

# Ministry Employee Relations Committee - Corrections

## Ministry of the Solicitor General

### Minutes

Wednesday, September 22, 2021

Four Point by Sheraton, Barrie

### Attendees

#### For the Union

- Janet Lavery (Co-chair)
- Scott McIntyre
- Adam Cygler
- Peter Figliola
- Sandra Harper

#### For the Ministry

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

### Regrets

- Chad Oldfield

### Resources

- Kevin Sawicki, Director, HR Strategic Business Unit
- Bart Nowak, Manager, Strategic Labour Relations, HR Strategic Business Unit
- Justin O’Gorman, Team Lead, Employee Relations Branch, Treasury Board Secretariat (TBS)
- Lise Ledoux, Project Lead

### Observers

- Lisa O’Brien, Employer Co-chair, PJOHSC
- Tracey Gunton, Employer Member, PJOHSC
- Stephen Mitchell, Employer Member, PJOHSC
- Marnee Campbell Lauzon, Employer Member, PJOHSC
- Ryan Graham, Union Co-chair, PJOHSC

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- Michelle MacLean, Union Member, PJOHSC
- Joely Price, Union Member, PJOHSC
- Denise Sidsworth, Union Member, PJOHSC
- Jason Patterson, Health & Safety Officer, Corporate OPSEU

## Previous Business

### Institutional Services Items

1. **19 04 25 Dog Handler Pilot** – A meeting was held between the Employer and Union. Parties continue to meet.

Action: Move to Standing Items for future updates.

2. **19 12 11 Agency Nurses in Institutions** – The Union has been waiting for the Employer to provide information on the usage of agency nurses since September 2020 (hours by institution by month) and for clarification on the FXT utilization information the Employer provided in February 2021 and would appreciate that these responses be prioritized.

Action: Employer to schedule a meeting with the Union and a Workforce Planner to go over the statistics provided.

Employer co-chair to reach out to Corporate Finance to seek the costing and breakdown.

3. **19 12 11 Issues referred from Thunder Bay Jail LERC** – Union provided a list of outstanding issues.

Action: Employer co-chair to set up meeting with MERC and local parties.

4. **20 06 24 GAIN Q3 Assessment Tool (Addiction Counsellor training)** – Employer provided written response to the Union.

Action: Union to review and respond.

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5. **20 09 23 Approved Complement** – HR SBU has generated a WIN report with active head count for each job code by institution. Report also includes French Language Services head count. The report has been shared with OPSEU.

Action: Union to review and respond.

6. **20 09 23 Health Care Unit Audit (referred from LERC-Union)** – Corporate Health Care (CHC) continues to work on this initiative.

Action: Employer to schedule a meeting with CHC, Institutional Operations Branch and Union.

7. **21 02 10 Mohawk College Pilot Project** – Employer continues to work on providing responses to the Union's questions.

Action: Employer co-chair will provide written response to the previous questions from the Union.

8. **21 02 10 Electronic Medical Records (EMR) Project** – Initial roll out will include all health care professionals and those that require access in a patient's circle of care. This will include medical administrators. The procurement process is underway.

The Union advocates that all positions within the circle of care be included in this project. Union requesting a meeting with Corporate Health Care to ensure the EMR software meets the needs in the field.

Action: Employer will set up a meeting to further discuss.

9. **21 05 10 MSA training (maintenance staff)** – Direction was sent to the field advising that maintenance staff are to receive MSA training.

Action: Remove item from the agenda.

10. **21 05 10 Special Custodial Training** – Employer is in the process of reviewing what positions would receive the five-day training and the refresher training.

Action: Update to be provided when available.

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**11.21 05 10 Springboard Project** – Employer emailed a copy of the workbooks on July 5<sup>th</sup>. The modules are still in the development phase and will be shared when finalized. The Union requests that a draft copy of the modules be shared.

Action: Employer to follow up and respond.

**12.21 05 10 Addiction Counsellor Positions** – Parties support these positions ongoing as they provide valuable support to the inmate population.

