

# **Ministry Employee Relations Committee Correctional Services**

## **Ministry of the Solicitor General**

### **Minutes**

Wednesday, April 24 and Thursday, April 25, 2019  
25 Grosvenor Street, Toronto

### **Attendees**

#### **For the Union**

- Chris Jackel (Co-chair)
- Chad Oldfield
- Scott McIntyre
- Janet Lavery
- Chris Abbott
- Sandra Harper

#### **For the Ministry**

- Christina Danylchenko (Co-chair)
- Arlene Berday (Co-chair)
- Barb Forbes
- Daryl Pitfield

#### **Resources**

- Bart Nowak, Director, HR Strategic Business Unit
- Brian Scott, Manager, Employee Relations, Bargaining and Compensation

#### **Guests**

- Chris Walpole, Director, Corrections Modernization, Justice Technology Services
- Jodi Melnychuk, Director, Corrections Policy & Procedure, Modernization Division
- Kelly Michalicka, Director, Corrections Learning & Standard Branch, Modernization Division
- Nosa Ero-Brown, Director, Transformation Services, Modernization Division
- Nils Riis, Manager, Strategic Business Unit

## Observers

- Jason Groeneveld, Local President, Toronto South DC
- Sheldon Small, Local Vice-President, Toronto South DC
- Samantha Gray, Labour Relation Intern

## Note Taker

- Lise Ledoux, Employee Relations Committee Coordinator

## Previous Business

### Institutional Services items

1. **14 01 14 eRoster** – being installed at the Central North CC. Implementation date to come.

Action: Employer to provide dates that the arbitrator is available for an eRoster demonstration.

2. **16 09 14 Issues Affecting Correctional Nurses** – meeting was held with Corporate Health Care, Operational Support on February 8<sup>th</sup>. Some topics discussed were retention, scheduling and mentoring.

Action: Follow up meeting is scheduled on May 17<sup>th</sup>.

3. **17 02 01 Local President Leave** – the Union reiterated their request for specific site increases. Employer does not agree at this time to change the terms of the MOA referenced in Appendix COR26.

Action: Remove item from the agenda.

4. **17 04 05 Application of the Suicide Policy** – no update.

Action: Employer to respond to Union's feedback on draft policy.

5. **17 06 12 OTIS Access for Correctional Officers** – learning session date is scheduled for May 14<sup>th</sup>.

Action: Union will provide recommendation for OTIS access following the session.

- 6. 17 06 12 Recreation Officers Training/Job Competitions** – survey information was shared with the Union.

Action: Union to share written feedback to the Employer for response prior to the next meeting.

- 7. 17 12 12 Correctional Officer Performance Appraisals** – HR Strategic Business Unit provided an update. The new process is anticipated to commence in June 2019 for fixed-term correctional officers. Union is requesting a copy of the final documents prior to the rollout.

Action: HR SBU to provide document and update by the June meeting.

- 8. 18 01 24 Behavioural contracts for inmates** – survey information shared with the Union.

Action: Union to review the result and provide feedback.

- 9. 18 06 01 Direct Supervision (DS) Training for TSDC and SWDC** – tentative dates have been provided to the Union.

Action: Update to be provided at the next meeting.

- 10. 18 06 01 Allocation of FXT resources** – Deferred.

Action: Employer will share the forecast for 2019-20 when available. Employer will invite the manager, CSRU to attend the next meeting to discuss recruitment strategies and statistics regarding gender and diversity.

- 11. 18 06 01 Appendix COR15 Provincial Staffing Levels** – Union is requesting that this subcommittee to be reinstated in order to fulfill its mandate.

Action: Refer to the MCSCS Review Committee per the Letter of Understanding in the Collective Agreement. Remove item from the agenda.

- 12. 18 09 06 Institutional Services HPP Subcommittee** – Union shared their concerns with the Employer co-chair of the subcommittee.

Action: Employer will review and respond.

**13.18 09 06 Retired Correctional Officers** – Employer reconfirmed that on a go forward basis, retired correctional officers will not have to complete the fitness portion if rehired within 6 months.

