



report

COVID-19 PROBATION OFFICERS' VIDEOCONFERENCE

June 23, 2020

The National Union of Public and General Employees (NUPGE) is a family of 11 Component and 3 affiliate unions. Taken together, we are one of the largest unions in Canada. Most of our 390,000 members work to deliver public services of every kind to the citizens of their home provinces. We also have a large and growing number of members who work for private businesses.

Larry Brown, President

Bert Blundon, Secretary-Treasurer

COVID-19 Probation Officers' Videoconference
June 23, 2020
1:00 p.m. EDT

PARTICIPANTS

BCGEU/NUPGE

Judy Fox-McGuire
Andrea Mitchell

SGEU/NUPGE

Lea Childerhose

MGEU/NUPGE

Chris Quon
Amanda Russell
Wes Whiteside

OPSEU/NUPGE

Sandra Harper
Gord Kiernan
Scott McIntyre
Joscelyn Ross
Johanna Sinclair

NUPGE

Michael Temelini, National Representative
Nadia Ibrahim, National Representative
Diane Fowles, Administrative Representative

1. Welcome and Introductions

Michael Temelini welcomed all the participants to the meeting and asked participants to introduce themselves. He then moved that the agenda be the one proposed in an email from Sandra Harper (OPSEU/NUPGE) concerning various issues around the return to work:

2. Return to work: staffing levels and timing of movement to next phase
3. PPE for staff and clients
4. Office retrofitting:
 - a. Signage for physical distancing
 - b. Plexiglass installation for probation officer's desks and support areas
 - c. Other measures
5. Other business

2. Return to work: staffing levels & timing of movement to next phase

BCGEU/NUPGE

BCGEU reported that they are still between 10%-15% staffing levels (below minimum staffing levels) with 2-3 people in an office at a time including administrative staff, managers, and probation officers depending on size of office and numbers of clients served.

The Next phase of workers back to work is looking like beginning of August. Representatives report that there's an ongoing effort to figure out the appropriate level of risk, and laying out some policies and guidelines.

Currently every office has been asked to conduct risk assessment for their office as all the offices are different: some open concept, some have own office space, some have lots of interview rooms, some have none.

The risk assessment package is 30 pages, very detailed, and goes into all the facets of the job.

The OHS committees, employer and co-chairs are working on this together, going through the office doing measuring and taping, see where plexiglass barriers could be erected if not enough physical distancing. There will be a lot of asks put forward.

A provincial working group has been struck which will be ongoing.

Staffing in August will all depend on the outcome of the risk assessment office-by-office. There's indication it will start "low and go slow." There is a possibility of between 25% and 50%.

The employer is on board with maximizing staff safety and comfort which the union is pleased about, but they remain skeptical since the details still have to be worked out. For example: When clients come back, and with the use of interview rooms used who will be responsible for constantly cleaning desks, pens, door handles, etc. that goes on all day long? There are other challenges as well like electronic monitoring hook ups. In addition, the union is fighting against the encroachment of private companies moving who want to get a foothold in the province and offer electronic monitoring.

The vast majority of cases are dealt with by phone. We have identified a few very high-risk people that need to come into office to be seen. They are scheduled and seen by managers.

We've had a few drop-ins. In such cases we put signs on doors with phone numbers of all probation officers. In general, we're doing everything we can to minimize traffic but we can't lock the doors, so on average we get between 4 and 5 people per day.

There are admin staff in each office.

SGEU/NUPGE

No one has yet returned to office at the front line. Directors are or are in the process of returning to the office but not probation officers. Some of admin staff are allowed to go in at times to deal with issues but very limited. The offices are being cleaned and preparing for protective shields.

There are guidelines posted on the website before we are allowed back in, with checklists for central services (maintenance) and for the employer, and once back in there is a checklist for the employees as well.

There are instructions about cleaning. For the interview rooms, it looks like probation officers will be responsible for their own offices, desks, and so on, and POs will be trained before they can return to the office.

Masks will be optional.

With regards to staffing, no one is in offices right now with clients. We will be back in Stage 4, which we are in right now, but there are steps and we aren't sure which step we will be back in.

There are signs on doors with all the numbers and directions for contacting POs, but there are no administrative staff working.

We're not sure how we will return to work, whether rotational or partial. It will likely be office-by-office, taking into account high risk staff with compromised immune. It will commence with partial staffing. No date has been given yet. We've been told only that it would be in Stage 4.

