

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Employee and Labour Relations Committee

Meeting No. 4

Monday, July 5, 2004

The Employee and Labour Relations Committee met on Monday, July 5, 2004, in Committee Room 3, 2nd Floor, City Hall, Toronto, commencing at 1:35 p.m.

Attendance

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

	1:35 p.m. to 3:00 p.m. (Including In-Camera Session)
Mayor David R. Miller, Chair	X
Councillor Sandra Bussin	-
Councillor Janet Davis	X
Councillor Frank Di Giorgio	X
Councillor Cliff Jenkins	X
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 June 4, 2004.

4-1. Employment Accommodation Policy

The Employee and Labour Relations Committee considered a report (June 23, 2004) from the Commissioner of Corporate Services requesting Council endorsement of the City's Employment Accommodation Policy; and advising that the policy addresses the City's legal obligation under the Ontario Human Rights Code and will provide guidance to managers in the delivery of effective accommodation solutions, which in turn will foster a productive and equitable workplace.

Recommendation:

That the Employment Accommodation Policy be endorsed and forwarded to Council.

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

- (1) recommended to the Policy and Finance Committee that City Council adopt the staff recommendation in the Recommendations Section of the report (June 23, 2004) from the Commissioner of Corporate Services; and
- (2) forwarded a copy of the report (June 23, 2004) from the Commissioner of Corporate Services to the following for comment to the Policy and Finance Committee:
 - Toronto Civic Employees' Union, Local 416;
 - CUPE Local 79;
 - Toronto Professional Fire Fighters' Association;
 - Toronto Police Association;
 - COTAPSA; and
 - Toronto Transit Commission unions:
 - Amalgamated Transit Union, Local 113;
 - Canadian Union of Public Employees, Local 2; and
 - International Association of Machinists and Aerospace Workers, Lodge 235.

(Policy and Finance Committee; Toronto Civic Employees' Union, Local 416; CUPE Local 79; Toronto Professional Fire Fighters' Association; Toronto Police Association; COTAPSA; Amalgamated Transit Union, Local 113; Canadian Union of Public Employees, Local 2; and International Association of Machinists and Aerospace Workers, Lodge 235; c. Commissioner of Corporate Services – July 5, 2004)

4-2. History of Active and Resolved Grievances by Year (1998 to 2004)

The Employee and Labour Relations Committee considered a report (June 23, 2004) from the Commissioner of Corporate Services providing supplementary historical year-by-year data on grievances incurred and resolved, as requested at the June 4, 2004, Employee and Labour Relations Committee meeting, and the status of active grievances at Step 3 and Arbitration as at June 15, 2004.

Recommendation:

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

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

Councillor Doug Holyday, Etobicoke Centre, also appeared before the Employee and Labour Relations Committee.

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

- (1) received the report (June 23, 2004) from the Commissioner of Corporate Services; and
- (2) requested the Commissioner of Corporate Services (Executive Director of Human Resources) to submit a further report to the Employee and Labour Relations Committee for its next meeting to be held on September 9, 2004, providing recommendations on the progress being made and on the issues which remain outstanding with respect to the issue of exclusions for CUPE Local 79.

(Commissioner of Corporate Services; c. Executive Director of Human Resources; Ms. Ann Dembinski, President, CUPE Local 79 – July 5, 2004)

4-3. Retention Bonus and Compressed Work Week - Toronto Police Service

The Employee and Labour Relations Committee considered a report (June 4, 2004) from the Chair, Toronto Police Services Board, providing a response to a Toronto City Council request for information on how the retention bonus was included as part of the base salary of uniform members of the Toronto Police Service and information on the compressed work week schedule.

Recommendation:

It is recommended that the Employee and Labour Relations Committee receive this report and then forward to Toronto City Council for information.

Mr. William Gibson, Director, Human Resources, and Ms. Maria Ciani, Manager, Labour Relations, Toronto Police Service, appeared before the Employee and Labour Relations Committee.

On motion by Councillor Walker, the Employee and Labour Relations Committee received the report (June 4, 2004) from the Chair, Toronto Police Services Board, and forwarded a copy to the Policy and Finance Committee, and City Council, for information.

(Policy and Finance Committee – July 5, 2004)

4-4. Organizational Review of Family Health/Healthy Lifestyles - Toronto Public Health

The Employee and Labour Relations Committee considered a communication (June 14, 2004) from Ms. Ann Dembinski, President, CUPE Local 79, expressing concerns regarding the total organizational review of Family Health/Healthy Lifestyles being undertaken by Toronto Public Health and the “preferred model” that has emerged from the review.

