

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Employee and Labour Relations Committee

Meeting 3

Friday, June 4, 2004

The Employee and Labour Relations Committee met on Friday, June 4, 2004, in Committee Room 1, 2nd Floor, City Hall, Toronto, commencing at 2:12 p.m.

Attendance

Members were present for some or all of the time period indicated.

	2:12 p.m. to 4:29 p.m. (Including In-Camera Session)
Mayor David R. Miller, Chair	X
Councillor Sandra Bussin	X
Councillor Janet Davis	X
Councillor Frank Di Giorgio	X
Councillor Cliff Jenkins	-
Councillor David Soknacki	X
Councillor Michael Walker	X

Confirmation of Minutes.

On motion by Councillor Walker, the Employee and Labour Relations Committee confirmed the minutes of its meeting held on May 5, 2004.

3-1. Comparison of City of Toronto Benefit Plans

The Employee and Labour Relations Committee considered a report (April 24, 2004) from the Chief Financial Officer and Treasurer providing information on the benefit plans provided to members of CUPE Local 79, CUPE Local 416, IAFF Local 3888, management and non-union employees of the City of Toronto; advising that these benefits are subject to collective bargaining and approval by City Council and therefore some of the levels of coverage differ amongst the various employee groups; that the cost of providing benefit plans continues to increase on an annual basis due to inflation and increased utilization; that as a result of this, staff in the Benefits and Employee Services section of the Finance Department continue to review the utilization of the plans to ensure the plans are properly administered; and that staff must continue to work closely with Labour Relations during collective bargaining to ensure that benefit industry standards and best practices are negotiated.

Recommendation:

It is recommended that this report be received as information.

On motion by Councillor Walker, the Employee and Labour Relations Committee received the report (April 24, 2004) from the Chief Financial Officer and Treasurer and forwarded a copy to the Policy and Finance Committee for its information.

(Policy and Finance Committee – June 4, 2004)

**3-2. Salary and Selected Benefit Information for
Police, Fire and Paramedic Services in Ontario**

The Employee and Labour Relations Committee considered a report (May 20, 2004) from the Chief Administrative Officer, the Commissioner of Corporate Services and the Commissioner of Works and Emergency Services reporting, as requested by City Council on February 12, 2004, on salary and benefit information for Police, Fire and Paramedic services across Ontario.

Recommendation:

It is recommended that the report be received for information purposes.

On motion by Councillor Soknacki, the Employee and Labour Relations Committee:

- (1) received the joint report (May 20, 2004) from the Chief Administrative Officer, the Commissioner of Corporate Services and the Commissioner of Works and Emergency Services and forwarded a copy to the Policy and Finance Committee for its information; and
- (2) requested the Chief Administrative Officer, the Commissioner of Corporate Services and the Commissioner of Works and Emergency Services to provide to the Policy and Finance Committee meeting of June 14, 2004, revised copies of attachments 3, 4, and 5 to include the appropriate information from the City of Mississauga.

(Policy and Finance Committee – June 4, 2004; e-mail to: Chief Administrative Officer; Commissioner of Corporate Services; Commissioner of Works and Emergency Services - June 8, 2004)

3-3. Human Rights 2003 Annual Report

The Employee and Labour Relations Committee considered a report (April 27, 2004) from the Chief Administrative Officer presenting an overview of the Human Rights Office activities and initiatives for the year 2003; advising that the focus of the Human Rights Office, Human Resources Division, is on prevention, through: (1) the provision of advice, consultation enquiries and interventions, (2) complaints management, (3) education and communication, (4) policy development, and (5) community/stakeholder liaison; that the Human Rights Office will continue its proactive activities to equip employees and managers with the knowledge and skills required to prevent and address Human Rights issues in the workplace; and that these consultation, education and dispute resolution efforts are expected to bring positive results in providing a workplace free from harassment and discrimination which fosters a safe, healthy and equitable workplace.

Recommendation:

It is recommended that the annual report be forwarded to City Council for information.

On motion by Councillor Walker, the Employee and Labour Relations Committee received the report (April 27, 2004) from the Chief Administrative Officer and forwarded a copy to the Policy and Finance Committee, and Council, for information.

