



# Council Briefing Notes

Brought to you by CUPE Local 79

## EMPLOYEE AND LABOUR RELATIONS COMMITTEE

Local 79 is deeply committed to promoting the health and safety of its members. We therefore respectfully ask members of the Employee and Labour Relations Committee to take into consideration our comments on the following agenda items.

### EL 4.1 – TALENT BLUEPRINT PROGRESS UPDATE

Toronto's communities and families place high value on the excellent public services the City delivers. The excellence of those services is entirely dependant upon having a healthy, diverse and well-trained workforce. We are happy to see progress being made on the Talent Blueprint. For your reference, we have attached a letter Local 79 sent to Lawrence Keen on November 10, 2016. The letter outlines Local 79's concerns relating to wellness, diversity and workforce capacity.

### EL 4.4 – OCCUPATIONAL HEALTH AND SAFETY REPORT - 1<sup>ST</sup> AND 2<sup>ND</sup> QUARTERS 2016

The Occupational Health & Safety Report uses data from approved WSIB claims to show how the City manages health and safety by the numbers. The report fails to include information on conditions that lead to illness and lost time, and that are not approved by the WSIB, such as exposure to traumatic stress in the workplace, short staffing and increased workloads. As a result, accounts of employee illness can be misleading. Similarly, there is no mention of employer-driven initiatives to improve health and safety conditions in the workplace. Such initiatives could include training on the 13 psychological risk factors in the workplace, and including Local 79 in decisions that impact worker health and safety.

### EL4.6 – REPORT ON EMPLOYEE ABSENTEEISM - 2015

Local 79 is deeply concerned about the illnesses experienced by front-line workers serving Toronto's communities. Years of staffing shortages and flat-lined budgets mean staff are often over-worked, leading to stress and illness. The City can realize a healthier workforce by filling over 3000 staff vacancies and working with us to create a comprehensive wellness strategy.

*Attached are letters on items EL4.1 and EL4.4 for your consideration.*



DELIVERED BY EMAIL AND REGULAR MAIL

498

November 10, 2016

**Canadian Union of Public Employees**

34 St. Patrick Street  
Toronto, Ontario  
M5T 1V1  
Tel: (416) 977-1629  
Fax: (416) 977-9546  
www.cupelocal79.org

Lawrence Keen  
Manager  
Strategic Workforce Planning and Reporting  
Human Resources  
Metro Hall  
5th fl., 55 John Street  
Toronto, ON M5V 3C6

**Executive Committee:**

*President:*  
Tim Maguire

*First Vice-President:*  
Nancy Murphy

*Vice-President - Chief Steward:*  
Jason Desjardins

*Vice-President Equity:*  
Ainsworth Hamilton

*Recording Secretary:*  
Sofia Reno

*Membership Secretary:*  
Linda Rose

*Treasurer:*  
Lily Chang

**Assigned CUPE Representatives:**

Derek Lue  
Janet McIvor  
Sharon Rodgers  
Don Styles  
Charles VanVliet

**Bargaining Units:**

*Bridgepoint Hospital*  
- 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*

Dear Mr. Keen,

**RE: Talent Blueprint 2014-2018, Mid-Point Progress**

I am writing to follow up on our Friday, October 28, 2016 meeting. Local 79 has given careful consideration to the issues raised in that meeting and in the Talent Blueprint documents.

To start, I want to thank you, on behalf of Local 79, for the opportunity to participate in this important discussion regarding progress on the Talent Blueprint 2014-2018. I am also happy to share Local 79's recommendations. Local 79 is a strong advocate for promoting good jobs in Toronto and have identified specific opportunities for the City to make improvements in the areas of wellness, diversity and workforce capacity.

**Wellness**

As a general principle, Local 79 urges the City to work with us as it develops strategies to promote wellness in the workplace. That said, it is important to Local 79 that any wellness initiative be kept distinct, with distinct strategies, from the City's legally mandated health and safety activities, including the work of Joint Occupational Health and Safety Committees (JHSC) and Health and Safety (H&S) representatives as well as the Occupational Health and Safety Co-Ordinating Committee. In 2006, the City adopted a "Targeting Zero Together: Continuous Improvement" initiative, intended to eliminate workplace injuries. Since that time, employers and unions have developed greater appreciation for the effects of psychosocial hazards in addition to physical ones.