Action: Remove item from the agenda.

**14.18 09 06 Expression of Interests (EOIs) and Local CWWAs** – Union recognizes the recent OLRB ruling case no. 3951-18U. The Union remains opposed to the EOI process for any and all correctional officer position unless seniority is the deciding factor. Notwithstanding the Union's position, the Union requests a transparent and consistent process that allows for dispute resolution if contested. Furthermore, the Union requests the Employer survey institutions to determine which institutions have EOI language in their CWWAs, which institutions are pending and which don't do post picks.

Action: Employer will take this under advisement.

**15.18 09 06 Fixed-Term Tracking of Pay** – Union provided feedback on the draft Qs and As document. Parties came to an agreement on the amended Qs and As document.

Action: Remove item from the agenda.

**16.18 09 06 Monteith CC New Female Unit** – commenced accepting female inmates as of April 4<sup>th</sup> with five additional correctional officers.

Action: Remove item from the agenda.

**17.18 09 06 Segregation Unit Workload** – no update on the electronic tracking solutions.

Action: Update to be provided at the next meeting.

**18.18 09 06 Temporary Inmate Memorial (Outside)** – policy grievance has been filed.

Action: Remove item from the agenda.

**19.18 10 16 Hamilton-Wentworth DC (HWDC) Issues** – co-chairs scheduled to visit on May 21<sup>st</sup>.

Action: Update to be provided at the next meeting.

**20.18 10 16 Toronto South DC Issues** – the local Union executive raised a number of issues surrounding misconduct process, workplace violence, health and safety processes. The local expressed concerns regarding the implementation of the Direct Supervision model. TSDC has been selected as one of the sites to pilot security hatches which are expected to arrive soon. In addition, TSDC is currently undergoing an audit by the Provincial Auditor and has begun the process for an independent cultural audit. OPSEU MERC is requesting that the ministry reinstate direct supervision champions at TSDC.

Action: Refer the Direct Supervision issues to the DS Subcommittee.

**21.18 10 16 Quinte DC** – count pressures continue mostly during the weekends.

Action: Employer continues to address the pressures.

**22.18 12 12 Court Refusals** – Employer advised that the PowerPoint presentation provided to staff at one institution regarding procedures to follow when inmates refuse attending court has been removed from circulation.

Action: Remove item from the agenda.

**23.18 12 12 New Fixed Term Transfers** –

Action: Moved to the Transition Subcommittee. Remove item from the agenda.

## **Community Services items**

**1. 14 09 10 PPO Staffing Issues** – Backfill Pool draft documents are being reviewed by the Union.

Action: Union to provide feedback to the Employer by May 30<sup>th</sup>.

2. **17 09 27 PPORP Rollovers** – Union is requesting a meeting to review the current process for rollovers.

Action: Parties to set a date to meet to discuss.

3. **18 06 01 Caseload Statistics** – caseload statistics and protocol cases were provided to the Union.

Action: Employer to share the 2018 annual statistics on protocol cases.

4. **18 12 12 ILO Office/Workspace** – grievance has been filed.

Action: Remove item from the agenda.

5. **18 12 12 STICS** – the parties met on December 20<sup>th</sup> to discuss STICS. The ADM, CS confirms that further implementation of STICS is paused pending CS Review and STICS evaluation study. The Employer confirms that FTEs were added to backfill STICS coaches, feedback writers, and trainers during the implementation process.

The Union expressed concerns with the additional workload on Eastern Region PPOs. Union requested the Employer to assess and address the workload disparity.

Union provided the Employer with a list of questions as such pertains to the various pending and/or current STICS studies.

Action: Employer to respond.

6. **18 12 12 STICS Living Study** – no update.

Action: Employer will share.

## **Both Institutional and Community Services Items**

1. **16 09 14 Retired Ceremonial Unit members attending events** – waiver was shared. Employer will send out communiqué announcing the change.

Action: Remove item from the agenda.

**2. 17 09 27 MOA for non-correctional officers and non-probation and parole officers –**

Action: Referred to the Transition Subcommittee. Remove item from the agenda.

