

**Summary of the Memorandum of Settlement, Part A –
Canadian Union of Public Employees Local 2998 and the City of Toronto**

Attachment 2 – Confidential Information

Results of Collective Bargaining Negotiations with CUPE Local 2998 – Summary of the Memorandum of Settlement, Part A

Date:	July 4, 2012
To:	City Council
From:	City Manager Executive Director of Human Resources

The City's bargaining team was successful in negotiating agreements on the following key matters:

1. Wage Settlement and Term Length

- The settlement provides for wage increases in 2nd, 3rd and the 4th year of a new 4 year collective agreement (January 1, 2012 to December 31, 2015):
 - January 1, 2012 0.0%
 - January 1, 2013 0.5% Base Increase
 - January 1, 2014 1.75% Base Increase
 - January 1, 2015 2.25% Base Increase

In addition, there is a one-time non-base non-pensionable lump sum payment in 2013 of 1.5%.

2. Active Benefit Plan (Article 27)

- Changes to the benefit provisions of the Benefits Plan are as follows:

Active Employee Benefits Plan Provision Changes

Benefit Type	Old Provision	New/Changes to Provision
Drugs	No Dispensing Fee Cap	Dispensing Fee Cap of \$9.00
Paramedical Coverage	No Requirement for a medical certificate to allow for services of massage therapist	Requirement for a medical certificate to allow for services of massage therapist
Physiotherapy	Unlimited coverage	\$2,000 annual maximum effective January 1, 2013 and employees currently on LTD will continue to receive unlimited physiotherapy for as long as they continue to receive LTD benefits
Vision Care	\$475 every two benefit years	\$450 every two benefit years

Orthopaedic Devices	One device every year	One device every 2 years for persons over 18 years of age (for persons 18 and under, the entitlement remains one device per person per benefit year). Off the shelf orthopaedic shoes require a custom modification and reimbursement is limited to the cost of the modification.
Dental	Current Ontario Dental Association (ODA) Fee Guide	One year lag on Ontario Dental Association (ODA) Fee Guide

3. Data Reporting to the Union (Articles 6, 7, 11, 14, 15)

- Clarified and simplified data reporting requirements to the Union. Streamlined processes where possible and reduced redundancies with respect to monthly and bi-annual reports regarding union dues remittance, status changes, new hires, terminations, etc.

4. Termination Provisions (Article 15)

- Enhanced management rights in the termination provisions for part-time (employees working less than 18 hours per week) and casual relief staff.
- Clause 15.03(iii) – Employees working less than 18 hours per week and casual relief staff will be terminated for failing to report for any three scheduled shifts within any twelve month period (previously within any calendar year).
- Clause 15.03(iv) – Employees working less than 18 hours per week and casual relief staff will be terminated when not in receipt of salary or wages for a period of twelve consecutive months, except when employee is on an authorized leave (previously limited to an employee not being available to work for a period of twelve months).

5. Lay-Off and Recall (Article 16)

- Simplified lay-off and recall procedure. Clarified and reinforced management rights to lay-off staff as necessary for the efficient and effective operation of the Community Centres.

6. Scheduling (Article 21/ Letter of Intent)

- No restrictive language on the scheduling of hours of work. Instead agreed to provisions allowing for greater transparency and access to information pertaining to the scheduling of work.

7. Paid Personal Leave (Article 32/ New Memorandum Item)

- Deleted paid personal leave entitlements for full-time (employees regularly working 40 hours per week) and part-time (employees regularly working 18 to 39 hours per week) staff effective December 31, 2012.
- This entitlement allowed employees paid time, up to twenty-four (24) hours per calendar year for full-time staff and up to twelve (12) hours per calendar year for part-time staff (employees regularly working 18 to 39 hours per week), to conduct personal business.
- This provision was unique to the Local 2998 collective agreement and is not contained in the Local 416 or Local 79 collective agreements.

Conclusion

The City and CUPE Local 2998 had productive bargaining sessions during this round of negotiations which resulted in a negotiated contract recommended for ratification by both parties.

The tentative agreement has achieved the financial mandate provided by the City's Employee & Labour Relations Committee, specifically with the introduction of the cost containment provisions in the benefits plan, while still recognizing concerns of the Union with respect to fairness and transparency in the workplace.

The cumulative effect of the changes that the City negotiated in collective bargaining results in savings for the City of approximately \$110,000.

Summary Key Highlights: Canadian Union of Public Employees Local 2998

Term: January 1, 2012 to December 31, 2015
Wages: 0% (2012), 0.5% base (2013), 1.75% base (2014), 2.25% base (2015)
Wage: Lump Sum (one-time): 1.5% (2013); non-pensionable, pro-rated based on regular hours worked in 2012
Benefits: <ul style="list-style-type: none">• \$9 Drug Dispensing Fee Cap (new)• Physicians' Medical Certificate now required for Massage Therapist (new)• \$2,000 annual maximum on Physiotherapy coverage (previously unlimited)• Vision Care reduced to \$450 every two benefit years (previously \$475)• Orthopaedic Device every two years for those eligible over 18 yrs old (previously one per benefit year)• Dental Fee Guide - One Year Lag (previously current ODA)
Data Reporting to the Union: Clarified and simplified data reporting requirements to the Union (employee lists, etc.).
Termination Provisions: Enhanced management rights in the termination provisions for part-time (employee working less than 18 hours per week) and casual relief staff.
Lay-Off and Recall: Simplified lay-off and recall procedure.
Scheduling: No restrictive language introduced pertaining to the scheduling of hours of work.
Paid Personal Leave: Deleted Paid Personal Leave provisions effective December 31, 2012.

**The purpose of this document is to provide a brief highlight of the settlement and is not intended to be all inclusive or to provide all the specific details. Such specific information is contained within the Memorandum of Settlement document.*