

City Council**Motion Without Notice**

MM8.51	ACTION			Ward: All
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Expanding Recognition in Toronto’s Industrial Commercial Institution Sector - by Councillor Ana Bailão, seconded by Councillor Michael Thompson

** This Motion has been deemed urgent by the Chair.
* This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

Recommendations

Councillor Ana Bailão, seconded by Councillor Michael Thompson, recommends that:

1. City Council direct the City Manager, in consultation with the City Solicitor and the Executive Director, People Equity and Human Rights to enter into negotiations for a Voluntary Recognition Agreement with the Laborer's International Union of North America (LIUNA) in principle, with any such Voluntary Recognition Agreement to include the following terms and conditions:

- a. the Voluntary Recognition Agreement will recognize Labourers' International Union of North America’s bargaining rights in the Industrial Commercial Institutional Sector only and will expressly specify that the City does not recognize Labourers' International Union of North America’s bargaining rights in any other sector;
- b. the Voluntary Recognition Agreement will recognize Labourers' International Union of North America as the exclusive bargaining agent for those construction labourers in the employ of the City of Toronto in the Industrial Commercial Institutional sector of the construction industry in the Province of Ontario, save and except non-working forepersons and persons above that rank, and persons covered under subsisting construction or non-construction collective agreements;
- c. the date of execution of the Voluntary Recognition Agreement and the Voluntary Recognition Agreement effective date will be negotiated by the City of Toronto and Labourers' International Union of North America and will be no sooner than one year from the date of the passing of this Motion by City Council; the Voluntary Recognition Agreement will be applicable only on a go-forward basis and will exclude all projects awarded or procurements issued prior to the effective date;
- d. the Voluntary Recognition Agreement shall be entered into for the purpose of fulfilling

the City's need for labourers to work in connection with specific identifiable future projects in the Industrial Commercial Institutional sector of the construction industry only and with a view to the City obtaining those labourers through Labourers' International Union of North America's hiring hall;

e. the Voluntary Recognition Agreement is conditional upon the City and Labourers' International Union of North America obtaining the agreement of their respective Bargaining Agents that the applicable Industrial Commercial Institutional Provincial Agreement:

- shall not apply to any projects under \$400,000 dollars indexed to inflation annually and any projects including but not limited to: playgrounds/playscapes/splash pads, landscaping within Parks, sports infrastructure within Parks and hardscaping; and any projects including but not limited to: playgrounds/playscapes/splash pads, landscaping within Parks, sports infrastructure within Parks and hardscaping; and

- will apply only to specific identifiable projects tendered by specific City divisions;

f. the Voluntary Recognition Agreement is conditional upon the City and Labourers' International Union of North America obtaining the continuing agreement of their respective Bargaining Agents with respect to the following:

- the validity of all additional or alternative terms and conditions negotiated between the City and Labourers' International Union of North America;

- Labourers' International Union of North America will not enforce provincial Industrial Commercial Institutional collective agreement with regards to use of unionized General Contractors provided that work covered by the Industrial Commercial Institutional agreement is sub-contracted to Labourers' International Union of North America's signatory employers; and

- no cross over language in the Provincial Industrial Commercial Institutional Agreement or any Appendices shall apply to the City of Toronto at any time in the future and the Voluntary Recognition Agreement applies solely to the Industrial Commercial Institutional sector;

g. the Voluntary Recognition Agreement will be conditional upon Labourers' International Union of North America agreeing that Labourers' International Union of North America will not make any claims to any work performed by City of Toronto Local 416 employees, work historically performed by TCEU Local 416 bargaining unit or any work that falls outside of the construction industry, including any grievances against TCEU Local 416 with regards to work jurisdiction;

h. the Voluntary Recognition Agreement will be conditional upon Labourers' International Union of North America continuing to participate in Construction Connections, and supporting the City of Toronto's Social Procurement Program and related community benefits initiatives that provide a pathway to construction jobs for equity-seeking and Indigenous Torontonians; and

i. the Voluntary Recognition Agreement will include a plan whereby Labourers' International Union of North America will work with City Staff to proactively establish annual targets for union funded training seats at its Greater Toronto Area training centres, as well as strategies for increased access to localized training, with the goal of increasing the number of equity-seeking and indigenous registered apprenticeships.

Summary

Labourers' International Union of North America (LIUNA) is one of the largest labour groups in the country with more than 100,000 members and retirees. Labourers' International Union of North America members work in building, manufacturing and heavy construction sectors across the country.

Labourers' International Union of North America has a long track record of job training and skills development in marginalized and impoverished communities. Through its own training centre and in conjunction with Community Colleges Labourers' International Union of North America has helped to train tens of thousands of young Canadians in the skills necessary to find work.

Background Information (City Council)

Member Motion MM8.51