

## Employee and Labour Relations Committee

<b>Meeting No.</b>	2	<b>Contact</b>	Yvonne Davies, Committee Administrator
<b>Meeting Date</b>	Friday, February 23, 2007	<b>Phone</b>	416-392-7443
<b>Start Time</b>	1:30 PM	<b>E-mail</b>	ydavies@toronto.ca
<b>Location</b>	Committee Room 2, City Hall		

### Attendance

Members of the Employee and Labour Relations Committee were present for some or all of the time periods indicated under the section headed, "Meeting Sessions", which appears at the end of the Minutes.

Mayor David Miller, Chair	X
Councillor Pam McConnell, Vice-Chair	X
Councillor Sandra Bussin	X
Councillor Janet Davis	X
Councillor Frank Di Giorgio	X
Councillor Doug Holyday	X
Councillor Cliff Jenkins	X

### Minutes

On motion by Councillor McConnell, the Employee and Labour Relations Committee confirmed the minutes of its meeting held on January 26, 2007.

EL2.1	ACTION	Deferred		Ward: All
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### Occupational Health and Safety Report Fourth Quarter and End of Year - 2006

(February 9, 2007) report from City Manager

### Recommendations

The City Manager recommends that the Corporate Occupational Health and Safety Policy, as amended by the Occupational Health and Safety Co-ordinating Committee for the period from April 2007 – April 2008, be endorsed and forwarded to City Council for approval.

## Financial Impact

There are no financial implications to this report beyond what have already been approved in the current year's budget.

## Summary

This report provides information on the status of the City's health and safety system, specifically on activities, priorities and performance during the fourth quarter of 2006. Information regarding performance during the year 2006, relative to previous years, is also provided. There was a significant decrease in the number of lost time injuries, medical aid injuries and recurrences in the fourth quarter of 2006, as well as throughout 2006 relative to the previous three years. Also included, for approval, is a revised corporate occupational health and safety policy for the period from April 2007 – April 2008. Revisions to the current policy have been made in response to recommendations of the Occupational Health and Safety Coordinating Committee (OHSCC). Updates on OHSCC, Ministry of Labour (MOL) and Workplace Safety and Insurance Board (WSIB) initiatives are also provided.

## Background Information

Report-Occupational Health & Safety Report, Fourth Quarter and End of Year 2006

(<http://www.toronto.ca/legdocs/mmis/2007/el/bgrd/backgroundfile-1598.pdf>)

App A-Human Resources Policies Corporate Occupational Health and Safety Policy

(<http://www.toronto.ca/legdocs/mmis/2007/el/bgrd/backgroundfile-1599.pdf>)

App B-Summary of Projects from Formalized Joint Continuous Improvement Processes

(<http://www.toronto.ca/legdocs/mmis/2007/el/bgrd/backgroundfile-1605.pdf>)

App C-Fourth Quarter WSIB Claims Data, by Division

(<http://www.toronto.ca/legdocs/mmis/2007/el/bgrd/backgroundfile-1601.pdf>)

APP D-Year End 2006 Claims Data, by Division

(<http://www.toronto.ca/legdocs/mmis/2007/el/bgrd/backgroundfile-1604.pdf>)

APP E-WSIB Lost Time Hours by Division (2005 & 2006)

(<http://www.toronto.ca/legdocs/mmis/2007/el/bgrd/backgroundfile-1606.pdf>)

App F-Annual Summary of WSIB Costs for All Firm Numbers (2003-2006)

(<http://www.toronto.ca/legdocs/mmis/2007/el/bgrd/backgroundfile-1600.pdf>)

App G(i)-WSIB Invoiced Costs by Division (<\$100,000 in 2006) Jan-Dec 2003-2006

(<http://www.toronto.ca/legdocs/mmis/2007/el/bgrd/backgroundfile-1603.pdf>)

App G(ii)-WSIB Invoiced Costs by Division (>\$100,000 in 2006) Jan-Dec 2003-2006

(<http://www.toronto.ca/legdocs/mmis/2007/el/bgrd/backgroundfile-1602.pdf>)

## Decision Advice and Other Information

On motion by Mayor Miller, the Employee and Labour Relations Committee deferred consideration of this matter to the next meeting on March 23, 2007, and requested the City Manager to give a presentation at that time on:

1. the steps being taken to achieve the goal articulated in the report (February 9, 2007) from the City Manager of zero workplace injuries to ensure the de-listing of the City as a high risk employer and to provide all other information to enable the City to exercise due diligence;
2. what the comparatives are with other GTA municipalities, large cities in Ontario and large cities in Canada; if the data is available;

3. whether or not some of the large spikes shown on the graph on Appendix E, such as Fire Services, represent current illnesses or illnesses of the past; and
4. senior management's responsibility for Occupational Health and Safety and how it is incorporated into their performance appraisals.

