Employer and advised the Employer they need to be creative.*

*Parties unable to resolve this at MERC.*

*Matter to be referred to the CERC committee by the Union.*

#### I) Durham Consolidated Courts Petition

*The independent Consultant was to attend today's meeting and provide the MERC Team with the same presentation they provided staff locally. The Employer advised that the local staff were pleased with the information and presentation of the Consultant. The Employer will request the presentation for our next MERC meeting.*

J) Court Reporters: Hunt et al and Bargaining Unit Integrity (BUI)

*The Employer advised that the HUNT committee will commence meeting in March 2007. The dates are still to be set.*

*The Employer advised that the BUI issues regarding the Court Reporters will be dealt with at the Board in April 2007.*

*The Employer advised that the BUI issues regarding the Court Interpreters will be dealt with at the Board in June 2007.*

*The Employer reiterated regret regarding not providing disclosure to the MERC re: the survey sent out to staff for the Court Reporters / Tape Management / Transcript Review. Brian Garrah for the Employer responsible for the review will provide a presentation to the MERC Team regarding the Review.*

4. NEW BUSINESS:

A) Performance of OPSEU work in Courtrooms by MCO/SCO/AMPAPCEO Staff

*The Union disclosed further violations in Simcoe and Milton subsequent to the previous e-mail sent to the Employer on Wednesday, January 24<sup>th</sup>, 2007 3:30 PM.*

*The Employer advised that 'yes' they have sent non-OPSEU staff into the Courtrooms as they did not have time to get the appropriate staff to come in. On other occasions the Employer advised that the MCO/SCO worked in the Courtroom awaiting the arrival of the staff. The Employer stated they have had an increase in agency staff subsequent to the implementation of Courts Revitalization WorkForce. The Judiciary in the Courtrooms are advising the Employer that Courts must proceed irrespective of staffing issues.*

*The Union stated that they will remind their members to refer to the MOS dated December 19<sup>th</sup>, 2005.*

B) Disclosure - MAG SIU Vehicle Assignment Policy

*Disclosure received. The Union is to send any specific questions or concerns to the Employer.*

C) Enforcement Officer's Conversion Report

*Disclosure received from the Employer. Two individuals have converted to Full-Time subsequent to the Reports being requested. The Union will review the conversion reports and report back to the Employer.*

**D) Brampton Court Service Officers (CSO's) - Escorting Juries to Vehicles**

*Matter deferred pending receipt of Ministry of Labour Report.*

**E) Ontario Can Do Better**

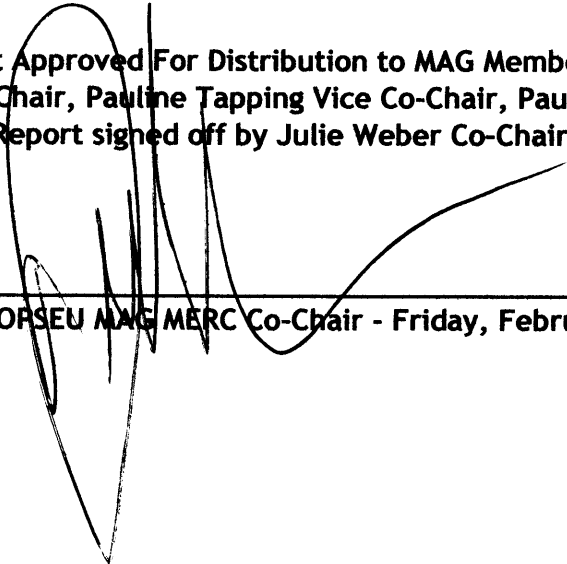
*The Union reminded the Employer of Dalton's election campaign promises, "rebuild public services". The Union inquired as to how the Employer has kept this promise for our Ministry when several offices across MAG are short staffed and delays are a pattern in our Courts. The Employer advised the Union that our Ministry has grown over 20 - 30% in the last five years.*

**F) Taping / Recording Meetings**

*The Employer provided the Union with a Memorandum of Agreement And Understanding (MOA/U) dated February 23, 2004. The Employer reminded the Union of the MOA/U. The parties agreed to re-release the MOA/U to our principles.*

**These are NOT minutes and are not intended to replace the official minutes of any MERC meeting. This is a Report for your expedited review and consideration.**

**Report Approved For Distribution to MAG Members By;  
Julie Weber Co-Chair, Pauline Tapping Vice Co-Chair, Paul Myers Member.  
Report signed off by Julie Weber Co-Chair.**

  
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Julie Weber, OPSEU MAG MERC Co-Chair - Friday, February 8<sup>th</sup>, 2007