

Did Miller give up too much to get a deal?

Marcus Gee, Columnist

Toronto's mayor puts a brave face on what may be only a partial victory

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Did Miller cave? That was the first thing that many Torontonians wanted to know after the city and its unions reached a deal to end a five-week-old strike.

Mayor David Miller, after all, is a supporter of the labour movement and a former member of the NDP. And yet he has staked his reputation, and perhaps his mayoralty, on the outcome of a confrontation with the city's unions. Toronto, he said, simply had to achieve big savings on its labour bill to pull through these pinched times with its finances intact.

We won't know for sure whether he got those savings until we see the fine print of the contract, but the first signs are troubling. If he has backed down too much, there could be hell to pay. Many Torontonians will rightly complain that they were put through a disruption of more than five weeks for nothing.

According to details gleaned by The Globe and Mail's Jennifer Lewington, the city has won only a partial victory on the key issue of bankable sick leave. New hires will no longer be eligible for the sick days, but existing employees will have the option of keeping them.

There is also a new wage deal, of 6 per cent over three years, which is sweeter than the already-reasonable offer made by the city earlier this month.

That, in any case, is the first rough sketch we have of the deal, and it suggests Mr. Miller has a problem. Many city residents didn't know about the sick-leave system in the first place and were angry that the unions were trying to cling to such a generous benefit when other people were clinging to their jobs, or losing them altogether. They supported the mayor in his push to get rid of the outdated system and save the city money, even if it took a strike.

Bankable sick days were the number-one issue in the strike. Mr. Miller insisted that Toronto could no longer afford such a system, which has been chucked by many other modern-minded municipalities. In the city's latest public contract offer, he proposed to replace it with a more up-to-date sick-leave system – one that paid workers only when they were actually sick.

If, instead, the city is eliminating it only for new hires, then it may be a while before Toronto gets much out of it. Phasing out the system over time by denying it to new hires will save money in the long term, but “if the city needs savings sooner than that, it is not much of a win,” says management-side labour lawyer Stewart Saxe.

The old sick-leave system gives workers 18 days of sick leave a year, which they can either use or save up and cash in (up to a limit) at retirement. That saddles the city with a huge liability. If the city is still on the hook for the future cash-ins of thousands of existing employees, it is stuck with that liability for longer than it hoped.

Mr. Miller obviously feels he can sell this deal to the city as a win. He was looking confident and relieved yesterday. Without revealing the details of the settlement, which must first be ratified by the unions tomorrow, then voted on by city council later this week, Mr. Miller said that it achieved the city's aims of a contract that was fair to workers and affordable to the city.

But spinning is part of winning, and Mr. Miller may be putting a brave face on what is in fact only halfway to the victory the city needs to get its ragged finances in shape. How big was the late-in-the day compromise on sick leave? Did the city concede on other things, like benefits, to get the unions to swallow the sick-leave phase-out? What did outside-workers leader Mark Ferguson mean when he said yesterday that the union had made no concessions at the bargaining table? Stay alert. Both sides of this story are trying to make it look like they won. It's not likely that both of them did.