

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Employee and Labour Relations Committee

Meeting 8

Thursday, December 9, 2004

The Employee and Labour Relations Committee met on Thursday, December 9, 2004, in Committee Room 2, 2nd Floor, City Hall, Toronto, commencing at 9:40 a.m.

Attendance

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

	9:40 a.m. to 10:16 a.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	X
Councillor David Soknacki	X
Councillor Michael Walker	-

Confirmation of Minutes.

On motion by Councillor Jenkins, the Employee and Labour Relations Committee confirmed the minutes of its meeting held on November 4, 2004.

8-1. Implementation of the Changes to the Employee Separation Program

The Employee and Labour Relations Committee considered the following:

- (i) report (November 2, 2004) from the Commissioner of Corporate Services providing additional information with respect to the implementation of the new separation program requirements arising out of the recommendations from the Auditor General as adopted by Council at their meeting of March 1, 2 and 3, 2004.

Recommendation:

It is recommended that this report be received for information; and

- (ii) communication (October 6, 2004) from the City Clerk advising that City Council on September 28, 29, 30 and October 1, 2004, referred Clause 31 of Policy and

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Finance Committee Report 7 entitled "Implementation of the Changes to the Employee Separation Program" to the Employee and Labour Relations Committee for consideration at its November 2004 meeting, with a request that the Commissioner of Corporate Services provide the Committee with the following:

- the contract containing the Revision to Contract language, showing both the previous and revised wording;
- the actual research material on severance treatment in the private/public sector; and
- the actual research data supporting the 90 percent criteria on salary and benefits;

and that Councillor Balkissoon be invited to attend the meeting at which this matter will be considered.

On motion by Councillor Davis, the Employee and Labour Relations Committee referred this matter to Mayor Miller for consideration with the issue of the use of employment contracts for senior staff.

(Mayor David Miller; c. Councillor Bas Balkissoon; Commissioner of Corporate Services; Executive Director of Human Resources – December 9, 2004)

8-2. Bill C-45: Amendments to the Criminal Code Respecting Health and Safety

The Employee and Labour Relations Committee considered a report (November 23, 2004) from the Commissioner of Corporate Services and the City Solicitor reporting on important recent amendments to the Criminal Code with respect to health and safety and to make recommendations on how the City's health and safety system should be modified as a consequence.

Recommendations:

In order to enable the Mayor and Councillors to be duly diligent with respect to occupational health and safety and to enable Council to ensure that the City has an effective health and safety system and that reasonable steps are taken to ensure the proper operation of the system, the following actions are recommended:

- (1) staff report to Council on an annual basis on the functioning of the City's health and safety system;

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- (2) these staff reports to Council should include the following information:
- the City's accident and injury statistics for the prior period;
 - implementation status of health and safety policies and job-specific training programs/safe work procedures tailored to the specific kinds of work performed in the various divisions and departments;
 - the status of implementation of the Supervisory Occupational Health and Safety Competence Policy and Program and other health and safety training initiatives;
 - information with respect to joint health and safety committee status, orders (including compliance status) or charges against the City under the Occupational Health and Safety Act (OHSA) and/or the Criminal Code and work refusals;
 - status of development of a health and safety audit process and results of health and safety audits;
 - managing contracts for services to take into account health and safety issues; and
 - new developments in occupational health and safety law and policy;
- (3) all members of senior management and all members of Council who have not already attended training on the requirements of the OHSA and Bill C-45 should do so by no later than March 2005.
- (4) work requests or inquiries from constituents received by the Mayor or Councillors be referred to relevant departmental representatives for action, without instruction or direction.

The Employee and Labour Relations Committee:

- (a) recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the report (November 23, 2004) from the Commissioner of Corporate Services and the City Solicitor subject to amending Recommendation (1) to read as follows:
- “(1) staff report to Council on a quarterly basis on the functioning of the City's health and safety system, with the first report being submitted to the Employee and Labour Relations Committee in March 2005, and addressing any targets/goals for Health and Safety;” and **(Motion by Mayor Miller as amended by Councillor Davis)**

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- (b) requested the Chief Administrative Officer to submit a report to the Committee on the composition of the Occupational Health and Safety Coordinating Committee, including the possibility of appointing a member of Council as a representative on the Committee. **(Motion by Councillor Davis)**

(Policy and Finance Committee; c. Chief Administrative Officer – December 9, 2004)

8-3. Schedule of Meetings for January to May 2005

The Employee and Labour Relations Committee considered a communication (November 30, 2004) from the City Clerk proposing the following Schedule of Meetings for the period January to May 2005:

- Tuesday, January 11, 2005 2:00 p.m.
- Thursday, February 10, 2005 9:30 a.m.
- Wednesday, March 9, 2005 9:30 a.m.
- Thursday, April 7, 2005 9:30 a.m.
- Thursday, May 12, 2005 9:30 a.m.

On motion by Councillor Jenkins, the Employee and Labour Relations Committee approved the foregoing Schedule of Meetings for 2005 with the exception of the February 10, 2005, meeting which was referred to the City Clerk to arrange another meeting date in February in consultation with the Chair and Members of the Committee.

(E-mail notice to all interested parties – December 17, 2004)

8-4. Outstanding Matters at Arbitration – Costs of Potentially Large Arbitration Awards

The Employee and Labour Relations Committee considered a confidential report (December 2, 2004) from the Chief Administrative Officer reporting on outstanding matters at arbitration, such report to be considered in-camera as the subject matter relates to labour relations or employee negotiations.

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

- (1) received the confidential report (December 2, 2004) from the Chief Administrative Officer; and
- (2) requested the Chief Administrative Officer to submit a further report to the next meeting of the Employee and Labour Relations Committee on January 11, 2005, on any pending arbitration awards, with significant cost implications, for the Agencies, Boards and Commissions.

**8-5. Labour Relations Update – Verbal Report
(In-Camera – Labour Relations or Employee Negotiations)**

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

The Employee and Labour Relations Committee received a confidential presentation from Mr. Bill Adams, Director of Employee and Labour Relations, respecting labour relations, and in accordance with the Municipal Act discussions were held in-camera as the matter relates to labour relations or employee negotiations.

The Employee and Labour Relations Committee adjourned its meeting at 10:16 a.m.

Chair.