

MEMORANDUM

TO: All Presidents with members in the Ministry of Community Safety and Correctional Services
All Stewards in the Ministry of Community Safety and Correctional Services

FROM: Ruth Hamilton, OPS Supervisor

DATE: April 11, 2013

SUBJECT: Ministry of Community Safety and Correctional Services
MERC Minutes – June 19 and July 9, 2012

Attached, for your information, are the minutes of the above captioned meeting.

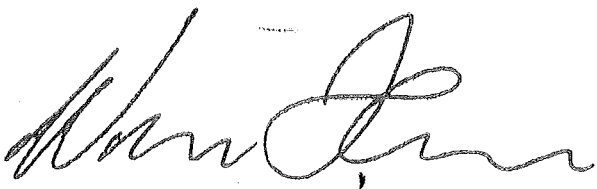
Please post or otherwise make them available to the members in your workplaces.

Please note a MERC referral form should be used when referring unresolved local issues to the ministry level. This form is available at <http://www.opseu.org/ops/merc/MERC%20Action%20Form.pdf>. Upon completion, the document should be forwarded care of the **Job Security Unit** with all supporting documentation e.g. minutes, correspondence, etc.

PLEASE NOTE: THESE MINISTRY MINUTES WERE PREPARED BY THE EMPLOYER.

AUTHORIZED FOR DISTRIBUTION:

IN SOLIDARITY,



Warren (Smokey) Thomas
President



Ruth Hamilton
OPS Supervisor

/aw

att: Ministry of Community Safety and Correctional Services Minutes – June 19 & July 9, 2012

**Ministry of Community Safety and Correctional Services
Ministry Employee Relations Committee**

Minutes

Wednesday, June 19 and Monday, July 9, 2012
25 Grosvenor Street, 16th Floor, Boardroom A, Toronto

Attendees: For the Union

Dan Sidsworth (Co-chair)
Monte Vieselmeyer
Gord Longhi
Jim Mitchell
Jim Paul

For the Ministry

Marilyn Tomkinson (Co-chair)
Emelie Milloy
Christina Danylchenko
Pauline Jones

Regrets:

- Rose Buhagiar

Advisors:

- Sean Milloy, Employee Relations Advisor, Centre for Employee Relations
- Kevin Sawicki, Manager, Strategic Labour Relations Initiatives, SBU

Guests / Observers:

- Jenny Cece, Coordinator, Continuity of Operations
- Sabine Derbier, Coordinator, French Language Services
- Amine Kara, Senior Business Analyst, French Language Services
- Rob Nimer, Local President, Toronto East Detention Centre

Note Taker:

- Lise Ledoux, Program Advisor to the MERC

Previous Business:

Community Services items

1. **11 04 19: Accommodations in P&P** – meeting was rescheduled to May 15th, 2012. Committee completed a draft PowerPoint presentation for training managers and Regional ERC members. The presentation and draft templates for P&P have been sent to MGS. Training for Area Managers and Regional ERCs to follow. As next steps, the Union would like to focus on current barrier of conflicts between employer and individuals seeking accommodations for example relating to mental health,

stress or anxiety disorders. Particularly where a reduced workload is the restriction/limitation identified.

Action: Follow-up once MGS feedback is received.

2. **11 04 19: Lateral transfers in P&P** – The Union was provided with a copy of the written communication from the ADM, CS, on the lateral transfers process in P&P dated January 18, 2012. The Employer has reviewed the request for a formal protocol regarding the usage of lateral transfers to fill vacancies, however, the Employer is not in agreement at this time. The Employer is willing to provide quarterly reports to the union at MERC with respect to the number of vacancies filled by job trades and lateral transfers.

While the Union acknowledges an increase in usage of lateral transfers, there is still no concurrence on an agreement to facilitate fairness in the use of Laterals versus competitions. The Union is requesting regional statistics on historical usage for each office to identify those locations that are not meeting a fair target. Also requesting ongoing statistics every three months.

Action: Employer to review the Union's request.

Institutional Services items

1. **10 01 27: Correctional Officer Recruitment Unit** – Employer advised that recruitment for the new fixed-term correctional officers will commence in early 2013. The Correctional Officer Recruitment Modernization Initiative has been completed and the new and improved processes will be utilized during future recruitment exercises. Efforts have been made to increase the number of correctional officers by the use of transitional agreements with MCYS from those job threatened employees. The Union is concerned about the lack of staffing and the negative impact on health and safety/working conditions.

