

## Strike update: Labour stalemate lurches toward bitter conclusion

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[Toronto on strike](#)

By Allison Hanes, National Post

Updated 9:30 p.m.

Toronto's 37-day labour stalemate lurches toward a sudden and seemingly bitter conclusion on Monday, with the city and its two striking unions announcing tentative agreements.

While there was palpable relief on the picket lines, where 30,000 indoor and outdoor workers have gone six weeks without a paycheck, there were immediate questions about what Toronto sacrificed to clinch the deal.



The contents will not be made public until after ratification. Union members vote on the deal tomorrow and city councillors vote on Friday.

Services such as garbage collection, daycare and recreation programs will resume only after ratification, meaning, in all likelihood, garbage dumps will remain in parks until the weekend or early next week.

Neither side conceded defeat in yesterday's dramatic climax of the labour stoppage that began when city workers walked out on June 22, but neither crowed victory either.

"Everybody has lost," lamented Mayor David Miller to reporters at City Hall. Ann Dembinski, president of Canadian Union of Public Employees

Local 79, representing 24,000 inside workers, complained the whole episode had "soured" the city's relations with its workers.

Mark Ferguson, the president of CUPE Local 416, representing 6,000 outdoor workers, basked in the glory of announcing the first settlement after around-the-clock weekend negotiations.

He claimed the city had walked away from all the concessions it had demanded, including a plan to scrap banked sick days.

"The last concession came off the table just under an hour ago," he said just after 8:30 a.m. at the bargaining headquarters, in a Scarborough hotel.

Hours later, when Ms. Dembinski emerged from a downtown hotel where her team has been holed up, she called it a "great deal" her members would be "happy with."

The Mayor, however, insisted the preliminary contract fits "within the mandate of the employee and labour relations committee."

According to an offer he made public two weeks ago, it included wage hikes of 1% in 2009, 1% in 2010, 2% in 2011 and 3% in 2012, as well as a payout of banked sick days and the creation of a sick-leave plan.

"I have a quite different view of so-called concessions than Mr. Ferguson," Mr. Miller said. "I think when people see it they will agree, it is consistent with 2009 public-sector settlements and it met the city's bargaining goals, not just to be fair to our workers, but to run the city affordably and to run it effectively and efficiently. Those were our goals and we achieved them."

City councillors, who will likely get a glimpse of the contract at a Friday ratification meeting, said they will be watching

closely to see what the striking unions got.

“If the city caved on the sick bank, there’s going to be hell to pay from the voters,” said councillor Denzil Minnan-Wong (Don Valley East).

Councillor Karen Stintz said she will be looking to see if the settlement lives up to the Mayor’s billing of affordability — in particular whether the city held the line on capping wage hikes this year and resolving the \$140-million liability posed by the banked sick time.

Councillor Doug Holyday (Etobicoke Centre) suggested it would be astonishing if the deal forged doesn’t address those two critical issues.

“The CUPE president ... is going to claim victory no matter what,” said Mr. Holyday, a member of the employee and labour relations committee, which set the city’s negotiating parameters. “To do anything else would be sheer folly for him. And as far as the Mayor, if we gave away all the concessions and didn’t get what we wanted out of this strike and it was all for naught, it would be tantamount to him jumping off a cliff.”

Mr. Holyday is also seeking to move a motion at Friday’s special council meeting to prevent the city from paying out any overtime to returning employees to clean up the mess left in the wake of the strike.

“It just doesn’t make sense at all to put a method in place for these people to make back the money that they lost when they were on strike,” he said. “If they chose to go on strike and lose their pay, that’s up to them.”

In Windsor, workers resuming their duties after a 101-day labour disruption agreed to such a provision in their settlement, but Mr. Miller refused to divulge yesterday whether any such understanding exists for Toronto’s unions — or whether he might support such a measure.

The Mayor thanked Torontonians yesterday for the patience and poise during the strike, and asked their co-operation for a few more days as the city unveils plans to gradually ramp up cancelled services.

City manager Joe Pennachetti explained not all service can resume at once, since garbage trucks or works vehicles require servicing and day-care centres need to be stocked with food.

“We need to rely on some additional patience and understanding in the coming days,” Mr. Pennachetti said. “We will work as quickly as possible to resume full service to residents and businesses.”

*With files from Polina Levina*

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**Updated 4:45** TORONTO -- Toronto’s dirty garbage strike appears to be over after a tentative deal between unions representing 30,000 civic workers and the City of Toronto was announced on Monday afternoon.

“I’m pleased to confirm that negotiators . . . have today reached a tentative agreement that when ratified, will bring an end to the strike,” said Toronto Mayor David Miller, at a news conference on Monday.

“This strike was a difficult period for Toronto and we must focus on moving forward,” he said. He would not provide details of the agreement until it is ratified. A ratification vote has been called for Wednesday, said Mr. Miller, which means city services could be resumed as early as Friday.

Mr. Miller admitted the impasse had been a struggle for everyone involved.

“Nobody wins a strike . . . it’s a loss for everybody.”

CUPE spokeswoman Ann Dembinski went further, telling reporters Monday the strike should never had happened.

“There could have been a deal without a strike,” she said. “There was a point in April when we were on the verge of having a collective agreement but the city changed course.”

Mr. Dembinski said labour relations with the city has been “set back years” and will never be the same.

News of a possible end to the 36-day strike broke after a marathon bargaining session over the weekend and two extensions of a deadline set Friday for breaking off talks if no settlement was forged.

