

**EMPLOYEE AND LABOUR RELATIONS COMMITTEE
AGENDA
MEETING 3**

Date of Meeting:	Wednesday, May 10, 2006	Enquiry: Candy Davidovits
Time:	9:30 a.m.	Committee Secretary
Location:	Committee Room 2	416-392-8032
	City Hall	cdavidov@toronto.ca
	100 Queen Street West	
	Toronto, ON M5H 2N2	

If the Employee and Labour Relations Committee wishes to meet in camera (privately), a motion must be made to do so, and the reason given (*Municipal Act, 2001*).

Declarations of Interest under the *Municipal Conflict of Interest Act*

Confirmation of Minutes – November 9, 2005 and February 20, 2006

Speakers/Presentations - A complete list will be distributed at the meeting.

Communications/Reports:

1. Harmonization of Sick Leave Plans for Management and Non-Union Employees

(Deferred from November 9, 2005)

Report (November 2, 2005) from the City Manager and the Deputy City Manager and Chief Financial Officer providing recommendations on the harmonization of the Sick Leave Plans for the Management and Non-Union employees of the City of Toronto.

Recommendations:

It is recommended that:

- (1) the Sick Leave Plan outlined in Appendix A and described in this report be approved for all Management and Non-Union employees who have entitlement to a Sick Leave Plan or Short Term Disability Plan;

- (2) this policy supercede, replace and repeal any authorities, by-laws, policies and procedures of the seven former municipalities pertinent to Sick Leave Plans other than those covered by collective agreements;
- (3) this policy be forwarded to each of the City's ABC's and that they be requested to implement the same policy for their management and non-union employees; and
- (4) the appropriate City Officials be authorized to take the necessary action to give effect thereto.

1(a). Harmonization of Sick Leave Plans for Management and Non-Union Employees - Supplementary Report

Report (March 6, 2006) from the City Manager and the Deputy City Manager and Chief Financial Officer providing a supplementary report on the harmonization of the Sick Leave Plans for the Management and Non-Union employees of the City of Toronto.

Recommendations:

It is recommended that:

- (1) the Short Term Disability plan outlined in this report (Appendix A – Harmonized Short Term Disability Plan – Management and Non-Union Employees) be approved for all Management and Non-Union employees who have entitlement to a Sick Leave Plan or Short Term Disability plan;
- (2) all Management and Non-Union employees be provided with a sufficient (12 month) notice period at the end of which they will be enrolled in the new Short Term Disability plan (Appendix A – Harmonized Short Term Disability Plan – Management and Non-Union Employees);
- (3) those employees currently in a Short Term Disability plan be enrolled in the new Short Term Disability plan (Appendix A – Harmonized Short Term Disability plan – Management and Non-Union Employees) on the implementation date following the notice period;
- (4) those employees currently in a Sick Leave Plan be enrolled in the new Short Term Disability plan (Appendix A – Harmonized Short Term Disability plan - Management and Non-Union Employees) on the implementation date following the notice period and in addition have their sick bank balances frozen. The sick bank balances can be used to top-up future Short Term Disability plan payments or be held for payout upon the employee's termination. The payout will be based upon the number of days, the salary and the service as at the date of implementation. The remaining provisions of the payout still apply, based on the terms of the plan from the former municipality;

- (5) this policy supersede, replace and repeal any authorities, by-laws, policies and procedures of the seven former municipalities pertinent to Sick Leave Plans and Short Term Disability plans other than those covered by collective agreements;
- (6) this policy be forwarded to each of the City's ABC's and that they be encouraged to implement the same policy for their Management and Non-Union employees; and,
- (7) the appropriate City Officials be authorized to take the necessary action to give effect thereto.

2. Occupational Health and Safety Report – Fourth Quarter and End of Year, 2005

Report (March 20, 2006) from the City Manager and the Executive Director of Human Resources reporting on the status of the City's health and safety system, providing information on health and safety activities, priorities and performance during 2005, with particular emphasis on the 4th quarter.

Recommendations:

It is recommended that:

- (1) a Council representative be identified to serve in the capacity of ex-officio chair to the Occupational Health and Safety Co-ordinating Committee; and
- (2) the information on the City's health and safety systems contained in this report be forwarded to City Council for information.

