
City Council

Notice of Motion

MM14.3	ACTION			Ward:All
--------	--------	--	--	----------

Request to Amend Mandate of the Employee and Labour Relations Committee - (EX12.22) Removal of Matter from Executive Committee - by Councillor John Filion, seconded by Councillor Josh Matlow

** Notice of this Motion has been given.*

** The Executive Committee currently has jurisdiction for this subject matter. A two thirds vote is required to remove Item EX12.22 from the Committee's jurisdiction.*

Recommendations

Councillor John Filion, seconded by Councillor Josh Matlow, recommends that:

1. City Council amend the responsibilities of the Employee and Labour Relations Committee, as set out in Part 6A of Appendix B, Part II, Special Committees, of Chapter 27, Council Procedures, by adding after subsection (6), the words "subject to the following:
 - i. a requirement for Council approval for a lock out in the absence of strikes; and
 - ii. a requirement for Council approval for any unilateral change in terms or conditions of employment set out in the existing contract",

so that the responsibilities of the Employee and Labour Relations Committee will now read as follows:

"The responsibilities of the Employee and Labour Relations Committee include:

- (1) Reviewing corporate human-resource policy issues related to achieving and maintaining excellence in the public service in keeping with the City's people strategy and its key goals. These include leadership, a healthy and safe workplace, managing people, recruiting and retention, building a productive workforce, and a learning organization;
- (2) Providing strategic policy direction and receiving routine updates on collective bargaining relating to the City;
- (3) Considering and making recommendations on reports on corporate human-resource policy matters affecting the City's workforce including compensation, performance management, training and development, recruitment, retention, retirement issues, labour relations, human rights, equity goals, wellness, and health and safety;

- (4) Providing strategic direction to staff in negotiating City collective agreements;
- (5) Considering updates on the progress of collective bargaining; and
- (6) Reviewing matters related to the Employee and Labour Relations Committee's terms of reference that the Executive Committee refers to them, subject to the following:
 - i. a requirement for Council approval for a lock out in the absence of rotating strikes; and
 - ii. a requirement for Council approval for any unilateral material change in terms or conditions of employment set out in the existing contract.

The Employee and Labour Relations Committee is not an alternative to established employee and union dispute-resolution mechanisms."

- 2. City Council authorize the City Solicitor to introduce the necessary Bill to give effect to this amendment.

Summary

The Employee and Labour Relations Committee is a Special Committee of City Council established under Chapter 27, Council Procedures. The Committee's responsibilities include, among other things, providing strategic policy direction on collective bargaining relating to the City, and providing strategic direction to staff in negotiating City collective agreements.

The Employee and Labour Relations Committee is empowered to give this strategic direction under its own authority, without reporting to the Executive Committee and City Council. For actions which could, in effect shut down city services, the public has the right to expect that City Council would scrutinize and approve such actions before they are initiated.

As the Committee's responsibilities are part of Council's Procedure by-law, this Motion gives notice of a proposal to amend Council's procedures with respect to the Employee and Labour Relations Committee's responsibilities.

This Motion is not intended to take a position on whether such action should or should not be taken but rather that Council should be the body that says "yes" or "no" to a decision of this magnitude. If any such proposed action were to be recommended to Council by the Employee and Labour Relations Committee it would, of course, be dealt with in camera.

Decision History

Executive Committee November 1, 2011

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.EX12.22>

(Submitted to City Council on November 29 and 30, 2011 as MM14.3)