

Ministry Employee Relations Committee - Corrections

Ministry of the Solicitor General

Minutes

Wednesday, September 25, 2019

OPSEU Regional Office, 824 John Counter Blvd, Kingston

Attendees

For the Union

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

For the Ministry

- Daryl Pitfield (Co-chair)
- Barb Forbes (Co-chair)
- David Wilson
- Christopher Moore

Resources

- Kevin Sawicki, Director, HR Strategic Business Unit (SBU)
- Bart Nowak, Manager, Community Safety and Strategic Labour Relations, HR SBU
- Laura McCready, Employee Relations, Bargaining and Compensation

Guests

- Christina Danylchenko, Assistant Deputy Minister, Institutional Services
- Susan McGurn, Assistant Deputy Minister, Institutional Services

Observers

- Mike Lundy, PJOHSC Union Co-chair
- Ryan Graham, PJOHSC Union member
- Michell MacLean, PJOHSC Union member
- Gord Kiernan, PJOHSC Union member
- Joscelyn Ross, Health and Safety Officer, Corporate OPSEU

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Note Taker

- Lise Ledoux, Employee Relations Committee Coordinator

Announcement

With the recent announcement that the ADMs of Institutional Services and Community Services are now co-chairs of the newly created BMERC, Daryl Pitfield and Barb Forbes have been appointed as the new MERC co-chairs. MERC thanked Christina and Arlene for the support to the committee and welcomed David Wilson as the Employer Institutional Services representative and Christopher Moore as the Employer Community Services representative.

Previous Business

Institutional Services items

1. **14 01 14 eRoster** – Migration of Central North CC completed September 18th. Toronto South DC eRoster is planned to launch in October 2019.

Action: Update to be provided at the next meeting.

2. **16 09 14 Issues Affecting Correctional Nurses** – Union submitted written concerns to the ADM, OS and shared a draft Professional Responsibility Workload Report form to assist in the tracking of workload. Union submitted a proposal to establish a Health Care Subcommittee.

Action: Employer co-chair will follow up with the ADM, OS and respond.

3. **17 04 05 Application of the Suicide Policy** – Employer reviewed the Union's submission and responded.

Action: Union to review the Employer's feedback and respond.

4. **17 06 12 OTIS Access for Correctional Officers** – Employer reviewed the Union's submission and responded.

Action: Union to review the Employer's feedback and respond.

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5. **17 06 12 Recreation Officers Training/Job Competitions** – Employer reviewed the Union's submission and responded.

Action: Union to review the Employer's feedback and respond.

6. **17 12 12 Correctional Officer Performance Appraisals** – Union reviewed the materials and the Employer considered the Union's comment when updating the documents. Correspondence is forthcoming announcing the launch along with Qs and As, and a flow chart. Information sessions for managers will be held in October.

Action: Move to Standing Item for future updates.

7. **18 01 24 Behavioural contracts for inmates** – Employer reviewed the Union's submission and responded.

Action: Union to review the Employer's feedback and respond.

8. **18 06 01 Direct Supervision (DS) Training for TSDC and SWDC** – Union members attended the 3-day DS training at Toronto South DC on September 17, 18 and 19. Continued discussions on DS will occur at the DS Subcommittee table.

Action: Remove item from the agenda.

9. **18 09 06 Institutional Services HPP Subcommittee** – Union is requesting that the Employer move forward with refresher training. The Union reaffirms that training is a priority at Maplehurst CC and Ontario Correctional Institute (OCI). Union also raised concerns regarding HPP status at worksites specifically with lack of trained committee members.

Action: Employer will survey all institutions regarding the status of local HPP committees as well as follow up on training priority for Maplehurst CC and OCI.

10. **18 09 06 Expression of Interests (EOIs) and Local CWWAs** – Employer advised that there is no formal process providing feedback to staff following EOIs. Employer encourages staff to approach managers to receive feedback.

Action: Managers are encouraged to provide feedback to staff when requested for the EOI process. Remove item from the agenda.

11. 18 09 06 Segregation Unit Workload – it is anticipated that the segregation tracking will be in place in November 2019.

Action: Update to be provided at the next meeting.

12. 19 04 25 Expired Training – Employer reviewed the Union's feedback.

Action: Employer is developing a draft action plan to respond to expired training and share with the member prior to the December meeting.

13. 19 04 25 Denial of LOA requests (OCI) – Correspondence was shared with all IS managers on September 23rd reminding them to consider the individual circumstances when reviewing discretionary leave requests.

Action: Remove item from the agenda.

