



**Canadian Union of
Public Employees**

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Bargaining Units:

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- Nurses & Paramedical
Units
- Service Units

City of Toronto
- Full-Time
- Long-Term Care Homes
& Services Part-Time
- Recreation Workers
Part-Time
- Unit B Part-Time

*Toronto Community
Housing Corporation*

**SERVING OUR
MEMBERS
SINCE
1942**

EL4.4.1

DELIVERED BY EMAIL AND REGULAR MAIL

December 2, 2016

Councillor Minnan-Wong, Chair
And Members of the Employee and Labour Relations Committee
10th floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Councillor Minnan-Wong and Committee Members,

**RE: EL4.4 Occupational Health and Safety Report – First and Second
Quarters 2016**

CUPE Local 79 has concerns about the City’s report on Occupational Health and Safety, not because of what is in the report, but because of what is missing.

The report shows how the City manages its Occupational Health and Safety by the numbers. It includes information on approved Workplace Safety and Insurance Board (WSIB) claims that result in incurred costs to the City and lost time injuries (LTI’s). The report does not reflect dynamic aspects of the workplace that impact our members’ health and safety and can also lead to lost time (sick days). This is problematic for two reasons.

Firstly, it inflates the City’s employee absenteeism numbers and gives the impression that staff have high absenteeism even though they may be ill due to workplace injuries/ incidents. Another report at Committee today, Item *EL4.6 Report on Employee Absenteeism – 2015*, speaks to these numbers.

Secondly, lost time often includes claims that may have been filed as a result of traumatic stress (for example, staff who work in shelters and witness violence), but are not approved by WSIB. In such cases, staff must use sick days – if they have them available. While the City collects this information, we do not see it reflected anywhere in the staff report. This lost time now gets misleadingly recorded as sick time.

Local 79 is deeply concerned about illness experienced by our front-line workers serving Toronto communities. We can cite, for example, the increase in the number of calendar days of outbreaks in the City’s 10 Long-Term Care Homes. These days have risen from 230 days in 2012 to 419 days at the end of the third

quarter in 2015. During this relatively same time period from 2012 - 2014, Long-Term Care Homes had 34,777 unfilled shifts. Local 79 believes the rise in outbreaks is due in part to the cutback of shift coverage and failure to replace shifts in this division. Outbreaks lead to staff illness and sick time leave.

The City can realize a healthier workforce by filling over 3,000 staff vacancies, working with Local 79 on a comprehensive wellness strategy, and continuing our shared efforts under the Joint Health and Safety Committees (JHSC).

In addition, while the report discusses health and safety advancements that have been made under the Ministry of Labour and WSIB, it fails to offer any employer-driven initiatives. One initiative could include an examination of the 13 psychological risk factors in the workplace. Better understanding of these factors, with training for JHSC Representatives to recognize these hazards, could improve workplace health and safety overall. Similarly, when the City is making decisions that impact worker health and safety, we would like to be included. For example, earlier this year the City proposed using first and last names for work emails without performing appropriate risk assessments. This could put employees experiencing intimate partner violence and those who work with volatile or hostile clients at risk.

Finally, on a related matter, Local 79 is equally concerned about changes currently being proposed to Provincial health and safety legislation. Bill 70 – a Budget measures act that amends 26 different statutes including changes to the *Occupational Health & Safety Act*, (schedule 16 of the Bill), is going through second reading right now.

The Bill's intent is to provide new powers to the Chief Prevention Officer to accredit an employer's Health and Safety Management System, resulting in employer self-regulation of their health and safety processes and a reduction in MOL enforcement of an approved/ recognized employer. An external or industry dominated group cannot be relied upon to set protective standards for workers. This responsibility should stay with the Ministry to assure accountability, enforcement, and protection for workers is maintained. Moreover, the Ontario government has in its possession recommendations from an expert panel that includes members from academia, labour and employers. Nowhere did the panel's recommendations envision self-regulation. The City needs to weigh in on this critical matter and communicate its opposition to the Province in writing, before the Bill is pushed through on December 8, 2016.

Thank you for your consideration of these matters.

Sincerely,



Tim Maguire
President