



**STAFF REPORT
ACTION REQUIRED
with Confidential Attachment**

**Results of Negotiations with CUPE Local 79 and TCEU
Local 416**

Date:	July 30, 2009
To:	City Council
From:	City Manager
Wards:	All Wards
Reason for Confidential Information:	This report is about labour relations or employee negotiations
Reference Number:	P:\2009\Internal Services\CFO\cc09003CFO

SUMMARY

The purpose of this report is

1. To review and ratify the successfully negotiated four (4) Memoranda of Agreement between the City of Toronto and CUPE Local 79.
2. To review and ratify the successfully negotiated Memorandum of Settlement between the City of Toronto and TCEU Local 416.
3. To authorize staff to make the necessary administrative adjustments to implement the settlements.

RECOMMENDATIONS

The City Manager recommends that City Council:

1. Ratify the attached four Memoranda of Agreement dated July 29, 2009, between the City of Toronto and the Canadian Union of Public Employees Local 79 contained in Confidential Attachment 3, to effect new three (3) year Collective Agreements between the parties for the period January 1, 2009 to December 31, 2011.

Confidential staff report for action on Results of Negotiations with CUPE Local 79 and TCEU 416

2. Ratify the attached Memorandum of Settlement dated July 30, 2009, between the City of Toronto and the Toronto Civic Employees' Union, Local 416 contained in Confidential Attachment 4, to effect a new three (3) year Collective Agreement between the parties for the period January 1, 2009 to December 31, 2011.
3. Authorize staff to make the necessary amendments to rates of pay, benefits and other issues identified as agreed changes in the new Memoranda of Agreement and the new Memorandum of Settlement and any agreed retroactive provisions.
4. Authorize staff to make the necessary adjustments to the 2009 Non-Program Expenditure Budget and Operating Budgets of the Divisions to reflect the provisions of the Memoranda of Agreement and the Memorandum of Settlement.
5. Authorize the release of information as follows at the end of the meeting at which the Memoranda of Agreement and Memorandum of Settlement are ratified by Council and these recommendations are approved:
 - a. Memoranda of Agreement with CUPE Local 79 contained in Confidential Attachment 3 to be made public.
 - b. Memorandum of Settlement with TCEU Local 416 contained in Confidential Attachment 4 to be made public
 - c. Section 2 of Confidential Attachment 1 regarding CUPE Local 79 headed "Summary of the Memoranda of Agreement" to be made public.
 - d. Section 2 of Confidential Attachment 2 regarding TCEU Local 416 headed "Summary of the Memorandum of Settlement" to be made public
 - e. The balance of Confidential Attachments 1 and 2 to remain confidential as they contain information about labour relations and employee negotiations.

Implementation Points

Salary adjustments for 2009 are to be made no later than ninety (90) working days following ratification of the Memoranda of Settlement and Agreement.

Financial Impact

The financial impacts of this report are set out in the Confidential Attachments 1 and 2.

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

DECISION HISTORY

The Employee & Labour Relations Committee approved a general mandate for collective bargaining on September 29, 2008, a financial mandate on April 14, 2009 and a revised financial mandate on July 8, 2009.

ISSUE BACKGROUND

The four (4) Collective Agreements between the City and CUPE Local 79 expired on December 31, 2008. CUPE Local 79 provided notice to bargain to the City on October 1, 2008 and bargaining commenced on February 9, 2009. The parties met directly or through the mediator on 106 occasions to discuss and resolve issues identified by either party and to work toward reaching agreement on amendments to the Collective Agreements. Tentative Memoranda of Agreement were agreed to between the parties on July 27, 2009. Highlights of the Memoranda of Agreement are contained in the Confidential Attachment 1.

The Collective Agreement between the City and TCEU, Local 416, expired on December 31, 2008. Notice to bargain was provided to TCEU, Local 416 on October 16, 2008, and bargaining commenced on January 16, 2009. The parties met on 209 occasions to discuss and resolve issues identified by either party and to work toward reaching agreement on amendments to the Collective Agreement. A tentative agreement was agreed to between the parties on July 27, 2009. Highlights of the Memorandum of Settlement are contained in the Confidential Attachment 2.

CONTACT

Jim Vair, Director, Employee & Labour Relations
Phone: 416-392-5006

Bruce L. Anderson, Executive Director, Human Resources
Phone: 416-397-4112

SIGNATURE

Joseph P. Pennachetti
City Manager

ATTACHMENTS

Confidential Attachment 1 – Results of Negotiations with CUPE Local 79
Confidential Attachment 2 – Results of Negotiations with TCEU Local 416
Confidential Attachment 3 – Four (4) Memoranda of Agreement – Canadian Union of Public Employees Local 79 and the City of Toronto
Confidential Attachment 4 – Memorandum of Settlement – Toronto Civic Employees' Union, Local 416 – CUPE and the City of Toronto
Confidential staff report for action on Results of Negotiations with CUPE Local 79 and TCEU 416