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

On motion by Mayor Miller, the Employee and Labour Relations Committee:

- (1) referred the communication (June 23, 2004) from Ms. Ann Dembinski, President, CUPE Local 79, regarding the Organizational Review of the Family Health and Healthy Lifestyle, Toronto Public Health, to the Board of Health for consideration; and
- (2) advised the Board of Health of the concern expressed by the President of CUPE Local 79 regarding consultation on this matter.

(Board of Health; c. Ms. Ann Dembinski, President, CUPE Local 79 – July 5, 2004)

4-5. Supreme Court of Canada Decision in Toronto (City) v. CUPE Local 79

The Employee and Labour Relations Committee considered a communication (March 10, 2004) from the City Clerk advising that City Council, at its meeting held on March 1, 2 and 3, 2004, referred Clause 29a of Report 1 of the Administration Committee, regarding "Supreme Court of Canada Decision in Toronto (City) v. CUPE Local 79" back to the Administration Committee.

On motion by Councillor Walker, the Employee and Labour Relations Committee received the communication (March 10, 2004) from the City Clerk.

On motion by Councillor Walker, the Employee and Labour Relations Committee met privately to discuss the following Item No. 4-6, having regard that the subject matter relates Personal Matters about an Identifiable Individual, in accordance with the Municipal Act.

**4-6. Reimbursement of Legal Expenses for Non-Union Employee
(In Camera – Personal Matters about an Identifiable Individual)**

The Employee and Labour Relations Committee considered a confidential report (June 23, 2004) from the Commissioner of Economic Development, Culture and Tourism and the City Solicitor regarding the Reimbursement of Legal Expenses for Non-Union Employee, such report to be considered in-camera as the subject matter relates to personal matters about an identifiable individual, in accordance with the Municipal Act.

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

Councillor Doug Holyday, Etobicoke Centre, also appeared before the Employee and Labour Relations Committee.

On motion by Councillor Walker, the Employee and Labour Relations Committee adopted the recommendation contained in the confidential communication (July 5, 2004) from the City Clerk to the Policy and Finance Committee, such communication to be considered in-camera as the subject matter relates to personal matters about an identifiable individual, in accordance with the Municipal Act.

(Policy and Finance Committee – Confidential – July 5, 2004)

4-7. Compensation Program – Non-Union Staff

The Employee and Labour Relations Committee considered a report (June 24, 2004) from the Commissioner of Corporate Services providing, as requested by the Employee and Labour Relations Committee on May 5, 2004, additional information on the composition of the City's non-union employee group and forwarding information received from the City's Agencies, Boards and Commissions on their compensation policies.

Recommendation:

It is recommended that this report be received for information.

On motion by Councillor Walker, the Employee and Labour Relations Committee received the report (June 24, 2004) from the Commissioner of Corporate Services.

(Commissioner of Corporate Services; c. Executive Director of Human Resources – July 5, 2004)

4-8. Workforce Reduction Costs in 2004

The Employee and Labour Relations Committee considered a report (June 22, 2004) from the Commissioner of Corporate Services and the Chief Financial Officer and Treasurer reporting on a preliminary estimate and funding source for workforce reduction costs in 2004; and advising that the Chief Financial Officer and Treasurer and the Commissioner of Corporate Services will report to the Employee and Labour Relations Committee at the beginning of 2005 on the actual costs of the workforce reduction in 2004.

Recommendations:

It is recommended that:

- (1) the staff exit costs arising from the implementation of the 2004 operating budget be charged to the Workforce Reduction Reserve Fund and that these costs be funded through a transfer from the Employee/Retiree Benefit Reserve fund to the Workforce Reduction Reserve fund;
- (2) the 2004 Approved Non-Program Expenditure Budget be increased by \$3,243,906 gross offset by an equal contribution from the Workforce Reduction Reserve fund for a \$0 net impact on the 2004 Operating Budget; and
- (3) the Chief Financial Officer and Treasurer and Commissioner of Corporate Services provide an update on actual workforce reduction costs and any appropriate budget adjustments to the Employee and Labour Relations Committee at the beginning of 2005, once the actual workforce reduction costs in 2004 have been finalized.

On motion by Councillor Walker, the Employee and Labour Relations Committee recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the report (June 22, 2004) from the Commissioner of Corporate Services

Employee and Labour Relations Committee Minutes
Monday, July 5, 2004.

and the Chief Financial Officer and Treasurer respecting Workforce Reduction Costs in 2004.

(Policy and Finance Committee – July 5, 2004)

The Employee and Labour Relations Committee adjourned its meeting at 3:00 p.m.

Chair.