

WSIAT Labour/Management Committee

Minutes of the meeting held:
February 15, 2006
10:00 am
Hearing Room 4, 7th floor

Chairing: Bob Rowe

Present: Deborah Lecuyer, Chinedu Ijoma, Joyce Farnham (Alternate), Julia Martinez, Wolfgang Skeries, Paul Turkki

Minutes: Shelley MacLellan

ITEM

PRESENTER

Minutes of previous meeting

B. Rowe inquired if the minutes of the previous meeting had been reviewed by the committee; D. Lecuyer confirmed that all had seen and approved the minutes before they were posted.

1. Outstanding Business

1.1 Vacation Policy

Mgmt

B. Rowe explained that since the last meeting, he has worked on developing the Vacation Policy and has talked to a number of managers regarding their current practices in approving vacation time. In general, the current practices indicate a high degree of flexibility and there was only one instance recalled in which a request for a vacation day was denied. Some of the main points made were:

- Staff seem to know what the process is in their department, and know that they should request time off in advance.
- Managers approve vacation time based on the operational needs of their department, and there are some rules around this, depending on the size of the department; for example, in a department of 3 or 4 people, only 1 person can be off at a time; and in another department, there is a buddy system where staff are paired and one person covers when the other is away, only one of the pair can be away at any time. If there is a duplicate request for time off staff often discuss the requested times and work it out between themselves and go to their manager with agreed changes.
- Underlying reasons for time off are considered by the managers in granting time off.
- There are some differences in the process between departments. For example, some are very informal and requests are just made via email to the manager; others require more planning, such as one manager that asks staff for the vacation plans at the beginning of the year or another that asks at the beginning of each quarter who would like time off in the following quarter.

- All managers felt that a request for one day off is less onerous to operational needs of the department than a request for one or two weeks off. Managers have more flexibility to accommodate a day off compared to a week or two off.
- If there is a special reason for a request, such as attending a family reunion or taking a trip, a manager will look at it and accommodate it if at all possible. The reason given for wanting the time off may be used to resolve a request from two staff that want the same time off.

B. Rowe suggested that based on his research, it seems that the current practices regarding vacation leave have a high degree of flexibility and are meeting the needs of staff. He advised that he had only found one ministry with a written vacation policy, and suggested that although a policy could be written, his concern is that some flexibility might be lost and managers may feel more restricted in their ability to deal with requests for time off.

J. Martinez inquired why the vacation policy issue had originally been raised, had a member brought forward a specific concern or incident that prompted it? D. Lecuyer explained that B. Rantz had originally raised the vacation policy with the Labour Management Committee, advising them that the policy was being written and asking for their feedback. W. Skeries advised that the committee minutes indicate that the issue first came up at the LMC meeting on November 25, 2003.

W. Skeries suggested that it would not have to be a definitive policy, but instead something very general and non-specific, i.e. some basic guiding principles such as that the manager can approve vacation time as long as the operational needs of the department are met or that staff cannot take more than their allotted number of vacation days. D. Lecuyer agreed with W. Skeries, and suggested that flexibility is a very important part and therefore perhaps just some basic things could be put down, such as the need for a timely response to requests by the manager. J. Farnham pointed out that anyone who currently has a department and manager that is flexible and works well will not want this to change.

D. Lecuyer suggested that this issue could be finally resolved by doing a rudimentary policy, unless anyone has any other real concerns. No further concerns were raised. B. Rowe advised the committee that there is a process for policy development within the Tribunal, and he would take the next steps and discuss this with M. Faubert, and bring it back to the next committee meeting if necessary.

1.2 Reciprocal Staffing Agreement

Mgmt

B. Rowe advised that there are currently some Reciprocal Staffing Agreements in the OPS in place, which are all unique. The government has found them difficult to administer and consequently, no new agreements have been made for quite some time. The Policy and Planning Unit of the H.R. Strategies Branch has advised that they are not entering into Reciprocal Staffing Agreements anymore. B. Rowe informed the committee of this via email last fall.

