

**MEMORANDUM**

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

**FROM:** Brian Gould, OPS Supervisor

**DATE:** August 21, 2009

**SUBJECT:** **Ministry of Community Safety & Correctional Services ERC Minutes – May 12 and May 27, 2009**

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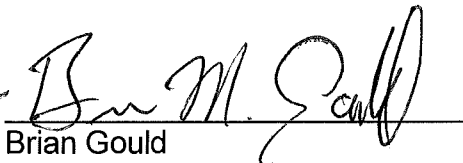

Attached, for your information, are the minutes of the above captioned meeting.

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

Please use the MERC referral form which should be used when referring unresolved local issues to the ministry level. The referral should be sent care of the Job Security Unit with all the 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

Brian Gould  
OPS Supervisor

/es  
att.

cc: MERC Chairs

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

**Minutes**

**Tuesday, May 12, 2009 – 9:30 a. m.**  
**OPSEU Regional Office**  
**1100 Dearness Dr., Unit 27**  
**London, Ontario**

**Wednesday, May 27, 2009 – 9:30 a.m.**  
**Elgin-Middlesex Detention Centre**  
**711 Exeter Road**  
**London, Ontario**

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**Attendees:**

**For the Union**

Eddy Almeida (Co-Chair) (May 27)  
Dan Sidsworth  
Gord Longhi  
Paul Johnstone  
Sandra Harper

**For the Ministry**

Marg Welch (Co-Chair)  
Barry Thomas  
Jim Adams  
Emelie Milloy (May 12)  
Peter Lesperance (May 27)  
Kate Karn  
Sean Milloy  
Christina Danylchenko  
Tara Jackson (May 12)

**Guests:**

Rose Buhagiar, Lead Collective Agreement, Corporate Office, Toronto

**Observers:**

Lynn Kenn, Corporate Project Lead, ADMO, AIS  
Brian Perkins, OMSC, SLVTC (May 12)  
Gary Lowe, Deputy Superintendent, EMDC  
Kim Wright, OM, EMDC  
Gregg Dyson, OM, EMDC  
Rick Kenneth, LERC, EMDC  
Charlene Cole, LERC, EMDC  
Trish Goden, LERC, EMDC

**Resource/  
Note Taker**

Lynn Shallow, Program Advisor, Management and Operational Support  
Branch

**Reviewed/Signed off Previous Minutes of:**

1. **October 16, 2008**

**Previous Business**

1. **Toronto South Detention Centre and South West Detention Centre** – Management provided a status update on both institutions. Union requested that bargaining representatives be granted permission to visit outside jurisdictions with management in order to jointly assess existing direct supervision models.

**Action:** Further update to be provided at next meeting.

2. **Correctional Officer Recruitment Policy - CORP was extended till the end of the current collective agreement.**

**Action:** Employee Systems Review framework will be presented to MERC. Lynn Shallow will liaise with the OCFLS and provide an update to the committee.

3. **Ontario Correctional Services College** - The Union was not available to attend the most recent CO-Start graduation ceremony. The parties did do a joint presentation to the new recruits.

**Action:** Management Co-chair will advise the Union Co-Chair of next CO and PPO graduation ceremonies.

4. **Training and Development Committee** – Union representatives for the Committee now include: Dan Marshall (TWDC); Shari Archdekin (Vanier); Jim Mitchell (North Bay Jail); Paul Johnston (Owen Sound Jail) and David Kerr (St. Thomas P & P).

**Action:** Management will provide the Union with names of management representatives.

5. **Unclassified Correctional Officer Sub-Committee** – The Union expressed an ongoing interest in the active development of this committee. The committee will now include a community corrections representative.

**Action:** Management and Union will provide names of committee members by next meeting. Management will review the Terms of Reference (TOR).

6. **Independent Medical Examination Policy** – Update was provided on the work achieved by the committee.

**Action:** Management will be coordinating next meeting with Dan Sidsworth.

7. **Selection Process for Duty and Development Assignments in Adult Community Corrections** – Management and union support the proposed document as developed.

**Action:** Management will bring forward for ACC review and approval.

8. **Suspension Pending Investigation for Unclassified Staff** – Issue resolved through new OPSEU collective agreement re: Letter of Understanding. Union requested that management follow-up with communication to the field.

**Action:** Remove from agenda.

9. **Disclosures: Integrated and Dedicated Youth Justice System** – Memorandum of Agreement (MOA) for Thunder Bay CC; Thunder Bay Jail and Hamilton Wentworth D. C. need further discussion.

