



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: October 24, 2013

SUBJECT: Ministry of Community Safety and Correctional Services
ERC Minutes – October 17, 2013

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

/el

att: **Ministry of Community Safety and Correctional Services Minutes – October 17, 2013**

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

Minutes

Thursday, October 17, 2013
25 Grosvenor Street, 16th Floor, Boardroom A

Attendees: For the Union

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

For the Ministry

Marg Welch (Co-chair)
Steve Small (Co-chair)
Lori Potter for Emelie Milloy
Neil Neville
Christina Danylchenko

Regrets:

- Jim Mitchell, Union MERC Member
- Kevin Sawicki, Director/A, HR Strategic Business Unit
- Mark Dittenhoffer, Manager, Corrections Employee Relations, HROntario

Resources:

- Paulline Jones, Labour Management Liaison
- Anna Fernandes, Corporate Project Lead, Community Services
- Jenny Cece, Coordinator, Continuity of Operations, Institutional Services
- Bart Nowak, Team Lead, Corrections Employee Relations, HROntario
- Laura Murdock, Manager, Strategic Business Unit

Guests:

- Bob Cook, Assistant Director, Management & Operational Support Branch

Note Taker:

- Lise Ledoux, Program Advisor to the MERC

Presentation:

Bob Cook, Assistant Director, Management and Operational Support Branch presented on the "Review of Health Care Services in Ontario Correctional Services".

The Union requested a copy of the review and recommendations.

Action: The Employer will provide a copy of the review/recommendations to the Union as well as statistics that include RPNs and mental health nurses.



Previous Business:

Institutional Services items

1. **10 01 27 Correctional Officer Recruitment Unit** – Employer provided update.

Action: Move to Standing Items.

2. **11 06 02 Transition Updates (TSDC / SWDC)** – Public tours took place at the Toronto South DC and approximately 3300 people from the public attended. Employer advised that overall review was positive from the public and media.

Windsor Jail will be holding a family day on October 20th at the South West DC. Union attended a debriefing at the South West DC regarding two site visits in the United States (facilities in Ann Arbor, Michigan and Ohio).

Employer provided information (2 options) regarding coverings for the second tier of the new correctional facilities.

A meeting was held on September 23rd regarding the Health and Productivity Program at the Toronto South DC. A follow-up meeting is scheduled on October 18th.

The Subcommittee met with the LERC at the Central North CC and Central East CC to discuss the Health and Productivity Program. A refresher training was conducted at the Maplehurst CC on September 20th.

Action: Ongoing.

3. **11 09 28 Length of time for Section 22 investigations to be shortened** – Statistics provided to the Union.

Action: Union to review and provide feedback.

4. **11 11 23 Rank structure** – Two Union members will be attending future Staff Clothing Committee meetings.

Action: Move to the Staff Clothing Committee. Remove from the MERC agenda.

5. **11 11 23 Report writing involving use of force** – Employer provided statistics on the number of staff members who have completed the Report Writing course.

Action: Union to review and provide feedback.



6. **12 03 29 Toronto East DC (use of police service/agreements) – no update.**
Action: ADM, IS will request the Regional Director, IS, Central Region to provide an update to the Union.
7. **12 03 29 Police Liaison Officers in Institutions – ADM, IS forwarded direction to the field that they implement best practices locally. There continues to be concerns at Maplehurst CC, Central East CC and Central North CC.**

Union inquired if there will be police liaison officers in either of the two new facilities (TSDC and SWDC). The Employer advised that at this time there are no plans to have onsite police liaison officers.

Action: The Employer will discuss the requirements with appropriate superintendents to meet with the local Union regarding these best practices.
8. **13 06 19 Training Initiatives re: Direct Supervision – train the trainers has been completed by the National Institute of Corrections (NIC) Accredited Trainers and ongoing training is underway at the Toronto South DC for all staff.**

Union has been informed that there will be an evaluation component of the training.

Action: Referred to the Direct Supervision Subcommittee. Remove from the MERC agenda.
9. **13 06 19 Toronto South DC – CAMH proposed delivery model / Union's concerns – Employer provided an email to the Union regarding this matter.**

Action: Union will take this issue to another venue. Remove from the MERC agenda.
10. **13 06 19 Custodial training to be made mandatory – ADM, IS forwarded a reminder to the field that custodial training is mandatory for staff supervising inmates by themselves.**

Action: Remove from the MERC agenda.
11. **13 06 19 EMDC update on infrastructure repairs – in December the replacement of the non-cell doors will commence with an expected completion date of February 2014.**

Action: Updates will be provided at the next MERC meeting.



12. **13 06 19 Ombudsman's report, Community Service Boards, PPE, level of violence in workplace, next steps** – Union is meeting with Minister on October 23rd to discuss the Community Service Boards.

The Protective Personal Equipment (PPE) Memorandum of Agreement has been signed off by MERC and PJOHSC. The equipment has arrived at the Toronto South DC. The local H&S Committee to discuss the safe storage of PPE items. Union is requesting to review the draft PPE policies and procedures.