EL2.2	ACTION	Adopted		Ward: All
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## **Occupational Health and Safety Act Charge Against the City of Toronto**

### **Confidential - The receiving of advice that is subject to solicitor-client privilege (Attachment 1)**

(February 9, 2007) report from City Solicitor and Acting Chief Building Official/Executive Director

### **Recommendations**

The City Solicitor and Acting Chief Building Official/Executive Director recommend that:

1. Council adopt the confidential instructions to staff in Attachment 1; and
2. Council release the recommendations embodied in the confidential attachment following the decision of the Ontario Court of Justice (Provincial Offences Division).

### **Implementation Points**

The City Solicitor will implement Council's instructions in Court on May 17, 2007.

### **Financial Impact**

Funding, as identified in the confidential attachment, for the costs relating to the potential fine against the City are available in the 2006 (Accrued) Toronto Building's Approved Operating Budget.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

### **Summary**

The City Solicitor seeks instructions with respect to an Occupational Health and Safety Act ("OHSA") charge brought against the City following the fatal fall of a City Building Inspector in September 2003, which will be before the Court on May 17, 2007.

Confidential information and Recommendations are found in Attachment 1.

### **Background Information**

Report-Occupational Health & Safety Act Charge Against the City of Toronto  
(<http://www.toronto.ca/legdocs/mmis/2007/el/bgrd/backgroundfile-1608.pdf>)

## Confidential Attachment 1-Confidential Information

### **Committee Recommendations**

The Employee and Labour Relations Committee recommended to the Executive Committee that:

1. Council adopt the confidential instructions to staff in Attachment 1; and
2. Council release the recommendations embodied in the confidential attachment following the decision of the Ontario Court of Justice (Provincial Offences Division).

### **Implementation Points**

The City Solicitor will implement Council's instructions in Court on May 17, 2007.

### **Financial Impact**

Funding, as identified in the confidential attachment, for the costs relating to the potential fine against the City are available in the 2006 (Accrued) Toronto Building's Approved Operating Budget.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

### **Decision Advice and Other Information**

On motion by Councillor McConnell, the Committee recessed its public session to meet in closed session to consider confidential Attachment 1, a matter relating to the receiving of advice that is subject to solicitor-client privilege.

The Committee brought forward the following motions from the Employee and Labour Relations Committee in closed session for consideration by the Committee in public session:

1. Councillor Bussin moved that the Employee and Labour Relations Committee recommend to the Executive Committee that:
  - (i) Council adopt the confidential instructions to staff in Attachment 1; and
  - (ii) Council release the recommendations embodied in the confidential attachment following the decision of the Ontario Court of Justice (Provincial Offences Division). (Carried).
2. Councillor Davis moved that the Employee and Labour Relations Committee request the Executive Director of Human Resources to report to the Employee and Labour Relations Committee, through the Occupational Health and Safety Committee, on occupational health and safety orientation and training implementation, by division and job group within the corporation. (Carried).

### **Confidential Minute EL2.2**

EL2.3	Information	Received		Wards: All
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### **Quarterly Report - Grievance and Arbitration Activity**

(February 8, 2007) report from Executive Director, Human Resources Division

#### **Summary**

To provide the quarterly report of grievance and arbitration activity between October 1 and December 31, 2006, for information.

#### **Financial Impact**

There are no immediate financial implications in relation to this report.

#### **Decision Advice and Other Information**

On motion by Councillor Di Giorgio, the Employee and Labour Relations Committee received the report.

#### **Meeting Sessions**

Session Date	Session Type	Start Time	End Time	Public or Closed Session
2007-02-23	Afternoon	1:40 PM	2:15 PM	Public
2007-02-23	Afternoon	2:15 PM	2:35 PM	Closed
2007-02-23	Afternoon	2:35 PM	2:40 PM	Public

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Chair