**Action:** Management co-chair will set up meeting to finalize the MOA.

10. **Invitation to Regional Directors to Attend MERC** – Management will invite Regional Directors of the respective region in which MERC meetings will be held.

**Action:** Remove from agenda.

11. **07 09 25 d) Institutional Security Threat Unit (Gangs Intelligence)**

**Action:** Management advised that contrary to their earlier disclosure all 13 positions will now be management. The unit will be comprised of 1 Manager, 13 Field Intelligence Officers, and one OAG 5. The Union expressed their extreme displeasure at the Employer's change of mind to this announcement as the Employer had previously committed that 6 of the 13 Field Intelligence Officers would be bargaining unit.

12. **07 09 25 f) Retrofit at Toronto East and West and need to negotiate CWWs** – The local President and Superintendent at the TEDC have reached agreement.

**Action:** Defer TWDC issue to future meeting following OLRB hearing of July 2009.

13. **07 11 28/29 i) Joint study post-traumatic stress disorder** -- Both Management and Union are committed to the joint study.

**Action:** Management will provide its commitment to the Union in writing. Union will obtain approval for their portion of the required funding for the study.

14. **08 02 12 a) Cook Chill RFP** – No update to provide at this time.

**Action:** Management Co-chair will immediately advise the Union of any changes as they occur.

15. **08 02 12 c) TWDC MOA Use of Video or Digital Technology for Disciplinary Interviews** – Union expressed concern regarding the content of a memo (mention of supervision/disciplinary purposes) that was distributed to CECC staff. Union is also requesting that MERC develop guidelines to ensure a consistent application in line with the intent of the collective agreement. The Union recommends that the Investigations Committee develop these guidelines.
- Action:** Management will follow-up with CECC regarding the Union's concerns. Management Co-Chair will speak with the ADM regarding the Investigations Committee.
16. **08 05 15 e) Provincial Overtime Protocol Agreement** – Management and Union representatives of the Provincial Overtime Protocol sub-committee need to meet to develop further Qs & As regarding the recent changes to the protocol. The Union expressed ongoing concerns with the Toronto Jail non-compliance with the Protocol.
- Action:** Barry Thomas will discuss the Toronto Jail concerns with the ADM of AIS.
17. **08 06 05 b) Job Trades / Lateral Transfer Process** – The Union is concerned that the current process is an ongoing problem for unclassified community correctional staff, especially those working in the Northern Region.
- Action:** Emilie Milloy and Gord Longhi will develop recommendations/guidelines for the committee's review.
18. **08 10 16 a) Stratford Jail Staffing Model** – Management provided the Union with the requested Staff Allocation Model.
- Action:** Remove from agenda.
19. **19.08 10 16 b) P&P Conversions** – Union will provide required information at next meeting.
- Action:** Defer to next scheduled meeting.
20. **08 10 16 c) Biometric Hand Scanning** – Management provided the Union with a survey of the institutions' utilization and status.
- Action:** The Union will review and provide feedback at the next scheduled meeting.
21. **08 10 16: d) Electronic Monitoring / Supervision Program** – The Union expressed concern with the recent changes to the program and requested a copy of the study.
- Action:** Management Co-chair will follow-up with the Union's concerns and will provide an update for next meeting.

**22. 08 10 16: e) Accommodations P&P**

**Action:** Emelie Milloy and Gord Longhi will prepare recommendations for discussion at the next scheduled meeting.

**23. 08 10 16: f) Northern Region P&P ERC**

**Action:** Emelie Milloy and Gord Longhi will develop potential recommendations for the next scheduled meeting.

**24. 08 10 16: g) Code of Silence** – A summary of American based research was provided to the committee for review.

**Action:** Next steps will be discussed at the next scheduled meeting.

**25. 08 10 16: h) Pride in Profession** – Both parties agreed to have a sub-committee develop recommendations for the next steps for the committee's consideration.

**Action:** Union will provide names of representatives by the next meeting.

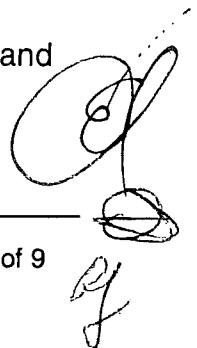
**Standing Items**

1. **SAROC** -- Update on work being completed by the committee was provided i. e. current process of launching pilot local SAROCs; work plan to complete O'Brian Tribunal Orders; review the recommendations from the "Compliance and Impact Audit" (completed by Western Management Consultants) for integration into work plan to improve labour relations and the overall wellness of the organization. Remy Warner, OED, is the new resource lead for the committee. Union members expressed extreme concern and identified issues with the scope and governance of the committee; lack of consultation; lack of progress; non-disclosure from management; non-adherence to agreements; and the implementation of the Critical Response Protocol.