Action: Updates to be provided when available.

2. **11 04 19: 2010 Auditor General Report** – the Union is concerned with the lack of commitment by the Employer to the process developed in collective bargaining to deal with workplace issues. The Union is concerned that issues raised at LERCs and MERC table are not being addressed and is left to take action outside of the ERC process. Responses from the Employer in respect to the Auditor General Report advanced by the Union have not been adequately responded to.

Action: The Employer will set up a meeting with the Union to discuss further. Union to provide questions to the Employer a week prior to the meeting.

3. **11 06 02: Transition Updates** – Toronto South DC construction is 97% complete. The Operations Working Group has developed a number of processes and working on signage, furniture, fixtures and equipment. The next meeting is scheduled for June 20th. The members have been selected for the User Operator/Trainer for the Security Monitoring and Alarm Control System.

South West Detention Centre – all precast cells are installed. Construction is approximately 40% complete. An orientation meeting and a tour of the site was held on May 25th for staff from Windsor Jail, Sarnia Jail and Chatham Jail. The Union to send the final Terms of Reference to the Employer for sign off. The Union is requesting the MERC Direct Supervision Sub-committee to meet again.

Action: Will continue to provide regular updates.

4. **11 09 28 Thunder Bay Jail Improving Labour Relations**

Action: Co-chairs to set up a conference call with the LERC co-chairs.

5. **11 09 28 Improving and Maintaining Local Labour Relations Re: Presidential Leave – Internet Access** – the Employer has denied the request to authorize the Union to purchase internet for use at worksites by the Union. Access to the internet is available for the local Union president by personal logon ID. Discussion is pending for extending this to an alternate from the local Union executive.

Action: Union will continue to pursue this issue.

6. **11 09 28 Length of time for Section 22 investigations to be shortened** – the report has not yet been completed.

Action: Union will contact the Manager of the Correctional Investigation and Security Unit to set up a meeting date.

7. **11 09 28 Absenteeism Targets formerly ASMPP thresholds** – no update.

Action: ongoing.

8. **11 09 28 IS Incident Workload Issues** – no update

Action: Union to forward an itemized proposal to the Employer. Meeting will be scheduled upon receipt of the proposal.

9. **11 11 23 Institutional Search Team (IST)** – the Union states that as reflected in the last minutes, the Employer has reneged on providing the completed report. Contrary to the Union's statement, the Employer is deferring to the next meeting.

Action: ongoing.

10. **11 11 23 Local 617 Sudbury Jail** – deferred to the next meeting.
Action: ongoing.
11. **11 11 23 Rank structure** – no updates.
Action: none.
12. **11 11 23 Report writing involving use of force** – the Union continues to raise concerns with the curriculum and requests to have input when it's reviewed.
Action: Employer will continue to provide updates as they become available.
13. **12 01 12 Institutional Services Transition Unit MERC Sub-Committee Proposal** – referred in item no. 3 above.
Action: Remove from the MERC agenda.
14. **12 03 29 Toronto East DC** – Union reports that there is a verbal local agreement with Toronto Police Service and the Toronto East DC regarding the use of police services. Union is requesting formal agreements be put in place.
Action: Employer will follow-up with the Central Regional Office.
15. **12 03 29 Toronto East DC** – control room accepting money deposits for inmates is being discussed locally and a resolution is expected.
Action: Remove from the MERC agenda.
16. **12 03 29 Central East CC** – the Employer has agreed to review client service delivery provided by the program staff.
Action: Employer will follow-up.
17. **11 03 29 Police Liaison Officers in Institutions** – a draft proposal has been submitted to the field and feedback is due by June 25th.
Action: ongoing.
18. **12 05 09 CCTV** – there is no policy in place. MERC recommends that a best practices document be drafted.
Action: MERC will set a date to discuss further.

Both Community and Institutional Services items

1. **09 09 29 French Language Services (FLS) Requirements** – presentation was provided by FLS. The Employer is not prepared to de-designate positions at this time. The Union is completely dissatisfied by this response.