Psychosocial hazards are health and safety, not wellness concerns. They are dangers to workers' mental health that arise from – among other things – excessive demands at work, workplace bullying/harassment, job insecurity, technological changes that interfere with tasks, and inadequate resources and support. It is worth emphasizing that when we talk to our members, either informally or through surveys, the most common psychosocial hazard they communicate to us is the stress created by overwork. There are currently over 3,000 vacancies at the City. These vacancies create higher workloads, damage relations between colleagues and limit opportunities for training and advancement, each of which increases workers' risk for negative mental health outcomes.

**SERVING OUR MEMBERS SINCE 1942**

There are some aspects of health and safety – psychosocial hazards, for example – that are erroneously treated as wellness issues. It is important that the City maintain a clear distinction between wellness and health safety. Therefore, the City should ensure the following health and safety practices are given priority while it considers implementing wellness strategies.

- Train JHSC members (workers and management) and H&S representatives to identify psychosocial hazards in the workplace.
- JHSC members (workers and management) and H&S reps should be empowered and encouraged to make proactive interventions to eliminate hazards that contribute to poor psychosocial working conditions.
- The corporate Mental Health Policy’s guidelines should include strong directions to enable divisions to complete psychosocial hazard assessments and to provide divisions with the necessary information and tools to remove these hazards from the workplace.
- Support the efforts of JHSCs and H&S representatives in each workplace to identify and remedy hazards. This would recognize that workplaces face health and safety challenges that are specific to the work performed in those locations. The Occupational Health and Safety Co-ordinating Committee should play a role in promoting health and safety, but Local 79’s position is that workplace-centered initiatives should be identified and encouraged.

Wellness programs are valuable tools in moving beyond basic mental health and safety measures. When implemented properly, they can proactively promote workers’ general health and allow workers to express the full range of creativity, passion and enthusiasm they bring to serving Toronto’s communities. Wellness committees should not, however, be used to compensate for shortcomings in identifying and remedying psychosocial hazards as discussed above. In short, there are right and wrong reasons for implementing wellness programs.

<b>Right reasons to have a wellness program</b>	<b>Wrong reasons to have a wellness program</b>
<ul style="list-style-type: none"> <li>• Promoting health and wellness of workers.</li> <li>• Increasing workplace morale.</li> <li>• Increasing the use of a person’s parasympathetic system (rest and recuperation), which tends to shut down during work.</li> <li>• Building healthy relationships among co-workers and management.</li> <li>• Providing convenient opportunities to participate in wellness activities that don’t require commuting or payment.</li> </ul>	<ul style="list-style-type: none"> <li>• Increasing a worker’s capacity to endure stressful situations (stress is a psychosocial hazard and should be addressed as a health and safety issue, not a wellness issue).</li> <li>• Rehabilitating psychological injuries.</li> <li>• Removing the employer’s accountability for workload stress and other psychosocial hazards.</li> <li>• Increasing workers’ workload through new ‘wellness’ tasks.</li> <li>• Having a band-aid solution to cover over the root causes of negative mental health outcomes in the workplace.</li> </ul>

Local 79 supports – and would participate in – the creation of wellness committees that are separate from existing JHSCs and H&S representatives. We also believe that a good wellness program should be employer-driven. This means the employer should be prepared to make investments in the program, including financial investments, but also ensuring that employees who participate in organizing and

implementing wellness initiatives are not forced to do so on their own time, or by adding to their existing workload. The work of these committees should be informed by specific information regarding the areas of concern that require address. This information is already made available to JHSC and H&S representatives.

In stating our support for wellness committees, Local 79 keenly aware of budgetary pressures facing most divisions, including the Mayor's request for a 2.6% budget reduction. It is nonetheless essential for the City to invest in both health and safety and wellness strategies.

### **Diversity**

Local 79 is proud of our diverse membership and the leadership roles equity-seeking groups already play in our union. Nonetheless, we recognize that there is more work to be done to ensure the Toronto Public Service reflects Toronto's demographics. We have three major recommendations relating to diversity.

- The City should fill its more than 3,000 vacant positions. In many cases, this would provide a pathway to good work for both existing employees and for people in communities that are disproportionately vulnerable to precarious work with all the uncertainty, negative health impacts and poor income implications that precarity entails.
- The City should follow up on the TO Prosperity poverty reduction strategy (as well as a City Council direction going back to June, 2013) by developing and implementing a job quality assessment tool. This would be an important complement to the City's social procurement policy. The diversity and strength of the City's own workforce will improve as a job quality assessment tool and social procurement strategy raise the general quality and inclusivity of Toronto's labour market.
- The City should develop and implement flex-time policies in all Divisions. Flex time is a key component of promoting workplace diversity because it recognizes that people have diverse familial, cultural and community-based responsibilities. Promoting greater flexibility in scheduling is a concrete measure by which the City can promote wellness while making it easier for diverse groups to succeed in their workplace.