MGEU/NUPGE

As of June 1 Manitoba was at 75% staffing with the exception that its summer staffing can reduce to 50%, the normal standard for summer months. There will be meetings between the union and management in September to reassess. If children return to school in September we will be back to 100%. Most offices are expected to have 50% staff for the summer months if they can be accommodated with physical distancing.

OPSEU/NUPGE

Ontario is still at about 30% staffing capacity.

On July 6, the Ontario Court of Justice is looking at expanding hearings (virtual, as well as, preliminary) so there will be an uptake on orders and work requiring supervisions and reports.

The employer wants us to be fully prepared to increase to 50% staffing model at that point, but our position is that we will do this on condition that there are risk assessments site-by-site, and due diligence. The employer has agreed with staffing levels to 50% after July 6, but will hold off on changing client service delivery.

OPSEU is in discussions with the employer about developing policy, which includes: protocols for court report writing, and protocols for foot traffic and high risk cases (sex offenders, domestic violence, intensive supervision offenders are called protocol offenders), which will all be minimal, once per month, in-person. There will be a 2-week phase-in period following July 6. Around July 20 - 26 there will be increased foot traffic as a result of the reporting policy changes.

In conversations with the employer and corporate health care, it was agreed that there would be an office-by-office pandemic risk assessment, and not a cookie cutter approach. All parties recognized that the layout of each office differs and where people can't physically distance, there will be alternative measures used. There were discussions about hand sanitizers in offender waiting area, use of boardroom to see clients, and continuing to use a secure interview room, which has a floor to ceiling barrier.

Masking is voluntary not mandatory. Masks will be made available to staff to use on a voluntary basis. Offender masking—will have supply available upon request.

If distancing can't be accommodated, we will continue to 50% staffing levels. But the employer is insisting on moving on regardless and looking at things like masking. But at this point, things are not clear one way or the other. Some offices are small two-team offices with not much space to physically distance. So what that means for seeing client in space, is unclear. Management is currently working on this but staff are still expected to sit in that building.

3. PPE for staff & clients

OPSEU/NUPGE

There's no mandatory masking for staff or clients. For staff, personal masks will be voluntary. Clients will not be prevented from wearing masks. Employer is looking at providing cloth masks and developing policy on the specific use of the masks: mandatory masking when moving about the office in general areas, removing masks in private offices.

In meetings with the Ministry's corporate health care, the question arose about whether wearing a mask or a face covering is a helpful or useful measure given the layering. Corporate health care says it is unnecessary if you have effective screening, effective handwashing, and a physical plexiglass barrier that extends from table to over party's head. Employees are concerned about working in confined office spaces (for example 8x8, and 10x10). Ventilation is poor because usually you can't open windows, so there's a concern about airborne transmission.

The employer emphasized the negative impact of masking from a client services prospective because you can't see facial expressions (nonverbal cues), an essential non-verbal component of communication, which is lost if the client has a face covering.

There's concern that the employer is downplaying the occupational health and safety policy which states that the staff health and well-being will be the primary and overriding consideration in all circumstances (whether financial, or client services). What harm is there in having that extra layer of protection?

MGEU/NUPGE

We've been issued a very limited supply of masks and we've been told that masks are optional, and we are free to wear our own masks. There's a limited supply of disposable masks for clients who request them or for clients who are asked to wear them due to health issues.

There's a concern about different standard in force than for other workers in Manitoba who have full personal protective equipment such as gowns, gloves, masks, and face shields when they see clients. Health care employees are getting the message from MB health that this is what they need to do to see people, but the instructions we are receiving is that masks are optional.

Because MB is very vast and spaced out, there are inconsistencies across the province: what happens in one region isn't what is happening elsewhere. What happens in central region is different from rural areas.

There are some Plexiglass barriers installed and most places have some sort of physical distance plus plexiglass barrier for seeing clients.

SGEU/NUPGE

Masks are optional for staff, and nothing specifically has been said about clients wearing them. Instead, the focus has been on plexiglass. We don't see clients directly in our main office (some may in the north) so making sure all the barriers are up before we are seeing clients in person

There are guidelines and signage (for example, how to put on a mask) and we might be getting training on various matters such as how to use mask, and cleaning.

BCGEU/NUPGE

We've had no direction around use of PPE: it's being provided and its use is voluntary. We are prohibited from sharing office supplies (like paper, pens).