By mid-morning, talks had picked up speed with Local 79, said Robert Lamoureux, a CUPE spokesman.

But he said negotiations were more complicated with indoor workers, because there are four separate collective

agreements to iron out. Also, Local 79's members include daycare workers, part-timers and long-term caregivers, all of whom had very specific on-the-job realities and contract provisions, leaving many details to finalize, he said.

Nevertheless, negotiations were given a major boost by the apparent resolution with outdoor workers.

On Friday, Local 416 ramped up the pressure on the city saying it would walk away from negotiations if no deal was reached by midnight on Sunday.

Pickets will remain in place until such time as the contracts are voted on by all striking workers.

Toronto civic workers walked off the job on June 22.

One of the most noticeable disruptions caused by the strike has been the halting of garbage service. Mountains of garbage piled up all around the city with city dump sites being picketed by union workers.

Elsewhere in southern Ontario, the City of Windsor on Friday ended a 101-day strike of 1,800 unionized city workers, ratifying a four-year deal. Windsor also had its garbage service suspended during the strike. City workers there were returning to work Monday.

*National Post*

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**Update 3:40 p.m.:** Mayor David Miller speaking at a press conference at City Hall announced that negotiators have reached tentative agreements with both unions that will end the strike. CUPE Local 416 and Local 79 will be voting on the city's package on Wednesday and **pickets will remain up until then.**

Information on when city services will resume to be available on city website at [toronto.ca](http://toronto.ca) as soon as it becomes available, Toronto city manager Joe Pennachetti said.

CUPE Local 79 president Ann Dembinski speaking at her own press conference said that "labour relations have been set back decades" by this disruption.

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It looks like Toronto's 36-day strike may finally be over. Dueling news conferences are scheduled for the next hour – ostensibly to announce a settlement.

Ann Dembinski, president of the union representing indoor workers, is to speak outside the Sheraton Hotel on Queen Street at 3:30 p.m. Mayor David Miller's office issued a statement moments before the union's announcing he will address the public at 3:30 p.m.

The labour dispute appears to be over – unless the conflicting media availabilities derails the deal.

But Robert Lamoureux, a spokesman for Canadian Union of Public Employees Local 79, called the Mayor's statement "premature," saying Ms. Dembinski was supposed to come out first. He confirmed moments ago the finishing touches are being put on a contract for 24,000 indoor workers.

Toronto inched closer to a resolution of the strike by 30,000 employees throughout today, after a tentative deal was struck early this morning between outdoor workers and the city.

The news of an imminent conclusion came as a sixth week of garbage piling up in parks, closed pools, cancelled recreation programs and no day care dawned on Toronto.

The apparent breakthrough came after a marathon bargaining session over the weekend and two extensions of a deadline set by the union Friday for cutting a deal – or cutting off talks.

However, Mark Ferguson, president of CUPE Local 416, said the strike for 6,000 outdoor members will not end until a contract is reached for its sister union representing indoor workers.

"We will not leave anybody behind," he said, urging the city to "shift its focus" and get down to business with Local 79.

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But he said negotiations are more complicated with indoor workers, because there are four separate collective agreements to iron out. Also, Local 79's members include daycare workers, part-timers and long-term caregivers, all of whom have very specific on-the-job realities and

contract provisions, leaving many details to finalize.

Nevertheless, negotiations were given a major boost by the apparent resolution with outdoor workers.

“Obviously, it’s going to have an impact,” said Lamoureux. “But hopefully, it will create some momentum.”

On Friday, Local 416 ratcheted up the pressure on the city, issuing an ultimatum saying it would break away negotiations if no deal was reached by midnight Sunday.

No ratification vote will take place unless Local 79 clinches a deal, but Ferguson said it could come as early as Wednesday if indoor workers can cobble together a contract today. Pickets will remain in place until such time as the settlement is voted on by all striking workers.

Mayor David Miller’s office issued a statement saying he will not comment on the development until a similar resolution is forged with Local 79. On Friday Mr. Miller said he welcomed Local 416’s determination to get serious. Indoor workers meanwhile did not join in the do-or-die deal-making.

Toronto civic workers walked off the job on June 22 with pay increases and sick time the key stumbling blocks. The unions were seeking wage hikes of 3% a year, on par with those achieved through arbitration with police and transit unions. They are rejected city attempts to reform a plan that allows workers to bank up to 18 sick days a year and cash them out at the end of their careers – a \$140 million liability on Toronto’s books for those two unions.

Two weeks ago, Mr. Miller played his trump card, publicly unveiling the city’s offer, including pay increase of 1% in 2009, 1% in 2010, 2% in 2011 and 3% in 2012 as well as a pay-out of banked sick days and the establishment of a sick leave program.

The Mayor insisted the offer was "fair" to workers and "affordable" for taxpayers in a recessionary year.

One of the most noticeable disruptions caused by the strike has been the halting of garbage service. Mounds of garbage has piled up all around the city with city dump sites being picketed by union workers.

On Friday, the city announced its plans to seek injunctions to get access to trash-strewn Bluffer’s Park for garbage clean up.

It also sought an injunction to control the doors at a social assistance office in Etobicoke where union pickets impeded both clients and staff from entering.

The strike has also effected condos around the city. Building inspectors who normally sign off on safety approvals for condos were on strike.

Construction has stopped on Hearthstone By the Bay, for instance. Residents were slated to move into the waterfront retirement condo on Aug. 27. Moreover, many owners’ current houses have already been sold, leaving them effectively homeless.

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*(photo: Aaron Lynett/National Post)*