



DRAFT REGULAR MINUTES

**City HR/COTAPSA
Tuesday, March 13, 2018
City Hall, 3rd Floor West, Boardroom**

Present:

City:

Kerry Pond, Executive Director, Human Resources

Barbara Shulman, Director, Strategic Recruitment, Compensation & Employment Services

John Schaffter, Director Organizational Development Learning & Workforce Plan

Shannon Anthony, Manager, Human Rights

Mike Wiseman, Director, Employee and Labour Relations

Hatem Belhi, Director, Pension, Payroll & Employee Benefits

COTAPSA:

Heather Nicolson Morrison, Executive Director

Grace Ciardullo, Senior Human Resources Consultant

Tristan Downe-Dewdney, 2nd VP

Jenna Mantle, Executive Assistant

Absent:

City:

Bill Taylor, Director, HR Systems & Management Services

Alison Anderson, Director, Occupational Health and Safety

1. Minutes December 21, 2017

Approved

2. Approval of Agenda

Approved

3. Business Arising from Last Meeting of December 21, 2017

- *The Fair Workplaces, Better Jobs Act, 2017*
 - COTAPSA staff reported that information is being sent out by the City to non-union employees but not reaching the front line. COTAPSA is receiving inquiries concerning items such as medical notes, Personal Emergency Leave (PEL), etc.
 - Resultantly, COTAPSA is preparing a Bulletin with Q&A
 - City HR staff requested to review a draft copy of the Bulletin before it is distributed.
 - COTAPSA staff requested clarification as to how Personal Emergency Leave (PEL) days are administered. It was confirmed by City Staff that the two paid PEL days are used first if an employee calls in for sick, ill dependent or bereavement as there is a 'greater benefit'. If the two paid PEL days are used up (for sick, ill dependent or bereavement) and the employee subsequently has an emergency and calls in, they may still take their PEL days but they will be unpaid. COTAPSA raised a concern that a member should be allowed to direct if it is a sick day or an emergency.

4. Outstanding Items from Previous Meeting(s)

- Standby/Call in Pay (2010) *On Hold*
- Re-employment of Former Employees Policy - Termination Provisions (2016)
 - City HR staff confirmed that this would be received by the end of June, 2018.

5. New Business

- LTD Benefits
 - COTAPSA staff reported that union employees receive LTD coverage until age 70 whereas non-union employees only receive LTD coverage until age 65.
 - It was reported that non-union employees are held to a 'high standard,' however sometimes their benefits mirror the union and other times not. Why are there differences?
 - City HR staff explained that there is a bargaining process that takes place with the unions and therefore some benefit items were not applied to non-union employees. However, there are some benefits that non-union employees have that union employees do not.
- COTAPSA staff asked if there are other benefits where there is a distinction as to who is covered. I.e. *laser eye coverage*.
- A list of union employee benefits and non-union employee benefits was requested in order to compare the differences.
 - City HR staff to provide.
- Protocol – Non- Union Employee Discipline Letters
 - COTAPSA staff asked where this protocol is housed on the City's HR website.

- City HR staff confirmed that this protocol has not been posted. However, it was circulated to Strategic Recruitment, and Employee and Labour Relations, who are the point of contact for employees.
 - City HR staff agreed that they would look for a place to post it on their website and provide the link to COTAPSA staff so they can send a notice to members.
- Updated Performance Management Results
 - COTAPSA staff asked if the 2016 numbers were available. They explained that the COTAPSA Board has requested a breakdown to include gender, ethnicity and what/where positions are that receive a 4.5.
 - City HR staff to provide to COTAPSA staff by end of week.
 - It was stated that results are not broken down by diversity as this data is not collected. There was discussion that it could be provided in combination with data from the *Count Yourself In* survey but it could be a confidentiality breach.
 - COTAPSA staff followed up on a prior request to receive questions from City HR staff on Performance Management to be included in the COTAPSA Member Survey
 - City HR Staff to submit by mid-May
- Vacation Savings Pay
 - COTAPSA staff reported that the policy states that employees are entitled to 7 weeks' vacation at their 30th year of service (only). They questioned whether an employee would also receive a 14% VSP if they retire on their 30th year of service
 - City HR staff confirmed that it is only 12%. VSP is calculated on what would have been put into bank the following year which would be based on 6 weeks' vacation.
 - COTAPSA Staff noted that Local 416 receives 14%
 - City HR Staff to double check.
 - It was stated that 416 vacation accrual is not deferred ... they receive it from day one.
- Human Rights Office (HRO) Investigation Process
 - COTAPSA staff questioned their relationship with HRO to advocate on behalf of members. It was explained that over the past year there has been push back. Even though COTAPSA members sign a Representation Authorization Form (RAF) and fully acknowledge and endorse the COTAPSA SHRC as their advocate or representative before the City, the HRO even after presentation of the RAF still forced the complainant to submit a complaint on their own own.
 - City HR staff explained that the employee needs to be the main party involved in the process – they must drive it.
 - COTAPSA Staff further asked what the rights are of the respondent to get a 'fair' procedural investigation. They explained that there are occurrences where the individual facilitating the investigation is too close to the complaint/issue and/or may not be trained to handle.
 - City HR staff stated that Managers must abide by the policy. HRO continues to build capacity in Divisions and Managers should be

supported. Bias and conflict is considered and there is a triage aspect of investigation. It is believed that in many cases, the Manager can do the investigation, even if they feel uncomfortable. It was suggested for more information that employees be referred to the Managers Guide which provides a fulsome review of the process.

- COTAPSA Staff asked what level of Involvement the ELR Consultant has as many times they do not know or are not aware of a case.
 - City HR staff confirmed that when there is an issue it doesn't necessarily go directly to ELR Division – it could go to HRO, or directly to Legal. However, it is concerning if ELR is not aware of an administrative leave case. It was requested that ELR Director be copied on emails.
- Professional Management Fees
 - COTAPSA Staff questioned if professional fees are reimbursed to the employees if a professional or educational designation is a requirement of the job, i.e. P. Eng. It was reported that reimbursement seems to be a Divisional choice when in COTAPSA's view it should be consistent across the City.
 - City HR staff explained that the *Business Expense Policy* states that the City "may". It is at the discretion of the Division but it also must be a requirement of the position and should have been part of the job call. They do not see why for example a P. Eng. would not be reimbursed but will review and report back.

6. Other Business

COTAPSA Staff reported that City Manager, Peter Wallace was referenced in a news article stating there will be staffing cuts happening.

Meeting adjourned at 3:46 p.m.