

## **THE WORKPLACE SAFETY AND INSURANCE APPEALS TRIBUNAL**

Minutes of the Labour Management Committee held on January 28, 2004 at 10:30 am.

Chair: Deborah Lecuyer

Present: Brenda Rantz; Noela Oliveira; Chinedu Ijoma; Miriam Weinfeld;  
Wolfgang Skeries; Observer - Holly Williams, OPSEU Steward

Minutes: Brenda Rantz

### **1. Outstanding Business**

#### **1.1 Vacation Policy**

At the Nov. 20, 2003 LMC meeting Management had requested input from the bargaining unit staff for consideration in the drafting of the vacation policy. Oliveira stated that bargaining unit staff were concerned with flexibility on notice for requesting vacation days and the process for approving vacation requests. Specifically Oliveira asked if management was considering an approval process based on seniority. Rantz said that approval based on seniority was not currently under consideration. Rantz indicated that the policy will provide a broad framework for staff and management to follow, however the policy will provide each department with the option of setting its own guidelines based on operational requirements. No timeframe for implementation of the policy has been established at this time.

#### **1.2 Reciprocal Staffing Agreement**

Management has contacted Management Board of Cabinet and requested assistance in putting together a proposal for a Reciprocal staffing Agreement between WSIAT and the OPS.

Currently the Negotiations Secretariat is preparing for negotiations with AMAPCEO and will assign an Officer at their earliest convenience.

Once the full implications both pros and cons of an RSA are known, the Chair and Executive Director will determine if we move forward.

### **2. New Business**

#### **2.1 Disciplinary action re: breaches of IT Usage Policy**

Lecuyer requested clarification on what disciplinary action would be taken if someone breached the IT Usage Policy. Rantz explained that the standard normal progressive disciplinary steps would be applied to breaches of IT Usage Policy. All discipline is assessed based on seriousness of the breach and the employee's disciplinary record.

Lecuyer requested clarification on how management would investigate a situation where a complaint was received about a staff member's IT usage. Rantz explained that the staff member should go through their manager who would approach the manager of the staff member in question. The manager of the staff in question would approach HR about the situation and it would be determined at that time if a fact-finding meeting or further investigation was warranted. Lecuyer asked how they would be assured a fact finding meeting would be conducted and that staff's IT usage would not be monitored without good reason. Rantz stated that when a manager brought forward a complaint regarding a breach of the IT usage policy access to the employee's computer usage records would only be granted by the Chair, Executive Director or HR if there was sufficient reason.

Oliveira asked what would happen if a staff member saw something offensive on an employees computer who was a manager or possibly their manager. Rantz said they should go to their manager's manager or HR. The policy applies to everyone, as does the fact-finding process. Rantz referred the committee to six recent GSB decisions regarding breaches of the IT usage policy in the Ministry of Transportation - GSB #542/01; 559/01; 560/01; 561/01; 831/01 and 908/01.

## **2.2 Process for utilization of Union time**

Rantz referred the committee to LMC minutes of November 20, 2002 in which the process for requesting and recording union time was discussed and reinforced by management. Union stewards must request authorization from their managers to attend established committee meetings, participate in fact finding or grievance meetings. Union stewards must provide as much notice as possible. Other union work or employee counseling is not to take place during working hours. Weinfeld said that employees can tell manager as soon as a meeting is booked and then send a courtesy reminder closer to the meeting date.

## **2.3 Additional policies under consideration**

Lecuyer asked if management was considering developing any additional policies. Rantz advised that while it is management intention to regularize many of WSIAT's informal practices, no other policies are actively under consideration at this time.

## **3 Next Meeting**

Next meeting to be held on Wednesday, March 24. Meetings for the remainder of the year scheduled for May 19; July 21; Sept. 22; Nov. 24.

Meeting adjourned at 11:25 am.

Signed:

Deborah A Lecuyer  
Deborah Lecuyer

May 12, 2004  
Date

B. Rantz  
Brenda Rantz

May 12/04  
Date