14. 19 04 25 Dog Handler Pilot – Employer is in the process of revising the canine handler policy. Union continues to have concerns over potential Collective Agreement violations as well as clear direction from the Employer regarding canine units.

Action: Revised policy will be shared with MERC for feedback. Employer will schedule a conference call to further discuss the Union's concerns over Collective Agreement application.

15. 19 04 25 Dress Uniforms – Staff Clothing is in the process of rectifying issues through the Staff Clothing Committee. Further discussions regarding forms and process to be referred to the Staff Clothing Committee.

Action: Remove item from the agenda.

16. 19 06 20 Compensation Time Off (CTO) – no concerns raised since the direction was given.

Action: Remove item from the agenda.

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17. 19 06 20 Personal Electronic Devices – Employer is in support to updating the personal electronic devices policy.

Action: Employer will share the revised policy with MERC for feedback.

18. 19 06 20 LERC North Bay Jail – no update.

Action: Employer will follow up regarding the LERC concern.

19. 19 06 20 Offender Transportation Operations – Parties agree that further concerns/discussions to be referred to the PJOHSC table.

Action: Remove item from the agenda.

Community Services items

1. 14 09 10 PPO Staffing Issues – Parties met on June 27th and finalized the documents including the Framework, EOI, Qs and As, and orientation.

Action: In the approval process by the ADM, CS.

2. 17 09 27 PPORP Rollovers – Parties met and discussions continue with respect to amendments. Updates to the Q and A document are being prepared by the Employer.

Action: Employer will share their proposed amendments with the Union.

3. 18 06 01 Caseload Statistics – Union is in receipt of the monthly caseload statistics. Employer shared the 2018 protocol case statistics with the Union.

Action: Remove item from the agenda.

4. 18 12 12 STICS – The purpose of this study is to examine the impact of STICS on recidivism for medium to very high-risk offenders in Ontario; including specialized subpopulations (females, Indigenous offenders, FLS offenders, etc.). In this study, offenders who have been supervised using STICS skills (STICS group) will be compared to offenders who have not been supervised using STICS skills (control group) to determine the impact STICS has on recidivism. As part of this study, all STICS trained PPOs in Eastern region are tracking offenders with whom they are using STICS skills. This data collection commenced March 2018

and will end December 2019. Results for the recidivism study are estimated to be available December 2022.

Union requests to be notified of any pending STICS research studies.

Action: Union to provide outstanding questions to the Employer.

6. **19 04 25 New IT Improvements: Northern Remote Reporting/Counselling** – testing is underway to explore video options in the remote north.

Action: Updates to be provided as available.

7. **19 04 25 Community Services Review** – ongoing communication has been provided to the Union and all CS staff. As part of the Engagement Strategy, the RERC co-chairs, MERC and PJOHSC community services representatives participated in an in-person meeting on September 5th with the CS Review facilitator, Professor Ralph Serin where the Union heads were provided the opportunity to respond to the CS Review questionnaire.

Action: Union and the Employer encourage all staff to complete the survey. Employer will continue to provide updates to the Union.

8. **19 06 20 Workload Implications** – further discussions/concerns to be referred to the CS HPP Subcommittee.

Action: Remove from the agenda.

Both Institutional and Community Services Items

1. **18 12 12 Transition Exit Initiative (Appendix 46 Central Agreement)** – As of August 31st in SolGen, 138 OPSEU only applications were approved, 561 total applications (excludes those applications which have been withdrawn) and 25% approval rate.

Action: Update to be provided at the next meeting.

2. **19 04 25 Ontario Budget** – no update.

Action: Remove item from the agenda.

3. **19 04 25 New Collective Agreement (CA)** – BMERC is in place and met on July 30th. The Corrections Review Committee is holding their first meeting on October 21st.

Action: Remove item from the agenda.

4. **19 06 20 OTIS External Program Tracking** – no update.

Action: Update to be provided at the next meeting.

5. **19 06 20 Memorandum of Agreement (MOA) for Non-COs and Non-PPOs** – the non-CO MOA as signed on August 27th. The MOA speaks to the eligibility of rollovers and laterals.

Action: Union CS representative to provide Employer with the draft non-PPO MOA.

Standing Items

1. **Employment Stability List** – no active members on the list.
2. **Modernization Division** – no update.
3. **Women Secure Treatment Unit (WSTU)** – no update.
4. **Transition Updates** – The transitioning of Offender Transfer Operations staff occurred, entitlements were completed and enacted September 9, 2019. Staff either exited the Ministry via the TEI initiative or were placed at a facility of their choice as correctional officers.