(Policy and Finance Committee – June 4, 2004)

3-4. Employee Separation Program

The Employee and Labour Relations Committee considered a report (May 21, 2004) from the Commissioner of Corporate Services providing information to the Employee and Labour Relations Committee in response to recommendation 6(a) and (b) from the Audit Committee report headed “Employee Separation Program Payment Review” as adopted by Council on March 1, 2 and 3, 2004.

Recommendation:

It is recommended that this report be received for information.

The Employee and Labour Relations Committee received the report (May 21, 2004) from the Commissioner of Corporate Services for information.

**3-5. Monetary Assistance to Surviving Spouses
and Dependant Children of Firefighters**

The Employee and Labour Relations Committee considered a report (May 17, 2004) from the Chief Financial Officer and Treasurer proposing that effective January 1, 1998, annual CPI increases be granted in the monetary assistance benefits provided by the City to the surviving spouses and dependant children of members of the Toronto Fire Department Superannuation and Benefit Fund (pre-OMERS) who were killed, or died as a result of injuries sustained, in the line of duty, on the same basis as has been applicable to survivor benefits payable by the Workplace Safety and Insurance Board from that date.

Recommendations:

It is recommended that:

- (1) By-law No. 1994-0716 of the former City of Toronto, as amended to date, be further amended by adding thereto a new section 2 providing that at the beginning of each calendar year, commencing with 1998 but without interest on back payments, all monthly benefit amounts called for therein be increased by any percentage increase in the Canada All-Item Consumer Price Index over the 12-month period ending on October 31 of the previous calendar year;
- (2) authority be granted for the introduction in Council of the necessary Bill to give effect to Recommendation (1); and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect to Recommendations (1) and (2).

On motion by Councillor Walker, the Employee and Labour Relations Committee recommended to the Policy and Finance Committee that City Council adopt the report (May 17, 2004) from the Chief Financial Officer and Treasurer.

(Policy and Finance Committee – June 4, 2004)

3-6. Final Workforce Reduction Costs in 2003

The Employee and Labour Relations Committee considered a report (May 18, 2004) from the Commissioner of Corporate Services and the Chief Financial Officer and Treasurer providing an update on actual costs charged to the Workforce Reduction Reserve in 2003 for staff exit costs arising from the separation of employees.

Recommendation:

It is recommended that this report be received for information.

On motion by Councillor Soknacki, the Employee and Labour Relations Committee received the report (May 18, 2004) from the Commissioner of Corporate Services and the Chief Financial Officer and Treasurer for information.

3-7. Grievance History and Steps Taken to Address the Backlog

The Employee and Labour Relations Committee considered a report (June 4, 2004) from the Commissioner of Corporate Services providing a history of the backlog of grievances from 1998 to present as well as steps taken to address the grievance backlog.

Recommendation:

It is recommended that the Employee and Labour Relations Committee receive this report for information.

On motion by Mayor Miller, the Employee and Labour Relations Committee received the report (June 4, 2004) from the Commissioner of Corporate Services; and requested the Commissioner of Corporate Services to report further to the Committee on the necessary data to allow a year-over-year comparison of grievances incurred.

(Commissioner of Corporate Services; c. Executive Director of Human Resources – June 4, 2004)

3-8. Attendance Management Program

The Employee and Labour Relations Committee considered a report (May 26, 2004) from the Commissioner of Corporate Services reporting back on the results of the discussions with CUPE Local 79, CUPE Local 416 and COTAPSA on the review of the attendance management program, as well as to report on the annual absenteeism rates for City Departments.

Recommendation:

It is recommended that this report be received for information.

On motion by Councillor Soknacki, the Employee and Labour Relations Committee received the report (May 26, 2004) from the Commissioner of Corporate Services for information.

On motion by Mayor Miller, the Employee and Relations Committee met privately to discuss the following Item No. 3-9, having regard that the subject matter relates to labour relations, in accordance with the Municipal Act.

**3-9. City of Toronto and T.C.E.U., Local 416, C.U.P.E.
Grievances re Paramedic Level 1 Wage Rate (Symptom Relief)**

The Employee and Labour Relations Committee considered a confidential report (June 4, 2004) from the Commissioner of Corporate Services respecting the City of Toronto and T.C.E.U., Local 416, C.U.P.E. Grievances re Paramedic Level 1 Wage Rate (Symptom Relief), such report to be considered in camera as the subject matter relates to labour relations.

On motion by Councillor Soknacki, the Employee and Labour Relations Committee received the confidential report (June 4, 2004) from the Commissioner of Corporate Services for information.

