

# Relationship Protocol

Between

City of Toronto (The City)

&

The City of Toronto Administrative, Professional, Supervisory Association Incorporated  
(COTAPSA)

## 1. Overview

This Relationship Protocol is intended to clarify and reflect the current basis upon which the City and COTAPSA will continue to work together in order to support and enable their ongoing collaboration, issue resolution, and information sharing in relation to the City's polices applicable to employees who are members of COTAPSA.

For the purposes of this protocol, COTAPSA will represent its members who are non-union and management Toronto Public Service employees and are governed by the Toronto Public Service By-Law. The City, through its Human Resources Division, represents the interests of the City, as the Employer, related to corporate employee-related programs, policies and practices of the City.

## 2. Guiding Principles

The parties commit to acting with integrity and respect, striving for effective regular communication and issue resolution, and working together to promote the highest standard of public service.

COTAPSA acknowledges that it is Council's role:

- (a) to represent the public and to consider the well-being and interests of the City;
- (b) to develop and evaluate the policies and programs of the City;
- (c) to determine which services the City provides;
- (d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
- (e) to ensure the accountability and transparency of the operations of the City, including the activities of the senior management of the City; and
- (f) to maintain the financial integrity of the City.

COTAPSA acknowledges that Council, as the ultimate City decision-making body, has delegated to the City Manager, the responsibility to provide organizational leadership to staff and for the efficient and effective delivery of services and that the City Manager is the head of the administrative and operational aspects of the government of the City of Toronto and is responsible to the Council for the proper administration of the affairs of the City, including organizational structure, in accordance with the by-laws adopted by the Council. COTAPSA acknowledges that the City Manager is responsible for managing the human, fiscal and physical resources of the City but that this delegation of authority does not authorize the City

Manager to exercise or encroach upon the powers of Council or its committees or upon the statutory duties of its officers.

COTAPSA acknowledges that Council has delegated, to the Executive Director of Human Resources, the responsibility for human resources and labour relations services for the City.

The City acknowledges that Council has directed City staff to consult with COTAPSA in relation to policies applicable to employees who are members of COTAPSA.

The City and COTAPSA also jointly affirm that public service employees are entitled to a respectful and safe workplace. The work environment must be one that we collectively strive to make free from harassment, discrimination, violence and disrespectful behavior as outlined in the City's Human Rights and Anti-Discrimination/Harassment Policy. Every employee has access to this complaints resolution process. A respectful workplace includes a safe and healthy work environment, as defined by the Occupational Health and Safety Act, and the Workplace Safety and Insurance Act and any other relevant City policies and provincial legislation and/or policy.

### **3. City/COTAPSA Staff Relations Committee**

The City/COTAPSA Staff Relations Committee will be the primary forum for the parties to discuss and resolve issues of joint interest. Individual employee situations will not be tabled or discussed through this forum.

The parties will meet bi-monthly. The City, through the Executive Director, Human Resources will propose dates at the end of each calendar year for the following year, and dates will be set through mutual agreement.

The parties will strive to alternate hosting the meeting in their respective work locations. Through mutual agreement the parties may cancel a meeting, or schedule additional meetings on general or specific topics as appropriate.

COTAPSA will be represented on the Committee by:

- The Association President or designate
- The Association Executive Director
- The Senior Human Resources Consultant (SHRC)
- An Officer of the COTAPSA Board

The City will be represented on the Committee by the City's Human Resources Senior Management Team:

- Executive Director
- Director of Strategic Recruitment, Compensation & Employment Services
- Director of Employee and Labour Relations
- Director of Organizational Development, Learning & Workforce Planning
- Director of Occupational Health & Safety
- Director of HR Systems & Management Services

The Executive Director of Human Resources and the Executive Director of COTAPSA will strive to meet or connect the week prior to each City/COTAPSA Staff Relations Committee meeting to confirm agenda.

#### **4. Communication**

In the spirit of consultation and input, the City will continue to consult with COTAPSA on new or proposed programs, policies or practices (or changes to those that are established) that may affect and relate to terms and conditions of employment of non-union and management employees in a reasonable and timely manner. While these types of communications will generally be made within the scope or purview of Human Resources, the City will endeavour to provide advance notice of information being released by a division/cluster that may impact COTAPSA members (e.g. restructuring), as appropriate.