3. Separation Program Costs for Both Union and Non-Union Employees (between December 2003 and November 2005) – Supplementary Report

Report (February 14, 2006) from the City Manager providing additional information as requested by City Council and the Employee and Labour Relations Committee on separation program costs for both union and non-union employees.

Recommendation:

It is recommended that this report be received for information.

4. Status of Continuous Improvement Plans and Labour Relations Steering Committees arising from the Collective Agreements with CUPE, Locals 79 and 416

Report (February 10, 2006) from the City Manager providing information on the concept of “continuous improvement” and a status report on continuous improvement plans and the Labour Relations Steering Committees arising from the Collective Agreements with CUPE, Local 79 and Toronto Civic Employees’ Union (TCEU), Local 416.

Recommendation:

It is recommended that the report on the status of Continuous Improvement plans and Labour Relations Steering Committees arising from the Collective Agreements with CUPE, Local 79 and TCEU, Local 416, be received for information.

5. Compensation Review: Elected Officials

Report (April 24, 2006) from the City Manager reporting back on the results of the external review of compensation for elected officials.

Recommendations:

It is recommended that the recommendations from Mercer Human Resource Consulting be approved, specifically, that:

- (1) the salaries for City Councillors be adjusted to \$95,000; for the Mayor to \$160,000 and that the adjustments be implemented January 1, 2007; and
 - (2) for the longer term the City use an Advisory Council with members selected from experienced professionals in the business and education sectors to help establish a compensation philosophy for Elected Officials and facilitate credible, independent advice and recommendations.
- 5(a).** Communication (May 3, 2006) from Mayor David Miller advising that he would like to assemble an expert panel of Torontonians to obtain their opinions regarding the report entitled “Compensation Review: Elected Officials”; that it is his intent to arrange for the report of the expert panel to be available for the June Policy and Finance Committee meeting; and that he will be moving a motion to refer the report to his office for submission to the June Council meeting.

6. Executive and Senior Management: Compensation and Benefits Policies

(In-Camera Presentation –Labour Relations and Employee Negotiations)

Report (April 24, 2006) from the City Manager reporting back on the results of the external review of the compensation and benefit policies governing executive and senior management positions.

Recommendations:

It is recommended that:

- (1) the previously established payline, as approved by Council for the non-union group of employees, be confirmed;
- (2) the cost of living adjustments (COLA) be approved for the executive and senior management staff consistent with the non-union group for the 2006-2008 term, specifically:
 - (a) January 1, 2006 – 3%;
 - (b) January 1, 2007 – 3.25%; and
 - (c) April 1, 2008 – 3.25%; and
- (3) the City Manager review the recommendations from the Consultant and make the internal equity adjustments resulting from the external review, within the wage grade structure and payline, effective January 1, 2006.

7. City Hiring Practices and Employment Policies – Supplementary Report

Report (February 13, 2006) from the City Manager and the Executive Director of Human Resources providing additional information as requested by the Employee and Labour Relations Committee on declarations submitted relative to the revised Employment of Relatives Policy and on the temporary workforce.

Recommendation:

It is recommended that this report be received for information.

8. Quarterly Report: Grievance and Arbitration Activity October 1 to December 31, 2005

Report (January 31, 2006) from the Executive Director of Human Resources providing the quarterly report of grievance and arbitration activity between October 1 and December 31, 2005, for information.

Recommendation:

It is recommended that this report be received for information.

9. Conditions of Employment – Council Staff

Report (April 20, 2006) from the City Clerk responding to a request from the January 20, 2006 Administration Committee meeting regarding mechanisms whereby the City's overtime costs do not apply to staff of Councillor's offices; and seeking Council approval to amend the conditions of employment and contracts for Council staff beginning with the new Council term which will enable Councillors to more effectively manage the operation of their offices through greater flexibility in human resource and payroll administration.