On motion by Mayor Miller, the Employee and Relations Committee met privately to discuss the following Item No. 3-10, having regard that the subject matter relates to labour relations, in accordance with the Municipal Act.

3-10. Abolition of Mandatory Retirement

The Employee and Labour Relations Committee considered the following:

- (i) confidential report (May 14, 2004) from the City Solicitor respecting the Abolition of Mandatory Retirement, such report to be considered in-camera as the subject matter relates to labour relations;
- (ii) report (May 20, 2004) from the Commissioner of Corporate Services providing information requested on the implications of the abolition of mandatory retirement as well as on the issues in preparation for the impending legislation.

Recommendation:

It is recommended that this report be received for information;

- (iii) communication (May 1, 2004) from Mr. David J. Foreman respecting the Abolition of Mandatory Retirement, such communication to be considered in-camera as it contains personal information about an identifiable individual;

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- (iv) communication (May 31, 2004) from Ms. Ann Dembinski, President, CUPE Local 79, submitting comments on the issue of mandatory retirement; and
- (v) communication (June 1, 2004) from Mr. Brian Cochrane, President, Toronto Civic Employees' Union, Local 416, submitting comments on the issue of mandatory retirement.

On motion by Councillor Walker, the Employee and Labour Relations Committee received this matter.

(City Solicitor; Commissioner of Corporate Services; c. Mr. David J. Foreman; Ms. Ann Dembinski, President, CUPE Local 79; Mr. Brian Cochrane, President, Toronto Civic Employees' Union, Local 416; Executive Director of Human Resources – June 4, 2004)

On motion by Mayor Miller, the Employee and Relations Committee met privately to discuss the following Item No. 3-11, having regard that the subject matter relates to personal information about an identifiable individual, in accordance with the Municipal Act.

3-11. Alternate Rate/Incremental Pay Grievance

The Employee and Labour Relations Committee considered a communication (May 10, 2004) from Councillor Michael Walker, St. Paul's, respecting an Alternate Rate/Incremental Pay Grievance, such communication to be considered in-camera as the subject matter relates to personal information about an identifiable individual.

On motion by Mayor Miller, the Employee and Labour Relations Committee deferred this matter in order to allow Councillor Michael Walker an opportunity to meet with staff to review this matter further.

(Councillor Michael Walker, St. Paul's; c. Executive Director of Human Resources – June 4, 2004)

On motion by Mayor Miller, the Employee and Relations Committee met privately to discuss the following Item No. 3-12, having regard that the subject matter deals with personal matters about identifiable individuals, in accordance with the Municipal Act.

3-12. Renewal of Senior Staff Contracts

The Employee and Labour Relations Committee considered a confidential report (May 12, 2004) from the Chief Administrative Officer respecting the Renewal of Senior Staff

Contracts, such report to be considered in-camera as the subject matter deals with personal matters about identifiable individuals.

Councillor Gerry Altobello, Scarborough Southwest, appeared before the Employee and Labour Relations Committee.

The Employee and Labour Relations Committee recommended to the Policy and Finance Committee that City Council adopt the confidential report (May 12, 2004) from the Chief Administrative Officer respecting the Renewal of Senior Staff Contracts, such report to be considered in-camera as the subject matter deals with personal matters about identifiable individuals.

(Policy and Finance Committee – June 4, 2004)

3-13. Participation in Career Bridge Internship Program Initiated by the Toronto City Summit Alliance and the Toronto Region Immigrant Employment Council (TRIEC)

The Employee and Labour Relations Committee considered a report (May 31, 2004) from the Chief Administrative Officer providing information about the Career Bridge internship program and to gain the Committee's endorsement of the City's participation in this internship program; advising that the City's participation in the Career Bridge internship program will further its commitment to assisting internationally qualified immigrants in accessing employment in their fields of expertise so that they can realize their potential and contribute to the City's economy; that it provides a cost-effective process for accessing a pool of highly skilled professionals who will contribute to the productivity of host City departments, and helps the City reflect the diversity of its community and relate to diverse stakeholders; that participation in Career Bridge reflects the spirit and intent of Council's Social Development goals and of the People Strategy for the Toronto Public Service; and that participation in Career Bridge would provide City managers with experience in managing and retaining international talent; and also advising that there are no financial implications from the adoption of this report as the costs for the internships will be absorbed within the approved 2004 budget.

