

**Ministry of Finance
Minutes of Ministry Employee Relations Committee (MERC) Meeting
December 6, 2016**

For the Union

Dave Bissoon (Co-Chair)
Tracey Cribbs (Vice-Co-Chair)
Kelly Reddy (Health and Safety Member)
Tara O'Grady (member)
Cindy Forsyth (OPSEU representative)

For the Ministry

Linda Gibney (Co-Chair)
Amanda Suzuki (member)
Denise Paulin (member)
Julie Legault (SBU – member)
Justin O’Gorman (CER – resource)
Ed Grimaldo (SBU - note-taker)

Guests:

- Jill Eymann, Senior Manager, Audit, Compliance Branch, Tax Compliance and Benefits Division, Tax and Benefits Administration, Ministry of Finance

Date Tabled		Referred To	Action
Standing Item	<p>Minutes of the Previous Meeting</p> <p>Minutes of the meeting held on September 13, 2016 were signed following the meeting and have subsequently been posted on the Human Resources intranet site and OPSEU website.</p>		
Follow-up from previous business:			
Standing Item	<p>1. Notifications</p> <p>Six (6) Ministry Disclosures have taken place since the last meeting of September 13, 2016.</p>		
Standing Item	<p>2. Status of Divisional Workplace Violence Risk Assessments Status Implementation Plans (WVRASIPs)</p> <p>WVRA reports were shared with MERC on December 2, 2016; Joint Health and Safety Committee (JHSC) co-chairs were directed to share with their respective JHSC.</p>	Management	Management to follow up and continue to provide semi-annually.
2016/12/06	MERC inquired as to the process for getting information and sharing the WVRASIP.	Management	Management to invite the Business Services Branch to the next meeting.

Standing Item	3. Matrix Report The 2015-16 Injury & Illness Report was shared with the Joint health & Safety Committees on June 22, 2016, with a copy to the MERC team. Another report is not expected until spring/summer 2017.	Management	
Standing Item 2016/12/06	4. Appendix 15 – Fixed Term Report A copy of the report was provided to the Union in advance of the meeting (on November 22, 2016). The Union has inquired as to conversion status of an employee noted on the list. In addition, the Union has inquired about adding the OPS entry date on the fixed-term report.	Management Management and Union	Management to continue to provide quarterly, in advance of MERC meetings. Management to follow up and Union to provide an example report from another ministry.
Standing Item	5. New and Revised Job Descriptions – Article 1.4 8 – Outside the OPSEU bargaining unit	Management	Management to continue to provide monthly, in advance of MERC meetings
Standing Item 2016/12/06	6. Statistics for Attendance Support Management Program (ASMP) - Quarterly Report The report, created by the Centre for Employee Health, Safety and Wellness (CEHSW) was shared with MERC co-chairs on November 2, 2016. The Union inquired into the possibility of having regional advisors within the ministry to support management, staff and union reps on ASMP. MERC raised concerns with respect to on going issues related to the ASMP.	Management MERC	Management will continue to share the Ministry of Finance information as it receives it. Management will follow up before the next meeting. MERC will be escalating these concerns corporately to seek resolution.
2016/03/08	7. Questions regarding FSCO The union has reviewed the preliminary position paper on the Review of the Mandate of FSCO, Financial Services Tribunal, and the Deposit Insurance Corporation of Ontario and has asked management if any decisions have been made. Management has advised they are not aware of any decisions.		

2016/06/14	<p>Management has advised that the independent expert advisory panel tasked by the government to review FSCO's mandate has completed its report. The government is reviewing.</p>		
2016/09/13	<p>The independent expert advisory panel's final report was released publicly on June 20, 2016. Over the last month, the Chief Executive Officer (CEO) & Superintendent of Financial Services have been meeting with FSCO employees to discuss the mandate review. Frequently Asked Questions (FAQs) have been posted on FSCO's intranet site and are updated periodically to address any subsequent questions or concerns raised by employees, as necessary. There are currently no known impacts to OPSEU-represented employees as a result of this final report.</p>		
2019/12/06	<p>The Province is committed to modernizing how financial services and pensions are regulated in Ontario. In support of a new vision, the Minister of Finance has introduced legislation which if passed, would establish the initial parameters of a new regulator, the Financial Services Regulatory Authority (FSRA). The legislation entitled, Building Ontario Up for Everyone Act (Budget Measures), 2016 is currently at Second Reading in the Legislature. The Ministry has in turn created a new Financial Services Regulation Modernization Secretariat to manage the implementation of this complex and important initiative.</p> <p>Given the status of the legislation, impacts to OPSEU represented employees at FSCO are unknown at this time. The Ministry will continue to apprise OPSEU of developments as they become known.</p>	Management	Review again in March 2017 (next MERC Meeting)
2016/03/08	<p>8. List of Transition Exit Initiative (TEI)</p> <p>The Union has requested a list of outstanding TEI, approved TEI and not approved (containing member names, number of TEIs by order of seniority).</p> <p>Management advised that a list of approved TEIs is provided to Corporate OPSEU through CERC. Effective December 19, 2015, managers are required to provide response letters to new OPSEU TEI applicants indicating that while their applications have</p>		