Action: Union will advocate for these positions to become permanent through another avenue. Remove item from the agenda.

**13.21 05 10 Compressed Work Week Agreements (CWWA)** – Wording currently under review.

Action: Employer co-chair will provide new language for consideration.


**14.21 05 10 North Bay Jail LERC** – The practice of crushing suboxone will be put in place and the concern regarding observation of inmates taking treatment for methadone and suboxone will be discussed with the regional office.

Action: Employer to follow up with Northern Regional Office. Remove item from the agenda.

**15.21 06 17 Security Assessment for Evaluating Risk (SAFER) Tool** – Presentation provided on the SAFER Tool. Tentative rollout schedule:

- October 2021 - Toronto East Detention Centre
- January 2022 - Central North Correctional Centre
- April 2022 - Kenora Jail and Fort Frances Jail
- June 2022 - Monteith Correctional Centre and Vanier Centre for Women
- October 2022 - Algoma Treatment and Remand Centre and North Bay Jail
- January 2023 - Sudbury Jail

Action: Union will provide questions and feedback.

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**16.21 06 17 Ministry Contraband Strategy** – Union requested to review and provide feedback on any regulations prior to being finalized. The Union requested to be provided with any contraband statistics being used by the Employer including any information on jurisdictional scans. In addition, the Union requested to review any policies prior to implementation.

Employer is not supportive to sharing jurisdictional scan at this time.

Action: Employer agreed to provide statistics on contraband. Employer will review and respond regarding the policy request.

**17.21 06 17 Time Out of Cell** – Discussion took place regarding concerns over workload and clarity applying the 2-hour time out of cell and 2-hour meaningful social interaction. The minimum is 2 plus hours out of cell and the ministry is moving to 4 hours out of cell.

Union is requesting a best practices or Q and A document to assist the field.

Action: Union will provide a series of questions/scenarios. Employer will set up a meeting with IOB and segregation team to discuss.

## **Community Services items**

**1. 14 09 10 PPO Staffing Issues** – Due to the staffing situation, Parties agree to revisit in January 2022. In the meantime, the Union requesting a meeting to discuss timing and the area of search.

Action: Employer will schedule a meeting to discuss timing and the area of search.

**2. 21 05 10 Incident Report Writing** – For the Community Service (CS) Offender Incident Report policy review, it is in the project pipeline and linked with the Institutional Services (IS) Incident Report Management project. A training module has already been developed for IS and similarly training will be developed for CS. Training will be available to Probation and Parole Officers as well as Administrative staff.

Action: Training is supported by both Parties. Item to be referred back to the Training and Development Subcommittee for development. Remove item from the agenda.

## Both Institutional and Community Services Items

1. **19 09 25 Monitoring of Adult Correctional Offenders** – Union toured the Ontario Monitoring Centre on July 19<sup>th</sup>.

Action: Parties to discuss at the next MERC meeting.

2. **20 06 24 Monitoring Technology-Based Supervision Conditions** – Further discussions occurred on June 28<sup>th</sup>.

Action: Follow-up meeting scheduled for October 18<sup>th</sup>.

3. **20 12 09 Community Reintegration-Offender Discharge Planning** – Employer shared on June 29<sup>th</sup> breakdown of the participants (per job title) in the community reintegration frontline engagement sessions. Union provided written feedback on the Employer's community reintegration strategy on August 30<sup>th</sup>. The Employer responded then met with the Union on September 20<sup>th</sup> to provide a project update on community reintegration.

Parties agree to continue conversation regarding this initiative.

Action: Union will provide feedback on the presentation provided on September 20<sup>th</sup>.

4. **21 05 10 Office of the Auditor General of Ontario (OAGO) Recommendation 12** – Employer supports scheduling an ad hoc meeting for MERC and PJOHSC with the specific intent of discussing trends of work refusals and grievances.

Action: Meeting to be scheduled by the end of October 2021.

5. **21 06 17 Safe Operation of Government Vehicles** – Union currently reviewing pro-active solutions.