**Action:** Management Co-chair will bring union concerns to OED, ACC and AIS. Management will also provide the Union with WDHP statistics.

2. **Labour Relations** – The Union expressed their view and concerns that Labour Relations has regressed and that management continues to move forward on issues without consultation with the Union. Management Co-chair spoke about the importance of continuing to work jointly towards initiatives and both management and bargaining members' responsibility in meeting the Ministry's core mandate. The Union emphasized the need for management to communicate openly and provide appropriate disclosures.

**Action:** MERC Co-Chair will discuss the Union's concerns with the ADMs of AIS and ACS.



3. **HR Transformation Update:** Jim Adams provided an update on the implementation of the new HR Ontario model and summarized the disclosure process. The Union expressed concern regarding the employment stability notification process.

**Action:** Further update to be provided at next meeting. The Employer will follow up regarding employment stability.

4. **Ministry Identification and Badges** – Ministry Identification cards and badges have all been processed to applicable ministry staff. Processing remains ongoing for applicable changes (i. e. new staff; positions changes). The Union, however, is concerned that the local centres have not distributed some of the processed identification cards and/or badges.

**Action:** Management Co-Chair will follow-up with the field to ensure distribution of processed Ministry identification cards and badges to staff. Peter Lesperance will bring forward as an ACC agenda item.

5. **Interest Based Problem Solving training (IBPS)**

**Action:** Communication reflecting both Management and Union's ongoing support for IBPS training will be forwarded to the field. Management Co-Chair will further invite staff from Sarnia Jail and HWDC to participate in the training. Peter Lesperance will bring IBPS forward as an ACC agenda item.

6. **MCSCS / MCYS / MCSS – MOA** - The MOA was successfully implemented.

**Action:** Remove from agenda.

7. **Unclassified Straight Time Correctional Officer Hours and Number of Unclassifieds to be Provided Quarterly – First Quarter Report Due for 2009 --** Management provided quarterly report to Union.

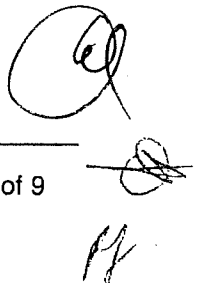
8. **Hardcopy of Human Resources Contact List**

**Action:** Jim Adams will provide the Union with the updated information, based on the new model (HR Ontario). Remove from agenda (amalgamate with item # 3)

9. **Hardcopy of Superintendents List** – updated list provided to the Union.

#### New Business submitted by the Union

1. **09 05 12/27: a) Niagara Detention Centre and Elgin Middlesex Detention Centre Intermittent Unit Update** – Intermittent study will be presented to the ADM of AIS and DM. Union is requesting active involvement in the planning stages upon the required funding being approved.



**Action: Management to provide** update.

2. **09 05 12/27: b) RPN / RN Committee** - The Union is proposing that a joint Health Care sub-committee be established to address ongoing issues, roles, parameters, etc

**Action:** Union will provide further details in writing to Management Co-Chair by next meeting.

3. **09 05 12/27: c) Security Committee / Guns and Gangs** – Specifications for AIS positions (management level) for the Security Threat Group Criminal Intelligence Unit are in the development stage.

**Action:** The Union will be pursuing this matter with the Minister.

4. **09 05 12/27: d) Training and Development Committee**

**Action:** Remove from agenda (amalgamated with item #4 of Previous Items).

5. **09 05 12/27: e) Overtime Protocol Committee** – Joint (management and union) meeting is scheduled for June 5, 2009.

6. **09 05 12/27: f) COTA / P&P Ontario Correctional Services College - class and graduation dates**

**Action:** Management Co-Chair will confirm attendance date with Dan Sidsworth this week (June 17 or 18) to attend COTA. Emelie Milloy will confirm date for P & P.

**Action:** Update to be provided at next meeting.

7. **09 05 12/27: g) JASIC Committee (ASMPP)** – Rose Buhagiar provided an update. Implementation date not yet determined by MGS. The Union emphasized that, as per the Collective Agreement, there should be one joint committee.

**Action:** Rose Buhagiar will follow up on the Union's concerns and interpretation that the current ASP is to be discontinued and that it does not remain pending implementation of new program.