Recommendations:

It is recommended that:

- (1) the current overtime and lieu time policy for Councillor staff continue;
- (2) effective December 1, 2006, Councillors cannot choose to pay out lieu time for those staff currently earning lieu time for overtime worked, except as a final payment for resignations or terminations. Council staff contracts be amended to reflect this change to coincide with the new term of Council that begins December 1, 2006;
- (3) effective December 1, 2006, the current conditions of employment for Council staff be amended to reclassify the Council group of employees as a unique, separate sub-group of the non-union group of employees for the purposes of payroll and human resource administration, and that the staff contracts reflect these approved changes; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

10. Payment of City Staff Working on the Municipal Elections

Report (December 13, 2005) from the City Clerk on the City policy for the payment of City staff working on the municipal election.

Recommendation:

It is recommended that this report be received for information.

11. Certification of Iron Workers, Local 721

Communication (November 9, 2005) from the Administration Committee advising that the Committee on November 7, 2005:

- (1) requested the Executive Director, Human Resources, in consultation with the City Solicitor, to report to the Administration Committee and the Employee and Labour Relations Committee on action the City could take to de-certify construction unions as allowed by provincial legislation; and
- (2) referred the following motion to the Employee and Labour Relations Committee for consideration:

“That:

- (1) Chapter 67 of the City of Toronto Municipal Code be amended by amending Part B2, “Current Labour Trade Obligations in the Construction Industry” and Part B3. “Guidelines for Prospective Bidders” in Attachment “A”, titled “Labour Trades Contractual Obligations in the Construction Industry”, to include The Ontario Erectors Association and The International Association of Bridge, Structural, Ornamental and Reinforcing Iron Works; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

11(a). Communication (February 17, 2006) from the City Clerk advising that City Council on February 14, 2006, adopted the following staff recommendation contained in the Recommendations Section of the report (February 9, 2006) from the City Solicitor:

“It is recommended that:

- (1) Schedule B of Municipal Code, Chapter 67, Fair Wage (Labour Trades Contractual Obligations in the Construction Industry) be amended to include references to the International Association of Bridge, Structural and Ornamental Iron Workers, Local 721 and the Iron Workers District Council of Ontario and the Ontario Erectors Association, Incorporated;
- (2) this report be forwarded to the Employee and Labour Relations Committee and the Administration Committee for information; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including introducing bills to Council to give effect to Recommendation (1).”

- 11(b).** Confidential report (February 9, 2006) from the Executive Director of Human Resources entitled “De-Certification of Construction Trades Unions”, such report to be considered in-camera as the subject matter relates to labour relations or employee negotiations.

12. Human Resource Issues relating to Pandemic Influenza Preparedness

Communication (November 24, 2005) from Councillor John Filion, Chair, Board of Health, identifying a number of human resource issues that have been identified through a post-SARS evaluation that was conducted with staff and management in Toronto Public Health and pandemic planning work.

13. Implementation of the Employment Equity Policy

Report (April 18, 2006) from the Chair, Working Group on Immigration and Refugee Issues, submitting recommendations respecting the Employment Equity Policy.

Recommendations:

It is recommended that the City:

- (1) expedite the implementation of the Employment Equity Policy;
- (2) complete the existing or implement a new employment equity workforce survey;
and
- (3) review and undertake new methods to increase participation of City employees in the survey.

**EMPLOYEE AND LABOUR RELATIONS COMMITTEE
ADDED STARTERS
MEETING 3**

Date of Meeting:	Wednesday, May 10, 2006	Enquiry: Candy Davidovits
Time:	9:30 a.m.	Committee Secretary
Location:	Committee Room 2	416-392-8032
	City Hall	cdavidov@toronto.ca
	100 Queen Street West	
	Toronto, ON M5H 2N2	

Additional Communications/Reports:

4(a). Update on the Labour Relations Steering Committees and Continuous Improvement Initiatives

Report (May 8, 2006) from the City Manager providing an update on the Labour Relations Committees and Continuous Improvement Initiatives since February 10, 2006.

Recommendation:

It is recommended that this report be received for information.

11(c). De-Certification of Construction Trades Unions

Communication (May 2, 2006) from the Administration Committee advising that the Committee on May 2, 2006, received the confidential report (February 9, 2006) from the Executive Director of Human Resources entitled “De-Certification of Construction Trades Unions”, such report to be considered in-camera as it relates to labour relations or employee negotiations.