Further decisions, including the use of masks, will be made based on the findings of risk assessments in every office. The union is in favour of using masks on both sides of interviews as layered protection as interview rooms are small.

There are masks on site. So far, no clients have asked for them, but the hope is that will be the direction we will move in.

There's been no formal training in how or when to use masks, how to dispose of them appropriately, how often to use same mask, but we are told the training will happen.

In some parts of the province, PPE is not as much of an issue since there's no plan anytime soon to return to face-to-face meetings with clients. The biggest challenge will be electronic monitoring hook ups. We have requested N95s for hook ups when working so closely with clients

A previous TB outbreak on the island instigated plexiglass installation in most offices. H1N1 and masks/hand sanitizers were also supplied to offices.

The public service has developed a comprehensive plan and every office will go through assessment before clients are let back in.

Politically, BC citizens are happy with how things are going and government has been very effective. We had the potential for very high numbers, but our curve was flattened early and support was there for us.

4. Office retrofitting: signage for physical distancing, plexiglass for probation officers & support areas

OPSEU/NUPGE

Since we are at the 30% staffing level, there's not a huge push for marking or taping right now.

The employer indicated that this would be required at the 50% model. There is no clear indication when we will shift to the 50% model. It is likely sector specific, and it will coincide with courts opening up, which are slated to be fully operational by November.

The employer is concerned about victims: high profile offences being committed, and not being with our clients like we used to. Even policing services in Ontario have been substantially reduced and may not be even up to 50% service delivery.

Currently we use secure interview rooms that have either shatterproof or ballistic grade glass, connecting directly from desk to the ceiling. This is the safest environment to meet with clients.

There are discussions about using boardrooms as offices with plexiglass installed to at least head height to cover off any respiratory droplets.

At our larger offices, we are planning to use the 2 closest probation officers connected to the client waiting area with use of Plexiglass.

Court areas already have Plexiglass installed.

The way a typical office works is that a client walks into the waiting area, attached is the reception area with glass partition with desk to sign in. Essentially there are 2 rooms with a glass partition floor to ceiling with only a small dip tray to pass documents.

There is Plexiglass installed at support areas / common areas.

SGEU/NUPGE

There's a big plan for lots of signage: floor signs, informational posters, and directions all over buildings.

The province is already in the process of getting things like Plexiglass installed. Decisions about where to install Plexiglass, and its measurement, will be done on a case-by-case basis, office-by-office, but they are also waiting for central services to get everything ready. Plexiglass will be installed over the desks if we are seeing clients directly in office.

No decision has yet been made about opening doors for clients. There's talk about minimizing the amount of people in waiting areas and possibly having clients wait outside and be directed in by phone. We're trying to figure out what to do with clients.

In support areas, each office is different but some have high traffic. We're trying to put Plexiglass around where people are sitting, on a case-by-case basis, office-by-office.

MGEU/NUPGE

We don't have as much signage as grocery stores but there is some signage, depending on the office. For example, there are markers (feet) on floors.

In all the offices, some chairs were removed from the waiting rooms and the remaining chairs were distanced, to allow physical distancing.

Desks have been installed with Plexiglass.

Where staff used to have their doors open, they're now required to keep doors closed.

Meetings must be held in spare boardrooms, with desks retrofitted with Plexiglass barriers to shield staff. This is a bit awkward but the optimal way to manage the space.

BCGEU/NUPGE

There's no shortage of signage in many of our offices, and there is Plexiglass in administrative areas. Most offices already have Plexiglass as a security measure, and before we are able to see clients again in person, Plexiglass will be in place.

Signage: in some offices with limited staffing, there haven't been directional arrows. With the return to normal work, the plan is to create flow patterns in offices (tape off areas, indicate directions and so on). We're creating plans to regulate the use of lunch rooms and washrooms, by appointment.

Most offices have at least one secure area with Plexiglass to see clients. There's a plan to convert interview rooms into rooms the client would sit in and utilize video to communicate with client. This could entail working at home or the office, allowing communication with that client by video feed (especially with some interviews that tend to be lengthy). We are looking at ways to minimize length of time with clients so we will consider reporting by phone or video. Staff will not go into institutions to do those interviews.

It is unclear what the situation will be when we are required to meet in places where we do not have permanent offices, but use itinerant offices (different types of ad hoc locations like courthouses, in houses, and so on). So far, itinerants are currently not travelling.

