



EMPLOYEE AND LABOUR RELATIONS COMMITTEE DECISION DOCUMENT MEETING 7

Date of Meeting: **Wednesday, June 8, 2005** Enquiry: **Candy Davidovits**
Time: **2:30 p.m.** Committee Secretary
Location: **Committee Room 1** **416-392-8032**
City Hall **cavidov@toronto.ca**
100 Queen Street West
Toronto, ON M5H 2N2

The Decision Document is for preliminary reference purposes only. Please refer to the Committee's minutes for the official record.

How to Read the Decision Document:

- *recommendations of the Committee to the Policy and Finance Committee are in bold type after the item heading;*
- *action taken by the Committee on its own authority that does not require Council's approval is listed in the decision document in bold type under the heading "Action taken by the Committee"; and*
- *Declarations of Interest, if any, appear at the end of an item.*

Minutes Confirmed – Meetings of May 6 and May 19, 2005

Communications/Reports:

1. Workforce Reduction Costs 2005

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 (May 25, 2005) from the Executive Director of Human Resources and the Deputy City Manager and Chief Financial Officer.

Report (May 25, 2005) from the Executive Director of Human Resources and the Deputy City Manager and Chief Financial Officer reporting on an estimate and funding source for workforce reduction costs in 2005.

Recommendations:

It is recommended that:

- (1) the staff exit costs arising from the implementation of the 2005 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 2005 Approved Non-Program Expenditure Budget be increased by \$4,133,000.00 gross offset by an equal contribution from the Workforce Reduction Reserve fund for a \$0 net impact on the 2005 Operating Budget; and
- (3) the Executive Director of Human Resources and the Deputy City Manager & Chief Financial Officer provide an update on actual workforce reduction costs and any appropriate budget adjustments to the Employee and Labour Relations Committee at the beginning of 2006, once the actual workforce reduction costs in 2005 have been finalized.

2. Employee Indemnification Policy for Management and Excluded Staff

The Employee and Labour Relations Committee recommended to the Policy and Finance Committee that City Council adopt the staff recommendation contained in the Recommendation Section of the report (May 25, 2005) from the Executive Director of Human Resources and the City Solicitor subject to:

- (1) amending Item 3 of Appendix "A" by:
 - (i) replacing the word "advance" with the word "reimburse or reimbursement" wherever it appears; and
 - (ii) replacing the words "advance of funds" with the word "reimbursement" where it appears in the "Clarity Note";
- (3) amending Item 4 of Appendix "A" by:
 - (i) deleting the words "on an advance of funds";
 - (ii) replacing the word "cover" with the word "reimburse"; and
 - (iii) replacing the word "advance" with the word "reimbursement";

so that Items 3 and 4 of Appendix "A" now read as follows:

- "3. The Deputy City Manager/Chief Financial Officer is authorized to reimburse funds to cover the legal expenses of employees in matters covered by 1 and 2 above to a maximum of \$25,000 if, in the opinion of the City Solicitor and the Executive Director of Human Resources, reimbursement of funds is warranted upon

consideration of all the circumstances. In the event that the initial reimbursement is exhausted before the matter is concluded, any further financing shall be referred to the Employee and Labour Relations Committee for its consideration and recommendation to Council.

***Clarity Note:* Paragraph 3 shall not be read so as to preclude the reimbursement by the Deputy City Manager/Chief Financial Officer in circumstances where no charge has been laid and where independent legal advice is necessary.**

4. **Where an employee reasonably believes that, by virtue of his/her capacity as an employee of the City, he/she has been defamed by a third party, the City Solicitor shall consider the merits of the matter and make a recommendation to the City Manager and Deputy City Manager/Chief Financial Officer to reimburse the costs of the initial stages of the litigation to a maximum of \$25,000.00. In the event that the initial reimbursement is exhausted before the matter is concluded, any further financing of the litigation shall be referred to the Employee and Labour Relations Committee for its consideration and recommendation to Council.”**

Report (May 25, 2005) from the Executive Director of Human Resources and the City Solicitor seeking approval for an Employee Indemnification Policy for Management and Excluded Staff.

Recommendation:

It is recommended that Council adopt the policy set out in Appendix “A” to this report.

3. **Local 79 Harmonization, Job Evaluation and Pay Equity – Arbitration Award
(In-Camera – Labour Relations or Employee Negotiations)**

The Employee and Labour Relations Committee adopted the recommendation in the confidential communication (June 8, 2005) from the City Clerk to City Council, such communication to be considered in-camera as it relates to labour relations or employee negotiations.

Confidential report (May 26, 2005) from the Executive Director of Human Resources and the Deputy City Manager and Chief Financial Officer entitled “Local 79 Harmonization, Job Evaluation and Pay Equity – Arbitration Award”, such report to be considered in-camera as it relates to labour relations or employee negotiations.

4. **Status of Collective Bargaining – Verbal Update
(In-Camera – Labour Relations or Employee Negotiations)**

The Employee and Labour Relations Committee adopted the recommendations in the confidential communication (June 8, 2005) from the City Clerk to the Chief Negotiator,

such communication to remain in-camera as it relates to labour relations or employee negotiations.

Bill Adams, Chief Negotiator, and Rhonda Hamel-Smith, Senior Coordinator, Employee and Labour Relations, gave a confidential presentation on the status of collective bargaining, and in accordance with the Municipal Act, discussions on this matter were held in-camera as it relates to labour relations or employee negotiations.

Maria Ciani, Manager of Labour Relations, Toronto Police Service, addressed the Employee and Labour Relations Committee.

Councillor Denzil Minnan-Wong, Don Valley East, also addressed the Employee and Labour Relations Committee.