



# NATIONAL & PROVINCIAL PERSPECTIVES

- LABOUR RELATIONS SERVICES -

No. 01, February 26, 2016

## STARTING WITH ONTARIO

*February has been an active month for Ontario with respect to workforce issues. This inaugural issue of National Perspectives highlights three significant issues: (1) City of Toronto and CUPE negotiations, (2) Fire and Police Arbitration, and (3) Post-Traumatic Stress Disorder legislation.*

### - City of Toronto and CUPE Negotiations -

Over the weekend, negotiations with the City of Toronto's "inside" and "outside" employees reached a critical juncture. While 5,400 outside employees reached a tentative agreement on February 19, two days later approximately 23,000 inside employees were directed to "work-to-rule".

#### **Outside Employees (CUPE local 416):**

Just hours before the employer and union were in a position to legally lock-out or strike, respectively, the parties reached a tentative deal for a new four-year contract. Details of the agreement will be released once it has been ratified by the Local 416 membership and subsequently approved by City Council.

Outside service staff include garbage collection workers, paramedics and water services staff.

Mayor John Tory noted that the agreement is within the mandate set by the council employee and labour relations committee.

Prior to reaching agreement, the union had stated they were seeking "modest wage increases" and a commitment to "no concessions bargaining". For their part, the employer noted that the cost of benefits had risen by about four per cent annually in recent years, making changes to the collective bargaining agreement necessary.

#### **Inside Employees (CUPE local 79):**

While negotiations started in October, alongside CUPE local 416, they continue for CUPE local 79. After agreeing to a 24-hour extension to talks on February 20, CUPE local 79 is now in a legal strike position and has instigated "work-to-rule" conditions including taking all breaks in full,

refusing to answer bosses' calls, e-mails and texts when not at work, and not, for example, clearing a jammed photocopier if that is not part of their job (click [here](#) for more on work-to-rule). Tim Maguire, union president, commented "there are no plans for any escalation at this point".

Local 79 has noted it has different demographics and needs compared to local 416 as more than half of inside member are women under 30. Sticking points in the negotiations include job

security, stability and wages that aren't on par with other city workers, Macguire said.

In a written statement, Mayor John Tory noted the work-to-rule campaign will do nothing to bring the two sides closer together. Linked to the statement is the employer's [Contingency Service Delivery Plan](#).

The collective agreement for inside employees expired on December 31, 2015.

**- Fire and Police Arbitration -**

*"Ontario's interest arbitration system is creating unjust imbalances, and indefensible costs. Inaction has had consequences."*

*- Gary McNamara, President of the Association of Municipalities of Ontario (February 22, 2016)*

The cost of emergency services in Ontario increased by roughly three times the rate of inflation annually since 2002 according to the Association of Municipalities of Ontario (AMO).

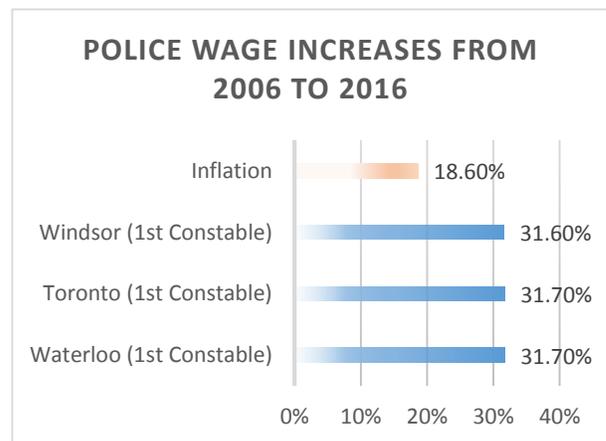
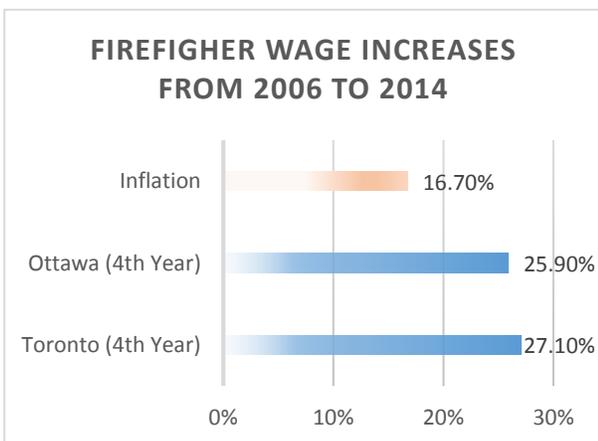
The statement by the AMO furthers the nationwide conversation regarding the cost of police and fire services.

Similar to claims made in British Columbia, the AMO states the increasing compensation costs with respect to police and firefighting services

are due to the flawed, provincially-controlled arbitration system.

In Ontario, similar to the system in British Columbia, impasses in police and firefighter collective bargaining may be resolved by a provincial arbitrator, who is required by [legislation](#) to consider a number of key factors in coming to a decision.

The AMO has made repeated requests for changes to the arbitration system, arguing that



NOTE: Some of the percentage increases are calculated from either annual or monthly rates and are not reported. Results may be affected by compounding and rounding.

arbitrators place greater priority on the pay levels provided at other emergency-services departments across the province rather than on local fiscal realities.

Gary McNamara, President of the AMO noted that between 2010 and 2014, \$485-million was provided in pay hikes over and above raises given to other municipalities in Ontario.

The association asserts the solution is for the province to rewrite the law to stop arbitrators from replicating the same raises across the province. Instead, the main test should be what a municipality can afford. This number could be determined by looking at what raises other employees in the same municipality are getting.

The office of the Labour Minister stated they are looking into the problem, but made no promises. This is not the first time the province has heard this issue. In 2012 the government tabled legislation to reform the arbitration system. However, it was voted down after it was amended at the last minute. A senior Liberal source said the government made the change after the Ontario Professional Fire Fighters Association (OPFFA) lobbied the premier's office.

Amendment to the arbitration test for emergency services would serve to restore balance in police and firefighter arbitrations, reducing policing and firefighting compensation costs by millions of dollars per year.

### - PTSD Legislation -

Ontario introduced legislation on February 18 that intends to create the presumption that PTSD diagnosed in first responders is work-related. If passed, the *Supporting Ontario's First Responders Act (Posttraumatic Stress Disorder), 2016* [legislation](#) would apply to police officers, firefighters, paramedics, workers in correctional institutions and secure youth justice facilities, dispatchers of police, firefighter and ambulance services, and First Nations emergency response teams.

The legislation follows on the Ontario [government's prevention strategy](#) which has outlined four major elements:

- The creation of a radio and digital campaign aimed at increasing awareness about PTSD amongst first responders, their families and

communities and eliminating the stigma that too often prevents those in need from seeking help

- An annual leadership summit to be hosted by the Minister of Labour to highlight best practices, recognize leaders, and monitor progress in dealing with PTSD
- A free online toolkit with resources on PTSD tailored to meet the needs of employers and each of the first responder sectors
- Grants for research that supports the prevention of PTSD.

To read the 2015 Ontario report from the Summit on Work-Related Traumatic Mental Stress please click [here](#).

### QUESTIONS?

If you have any comments or questions about this update please contact Karen Jewell, Division Manager, Base Services at 604-432-6228 or by email at [karen.jewell@metrovancover.org](mailto:karen.jewell@metrovancover.org).