

**McMaster University and Service Employees' International Union Local 2.0n
Physical Plant Management and Operations & Maintenance Staff
Joint Working Conditions Committee (JWCC)**

**Minutes of the Meeting of September 16, 2008
10:00 a.m. to 12:00 p.m., CSB-B109**

*These minutes are drafted for the members of the JWCC and may be subject to amendments and improvements suggested to the Chair by those present at this meeting. At the next meeting the final draft minutes will be approved, or amended and approved. *Minutes are for information only.**

In Attendance

Bob Ballantyne, Alex Coldwell (recorder), Tony Cupido (chair), Paul Duffy (guest), Shawn Fleming, Kim Holland, Shawn Large, Eleanor Schatz (guest), Dave Stevens, Geoff Tierney, Andrianna Timperio (guest), Bob Twiss

Regrets

Vicki Bilechuk, Denise Cochrane, Carlos Figueira, Dave Lilley

1. Approval of the Minutes of the Meeting of June 10, 2008.

Minutes from the previous meeting were approved.

2. Business Arising from the Previous Meeting

2.1 Health & Safety

The Committee discussed the process by which Union representatives were designated to either the Facility Services Health & Safety Committee or the Commons H&S Committee. B. Ballantyne restated Management's position that as a result of the decision that safety audits would be conducted by either committee, depending on the facility, that it was no longer necessary to have

Residence Union input on the Facility Services Health & Safety Committee.

As the item was unresolved, G. Tierney suggested that the issue should be discussed in another forum.

2.2 Vacancies

The Union inquired about the Night Shift Coordinator position. T. Cupido responded that the posting was on hold and would be advertised later in the Fall. He added that as there was substantial University activity occurring in the evening/night hours, it was felt that the Night Shift required additional assistance.

Grounds vacancy discussed in section 3.3 *Grounds*.

2.3 Absence Reporting

The Union raised concern that there was confusion regarding the call-in procedure for reporting an absence. Does the employee call the Absence Reporting Line (ext. 26085) or call his/her supervisor?

T. Cupido responded that the intent was to provide flexibility for the employee and/or the supervisor in reporting absences. The majority of absences were noted via the Absence Reporting Line, however there were some exceptions such as Afternoon Shift and Residence, by which the supervisor requested contact directly.

2.4 Statutory Holiday after K-90

The Committee reviewed Article 16.04 of the Collective Agreement. Where there was an illness or a K-90 prior to or after a statutory holiday, the employee must produce a Doctor's certificate in order to receive payment for the statutory holiday.

2.5 Garage

The Union followed up regarding sawdust from the Carpentry shop into the Grounds area of the Garage. T. Cupido recognized that the Garage area was an

odd set-up that led to the potential of sawdust on Grounds equipment. He indicated that changes to alleviate the issue in Grounds and Carpentry would be forthcoming.

3. **New Agenda Items**

3.1 Early and Safe Return to Work Committee

A. Timperio updated the Committee on the activities of the Early and Safe Return to Work Committee (ESRWC), summarizing its practices, processes, and employee education. An overview of the presentation is attached.

The structure of the ESRWC was comprised of representatives from Management, Workers, Health & Safety, and JWCC. The group met monthly for approximately a year and a half until August 2008. Meetings were now conducted on an as-needed basis.

A. Timperio added that the ESRWC focused on prevention of injuries, with particular emphasis on custodians, as that group had the most injuries sustained (sprains). The ESRWC also recruited a student occupational therapist (OT) to assist with measurements and recommendations to continue building on the prevention program.

Statistics for the entire University for lost time spiked in 2004 and 2006, the latter at 313 lost days. There was a decrease in 2007 with 104 lost days. The current years' stat (up to the beginning of September) was at 130 lost days.

A. Timperio circulated the brochure *Protocol for Reporting Workplace Injuries for Facility Services* (attached) which was launched in Fall 2007. Discussion took place regarding the section "What if the Workplace Parties Can't Come to a Resolution?"

It was noted that the WSIB claims adjudicator makes the decision to approve/deny WSIB claims, not the employer.