The Ombudsman's Report is being discussed at the Use of Force Subcommittee. Specific recommendations of the Report are being discussed at the MERC table. The Use of Force Subcommittee has reviewed the Report and are reviewing the recommendations.

The ADMs provided the Union with statistics on the level of violence in the workplace in both institution and community settings by work location. The Employer shares the Union's concerns regarding the level of violence in the workplace. The Union has concerns with the accuracy of the data provided.

Action: Employer will share the draft PPE policies and procedures when available. The Union will request a meeting with ADM, OS to discuss the statistics and methodology of the collection of the data that was provided.

13. **13 06 19 Employer notification to MERC of incidents** – the ADM, IS sent a reminder through the Regional Directors. The Union provided an example of an incident that has not followed the ADM direction.

Action: ADM, IS requested that the MERC Union co-chair contact the Regional Director when this direction is not followed. Union will provide dates to the ADM, IS to discuss how to debrief following inmate disturbances.

14. **13 06 19 Union requesting Employer staffing shortage contingency plans / inmate overcrowding contingency plans** – the Employer provided an update regarding the COTA classes and assignments. Employer is working on the revised staffing requirements of the South West DC given the recent announcement of the Sarnia Jail.

Action: Updates will be provided when available. Move to Standing Items.

15. **13 09 11 Internet access for local union presidents / alternates** – requests are reviewed on a case-by-case basis.

Action: Parties are working towards a draft Memorandum of Agreement. Remove from the MERC agenda.

16. **13 09 11 Bailiffs Division meetings** – the Employer advised that Union participation should be discussed with the ADM, OS. The Union is advising the Employer co-chairs that the Union has made this request repeatedly. The Union continues to raise concerns that when health and safety issues and operational procedures are discussed in general staff meetings that this discussion is contrary to the Collective Agreement.

Action: The Employer will ensure that the ADM, OS receives a copy of these minutes.

17. **13 09 11 Tour of Ottawa-Carleton DC** – the tour took place. The staff were very receptive of Union representatives walking through the facility. The Union appreciates and thanks the staff of Ottawa-Carleton DC for the tour.

Action: Remove from the MERC agenda.

18. **13 09 11 Review of Recreation Officer Positions in Remand settings** – positions are on the Toronto South DC staffing model.

Action: Deferred. Remove from the MERC agenda.

19. **13 09 11 Presidential Leave** – hours are being reviewed for the new facilities. The parties have agreed to a provincial review of the standing agreement for Presidential Leave.

Action: Meeting scheduled for October 18th.

Community Services items

1. **13 09 11 Community Services, rollovers, vacancies, balanced hiring approach (COR 15)** – a Memorandum of Agreement was recently signed between the Union and the Employer. Details will be communicated to the field soon.

Action: The Employer will draft a joint communiqué and share with the Union.

2. **13 09 11 Community Services, Violations (COR11)** – the Union expressed serious concerns with further violations of Appendix COR11 despite a recent Memorandum of Settlement of a policy grievance that stated the Employer will comply with the Collective Agreement specifically as it pertains to appendix COR11. Another policy grievance has been filed.

Action: The Employer has not received the grievance. Upon receipt of the grievance, the parties will discuss this issue through the grievance process as outlined in the Collective Agreement.

Both Community and Institutional Services Items

1. **12 05 09 Union Requested a Meeting with the Deputy Minister** – meeting was held on October 15th. The Deputy Minister has agreed to meet semi-annually.
Action: Remove from MERC agenda.
2. **12 06 19 Assaults on Staff and Level of Violence Statistics**
Action: Refer to item number 12 under Institutional Services. Remove from the MERC agenda.
3. **13 03 21 Staff composition and grouping of MERC sub-committees**
Action: Parties to update the list.
4. **13 06 19 Stand alone and scope of Correctional Division** – Union still awaits a meeting with HR Ontario.
Action: The Employer will get an update from MGS.
5. **13 06 19 Code of Conduct and Professionalism for all Correctional Services Employees** – no update.
Action: Union will provide comments to the Employer within the next week.
6. **13 06 19 Inappropriate Use of Social Media**
Action: The Employer will appropriately address employees on a case-by-case basis with regards to inappropriate use of social media and compliance with OPS policy. Remove from the MERC agenda.
7. **13 09 11 Public relations** – the Employer advised that the Communications Branch has developed a draft proposal for communications of critical incidents (disturbances, death of an inmate, contraband, etc). Managers will receive training on how to respond to media inquiries.
Action: The Employer will advise when the proposal has been approved.
8. **13 09 11 Transition Exit Initiative** – ADM, IS provided a chart indicating the current applications for TEI. The parties support TEIs for transformation initiatives.
Action: SBU will provide updates to the Employee Transition Unit. Remove from the MERC agenda.
9. **13 09 11 Peer Mentoring Program (new hires)**
Action: Employer to follow-up on the status of the joint communiqué.

Standing Items:

1. **Systemic Change Steering Committee** – Union raised concern about implementation of Systemic Change Mentoring Program. The Union states that the Employer has changed position after MOA was signed on this initiative. The Employer is refusing to provide opportunities for mentoring for community services bargaining unit members. The Union strongly disagrees that Community Services staff are not included in the pilot.