Action: Union to share recommendations with the Employer.

## Standing Items

1. **Employment Stability List** – No active employees on the list.

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2. **Modernization** – Union requesting a list of current modernization projects underway.
3. **Women Secure Treatment Unit (WSTU)** – Currently no longer being pursued.

Action: Remove item from the agenda.

4. **Transition Updates** – Employer announced that the Employee Transition Unit has a new manager, Michelle LaButte.

a) **Ontario Correctional Institute Updates:** No update.

5. **JAHN Settlement and Remedies** – No update.

6. **Statistics** – No update.

7. **Major Capital Projects** –

**Thunder Bay Correctional Complex:** Status quo. The two prequalified companies are in the process of preparing their respective proposals that detail how they will deliver the project. Once submissions are received, Infrastructure Ontario and the ministry will evaluate the proposals, select a preferred bidder and then negotiate a final contract. A successful bidder is expected to be announced in spring 2022. A fairness monitor is overseeing the entire procurement process.

**Thunder Bay and Kenora Modular Build Facilities:** Construction continues with aim to complete by spring 2022. Here's a link to photos of the construction sites: <https://sway.office.com/ODxhBy1gypZsIEmy?ref=Link&loc=play>.

8. **Staffing:**

a) **Audits (for operational managers and correctional officers)** – No update at this time.

b) **Site Specific Workflow Analysis (all departments)** – No update at this time.

9. **Correctional Officer Performance Appraisals** – Employer is currently reaching out to institutions through focus groups (management and bargaining staff) to determine successes and challenges of the current system with the goal of working towards improving processes moving forward.

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## 10. Virtual Reporting and Program Delivery –

### Virtual Reporting and Supervision:

- The use of video conferencing remains on-going for the pilot group while CS works toward rolling out this use of technology.
- Policy work is under way and approval anticipated in the near future.

### Virtual Programming (Operational Support)

- The pilot concluded in August 2021.
- A presentation was provided to CS MERC and Corporate OPSEU on July 27<sup>th</sup>.

**11. Issues Affecting Correctional Nurses** – The Parties acknowledged that “Issues Affecting Correctional Nurses” has been on the MERC agenda since September 2016. While some progress on the issues has been made, there remain ongoing and evolving issues. The Parties agreed to bring forward the following items under Previous Business for discussion at the next meeting with the September 22, 2021 date:

- a) Retention of Nursing positions
- b) Classification of Nursing positions
- c) Compensation and Wage Grid Placement for Nursing positions
- d) Workload concerns for Nursing positions
- e) Increase in mental health and addiction challenges for Nursing positions
- f) Standardized Training for Nursing positions

The Union request to add a new standing agenda item titled Health Care Strategic Plan Updates to ensure information sharing with MERC on milestone events related to the Health Care Strategic Plan.

Union waiting written response from Employer on items tabled at April 2021 ad hoc health care meeting.

## 12. Standing Policy Updates

- a) **Suicide Prevention Policy** – Union provided a response for the Employer’s review.

**13. Institutional Security Teams (IST)** – Interviews with IST members are complete. Analysis remains ongoing and the report is being written simultaneously. Expected completion of the report is the end of October 2021.

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**14. Community Services Review** – Union requesting a status report on the projects encompassing the CS Reform Strategy.

**15. Institutional Services HPP Subcommittee** – First virtual HPP training was held on July 16<sup>th</sup> with the North Bay Jail.

**16. Provincial Overtime Protocol** – Employer continues to work with the Webmaster to ensure changes are made to the Q and A document on the intranet site.

**17. Fixed-Term Issues** – Union raised concerns that when a Fixed-Term moves to a new Fixed-Term contract assignment there is a lack of information e.g., new contract, eligibility for rollovers.

Action: Union to provide written concerns to the Employer. Move item to Previous Business for follow up.

**18. Inmate Management Issues** – No update.

**19. Annual Correctional Services Memorial Event** – Union co-chair will work with ADMO staff regarding process for adding names to the roster.