The Union requested clarification regarding the role of a Mediator. A. Timperio responded that in cases where the employee and the employer disagreed about

the return to work plan, an employee should first speak with their claims adjudicator, as they may be able to assist to resolve the dispute. If not successful, then the employee could request return to work mediation.

Return to Work Mediation was a conflict-resolution process based on fairness, privacy, and the best interests of both the employee and the employer.

Within the parameters of the return to work provisions of *the Act* and the WSIB's policies and procedures, a mediator could reduce the obstacles to communication, help explore alternatives, and address the needs of everyone involved. The goal of mediation was to help the workplace parties arrive at their own solution. The mediator then reports back to the adjudicator.

A. Timperio noted that mediation has been used with other unions on campus.

The Union requested that the Mediator process should be stated more clearly in the brochure. A. Timperio to update item. The Union also requested that the process should be brought forward to the Return to Work Committee for discussion.

A. Timperio concluded by noting that next steps for the ESRWC included an annual review of the Return to Work program in March 2009, continued best practices, and improved communication.

3.2 Uniforms

C. Figueira to follow up with status of uniforms for the next meeting.

3.3 Grounds

T. Cupido noted that effective that week, Grounds would report to Facility Services. T. Cupido met with Grounds staff. The Grounds Manager would report to the Director of Custodial Services.

T. Cupido commented that with the change there was opportunity for flexibility of duties (such as waste removal, snow, and trucking) and the ability to move funds between departmental budgets.

T. Cupido indicated that the vacancy in Grounds could possibly be filled by a student or filled by someone else from another department area. A Union member raised concern that students were not deemed as reliable and that it was necessary to have an additional body, particularly for snow removal.

T. Cupido reminded the Committee that all departments at the University were pressured and had the need for additional personnel.

3.4 Snow Removal

T. Cupido advised that HHSC was reviewing different providers for snow removal at MUMC. In the past, HHSC utilized Grounds. Management was in discussion with HHSC on the status of the issue.

3.5 Mills Library Bin

T. Cupido informed the Committee that the Library requested removal of the bin near the loading dock. Arrangements would be made to integrate that task with general waste pick-up on campus. C. Figueira to arrange.

3.6 Transfers

The Union requested clarification on the process to request a transfer. E. Schatz responded that members who wished to transfer between teams must submit their name to the Transfer List which was valid for up to six months. It was the Union member's responsibility to ensure that their status on the Transfer List was maintained prior to expiration. The list was based on seniority and was not applicable to Casual workers, as they could only apply for full-time positions. E. Schatz provided the Transfer List to HR and the Union when updated.

3.7 Group Leaders

The Union raised concern that two Group Leader spots were not advertised department-wide. B. Ballantyne responded that the Group Leader was not considered an additional job, but rather as a premium to an existing position within a team. Notice would only occur for members within the same team.

3.8 Contractor's Use of Dept Vehicle

The Union was concerned regarding an outside contractor's use of a department vehicle. T. Cupido responded that the contractor's activities would be minimized on campus as there was the potential for increased risk.

3.9 After Hours Emergency Call-in

It was agreed between the Union and Management that in the event of an after-hours emergency that was deemed too large to handle for Unit 19, and that all options on the staff call-in list were exhausted, that a third-party company may or may not be contacted to assist with clean-up.

It was noted that Casual workers were not eligible for the call-in list, as full-time staff preferred the opportunity for overtime. A Union member suggested that the Union should discuss the issue with T. Mansell as it could offer an opportunity for additional resources.

T. Cupido discussed the possibility of the creation of an additional Unit 19 position due to increased after-hours activity on campus.

4. Next Meeting

The next meeting was scheduled for **Tuesday, October 14, 2008, from 10:00 a.m. to 11:30 a.m. in CSB-B109**. The JWCC would resume its meeting schedule on the second Tuesday of each month from 10:00 to 11:30 a.m. in CSB-B109.

G. Tierney advised that he would be on leave from the University commencing in October 2008 until March 2009. It was proposed and agreed that the Chair of the Committee would alternate between T. Cupido and the Chief Union Steward. The next meeting would be chaired by the Chief Union Steward.

Please forward any agenda items to Alex Coldwell at coldwella@mcmaster.ca