

**Union/Management Committee Minutes  
March 3, 2009**

**From the Law Society**

Jeanette McPhee  
Donna Embree  
Adam Whitcombe

**From the PEA**

Carmel Wiseman  
Jack Olsen  
Frank Greenlay

**1. Call to Order**

The meeting was called to order at 9:30 a.m.

**2. Approval of the Agenda**

The agenda was approved as presented. The PEA noted two additional items to add to the agenda: the Joint Safety Committee (art. 22.1 of the Collective Agreement) and the terms of appointment for term employees (art. 23.1 of the Collective Agreement).

**3. Approval of Minutes**

The attached minutes were approved.

**4. Administration of Overtime**

The PEA has a concern over the policy emailed by a manager requiring lawyers to use overtime hours during the week in which they were incurred. The PEA is of the view that it is frequently impossible for that to occur and urged a more flexible policy that would permit overtime to be taken over some longer period of time.

The Law Society will look at this and get back to the Committee.

**5. Bargaining Unit Work – re two exclusions from the bargaining unit**

The PEA requested further information about the new management appointments in Policy and in Professional Conduct, including the nature of the work being performed and the rationale for the proposed exclusions. The PEA understands that the new managers are continuing to perform at least some bargaining unit work.

Jeanette McPhee noted that she had provided the job descriptions for the positions to Frank Greenlay and Frank asked if they could be sent again.

## **6. PLTC Staffing**

The PEA asked for more information about the staffing at PLTC: which PLTC staff are permanent and which staff are temporary? Has another person been hired to replace Catherine Greenall?

The Law Society will get back to the Committee on this issue.

## **7. Planning for the Olympics**

The PEA asked the Law Society to reconsider its decision not to permit telecommuting during the 2010 Olympics.

Carmel Wiseman advised that it would be to the Law Society's advantage to permit staff who are able to do so to telecommute during the Olympics, since the requirement that everyone come to the office would make it worse for those who do have to attend in order to do their work by increasing the number of staff attempting to get to the office. She noted that fairness does not always mean the same treatment for everyone.

Jeanette McPhee advised that the basis of the Law Society's decision was fairness to all staff, since some jobs at the Law Society do not lend themselves to telecommuting.

The Law Society will get back to the Committee on this issue.

## **8. Joint Job Evaluations**

The PEA asked the Law Society to agree to participate in a joint job evaluation for lawyers at the Law Society. It is the PEA's position that, although the Law Society now has a compensation system that is seen to be relatively fair and transparent within each classification, there is no rational basis to justify payment of different salaries for the different job classifications. That is not to say that there is no justification for the differences in salary, only that there is currently no transparent and objective analysis that supports the current differences. The absence of a formal analysis is an ongoing concern to PEA members.

The PEA advised that while it could undertake a formal job evaluation by itself for use in future negotiations, it was the PEA view that a joint job evaluation between the PEA and the Law Society would be more likely to assess jobs accurately and would have more credibility with the Law Society and PEA members.

The Law Society will get back to the Committee on this issue.

## **9. Telecommunications Equipment**

The PEA noted that the Law Society's ability to monitor employee's use of telecommunications equipment, including telephone, e mail and the internet is currently unfettered.

While not proposing any formal language to deal with this issue, the PEA asked whether the needs of both parties with respect to this issue could be achieved by an agreement to this effect: The Law Society would have the right to access any communications where there are reasonable grounds to believe an employee is not complying with Law Society policies with respect to telecommunications, or where access is required for the Society's operational needs.

The Law Society will get back to the Committee on this issue.

### **10. Dates for Bargaining**

The PEA suggested that the parties develop a joint calendar for bargaining so that the participants can plan their work schedules and management can take steps to backfill for those participating in the bargaining, where that is necessary. The PEA also requested that the Law Society undertake to formally discuss in any affected work units how the needs of the unit can be met when some of the lawyers in the unit are absent because of bargaining commitments. The purpose of such discussions would be to avoid friction between employees in the unit and their managers because of such absences. The PEA suggested it would be desirable to set some dates before summer, with further dates in the fall.

The Law Society will get back to the Committee on this issue.

### **11. Safety Committee**

The PEA noted that there is a need to establish the Joint Safety and Health Committee as provided in article 22.1 of the collective agreement. It may be easiest to simply constitute the Union/Management Committee as the Safety Committee.

The Law Society will look into this issue.

### **12. Term Employees**

The PEA asked for copies of the letters of appointment for the current term employees and noted that the compensation in lieu of benefits as provided in article 23.2 of the Collective Agreement needed to be calculated.

The Law Society takes the position that PLTC instructors are independent contractors, not term employees. The PEA requested more information about the rationale for the Law Society's position with respect to this issue.