2016/06/14	<p>not been approved at this time their request will remain active for on-going consideration. The letters should be issued from managers no later than 90 days following acknowledgement of receipt of TEI application.</p> <p>Union has raised a concern that it is not being copied on the letters pertaining to TEIs.</p>		
2016/12/06	<p>Union has advised that it has not received all copies of TEI approval letters.</p>	Union and Management	Union to provide examples and management to follow up.
<p>2016/03/08</p> <p>2016/06/14</p> <p>2016/09/13</p>	<p>9. Possible Retirement Surge</p> <p>The Union has inquired as to the employer's plan with regards to knowledge transfer and vacancies on the possible surge in retirements from OPSEU-represented employees and filling vacancies. Management and Union will continue to discuss this concern.</p> <p>Management notes that the decision to retire is employee driven. OPS employees are encouraged to start planning early for retirement and to advise their managers of their intention to retire as soon as possible. This helps managers plan for the employee's departure and support the employee through the transition.</p> <p>As managers are considering how to fill positions vacated by retiring employees, they will seek advice and support from HR advisors and recruitment consultants on staffing strategies, organizational transformation, succession planning, knowledge transfer, recruitment process, etc. Vacancies continue to be filled on a highest and best use basis, ensuring that FTEs are aligned to achieve priority business results and that staffing activities conform to the requirements of collective agreements and all other employment legislation.</p> <p>The Union requested numbers of members who reached their earliest retirement date by November 30, 2016 as well as those who have submitted their intention to retire on or before November 30, 2016.</p>		

2016/06/14	Management advised that no decisions have been made at this time. Management remains committed to sharing information with OPSEU as soon as possible, ensuring all collective agreement and disclosure obligations are met.		
2016/09/13	Management has no updates.		
2016/12/06	Management has no updates	Management	Review again in March 2017 (next MERC Meeting)
2016/06/14	12. Establishing LERCs MERC is pleased to announce that Local 599 (5 Park Home Ave. North York) and Local 340 (33 King St W Oshawa) have established LERCs. A request has also been received to establish a LERC in Local 201 (119 King St W Hamilton). MERC will continue to support the establishment of LERCs.		
2016/09/13	Local 201 LERC has now been established and Local 599 (North York) has also been established.		
2016/12/06	MERC is pleased to announce that FSCO has joined the Local 599 LERC. The Union MERC will be reaching out to all locals to encourage them to establish LERCs.		Review again in March 2017 (next MERC Meeting)
2016/06/14	13. MERC Terms of Reference The MERC Terms of Reference were last signed in December 2005. The MERC team will review the terms of reference and propose to table any changes/adjustments at the next meeting.		
2016/09/13	MERC members have reviewed and discussed proposed changes to the Terms of Reference. Members to meet in two weeks' time for further discussion.		
2016/12/06	Union to review last draft provided by management.	Union	Union to follow up.

2016/09/13	<p align="center">14. Use of Allegation Letters</p> <p>The Union raised a concern that the allegation letter has a subject line of “Notice of Allegation Meeting” that is being perceived as accusatory. The Union has requested that subject line be either removed or amended to language that is not perceived accusatory, such as “fact finding meeting” or the language in the OPSEU Collective Agreement to: “meeting to investigate matters which may result in disciplinary action”</p>		
2016/12/06	<p>Management raised this issue with the TBS Employee Relations Branch. MOF has been advised that the use of the term “Re: Allegation Meeting” in the subject line is not mandatory. However, it can add value as it makes the purpose of the meeting clear to the employee so they are not surprised when attending the meeting itself and do not feel ambushed if they are asked to respond to allegations that have been raised. The phrase “Re: Allegation Meeting” is contained in the corporate template letter available to HR practitioners and managers through the MyOPS website. In addition, use of this phrase is common in letters used by many ministries. Ultimately, it is up to each individual manager, working with their HR Advisor, to decide on a case by case how best to word a meeting invite. As indicated above, it is important that employees are fully informed of the purpose of any meeting they are asked to attend, and come prepared to speak to the issues at hand.</p>		Remove from agenda.
	<p>Next Meeting</p> <p>The next meeting has been scheduled for March 22, 2017 from 9am-3:30pm.</p> <p>Location: 33 King St. W. (Room 1F), Oshawa</p>		
	<p>Original signed by:</p> <p>_____ Linda Gibney</p> <p>_____ Dave Bissoon</p> <p>Dated: December 6, 2016</p>		