

Results of Collective Bargaining Negotiations between the City of Toronto and The Carpenters' District Council of Ontario/United Brotherhood of Carpenters and Joiners of America

Date: April 14, 2025

To: City Council

From: City Manager, Chief People Officer and Chief Procurement Officer

Wards: All

REASON FOR CONFIDENTIAL INFORMATION

This report is about labour relations or employee negotiations.

The attachment to this report contains labour relations information, supplied in confidence to the City of Toronto, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.

SUMMARY

The purpose of this report is to provide City Council with the results of the collective bargaining negotiations between the City of Toronto and The Carpenters' District Council of Ontario/United Brotherhood of Carpenters and Joiners of America and to seek ratification of the negotiated agreement.

RECOMMENDATIONS

The City Manager, Chief People Officer and Chief Procurement Officer recommend that:

1. City Council ratify and approve the Memorandum of Settlement between the City of Toronto and The Carpenters' District Council of Ontario/United Brotherhood of Carpenters and Joiners of America, in Confidential Attachment 2

to the report from the City Manager, Chief People Officer and the Chief Procurement Officer.

2. City Council direct that Confidential Attachment 1 remains confidential in its entirety as it relates to labour relations or employee negotiations.

3. City Council direct that Confidential Attachment 2 remain confidential at this time, as it relates to labour relations or employee negotiations and City Council authorize the public release of the confidential labour relations information in Confidential Attachment 2 following ratification by City Council, and the creation of a final collective agreement, and the completion of all related proceedings, as confirmed by the Chief People Officer.

4. City Council amend Schedule B to Municipal Code, Chapter 67, by including in the current Schedule B, the City's new contractual obligations in the residential sector of the construction industry as a result of the ratification of Memorandum of Settlement between the City of Toronto and The Carpenters' District Council of Ontario/United Brotherhood of Carpenters and Joiners of America. This amendment is effective as of the effective date of Memorandum of Settlement between the City of Toronto and The Carpenters' District Council of Ontario/United Brotherhood of Carpenters and Joiners of America.

5. City Council amend Schedule C to Municipal Code, Chapter 67, by adding to the current Schedule C, the Residential Work Fair Wage Schedule contained in Attachment 3 to this report, effective as of the effective date of Memorandum of Settlement between the City of Toronto and The Carpenters' District Council of Ontario/United Brotherhood of Carpenters and Joiners of America.

6. City Council authorize the City Solicitor to introduce the necessary bills to give effect to City Council's decision and City Council authorize the City Solicitor to make any necessary clarifications, refinements, minor modifications, technical amendments, or by-law amendments as may be identified by the City Solicitor or Manager, Fair Wage, in order to give effect to Parts 4 and 5, above.

FINANCIAL IMPACT

The financial impacts of this report are set out in Confidential Attachment 1.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

EQUITY IMPACT STATEMENT

There are no negative equity impacts identified as a result of this report.

DECISION HISTORY

There is no previous Council decision history on this matter.

COMMENTS

On March 25, 2011 the Carpenters' District Council of Ontario/United Brotherhood of Carpenters and Joiners of America (hereafter referred to as "the Carpenters") filed a certification application to represent carpenters and apprentices in the employ of the City of Toronto in all sectors of the construction industry, other than those in the Industrial, Commercial and Institutional (ICI) sector.

The City was already unionized by the Carpenters in the ICI sector (along with eight other trade unions) at the time of the Certification Application, but had largely operated without union obligations in other sectors of the construction industry.

The Certification Application in March of 2011 was followed by a period of litigation before the Ontario Labour Relations Board (OLRB) to review the merits of the Certification Application. On May 15, 2013 the OLRB determined that the Certification Application was successful and issued a certificate granting the Carpenters bargaining rights for carpenters and apprentices in the employ of the City of Toronto in all sectors of the construction industry (except ICI).

While bargaining commenced between the City and the Carpenters soon after certification, the Certification Application by the Labourers Union in March of 2014 (which was later dismissed by the OLRB in February 2018), the introduction and enactment of Bill 66 (Restoring Ontario's Competitiveness Act, 2019) by the Province in 2018 and 2019, which directly affected the status of construction unions within municipalities, followed by the pandemic, served to place negotiations in abeyance. In 2023 the Carpenters requested to resume bargaining. Since then, the parties met four times during the summer and fall of 2024, ultimately reaching a tentative agreement in December 2024.

Confidential Attachment 1 contains further details and an explanation of the tentative agreement. Confidential Attachment 2 is the complete tentative agreement between the parties.

Fair Wage By-Law Implications

With the potential for work to be tendered in the residential sector of the construction industry, the City is required to update Municipal Code, Chapter 67, Fair Wage.

If City Council ratifies and approves the Memorandum of Settlement between the City and The Carpenters' District Council of Ontario/United Brotherhood of Carpenters and Joiners of America, along with the City's increased focus on tendering in the Residential sector of the construction industry, the City's contractual obligations in the construction industry will change. Schedule B to Municipal Code, Chapter 67, would also need to be

amended to include new obligations to the Carpenters' District Council of Ontario/United Brotherhood of Carpenters and Joiners of America in the residential sector, effective as of the date the agreement takes effect, if it is ratified by City Council. In addition, City tendering of projects in the Residential sector necessitates that Fair Wage schedules be created and approved.

The Fair Wage By-Law and Policy are meant, in part, to harmonize hourly wages, vacation/holiday pay, benefits, and weekly hours of work received by organized and unorganized workers to create a level playing field for contractors bidding on City contracts. Attached to this report as Attachment 3 is a proposed Residential Work Fair Wage Schedule to be added to the current Schedule C of Municipal Code, Chapter 67, effective as of the effective date of Memorandum of Settlement between the City of Toronto and The Carpenters' District Council of Ontario/United Brotherhood of Carpenters and Joiners of America.

Preparing an additional schedule for the residential construction sector and adding it to Schedule C of the by-law as a seventh Fair Wage Schedule, is consistent with Fair Wage Office practices. The Fair Wage Office currently maintains six Fair Wage Schedules as part of Schedule C to the Fair Wage By-Law. Construction-related Fair Wage rates are harmonized with rates established by collective bargaining, while the Fair Wage rates for other classifications are based on market and industrial surveys and the prevailing wages for non-union workers in a geographic area.

CONTACT

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SIGNATURE

Paul Johnson
City Manager

Mary Madigan-Lee
Chief People Officer

Geneviève Sharky
Chief Procurement Officer

ATTACHMENTS

Confidential Attachment 1: Explanation of the tentative agreement

Confidential Attachment 2: Tentative agreement between the City of Toronto and The Carpenters' District Council of Ontario/United Brotherhood of Carpenters and Joiners of America

Attachment 3: Residential Work Fair Wage Schedule