The Employer is under the understanding that Agreement had been reached on the piloting of the mentoring program and that Agreement was in compliance of the Order from the Board.

Action: The parties support moving forward with the pilot project. The parties agree that all staff benefit from mentoring opportunities. Upon completion of the pilot and evaluation, parties commit to meet to discuss possible expansion to Community Services employees.

2. **Diversity Subcommittee** – first meeting was held on October 2nd. The subcommittee agreed that completed items at the SCSC table will be moved to the Diversity table. The Union brought forward to the Deputy Minister concern regarding the ministry's Transformational Strategy within the Correctional Services Division. The Employer advised that the work will continue as per the terms of reference.

Action: Peter Lesperance, Executive Lead, Human Rights Project Charter will present to the Diversity Subcommittee and SCSC.

3. **Labour Relations / Regional Labour Relations Forum (RLRF)** – no change in the Employer's position. The Union continues to advocate for these forums.
4. **Fixed Term Correctional Officer Hours and Number of Unclassifieds (provided quarterly)** – information provided to the Union on October 16th.
5. **List of current Superintendents**

Action: Employer will provide to the Union.

6. **Employee Stability List** – no update
7. **ASMP Statistics** – the Union requests a breakdown to reflect any changes.

Action: Employer is currently gathering statistics and will provide prior to the next MERC meeting.

New Business:

1. **Probation & Parole Workload** - the Union has expressed ongoing concerns with excessive workload consistently for more than 10 years. It has been detailed in at least 3 successive auditor general reports. The issue of workload is becoming intolerable for many staff. Ontario has the highest probation and parole caseloads in Canada.

The Union is demanding some remedial action occur immediately. If additional resources are not forthcoming, then the Union's position is that duties and responsibilities need to be reduced, particularly where caseloads exceed provincial averages.

There are also significant concerns about the liability incurred with the use of Ontario Domestic Assault Risk Assessment and Sex offender assessment tools. Staff are worried that they are being set up as experts or clinicians where these specialties are concerned and they are in fact not. They receive less than a week of training in either specialty.

There are more concerns about the upcoming changes that will add more responsibilities and take more time to administer cases. This workload increase comes with no staffing increase to offset the workload.

The Employer recognizes that probation and parole officers have very high caseloads. Efforts are underway to provide relief while keeping with standards (enhanced training, risk assessment tools, reallocating staff to other offices where possible through vacancies, etc.). The Employer continues to monitor the workload/caseloads on a monthly basis.

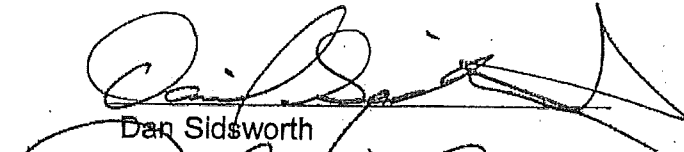
Action: Move to Standing Items.

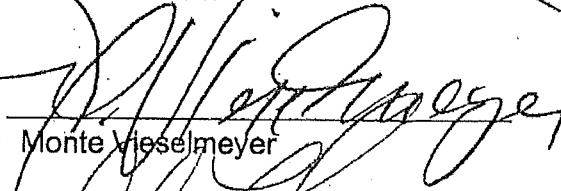


Next Meeting:

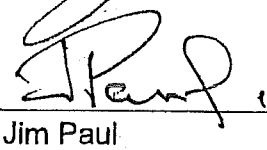
Date: Tuesday, December 3, 2013
Time: 9:30 a.m.
Location: OPSEU Toronto Regional Office, 31 Wellesley Street East, Toronto

For the Union:

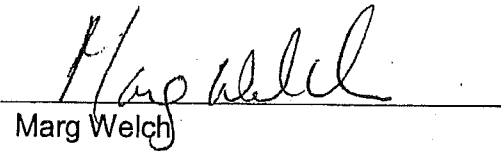

Dan Sidsworth

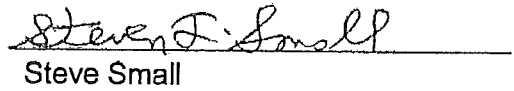

Monte Wieselmeier

Gord Longhi

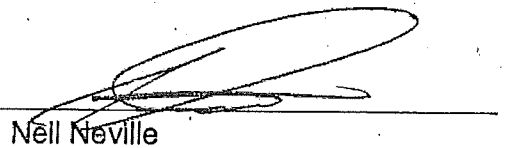

Jim Paul

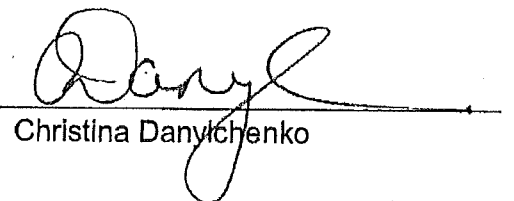
For the Ministry:


Marg Welch


Steve Small

Lori Potter for Emelie Milloy


Neil Neville


Christina Danyichenko