From time to time, specific information provided in advance to COTAPSA may be designated as confidential and COTAPSA will be expected to treat this information as embargoed until released more broadly. Material that is being provided to Council which is confidential in nature (i.e. an 'in camera' item) will not be shared in advance, respecting the need for Council to review and deliberate the matter first.

The City recognizes the right of COTAPSA to communicate with and advocate for non-union and management employees.

#### **5. COTAPSA Member Employment Issue Resolution**

The City commits to working with COTAPSA on individual COTAPSA member employment issues, as appropriate. While these items will not be tabled at the City/COTAPSA Staff Relations Committee, the parties agree to seek out opportunities to resolve such issues, through the following process:

Once a member has confirmed authorization for COTAPSA to assist in resolving their individual issue (standard authorization form), the City and COTAPSA will each designate a primary contact who will work together to address issues as they arise. These individuals will be the first level contacts, and will represent each organization through this process, within the scope of their authority. Both the City and COTAPSA agree to work through the designated contacts, to support consistency, tracking of issues, and timely follow up for any outstanding issues on either side. The City's designated primary contact will be copied when the COTAPSA designated primary contact consults with other City corporate divisions (e.g. Director of Pension, Payroll and Employee Benefits).

The designated primary contacts are:

- For COTAPSA, the Senior Human Resources Consultant (SHRC)
- For the City, the Director of Strategic Recruitment, Compensation & Employment Programs (the Director)

City/COTAPSA commit to the following timelines:

- If the SHRC is unavailable the COTAPSA Executive Director will act as designate.
- If the Director is unavailable, a designate is to be assigned by the City as the City's primary contact during that period. The established timeframe remains in affect
- City to provide written acknowledgement of receipt of a COTAPSA member issue request from SHRC within 48 hours.
- City to respond within 15 days to initial COTAPSA questions or issues
- Definitive date to be established to resolve 'larger/unusual' cases, where possible
- COTAPSA provided time to review with the member the City response (*reasonable turnaround time 7 days*)
- COTAPSA to then follow up with questions/requests for City consideration (*within 48 hours*)
- Follow up response to be received from City within a week, which may resolve the issue; indicate further work needs to be undertaken or otherwise conclude the process, either with or without resolution of the issue

COTAPSA's SHRC and the City's Director of Strategic Recruitment, Compensation and Employment Services will hold bi-monthly meetings to discuss 'outstanding cases' that are raised by COTAPSA on behalf of one of their members and that the parties agree to discuss through in that forum. The SHRC to recommend to the Director a list of issues that COTAPSA proposes to be treated as outstanding issues a week in advance of the meeting Dates of these meetings will be set through mutual agreement.

At least once per year, the Staff Relations Committee will review the types of individual issues raised (at an aggregate level) to increase understanding and awareness of trends, if any.

## **6. COTAPSA Membership**

The City acknowledges that all non-union and management Toronto Public Service employees governed by the Toronto Public Service By-Law (with the exception of the City Manager, Deputy City Managers, Division Heads, Executive Director/Directors/Managers of Human Resources, the City Solicitor, Directors and Practice Leads in the Legal Services Division, employees in the Employment Law Section of the Legal Services Division, and other positions through which conflicts may arise) are eligible to join COTAPSA as a member. Membership is voluntary and at the sole discretion of the employee and governed by the Association's Bylaws. The City will not seek directly or indirectly to dissuade any eligible employee from joining COTAPSA or from holding office within the Association. The City and COTAPSA agree that there should be no reprisal experienced by any employee choosing membership or non-membership in COTAPSA, or for seeking or holding office on the COTAPSA Board.

The City will communicate, through Deputy City Managers, the commitment of the City to support those City employees who sit on the COTAPSA Board/Executive to attend Board, Executive or Committee meetings during work hours as required, without reprisal, and subject to operational needs as determined by the employee's Manager. COTAPSA agrees to alert the City, through the City/COTAPSA Staff Relations Committee, to any issues relating to these matters.

The City will provide COTAPSA membership information within materials presented to new employees at their orientation.

### **Non-Union Staff Lists**

The City will provide to COTAPSA non-union and management staff lists twice annually, including:

- Employee name
- Employee email address
- Employee group
- Cluster, division
- Position title

This protocol to be reviewed by the Staff Relations Committee every three (3) years, or as required through mutual agreement, at which time either party may terminate the framework with 30 days' notice to the other party.

**Date:** December 18, 2017



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For the City of Toronto  
Executive Director, Human Resources



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For COTAPSA  
President

