

Settlement - Appeal of Executive Directors and Program Directors - A.O.C.C. Community Centres Pay Equity Tribunal

(City Council on November 23, 24 and 25, 1999, adopted this Clause, without amendment.)

The Policy and Finance Committee recommends the adoption of the Recommendation of the Administration Committee embodied in the confidential communication (November 2, 1999) from the City Clerk, entitled “Settlement – Appeal of Executive Directors and Program Directors – A.O.C.C. Community Centres – Pay Equity Tribunal”, which was forwarded to Members of Council under confidential cover.

(Councillor Rae declared his interest in the foregoing matter in that he was employed by the former City of Toronto at an AOCC Community Centre from 1986 to 1991.)

(City Council on November 23, 24 and 25, 1999, considered the aforementioned communication dated November 2, 1999, from the City Clerk, respecting a confidential report dated October 20, 1999, from the Executive Director, Human Resources and Acting Commissioner of Corporate Services, such report to remain confidential in accordance with the provisions of the Municipal Act save and except the recommendations embodied therein.

*(Extract from the confidential communication dated November 2, 1999
addressed to the Policy Finance Committee from the City Clerk)*

Recommendation:

The Administration Committee on November 2, 1999, recommended to the Policy and Finance Committee and Council the adoption of the confidential report (October 20, 1999) from the Executive Director of Human Resources and Acting Commissioner of Corporate Services, entitled “Settlement – Appeal of Executive Directors and Program Directors – A.O.C.C. Community Centres – Pay Equity Tribunal File 96.10401”.

*(Extract from the confidential report dated October 20, 1999
addressed to the Administration Committee from
the Executive Director of Human Resources and
Acting Commissioner of Corporate Services, referred to above)*

Recommendations:

- (1) That approval be given to the settlement outlined in the attached “Agreement”.*
- (2) That approval be given that the one percent (1%) payroll referred to in Section 13(4) of the Pay Equity Act (the “Act” for the calculation of minimum retroactive adjustments*

shall be the payroll of the former City of Toronto as it existed in any relevant year prior to January 1, 1998.

- (3) *That approval be given to retain Mary Ellen Cummings, costs to be borne by the City, of approximately \$2,000 per diem plus disbursements, to conduct a hearing and make a ruling in respect to the outstanding wage schedule issue as outlined in the Agreement.*
- (4) *That the recommendation to apply the results of Ms. Cummings final ruling to the applicants and to the other employees in the Executive Director and Program Director job classes, be approved.*
- (5) *That staff report back to City Council on the necessary funds required to implement the Pay Equity Plan for the non-unionized employees of the community centres upon the resolution of all objections and/or rulings.*
- (6) *That a “side letter” for these applicants, in accordance with the negotiated settlement with respect to service requirement eligibility for sick pay gratuity and post retirement medical benefits, be approved.*
- (7)(a) *That the Executive Director of Human Resources obtain written confirmation from the Boards of Management that equivalent benefits have been provided to its employees as those provided to the male comparators, subject to eligibility criteris, in compliance with the Pay Equity Act and as previously directed by City Council on April 1, 1996.*
- (7)(b) *That if the Boards of Management have not been providing equivalent benefits, that they report back to the Executive Director of Human Resources on what steps they will take to provide equivalent benefits.*
- (8) *That the appropriate City officials be authorized to take whatever action is necessary to implement the foregoing including the introduction in Council of any Bills that my be necessary and execution of any necessary documents.)*

(Councillor Rae, at the Council meeting held on November 23, 24 and 25, 1999, declared an interest in the foregoing Clause in that he was employed by the former City of Toronto at an AOCC Community Centre from 1986 to 1991.)