**20. Appendix COR10/Appendix COR17/Fact Finding Investigations** – Decision has been released by the Grievance Settlement Board. Parties are reviewing.

**21. Use of Agency Cleaners in Institutions** – Issue is before the Grievance Settlement Board.

**22. Transition Exit Initiative (Appendix 46 Central Agreement)** – TBS will provide a report in October and the Employer will share numbers prior to the next MERC meeting.

**23. Subcommittee Annual Reports** – A reminder that the subcommittees must submit a summary report to the MERC by November 15<sup>th</sup> to ensure the mandate is maintained and work is being completed in a timely and effective manner.

**24. Anti-Racism Plan** – Update was posted on the intranet in August. A quarterly update will be provided at the next MERC meeting.

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**25. Segregation Unit Workload** – Program Admin Support Clerks related to this process have been extended for another six months.

## New Business

- 1. Corrections Conflict Management Office** – Presentation on Phase 2 – Early Conflict Resolution Centre which is launching on October 4, 2021.

Action: Remove item from agenda.

- 2. Workplace Reviews Announcement** – Presentation to MERC was held on July 28<sup>th</sup>. South West DC LERC has been engaged in the process as the review is currently being conducted. Employee interviews are being conducted between September 14<sup>th</sup> and October 8<sup>th</sup>.

Reviews will be completed at the Monteith CC and Maplehurst CC with a tentative completion by end of current fiscal year.

Union is requesting a copy of the executive summaries once completed.

Action: Update to be provided at the next meeting.

- 3. Confidential Disclosures** – Union raised concerns with the lack of disclosures being provided or errors identified in those received.

The ministry is committed to providing OPSEU with disclosure in line with the OPSEU Collective Agreement and the MBC Disclosure of Confidential Information to Bargaining Agents Directive.

To ensure accurate and consistent disclosure is provided to OPSEU, the HR SBU has updated its disclosure processes and will be communicating these processes to its staff and partners. Communication will focus on the use of updated TBS approved templates and ensuring the appropriate OPSEU MERC co-chairs are copied as required (Corrections, Unified or Both as applicable).

Action: Update to be provided at the next meeting.

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**4. Referral items from Central North CC – Union raised two issues:**

- a) Ion Scanners: Local concern that this work should be done by bargaining unit staff and not managers.

Employer advised that a manager at CNCC performs this function as there is no IST currently at CNCC.

- b) Cell phone detectors: Local raised concern that this work should be done by bargaining unit staff and not managers.

Matter is currently at the Grievance Settlement Board.

Action: Union will review and respond.

**5. Interdisciplinary Team Roles/Responsibilities – Union is seeking clarification on the interdisciplinary team roles and responsibilities to ensure consistent case management for inmates.**

Action: Employer will review and respond.

**6. Regulation 778 Amendments – Union raised several concerns regarding the training, definitions of health care professional, etc.**

Action: Union to provide a fulsome list of their concerns in writing to the Employer for the review and response.

**7. Non-Correctional Officer Memorandum of Agreement (MOA) – Joint update on the MOA submitted to MERC for review and consideration.**

Action: Employer to review and respond.

**8. Ontario Correctional Institute Security – Union raised concerns regarding the utilization of Commissionaires which they believe is bargaining unit work.**

Action: Employer will respond.

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9. **CFT-CO MERC Presentations** – Union requests that these presentations resume.

Action: Employer supports and will make necessary arrangements.

## Next Meeting

- Tuesday, November 2, 2021

## Signatures

### For the Union:



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Janet Laverty



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Scott McIntyre



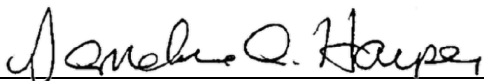
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Adam Cygler



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Peter Figliola



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Sandra Harper

### For the Ministry:



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Daryl Pitfield



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Barb Forbes



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Christopher Moore



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David Wilson



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Sirad Mohamoud