There's a plan to resume travelling to remote northern communities in July, but this depends on whether their OHS measures are in place. We have made some attempts with online conferencing meetings ("Go To" meetings) if clients are equipped with the device, but we're finding that this rarely works due to unreliable WIFI service. So there's been a lot of phone reporting.

5. Other business / other issues discussed

a. Reopening: itinerant offices vs permanent offices

Participants discussed the challenges of re-opening itinerant offices (temporary offices in the field such as court houses, home visits, and community halls) compared to permanent offices.

Participants explained the difference between area offices, satellite sites, and reporting centres:

- i. Area offices are primarily those in large metropolitan offices;
- ii. Satellite offices are smaller in size typically with the same safety features as waiting rooms and secure interview rooms;
- iii. Reporting centres could be in schools, hotel rooms, police stations, band offices, or somewhere in the community.

Some components report over 120 (and up to 150) area offices and satellite sites (equipped with internet connection and support staff), and an almost equal number of reporting centres, which are not currently operational.

In smaller communities and remote areas, client services are being done primarily by phone reporting. Some Probation Officers have been issued laptops with VPN to do their work from home. In some cases the conference calling / video conferencing (MS teams) is being done in small groups (2-3 people) at a time if the clients have the ability.

Regarding video feed: some members were very opposed to any at home video feed for security reasons. For some participants, it is voluntary, and some have voiced displeasure. Others mentioned the use of MS teams, which allows a better built-in security platform and an ability to vary the background to allow greater privacy by removing any identifying background.

A problem identified with video feed is that some clients don't have internet, working phones, computers, or even homes.

Some offices use restorative justice with physical distancing and they will soon start doing that again.

Some members who don't feel comfortable with video conferencing from their home, can go into the office so they don't have to work from home.

One of the challenges mentioned with working from home concerns those workers who have children and limited access to childcare.

b. Attendance Management Programs (AMP)

Participants talked about the situation in each of their respective provinces regarding the suspension of their Attendance Management Programs: most employers are agreeing to temporarily suspend the AMP. Employees who show symptoms and are asked to go home and self-isolate are allowed the option of working at home, or they're not penalised for being absent during the COVID-19 pandemic, or they're not required to use sick leave benefits, unless they're actually or demonstrably sick and unable to work. Some employees who are not able to work from home may use their sick leave, but this will not impact their overall attendance as far as AMP is concerned.

c. Participation at future meetings: missing components

There was a sentiment that NUPGE should actively encourage representatives from components in the Atlantic provinces to attend meetings.

d. Relationship with other unions

There was some discussion at different points in the meeting about inviting non-NUPGE unions to participate in these meetings, specifically those in Alberta and Quebec, to learn more about the situation there. In reply, there was a discussion about the recent history of highly sensitive political issues with unions in those provinces that would preclude NUPGE working together. Sandra Harper raised very strong objections to working with some Quebec unions because of their ongoing attempts to raid OPSEU locals. The Union of Canadian Correctional Officers (UCCO), which is affiliated with the

Confédération des Syndicats Nationaux (CSN) have been engaged in a raiding campaign to replace OPSEU as the Corrections bargaining agent.

With regards to Alberta, some participants said they would speak informally to the union representing Alberta-based Probation Officers (AUPE members) that they are often in touch with, given clients crossing the neighbouring borders, to get information about what is happening in Alberta so that folks can stay informed about the local situation for POs.



NATIONAL UNION OF PUBLIC AND GENERAL EMPLOYEES

- B. C. Government and Service Employees' Union (BCGEU)
- Health Sciences Association of British Columbia (HSABC)
- Health Sciences Association of Alberta (HSAA)
- Saskatchewan Government and General Employees' Union (SGEU)
- Manitoba Government and General Employees' Union (MGEU)
- Ontario Public Service Employees Union (OPSEU)
- Canadian Union of Brewery and General Workers (CUBGW)
- New Brunswick Union of Public and Private Employees (NBU)
- Nova Scotia Government and General Employees Union (NSGEU)
- PEI Union of Public Sector Employees (PEI UPSE)
- Newfoundland & Labrador Association of Public and Private Employees (NAPE)

The National Union of Public and General Employees is an affiliate of the Canadian Labour Congress and a member of Public Services International.

15 AURIGA DRIVE
NEPEAN, ONTARIO
CANADA / K2E 1B7

[613] 228-9800
FAX [613] 228-9801

www.nupge.ca

national@nupge.ca