**3. 18 09 06 MERC and Subcommittee Meetings – parties signed an MOA regarding 2019 meetings.**

Action: Remove item from the agenda.

**4. 18 10 16 MERC Composition – MOA of the Collective Agreement recognizes a fifth member who will be elected from any of the classification identified in the MOA of January 23, 2018.**

Action: Remove item from the agenda.

**5. 18 12 12 Transition Exit Initiative (Appendix 46 Central Agreement) – As of March 31<sup>st</sup> in SolGen, 131 OPSEU only applications were approved, 533 total applications (excludes those applications which have been withdrawn) and 25% approval rate. The Employer is currently reviewing the vacancies and/or upcoming vacancies as a result of recent TEI approvals. TEI applications that have not been approved to date remain active unless withdrawn. The Union has concerns that no correctional officer TEI applications have been approved to date. The Union continues to advocate for correctional officer and other correctional classification approval of TEI applications provided that the funded FTEs remain.**

Action: Update to be provided at the next meeting.

## **Standing Items**

- 1. Employment Stability List – no active members on the list.**
- 2. Modernization Division – provided an update on the COTA curriculum and shared highlights on the draft revision to the existing policy “Prohibited Items at Admissions Policy/Cannabis”.**

Action: Feedback on the policy can be submitted to MOD through the ADMO, IS by May 17<sup>th</sup>. Update on the Bandwidth has been deferred to the June meeting.

3. **Women Secure Treatment Unit (WSTU)** – no update.
4. **Transition Updates** – MedArb meeting held on April 18<sup>th</sup> with vice-chair Misra. A meeting is scheduled on May 7<sup>th</sup> with the Union to discuss transition related topics. Next MedArb is scheduled for July 19<sup>th</sup>.
5. **JAHN Settlement and Remedies** – Audit was completed on the re-assessments. Further deliverables required this calendar year. The Union is requesting a copy of Justice Cole's interim report.

Action: Employer will respond.

6. **Statistics** – provided when available.
7. **New builds for Ottawa-Carleton DC and Thunder Bay CC/Jail** – a workbook has been created about design features for feedback. Co-chairs of the transition teams last met on February 13<sup>th</sup>. MERC would like to continue to be engaged in local meetings.
8. **Provincial Audits** – work with the Capital Planner continues and an update will be provided when available.

Action: Rename item to Staffing Audits.

## **New Business**

1. **Expired Training** – Union is requesting information from the Employer regarding the implications when training is expired.

Action: Union will provide a list of the specific training areas where there are concerns. Employer will review and respond.

2. **Operational Support Division reorganization** – the Correctional Services Recruitment Unit (CSRU) now reports to the college. The Union requests clarification of bargaining unit members identification for the CSRU employees



that moved to the college specifically do these members now fall under the standalone corrections CA in absence of an Article 1?

Action: Moved to the corrections bargaining table. Remove item from the agenda.

- 3. RPMs** – Union raised concerns that three institutions have not collapsed their RPMs.

Action: Employer and Union are continuing to review.

- 4. CWWAs (OCI)** – Union raised concerns that local CWWA negotiations/vacation protocol are at an impasse.

Action: Next MERC meeting will be held at OCI. Discussion will occur regarding outstanding issues.

- 5. Denial of LOA requests (OCI)** – local Union raised concerns with differential treatment between institutions regarding the approval process.

Action: Employer will review the circumstances and respond.

- 6. Dog Handler Pilot** – Union requested a status update on the pilot project and inquired on any related policies including travel and expenses. The Employer confirms that it has no intention to remove the canine units at this time and undergoing the process of adding a unit at Elgin-Middlesex DC.

Action: Employer is updating the canine handler policy manual and will share with the Union when available.

- 7. French Language Services (FLS)** – Union requested for information on the FLS. Employer shared a document from FLS which goes over Corrections' legal requirements, basic French language capacity requirement and an explanation of managing designated bilingual position responsibilities. Employer also provided the number of designated positions for correctional officers and PPOs.