J. Farnham inquired what reciprocal agreements are currently in place; B. Rowe advised that he would have to refer to his files, but that they are long outstanding agreements and the government is not entering into them anymore. D. Lecuyer suggested that this is a very complex issue, and suggested that it might not be a good idea anyway. P. Turkki and B. Rowe explained that it is up to the employer who is hiring to decide whether a competition will be open or restricted and to deal with the applications. W. Skeries added that if an OPS employer runs a restricted competition and someone from the Tribunal is a

leading candidate, it is up to that employer to deal with it and get approval to hire that person.

W. Skeries inquired if this issue is now closed; no other concerns or comments were raised.

1.3 Move to ADP from WIN and Corpay

Mgmt

B. Rowe advised the committee that the project to move from WIN and Corpay to ADP has proven to be more complicated and time consuming than originally envisioned. Corpay is a unique payroll system customized to meet the needs of the Provincial Government. The Corpay payroll system has functionality and performs certain calculations that are not found in other payroll systems. As well, there were a number of end-of-year payroll issues, such as salary increases and T-4 supplementaries, that had to be dealt with and consequently the plan to switch to ADP at the end of the year was delayed.

B. Rowe advised that the H.R. department has continued working on ADP, while also maintaining all of the other functions in the department. Most of the customized programming is now done in ADP and has been tested and the next step is to do ghost pay runs for verification purposes. He advised that the next steps required have been laid out by H.R., and these need to be reviewed with ADP to ensure it makes sense from their perspective. He advised that there is a meeting tomorrow (February 16, 2006) with ADP to finalize a detailed work plan and establish a date for implementation.

J. Farnham inquired how long after the implementation staff would be required to do their attendance via a paper system. B. Rowe advised that it is hoped that this will not be too long, as the attendance module does exist in ADP. The Tribunal wants to implement the payroll system before making the attendance module available.

D. Lecuyer suggested that it is important that the members are aware of when the switch will be made, so that they can monitor their pay stubs and so on. P. Turkki agreed, and advised that a memo will be sent out when that point is reached.

1.4 Probationary Employees and Training – List of members on probation

OPSEU

D. Lecuyer requested that the union receive a list of all members currently on probation, so that they can get in touch with these employees and ensure they are comfortable and so on with their performance during their probationary period. There was a lengthy discussion of this issue.

D. Lecuyer suggested it would be beneficial if the union could get some assurances that managers will in fact work with new employees to train them and provide feedback on their performance during their probationary period. P. Turkki advised that this has been flagged as a concern for the managers, and they are aware that they should be following up with and giving feedback to new employees. He explained that the probationary period is not a period where the employer wants someone to fail, but that its purpose is to help the new employee progress to full-time status. W. Skeries agreed that managers want their employees to succeed rather than fail, as it takes a great deal of work to hire someone; however, sometimes it happens that someone does not succeed and if it does, this has to be dealt with.

B. Rowe advised that this issue has been communicated in writing to the managers and discussed at the senior managers' meeting, and the union's concern has been presented to them. D. Lecuyer and J. Farnham said they were satisfied with this.

1.5 WSIAT Directory on the Intranet

Mgmt

A question had been raised as to whether the staff directory on the Intranet was up to date, given the most recent departmental changes and staff movement. B. Rowe explained that previously, this kind of updating information was entered into multiple places in the system and therefore sometimes one area would be updated while another was not. The system has since been changed and information is entered only once and the changes are automatically updated everywhere. This means that the directory is now up-to-date, on an ongoing, day-to-day basis. No further concerns about this were raised.

2. New Business

2.1 Discussion of the new Collective Agreement

Mgmt and OPSEU

Flex Time Committee

B. Rowe explained that during bargaining, it had been agreed that the employer and the union would meet with the Tribunal Director within four months to discuss the issue of flex time. D. Lecuyer confirmed this, and advised that the union just wanted this in the minutes so that the members would know. She further advised that the union would put together a committee to meet with M. Faubert, and would need to meet amongst themselves first to set this up. B. Rowe suggested that M. Faubert, P. Turkki and himself should be present at the meeting, and M. Faubert may also suggest another manager. He suggested that the union identify who they would like to attend, and he would then expedite the process to set up a time and place for the meeting.

