

Toronto workers expected to be back Friday

Following ratification vote by inside workers, city's outside employees set to vote Thursday
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Striking City of Toronto workers are expected to be back on the job Friday, after a chaotic day of negotiations that saw one union ratify its deal but the other call off its vote in the face of demands by the city.

However, late Wednesday night, Local 416 reached a deal on the protocol by which its members will return to the job. It had been battling the city over the terms, including whether or not the city could hire private help to fast-track the clean-up efforts.



Local 416 members are set to vote Thursday on their tentative deal. Union president Mark Ferguson said both locals will remain on the picket line, and return to work at 12:01 a.m. Friday together, so long as his members ratify their deal.

The agreement between the unions and the city includes the hiring of some contract staff to help with the cleanup over the weekend.

“We've managed to meet the city halfway,” Mr. Ferguson said.



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That sets the stage for Local 79, which ratified all of its four deals Wednesday night, to return to work. Earlier in the night, the union said it wouldn't go back on the job until Local 416 struck its own deal to do so. That set up a showdown with Mayor David Miller, who earlier called the decision to ratify but continue the strike today “unacceptable.”

“Ratifying and signing the memoranda of agreement should mean the end of the strike and a return of city services,” he said in a statement. “This is unacceptable as CUPE Local 79 has signed the new collective agreements, yet refused to give their workers permission to come to work by ending the strike.”

Mr. Miller has called a council meeting for tomorrow morning to vote on the deals, but workers are able to return to work before that vote, something Mr. Ferguson called an “extremely unorthodox move.”

Mr. Miller had earlier called on Local 79 workers to return to the job today without their fellow Local 416 members.

“Members of CUPE Local 79 can call the union local ... if they have questions about when their union may allow them to return to work [today],” Mr. Miller's statement said.

“ I may sound a little frustrated. ”— Toronto Mayor David Miller

The late-night deal between the city and Local 416 capped a long night of negotiations and a bizarre day in which both unions were to have ratified their deals and planned to return to work as early as this morning.

But Local 416 cancelled its vote earlier in the day as talks continued over the potential discipline of union members and the role of private contractors in a required, speedy clean-up of temporary dump sites opened during the strike. Those talks wrapped up just before midnight.

“I may sound a little frustrated,” said the mayor, of the delays. “I am.”

The union's cancellation of yesterday's ratification vote caught the city by surprise, forcing Mr. Miller to appear at a news conference, originally meant to lay out a back-to-work schedule, without any such plan to share. He instead faced a barrage of questions over the phase-out – he called it “elimination” – of the controversial sick day benefit.

“I am extremely pleased with what we have been able to achieve in eliminating a benefit that has been there for probably 50 years,” he said.

Under the deal reached with the two locals earlier this week to end a strike that began June 22, new hires would not be entitled to the benefit and would enroll in a short-term disability plan. Existing employees could join that plan if they opt to cash in their banked sick days this year. But they could opt for the status quo, with no access to the short-term plan.

Toronto is among a minority of municipalities that have taken steps to shed a growing unfunded liability – \$250-million for the city in a worst-case scenario. The phase-out, with its key grandfather provision for existing employees, copies the approach taken by Mississauga and the former city of Etobicoke.

“It has helped us cap a growing benefit cost,” Mr. Miller said.



Illustration 1: The Globe and Mail Victor Real throws a garbage bag into a truck collecting trash from the public at the temporary dumping site at Campbell Park, near Dupont St., and Lansdowne Ave. in Toronto on July 27, the day the city and its unions reached a tentative deal.

The claim was later disputed by Toronto Board of Trade President Carol Wilding.

“Has it [the sick day proposal] moved us any closer to helping the city deal with a \$400-million budget shortfall [for 2010]?” she asked, answering “no” to her own question.

In 2008, the city cancelled banked sick days for non-union members who, unlike those covered by this week's tentative settlement, did not have the option of keeping the status quo.

“These [union members] people were on strike for five weeks and we needed to find a way to reach an agreement,” Mr. Miller said. “Was it exactly the way we initially proposed it, no, but these are negotiations.”

The mayor's critics on council believe he caved in to the unions. Councillor Karen Stintz (Ward 16, Eglinton-Lawrence) said she would not vote for the deal and accused the mayor of falling short of his own earlier demands for fiscal restraint.

“He [Mr. Miller] told us he was going to get rid of the sick bank. He didn't,” she said. “He told us he was going to have wage increases that were in line with inflation. They're not.”

The deal includes wage and benefits worth 1.75 per cent in 2009, 2 per cent in 2010 and 2.25 per cent in 2011. Compounded over three years, the total cost increase is estimated at 5.6 per cent because benefits costs have been held in check.

Councillor Denzil Minnan-Wong (Ward 34, Don Valley East) said the mayor had “betrayed” residents by failing to prevent a further accumulation of sick days. On July 10, Mr. Miller went public with an offer that called for a partial buy-out of workers' sick days, a proposal rejected by the unions as an unacceptable “takeaway.”

But the mayor's allies note that the previous administration under former mayor Mel Lastman, in which Mr. Minnan-Wong would have been in the right-leaning political majority on council, never moved to tackle the growing financial liability.