Action: Employer will share the number of positions designated per classification/worksites and will invite the FLS coordinator to provide an overview to the next meeting.

- 8. Police Record Checks Reform Act** – Union questioned whether this Act impacts Correctional Services division. Employer advised that the impact is minor. A list of the types of employment security screening checks was shared.

Action: Remove item from the agenda.

- 9. Dress Uniforms** – Union advised that some staff have been denied despite having the appropriate number of points. Union also asked where staff can access the forms to order a dress uniform.

Action: Union will provide a list of names to the Employer. Employer will follow up with Operational Support regarding the current communication on the dress uniform.

- 10. Memorial Event** – Employer advised that responsibility of this event rests with the Director of Business Planning Resources and Solutions, Operational Support.

Action: Communication is forthcoming and will be shared with all staff regarding this year's event being held on May 9<sup>th</sup>.

- 11. New IT Improvements** – Union requested an explanation of the proof of concept for remote reporting/counselling in northern remote communities. The Employer advised that this is in the early stages of development.

Employer advised that there is a project underway to increase network capacity in both IS and CS across the province.

There is a MOD project to enhance the electronic system of OTIS program tracking of external programs. This will replace the need for manual program tracking.

Action: Employer will provide updates as available.

- 12. Implementation and WAT Credit of unofficial PPO Peer Mentorship** – the parties discussed the difference between the peer support and the formal peer mentorship program (Appendix COR23).

Action: Parties are working towards finalizing the Peer Mentorship Program. Remove item from the agenda.

**13. Community Services Review** – Union requested for more information. The Employer advised that the review is planned to commence in the spring 2019. The review will include Union, staff and stakeholder engagement.

Action: Communication forthcoming.

**14. Provincial ILO Advisory Committee** – Union requested a list of committee members, dates of meetings since the committee's inception with copies of minutes. Employer responded and provided the information.

Action: Remove item from the agenda.

**15. Community Hubs/Justice Centres** – recent Government announced that the government will work with communities to establish justice centres in various locations across the province to move justice out of the traditional courtroom and into a community setting. Justice centres will be developed in Kenora, London and Toronto's downtown East and Northwest neighbourhoods. Employer advised that planning is very preliminary and the role for Corrections has yet to be determined. MAG is the lead ministry.

Action: Move to Standing Items for future updates.

**16. License Plate Suppression** – Union asked several questions around this topic. Employer responded to the questions. Employer advised that the MTO does not allow for blanket suppression of license information for employees working in law enforcement. Employees can refer to the Probation, Parole and Conditional Sentence Policy and Procedures manual, Threats Against Correctional Services Staff and other Personnel (Appendix A).

Action: Remove item from the agenda.

**17. Ontario Budget** – Union requesting a list of any changes to service delivery as a result of the Ontario Budget 2019.

Action: Deferred.

**18. Production of License Plates (CECC/CNCC)** – with the announcement of the new digital plate, the Union requested if operations will be affected at Central East CC and Central North CC. There are no current changes to the current operations and the Employer will advise if there are future changes.

Action: Remove item from the agenda.

**19. New Collective Agreement –**

- BMERC – union requesting implementation
- Institutional Security Teams (IST) – MERC requesting copy of all institutional applications for IST
- MCSCS Review Committee – union requesting meeting/implementation
- MCSCS Transportation – union requesting meeting and discussion for future models of service delivery regarding offender transportation/implementation.

Action: Parties will share the list of their respective members for the BMERC and Review Committee.

**20. Internet Access in Correctional Institutions** – parties signed an MOA giving internet access to staff in correctional institutions.

Action: Remove item from the agenda.

## **Next Meeting**

- Thursday, June 20, 2019 at the Ontario Correctional Institute

# Signatures

For the Union:

  
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Chris Jackel

  
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Chad Oldfield

  
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Scott McIntyre


  
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Janet Laverty

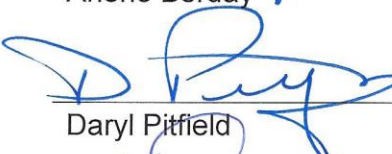
  
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