

Right to strike, recycling and illegal dumping

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The municipal workers strike is entering its 12th day, and residents' questions are piling up as fast as the trash at Christie Pits park. In an occasional series beginning today, City Hall reporter Brodie Fenlon will explain everything you need to know about the strike. **Do strikers have a legal right to delay or prevent access to picketed sites?**

What are the police doing about it?

Workers have a right to picket, but delays and blocked access are a grey area. Toronto Police Constable Wendy Drummond said police must balance the strict enforcement of the law with the rights of free speech and public safety, as they did when Tamils shut down a local highway during a recent protest. Discretion and de-escalation have been the force's guiding principles, she said.

What should I do with my recycling? It's starting to build up. Is there somewhere to drop it off?

The city asks that you to continue to store recyclables, yard waste and bulky items until the strike is over.

How does the city decide what counts as an essential service? I gather that police and firefighters don't have the right to strike. How is their compensation determined? And why isn't the same model used with all city workers to avoid strikes?

The city doesn't get a say. Strikes, lockouts and work stoppages are governed by the provincial Labour Relations Act, which makes no mention of essential services.

Police, fire and hospital workers have their own labour-dispute acts and cannot strike. They go automatically to arbitration if they can't get a negotiated settlement. There are separate acts for ambulance services and the Ontario public service, which provide the right to strike as long as essential-service agreements are in place specifying what work must continue during a walkout. In Toronto, that means paramedics can reduce service, but must respond to all emergency calls. The Ontario government would have to introduce new legislation if other city workers were to be deemed essential.

How will the Windsor strike affect the Ontario government's decision to intervene with back-to-work legislation for Toronto?

Some think Premier Dalton McGuinty's hands are tied in Toronto because of the 11-week-old strike by indoor and outdoor workers in Windsor. Mr. McGuinty said last week he has no intention of interfering in the Toronto dispute as long as both sides are at the table. But Frank Reid, director of the Centre for Industrial Relations and Human Resources at the University of Toronto, said he'd be "very surprised if they [the province] let the Toronto strike drag on as long as they have the Windsor strike. We are more spoiled here." If the province moves, it would only be after getting a clear call for help from the city.

A few of my neighbours have put out piles of festering garbage and compost in front of their house. And what about the piles of garbage being dumped beside public garbage cans?

Anyone caught dropping garbage anywhere outside of the city's seven transfer stations and 19 temporary sites is subject to a \$380 illegal-dumping fine. Of course, you have to be caught first by a city manager filling in as a bylaw officer. As of yesterday, the city had issued 205 tickets and 2,400 warnings.

With a report from Jennifer

Lewington