### **Workforce Capacity**

Members of Local 79 consistently tell us they feel 'stuck' in terms of their career progression. There are significant gaps in employees' ability to gain access to career development resources, including training opportunities and – most importantly – opportunities for promotion. Members across the City experience this stress, but it is a particular problem for young and part-time workers. It is not uncommon for part-time staff to work for 10 or more years before finally obtaining a full-time position. For people in the formative stages of their careers this represents a serious obstacle and frustration. It also creates incentives for talented workers to look for employment with organizations that are more fully invested in their career development. The City needs to identify obstacles to internal promotion, develop clear data on trends (internal versus external hiring; movement from part-time to full-time status; etc.) and then develop and implement a strategy to address these problems. Local 79 is always eager to work with the City on these kinds of workforce development initiatives.

In addition, Local 79's report on our training survey, which we forwarded to the City earlier this year, made a number of observations related to training and workforce development.

- **Infrequent Training.** Although 76% of members believe they would be able to provide better services to Torontonians if they received more training, 70% report that they only receive training once per year or less.

- Barriers to Training. More than a third of respondents indicated that overwork, lack of shift coverage, gapping, or staff vacancies presented a major barrier to training. In fact, this problem was noted in the Auditor General's February 7, 2014 Review of Training, Conference and Related Travel Expenses. Members also indicated that lack of budget, lack of time allocation and preferential treatment presented obstacles to receiving training. Members often report that work time is not allocated for training that is related to their work – or indeed mandatory for the performance of their work – and they end up completing this training outside of work hours.
- Elements of Successful Training. Members know that their work time is valuable, so they want training to be delivered effectively. Training needs to be relevant, delivered by highly qualified instructors, and be accompanied by opportunities to put training immediately into practice.
- Diverse Learning Styles. The survey showed that opinion is split in terms of the value of technology in learning. Some prefer the flexibility that on-line learning offers, while others prefer the opportunity for discussion and follow-up questions that classroom-based learning provides. There was a consensus that post-training support, in the form of additional materials and knowledgeable supervisors, is as essential as the training itself.

We emphasize that in order to provide a fair opportunity for all employees to obtain training, work-related training should be done on paid time. Managers must make such time a priority if the City is truly committed to workforce development.

In addition, Local 79 notes that a 'Key Action' under Workforce Capacity development in the Talent Blueprint is the need for management tools that allow managers to discuss employee's aspirations and learning needs and that support managers in creating development plans with their staff. The October 24, 2016 meeting of the Economic Development Committee heard presentations from workforce development groups that emphasized the importance of providing workers with career pathways. A central strategy in pathway-development is to ensure employees are able to take advantage of consolidated and comprehensive information about career and training opportunities from a single source. The City should develop a similar program. This would entail linking employees to a coherent source of City-wide information, training opportunities, advice, and so on. Although managers should take an active interest in the careers of all employees in their division, they should be able to make comprehensive resources (perhaps beyond their own knowledge or skill set) available to employees.

Local 79 requests that the City give serious consideration to our recommendations and respond. The above are recommendations that arise out of our initial consideration of the information provided at the meeting on October 28. Further consideration and engagement on the Talent Blueprint would undoubtedly produce further recommendations.

Thank you again for the opportunity to participate in this important discussion. Local 79 remains open to further engagement, including meeting again as the City develops its plans. Please do not hesitate to contact me if you have any questions or would like any clarifications.

Yours truly,



Tim Maguire  
President

Cc: Peter Wallace, City Manager  
Kerry Pond, Executive Director, Human Resources



**Canadian Union of  
Public Employees**

34 St. Patrick Street  
Toronto, Ontario  
M5T 1V1  
Tel: (416) 977-1629  
Fax: (416) 977-9546  
www.cupelocal79.org

**Executive Committee:**

*President:*  
Tim Maguire

*First Vice-President:*  
Nancy Murphy

*Vice-President - Chief  
Steward:*  
Jason Desjardins

*Vice-President Equity:*  
Ainsworth Hamilton

*Recording Secretary:*  
Sofia Reno

*Membership Secretary:*  
Linda Rose

*Treasurer:*  
Lily Chang

**Assigned CUPE  
Representatives:**

Derek Lue  
Janet McIvor  
Sharon Rodgers  
Don Styles  
Charles VanVliet

**Bargaining Units:**

*Bridgepoint Hospital*  
- 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**

**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