8. **09 05 12/27: h) Rollover Committee** – Both parties agreed to develop a joint sub-committee.

**Action:** Both parties will provide names of representatives by June 5, 2009.

9. **09 05 12/27: i) Specialized Areas: A&D, Segregation, Control** – Union is requesting the implementation of a new sub-committee to address the above-noted issues.

**Action:** Union will provide scope of proposed sub-committee.





10. 09 05 12/27: j) Walkerton Jail Labour Relations – LERC Minutes of October 14, 2008 and scheduling of follow-up LERC – The Union is requesting minutes from the last meeting.

**Action:** Management Co-Chair will request the minutes.

11. 09 05 12/27: k) Stratford Jail Labour Relations – Communication – Joint meeting was held.

**Action:** Remove from agenda.

12. 09 05 12/27: l) Continuous Service Lists – Posting in Institutions – Continuous service dates can be accessed through HPRO. The Union will survey the field for any institutions that are not using HPRO.

**Action:** Remove from agenda.

13. 09 05 12/27: m) Bailiff Committee – The Union is concerned that bi-annual Bailiff meetings are not formalized. The Union is requesting that a MERC sub-committee be formed to address Bailiff issues.

**Action:** Management Co-Chair will follow-up with Director of MOSB.

14. 09 05 12/27: n) Employment Stability Disclosures – Notification – Structure and process being worked through HR transformation.

**Action:** Employer to follow-up.

15. 09 05 12/27: o) Overcrowding - The Union provided suggested changes to the Terms of Reference (TOR) for the "Security Provisions and Inmate Population Management Sub-Committee".

**Action:** Management will review and provide feedback for next meeting.

16. 09 05 12/27: p) Shift Exchanges – The ADM confirmed the continued practice at the MERC meeting of May 5.

**Action:** Remove from agenda.

17. 09 05 12/27: q) Vacation Protocols - Matter is currently at the GSB.

**Action:** Defer to next meeting.

**New Business submitted by the Employer:**

1. Joint Cost Generating Savings Opportunities - Both parties will bring ideas forward at the next meeting.


**Action:** Defer to next meeting.

**2. Vanier/Maplehurst – OLRB order**

**Action:** Meeting jointly scheduled for June 23, 2009 at Maplehurst Correctional Complex at 9:30 with an alternate date of June 29, 2009.

**3. New grievance process under the Central Collective Agreement – Management indicated that compliance with the new process is inconsistent.**

**Action:** Kate Karn will provide the updated information to the Union Co-Chair to share with bargaining unit members.

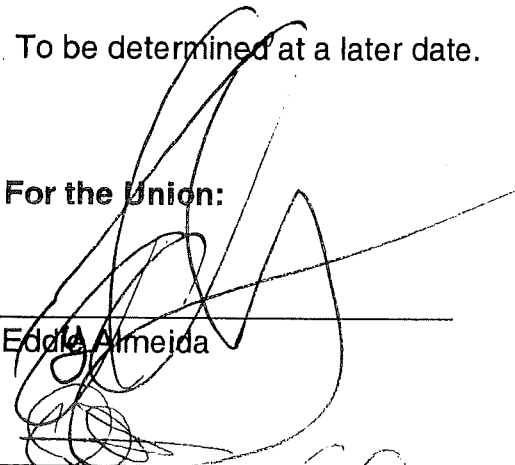
**Closing Remarks:**

On behalf of the MERC members, the Union and Management Co-Chairs gratefully acknowledged the work and invaluable assistance that Kate Karn has provided to the committee over the past few years and wished her the best in her future endeavours.

**Next Meeting**

To be determined at a later date.

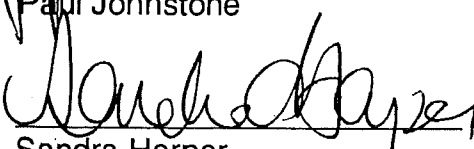
**For the Union:**

  
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Edda Almeida


  
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Dan Sidsworth

  
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Gord Longhi

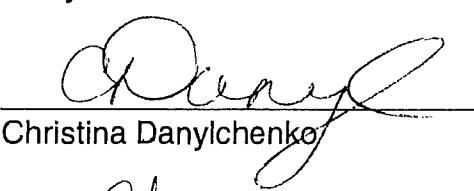
  
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**For the Ministry:**

  
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Barry Thomas

  
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Christina Danylchenko

  
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