Action: Union to advise the Employer of the next steps.

2. **11 06 02 Review of MERC Sub-committees** – list updated and will be provided to MERC members.

Action: Remove from the MERC agenda.

3. **11 11 23 Impact of the proposed Federal legislation** – no update at this time. Union is requesting a presentation on this issue.

Action: Employer will review the Union's request.

4. **12 03 29 Motor Vehicle License suppression** – Employer reported that there is a program in place.

Action: Employer to share a copy of the Ministry of Transportation's suppression policy.

5. **12 03 29 Drummond Report on OPS** – Union held three meetings and are waiting a response from the Employer.

Action: Employer will follow-up for a response. Deferred to the next meeting.

6. **12 05 09 Union Request a Meeting with new Deputy Minister** – Union met with the Deputy Minister on May 28th. Discussions were positive. Union requests follow-up meeting to be scheduled in the Fall.

Action: Remove from the MERC agenda.

Standing Items:

1. **Systemic Change Steering Committee (formerly SAROC)** – committee met on June 6th. The previous Employer co-chair has left the ministry for MGS. New Employer co-chair was in place for the June 6th meeting. Once again, the Union is expressing it's frustration over the continuous change on the Employer's side. This is creating barriers for completion of the work and creates chaos on the Steering Committee. Previous chair committed to a number of items to be met by June 6th which were not completed. The Union has expressed on a number of occasions dissatisfaction with the perceived commitment of the ministry on this committee and will be considering a return to litigation.

The Employer reports that the committee has accomplished work and ongoing working groups are meeting to address outstanding issues. The next meeting is scheduled on September 25th.

2. **Diversity Sub-Committee** – MERC team met with the Deputy Minister and all ADMs on May 28th. Union has provided the Employer a proposal for offset or backfill for Community Services member on the MERC Diversity Sub-committee. Employer is currently reviewing the proposal. The Union is awaiting a response.
3. **Strategic Business Unit** – no update.
4. **Labour Relations / Regional Labour Relations Forum (RLRF)** – ADM, IS has indicated that there will not be any further meetings at this time. The Employer recommends removing the RLRF from the agenda as no further meetings will be scheduled. However, the Labour Relations will be kept on the agenda as a standing item. Union will bring the RLRF issue to the Deputy Minister and request that the item not be removed from the agenda at this time.
5. **Fixed Term Correctional Officer Hours and Number of Unclassifieds (provided quarterly)** – will be provided in early July for the April - June 2012 quarter.
6. **Hardcopy of Superintendents List E-Copy** – was provided.
7. **Joint Attendance Strategy and Implementation Committee** – as per the Collective Agreement presentation was given to CERC regarding the Interim Review of the ASMP pilot. The Union provided its review. Subsequent after the review, CERC requested a follow-up at the August 1st meeting.

The Employer co-chair (Pauline Jones) and Union co-chair (Dan Sidsworth) of the Health and Productivity Project operating at Maplehurst Complex attended the last JASIC meeting and provided a report that expands the project to Central East CC and Central North CC commencing in the Fall 2012.

The Employer presented their findings from the interim review of the ASMPP to CERC. The Employer feels the program is productive as there is a measurable decrease in the usage of sick time.

8. **Joint Cost Generating Savings Opportunities** – meetings between the Union and the Employer regarding Community Escorts and Bailiffs Department took place. Joint cost savings opportunities were identified. Union is waiting for a response. Recommendations will be reviewed by the ADM, Operational Support Division.
9. **P & P workload sub-committee** – work continues to progress. The Deputy Minister was briefed on the Workload Analysis Tool. All sub-committees are meeting. Updates will be provided when available. The next meeting is June 27, 2012 and the Union is awaiting word on implementation approval.

10. **Security Provisions and Inmate Population Management Committee Recommendations** – K9 program – interviews were conducted on June 25th and 27th. The successful candidate will be identified in the near future.
11. **Employee Stability List** – ongoing – regular updates are provided to the Union co-chair.

New Business

1. **12 06 19 CISU** – failure of providing five days prior written notice to subject employee and witness employee as best practice. Incident at Toronto West DC refusal of local Union representation.