Union requested an update on the status of the 30 correctional officer allocation increase associated with the OTO MOA dated August 14th.

5. **JAHN Settlement and Remedies** – Union remains engaged with Justice Cole and Kelly Hannah-Moffat.
6. **Statistics** – no update.

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7. New builds for Ottawa-Carleton DC and Thunder Bay CC/Jail –

Thunder Bay: Infrastructure Investment team continues to work with the Consultants to implement the design comments. Once the design revisions are completed the IIP team plans for active engagement sessions on site in Thunder Bay.

Ottawa: Infrastructure Ontario continues to search for sufficient sized property to meet the needs of the Ministry. Infrastructure Ontario has taken out advertisements in order to support this endeavour.

Union requests that when a formal joint committee is established, OPSEU MERC reserves the right to choose their members.

8. Staffing Audits – no update.

9. Memorial Event – in the process of transitioning to work over to the Business Planning and Support Services Branch. Amanda Doobay, Director, anticipates initiating planning work shortly.

10. Community Hubs/Justice Centres – no update.

New Business

1. Perimeter Institution Patrols – Parties agree to refer this item to the local ERC.

Action: Remove item from the agenda.

2. Staffing Audits – Union requesting that the staffing audits be a priority at the two current DS facilities (TSDC and SWDC).

Action: Employer will review and respond once the audit process has begun.

3. Institutional Security Teams – Union requested clarification of teams and whether there are associated FTEs at Niagara DC and Toronto East DC. The Union's position is that there will be four new FTEs at both facilities.

Action: Employer will follow up and respond.

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4. **WDHP Unresolved Issues** – Union identified adverse effects related to the delays with WDHP processes/complaints as reported in the OSI survey results. The Union is requesting involvement with the MGSC to ensure that the unique conditions in Corrections are addressed.

Employer advised that “on September 11, 2019 the Secretary of the Cabinet (SOC) sent out a memo (attached) to all staff within the Ontario Public Service regarding the government’s diversity and inclusion priorities. In his memo, the SOC provided employees with an update on the review of the Workplace Discrimination and Harassment Prevention (WDHP) program.

With respect to Correctional Services, the ministry has worked with the MGCS to look at adding additional resources and making administrative changes to address the length of time it takes for an employee’s complaint to be assessed and processed if determined within scope of the Respectful Workplace Policy.

Employees in SolGen who wish to submit their complaint via email can do so by completing the WDHP complaint form and sending it directly to Marisa Trolio, WDHP Business Support Coordinator at marisa.trolio@ontario.ca. If employees are already a party or are the responsible manager in a case that has already been assigned to a WDHP advisor, they can continue to contact your assigned advisor regarding your case.

The Employer and the Union continue to encourage employees within Correctional Services who wish to address workplace conflict to seek out information and participate in voluntary mediation services through the Correctional Services Mediators Network. These impartial mediators were selected by both OPSEU and the Employer and received third party mediation and dispute resolution training. If you have any questions regarding the Correctional Services Mediators Network you can speak with your manager, Union representative or contact Anne-Marie Fairweather at anne-marie.fairweather@ontario.ca.”

Action: Parties will refer this item to BMERC. Remove item from the agenda.

5. **News Releases** – Union requested that the Ministry provide a prior notification on the subject matter of news releases prior to the actual announcement.

Action: Employer will take the Union’s request under advisement. Remove item from the agenda.

6. **Monitoring of Adult Correctional Offenders** – using Global Positioning System (GPS) technology, per the July 29, 2019 Information Share. Union raised concerns that this may be outsourced to an external vendor and is seeking clarification. Employer advised that there are currently 13 offenders on this proof of concept program and that there is no outsourcing at this time.

Action: Update to be provided at the next meeting.

7. **COR10 Surveillance in Correctional Workplaces** – Union seeking an enhancement where members under investigation be provided an opportunity to view the video prior to allegation meeting.

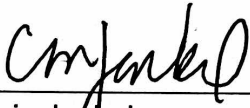
Action: Employer will review and respond.

Next Meeting

- Thursday, October 24, 2019 (Employer to determine location)

Signatures

For the Union:



Chris Jackel



Chad Oldfield




Scott McIntyre



Janet Lavery

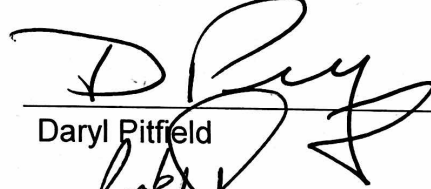


Chris Abbott



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For the Ministry:



Daryl Pitfield



Barb Forbes



David Wilson



Christopher Moore