Recommendation:

It is recommended that the City participate in the Career Bridge internship program with up to 10 internships for non-union positions.

On motion by Councillor Soknacki, the Employee and Labour Relations Committee recommended to the Policy and Finance Committee that City Council adopt the report (May 31, 2004) from the Chief Administrative Officer.

(Policy and Finance Committee – June 4, 2004)

On motion by Mayor Miller, the Employee and Relations Committee met privately to discuss the following Item No. 3-14, having regard that the subject matter relates to labour relations issues, in accordance with the Municipal Act.

3-14. Containment of Sick Leave Liability

The Employee and Labour Relations Committee considered a confidential report (May 31, 2004) from the Chief Financial Officer and Treasurer respecting the Containment of Sick Leave Liability, such report to be considered in-camera as it relates to labour relations issues.

On motion by Councillor Soknacki, the Employee and Labour Relations Committee deferred this matter and requested the Commissioner of Corporate Services and Chief Financial Officer and Treasurer to submit a further report to the Committee on the financial and labour relations implications related to the issue.

(Commissioner of Corporate Services; Chief Financial Officer and Treasurer – June 4, 2004)

3-15. Overview of Current Employee and Labour Relations Climate

Mr. Richard Majkot, Executive Director, COTAPSA, appeared before the Employee and Labour Relations Committee respecting the subject matter, and filed a submission.

On motion by Mayor Miller, the Employee and Labour Relations Committee referred the submission by the Executive Director of COTAPSA to the Commissioner of Corporate Services for inclusion in her forthcoming report to the July 5, 2004, meeting of the Committee on the compensation issue.

(Commissioner of Corporate Services; c. Executive Director of Human Resources; Mr. Richard Majkot, Executive Director, COTAPSA – June 4, 2004)

3-16. Status of Service Improvement Initiatives

The Employee and Labour Relations Committee considered a report (June 1, 2004) from the Chief Administrative Officer reporting on the status of the Service Improvement Initiatives Program, previously adopted by Council, and providing information on the

discussions to date on the consultation protocol for engaging the unions in the process and propose a process supporting joint management/union initiatives that focus on service improvements and reductions in cost.

Recommendations:

It is recommended that:

- (1) the work on the twenty-three (23) Council approved Service Improvement Initiatives continue with a priority on joint management/union initiatives that focus on improving in-house service delivery and reducing costs;
- (2) the Current Program Status Summary attached as Appendix 1 be received as an update report on the approved reviews and service improvement initiatives;
- (3) the Framework for a Continuous Improvement Process set out in this report be applied to future reviews; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The Employee and Labour Relations Committee recommended to the Policy and Finance Committee that:

- (1) City Council adopt the report (June 1, 2004) from the Chief Administrative Officer; and
- (2) the Chief Administrative Officer be requested to report to the Employee and Labour Relations Committee, for information, on an annual basis showing the service levels and costs achieved after implementing continuous improvement initiatives; this reporting is to contain performance benchmarks, including those from outside the Corporation if possible, to ensure savings are identified and improvements sustained; and should also contain a prioritized list of planned service improvement initiatives with estimated start dates.
(Motion by Councillor Soknacki)

(Policy and Finance Committee – June 4, 2004)

The following motion moved by Councillor Soknacki was voted on and lost:

“That the Employee and Labour Relations Committee recommend to the Policy and Finance Committee, and Council, the adoption of the report (June 1, 2004) from the Chief Administrative Officer subject to amending Recommendation (1) by deleting the words “in-house”.

**3-17. Royal Bank Disruptions in Processing City of Toronto
Employees' Pay Cheques**

The Employee and Labour Relations Committee had before it a communication (June 4, 2004) from Ms. Ann Dembinski, President, CUPE Local 79, respecting communications issues between the City and Local 79, and the recent lack of notification to Local 79 related to the computer problems experienced by the Royal Bank of Canada which resulted in a delay in processing City of Toronto employees' pay cheques.

Ms. Ann Dembinski, President, CUPE Local 79, appeared before the Employee and Labour Relations Committee.

On motion by Councillor Bussin, the Employee and Labour Relations Committee received the communication (June 4, 2004) from Ms. Ann Dembinski, President, CUPE Local 79.

The Employee and Labour Relations Committee adjourned its meeting at 4:29 p.m.

Chair.