Investigations require flexibility; however, the Employer endeavours to provide notice, wherever possible, in order for an employee to make arrangements prior to attending an investigation meeting. In some cases employees may not be able to attend with their representative of choice due to the subject and/or scope of the investigation. Employees are encouraged to refer to the joint informational bulletin regarding CISU investigations.

The Employer cannot comment specifically about an ongoing investigation.

Union's response is that they continue to request five days notice for members as a best practice.

Action: No action – to be reviewed at the next MERC meeting.

2. **12 06 19 Joint Incident Review** – Union reports that there is a review taking place at the Thunder Bay CC following the incident of Sunday, June 3, 2012. The local parties have a terms of reference identifying an operational review committee made up of four management members and four bargaining unit members. The committee will make recommendations to the Regional Direct for review when completed. The Union requests a copy of the recommendations and review.

Action: Union to provide the terms of reference to the Employer upon receipt. The Employer will review the Union's request with Northern Region.

3. **12 06 19 Assaults on Staff** – Union open letters to Kawartha Lakes Police Service/Ontario Association of Chiefs of Police regarding lack of support regarding charges being laid against offenders for assaults against staff. Union requesting Employer support with this issue. Union is also requesting that the policy about blood testing be jointly re-issued to the field.

Action: Employer to review the benefit of a joint issue and Employer co-chair will seek confirmation of response. Union is seeking confirmation of support from ADM Small, IS.

4. **12 06 19 Union letter to Locals** – Union open letters to all Members in institutions regarding returning bargaining unit positions. Members are being denied access to vacation, lieu, etc., due to staff shortages. The Employer co-chair did not receive a copy of the letter to the employees at the time of issue.

Action: no action. Remove from the MERC agenda.

5. **12 06 19 Transition Sub-committee** – MERC members thank the work of the Transition Unit with the cross ministry job trades. Facilitated job matches. Both parties worked cooperatively to transfer fixed-term correctional officers from MCYS to MCSCS.

Action: Remove from the MERC agenda.

6. **12 06 19 Communication** – Union reports a continued lack of communication by Employer to OPSEU MERC members regarding major incidents, discipline and injuries to members and will discuss this issue with the Deputy Minister. The Union members are very frustrated in the lack of progress on this issue. The Employer endeavours to communicate relevant information, that is acceptable to share at the appropriate time, with the Union co-chair whenever possible. Employer MERC co-chair encourages ongoing communication at the local level.

Action: Remove item from MERC agenda.

7. **12 06 19 Institutional Services Over Capacity issues** – Review of Capacity Reports - Union proposes provincial co-ordination of management of resources. The Employer noted from the June PJOHSC minutes (agenda item no. 2 under overcrowding at the Toronto Jail) that this matter is at the PJOHSC table.

Action: Employer will refer this issue to the PJOHSC as part of their review.
Union will discuss this issue with the Deputy Minister.

8. **Procedure for disclosures** – Union requesting that all disclosure documents be forwarded to the generic OPSEU email address (disclosure@opseusupport.com). This is consistent with the OPS disclosure protocol.

Action: Employer will ensure that this procedure is followed.

Next Meeting:

Date: October 11, 2012
Location: OPSEU Office, 31 Wellesley Street
Time: 9:30 a.m.

For the Union:



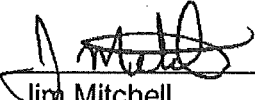
Dan Sidsworth



Monte Vieselmeyer



Gord Longhi

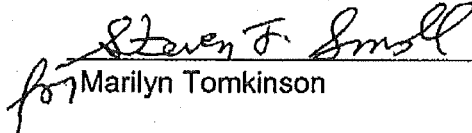


Jim Mitchell

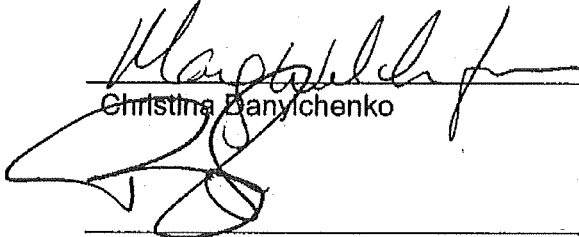


Jim Paul

For the Ministry:


for Marilyn Tomkinson

Emelie Milloy



Christina Danyichenko

Pauline Jones