



REPORT FOR ACTION

Grievance Summary Report

Date: January 28, 2020

To: The Board of Governors of Exhibition Place

From: Michael Wiseman, Director, Employee & Labour Relations

Wards: All

SUMMARY

This report provides a summary and analysis of grievance and arbitration activity for the six (6) month period of July 1, 2019 to December 31, 2019. The 2019 grievance activity is also compared to the six (6) month period from July 1, 2018 to December 31, 2018.

In the last six (6) months of 2019, the total number of grievances filed by all bargaining units on Exhibition Place grounds was twenty-four (24), compared to twenty three (23) for the same period in 2018. Of the grievances filed, three (3) have been referred to arbitration.

RECOMMENDATIONS

The Director, Employee & Labour Relations recommends that:

The Board receive this report for information.

FINANCIAL IMPACT

There are no financial implications in relation to this report.

DECISION HISTORY

As a result of a request from the Board of Governors at its meeting on December 4, 2015, the City has prepared this grievance report to provide information for the Board. This submission covers the period of July 1, 2019 to December 31, 2019.

COMMENTS

Grievance Activity

There were twenty-four (24) new grievances filed during the period of July 1, 2019 to December 31, 2019; during the corresponding time frame in 2018, twenty-three (23) new grievances were filed. This represents an increase of one (1) new grievance filed in the second half of 2019 as compared to the second half of 2018.

There were five (5) grievances resolved, withdrawn, or adjourned during the period of July 1, 2019 to December 31, 2019.

Grievances by Union Affiliation

Exhibition Place had eight (8) Collective Agreements to which it was bound on the grounds during 2019. There was one Union, CUPE Local 5116 (Security) that was decertified in October 2019. Exhibition Place is also bound under the Provincial Industrial, Commercial, and Institutional (ICI) Collective Agreements for Electrical, Carpentry, Labour, Painting, and Plumbing.

Chart 1: Number of Grievances by Union Affiliation – July 1, 2019 to December 31, 2019

	Maintenance	ICI	Total
Carpenters	0	0	0
IATSE	22	0	22
Labourers	2	0	2
Security	0	0	0
Parking	0	0	0
Plumbing	0	0	0
Electrical	0	0	0
Painting	0	0	0
Total	24	0	24

Most Common Grievance Issues

The most common grievances at Exhibition Place are related to the assignment of work and work jurisdiction, which represents 71% of the grievances filed.

Jurisdictional issues arise out of a disagreement between Exhibition Place and its Unions on the assignment of work. Work jurisdiction grievances are common in the construction industry and with construction oriented Union locals. The value of a person's union membership and craft is strongly linked to the work opportunities available to that Union. As such, jurisdiction over work assignments is of critical importance to the Union(s) and their membership. With respect to the directly employed staff on the grounds, there is overlap of certain work tasks between the collective agreements and there are many work assignments that might reasonably be assigned to members of more than one Union.

With construction projects, work jurisdiction disputes are fairly common and will usually commence with a particular Union filing a grievance to claim the work, while employees from another Union actually performed the work. There is plenty of room for reasonable disagreement between various Unions, contractors, subcontractors and management of Exhibition Place as to which Union is properly assigned a particular task.

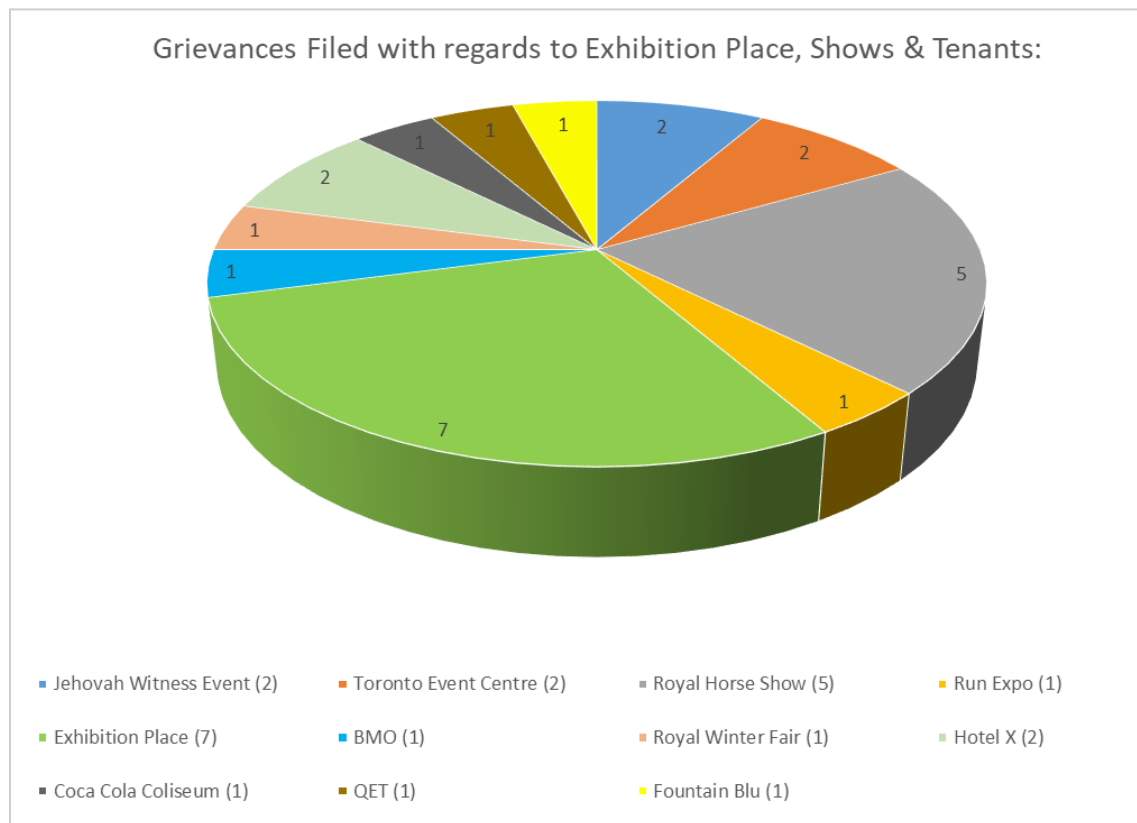
Tenanted Space and Shows

Tenants have leases and agreements that obligate them to respect the provisions of the Collective Agreements of Exhibition Place. However, within these obligations there are specific determinations about whether a particular task must be assigned to a particular Union or not.

A significant portion of Exhibition Place's business involves the booking of shows and exhibitions. These clients are advised of the Collective Agreement obligations however, when show managers change or shows are new to the grounds, incorrect assignments of work occur. As noted above, there is also room for determinations about whether a particular task must be assigned to member of a particular union or not.

In 2019, the majority of grievances (all but two) were filed by IATSE. This, in part, can be attributed to the collective agreement changes that were agreed to in 2018 and the parties taking positions on the new/changed language in the collective agreement.

Chart 2: Grievances Filed by Unions With Regards to Exhibition Place, Shows & Tenants - July 1, 2019 to December 31, 2019



CONTACT

Michael Moran, Manager-Employee & Labour Relations, 416-392-5029,
Michael.Moran@toronto.ca

SIGNATURE

Michael Wiseman
Director, Employee & Labour Relations