



## Presentation to Seniors' Group

In November, Citizens' Representative, Barry Fleming, gave a presentation to an "Enlightenment" gathering of the New Vision 50+ Club in the Town of Centreville-Wareham-Trinity, Bonavista Bay. The presentation lasted about two hours with approximately thirty-five attendees. Barry discussed the origins of the OCR



Barry Fleming with Club members: Ernest Rogers, Charlie Bourne and Malcolm Rogers

and outlined the types of work it undertakes. Following a short break a lively question and answer session ensued. Folks asked questions about many topics, including: their rights when entering health care facilities; how long should they expect to wait to have a phone call or email returned; and, environmental regulations.

As property assessments were about to be released and there was a general expectation that property values would rise considerably, Barry explained that, as with all Ombudsman offices, citizens would have to exhaust the designated appeal mechanisms prior to filing a complaint with the OCR.

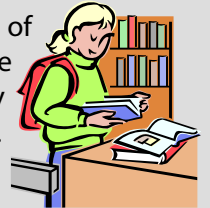
The OCR would like to thank Marjorie Horlick for organizing the presentation and President Ernest Rogers for hosting the event.

Groups wishing to have the OCR give a presentation about its work are encouraged to contact our Office.



## OCR Receives Feedback From Appreciative Students

In our December edition of *Insights* we highlighted the book drive undertaken by staff for the students of St. Peter's Academy in the small community of Black Tickle, Labrador. Within days of the first shipment arriving in Labrador we received an envelope stuffed full of handwritten comments from some thankful young recipients. Some samples:



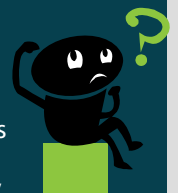
*"Thank you so much for the books you gave our school! The old books that was in the library is torn and ripped, sometimes the covers or pages are missing. So I'm really appreciative for the books you gave our school!"*

*"A lot of kids in my class love to read, write and draw. So it ment a lot to us when you sended us new books. The old books in our school had pages missing so they were hard to read."*

*"I just want to say thanks for the books. I think it was nice that you sent so many books. I've read two books so far so thanks for the books."*

### Did you know?

The Citizens' Representative is frequently referred to as the Ombudsman. "Ombudsman" is a Swedish term that means "representative of the people."



The Ombudsman concept traces its roots to both dynastic China and the Muslim "Mohtasibs" who toured towns and cities to ensure state officials were acting reasonably and citizens were not being cheated.

## Seeking Fairness

A displeased former contractual employee of the Eastern Regional Waste Management Committee ("ERWMC") filed a complaint stating he had been terminated and denied an explanation as to why. He claimed he was asked to attend a meeting to discuss his workload and performance, but when he attended he was summarily dismissed. He alleged the employer asked him to sign a release

in order to receive his two weeks' salary in lieu of notice. He refused, and an ERWMC sub-committee subsequently refused to release his pay-in-lieu cheque. A review of the man's contract revealed that he could be terminated by his employer "at its sole discretion and for any reason." There were no provisions for explaining or identifying reasons for dismissal; however, there were a number of issues

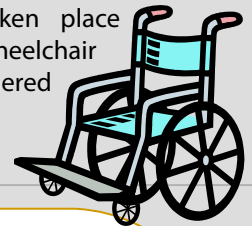
previously identified in the man's file that led to the decision by ERWMC. The OCR's review of the contract and the *Labour Standards Act* found no provisions that required a signed release to be executed prior to paying out the employee's pay in lieu of notice. This point was highlighted and the ERWMC agreed to release the cheque for two weeks' salary.

## Finding Solutions

The mother of a physically and mentally challenged son contacted the OCR frustrated with the delay in receiving a new wheelchair, as her son had outgrown the one he was using. The OCR contacted Eastern Health, which acknowledged it was in the process of making changes and hiring new staff for its sitting clinic. Sitting clinics are used to ensure that wheelchairs and associated equipment are optimally fitted for a patient. Eastern

Health assured the OCR it would notify the manager responsible and would contact the complainant when it settled its hiring process and began taking appointments again. When we contacted the complainant with an update, she advised that the seatbelt in her son's wheelchair had broken and that the parents and caregivers were now physically carrying the son to medical appointments. The OCR made immediate contact with Eastern

Health to see what more could be done. Eastern Health checked on all possibilities within its programs and was able to arrange for the son to be assessed at the sitting clinic at the Janeway Hospital. A short time later, the mother called to advise the assessment had taken place and a new wheelchair had been ordered for her son.



## Questions? Comments?

Is your department, agency or community group interested in learning more about the OCR, its services and processes? Do you have a suggestion or question to be addressed in a future edition of *Insights*? Call us at 1-800-559-0079 or (709) 729-7647, or e-mail [citrep@gov.nl.ca](mailto:citrep@gov.nl.ca).

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