Signing Bonus

D. Lecuyer inquired if the signing bonuses had been received by all; the union representatives confirmed this.

Revisions to the Collective Agreement

P. Turkki inquired about the revisions to the agreement; he advised that Kim Simcoe had said she would do it as soon as possible but he has heard nothing further. D. Lecuyer advised that she would get in touch with Kim and see what the status is. B. Rowe inquired if it is normal practice for the union to take on the job of doing the Collective Agreement, as in his experience it is usually the employer that is responsible for the production of the physical document. He inquired if the delay could be due to the resources at the union being stretched too thin. D. Lecuyer and C. Ijoma advised that in the past, the issue has not been one of resources but rather of waiting for the appropriate signatures. W. Skeries inquired when the new document is expected to be ready. J. Farnham advised that the union cannot say right now, but they will try to find out.

P. Turkki and B. Rowe advised that the agreement is effective July 1, 2005 and the changes, other than salary rates, would be effective the date that it was signed.

2.2 Discussion of the Tribunal's Discipline Policy

OPSEU

D. Lecuyer explained that the union would just like an outline of what the Tribunal's policy is regarding discipline; for example, presumably it is a step-by-step approach with increasing discipline and it would be helpful for the union stewards to know where an employee is in the process if they are called to attend a meeting. C. Ijoma added that it would be helpful to know exactly what the steps are, and what the employee and union should do at each step.

P. Turkki explained that a policy of progressive discipline is used, which ranges from oral warnings to written warnings all the way up to termination, and could include other measures such as time off without pay. If the employer feels that discipline is warranted in a situation, they have to look at the severity and the nature of the incident as well as any mitigating factors, and that discipline would not necessarily start at an oral warning if the incident were more severe. The employer needs to first identify if discipline of some type is warranted, and then at what level; it is therefore difficult to lay out exact steps in the discipline process.

D. Lecuyer inquired if the steward can know ahead of time what the incident is, in order to prepare for a meeting; P. Turkki agreed that they generally could.

C. Ijoma inquired what kinds of incidents would cause the employer to give someone time off without pay. B. Rowe suggested that a record of repeating behaviour, where the behaviour is not improving despite previous disciplinary measures could warrant this. P. Turkki explained that the point of discipline is to correct behaviour, and if the behaviour continues then the discipline needs to progress on, and leave without pay is one action that could be considered. Again, many factors would have to be considered, so it is difficult to give an exact instance where this action would be taken.

P. Turkki pointed out that an employee always has recourse to fight discipline, if they wish. C. Ijoma suggested that sometimes members might not do so, as it could poison the work environment and a grievance could put a wedge between the employee and their manager. P. Turkki advised that this would be one factor that is considered by the employer when deciding how and if to apply discipline.

D. Lecuyer said that it would be great if the union steward could just be informed of what the situation is before a disciplinary meeting. P. Turkki advised that sometimes it may not be possible to divulge too many details, but they could at least be notified if it is in fact a disciplinary meeting. C. Ijoma agreed that this would help, as often an employee is just asked to meet with their manager and told that they can bring a union steward if they wish, but not why they might wish to do so. B. Rowe explained that it is a good practice to advise the nature of a meeting in advance, not just for disciplinary meetings but also for any meeting. D. Lecuyer agreed that it is also good to have someone there just for the purpose of recording what took place in the meeting.

3. Next Meeting

The committee members agreed to hold the next meeting on the second Tuesday of April (April 11th), at 2:00 pm.

D. Lecuyer thanked everyone for their participation and advised that the meeting had gone very well.

The meeting was adjourned at 11:20 a.m.

Signed:

Deborah Lecuyer
Deborah Lecuyer

March 3, 2006
Date

Robert Rowe
Robert Rowe

10/3/2006
Date