

April 20, 2020



Earlier today your Union reached an Emergency Framework Agreement (EFA) with the City of Toronto for the duration of the pandemic. The Union believes that achieving the EFA with the City is beneficial as this avoids the City from utilizing the Municipal Order which was issued by Premier Ford on April 16, 2020.

Here is a summary of the EFA

- The agreement is effective immediately and shall continue to operate for thirty (30) days after the revocation by Province of Ontario and the Mayor of Toronto of their declarations of emergency.
- Upon termination of the EFA, the collective agreement shall apply.
- City will continue to pay the regular wages of employees until they are placed on an Emergency Leave (EL) as a result of one of the following
 - Employee voluntarily requests to be placed on an EL
 - Employee refuses an emergency reassignment request
 - City decides it will discontinue the payment of regular wages of Employees not actively at work and place them on an EL
 - City places an Employee on an EL due to not being able to accommodate the Employee up to an undue hardship
- Where the City issues a Record of Employment (ROE) for any of the above mentioned reasons, the City will use the appropriate code to indicate a cessation of operations due to COVID-19 to ensure to the extent possible that the Employee will receive EI, CERB, or any other benefit provided by the Province of Ontario and/or Government of Canada. It will be the Employees responsibility to apply for any such benefit.
- During the salary continuation and effective the date of the signing of the EFA, Employees who are not in the workplace or are only performing a relatively small portion of their job duties shall not be able to commence sick pay or injury and illness pay, unless the Employee was already receiving sick pay.
- Following the termination of the EFA, vacation, lieu time, and float days will be scheduled in accordance with the collective agreement
- In order to effectively maintain the delivery of essential or critical municipal services, the City may take the following actions
 - Vary staffing levels within any operations

- Reassign or transfer staff or alter work assignments within locations, between divisions or between City bargaining units (i.e. all Local 79 bargaining units, Local 416, and Local 2998)
 - Change hours of work or shift schedules, while continuing to apply the overtime provisions of the collective agreement
 - Hire additional staff, either internally or externally, or use volunteers, where required to fulfil emergency staffing requirements, provided that there are no employees covered by the collective agreement willing and qualified to perform the work.
 - Defer or cancel vacations, absences or other leaves. This will not apply to earned deferred leaves that commenced or have been pre-approved prior to the effective date of the EFA or pregnancy and parental leaves that have commenced or will commence during this pandemic emergency.
 - Shifts shall not be greater than eight (8) hours unless there is an urgent and unavoidable operational requirement. The City will discuss with the Union the need for shifts greater than eight (8) hours
- If an Employee refuses a reassignment, the Employee will not be eligible for the Supplemental Unemployment Benefits (SUB)
 - Where possible, employees will be provided with two (2) consecutive days off, unless there is an urgent and unavoidable operational requirement
 - City shall provide regular and timely information to the Union, as it becomes available, relating to the above actions

SEASONAL EMPLOYEES

- Due to the discontinuation and reduction of services due to the pandemic, the number of temporary work opportunities have been reduced and amended based on divisional need. The employees in SWM and Toronto Water will continue with the Temporary Work Opportunities/Assignments they selected in the 2020 Work Selection process. Where the employees' recall dates have been deferred, they will be recalled to those divisions, based on seniority within the classification they selected during the 2020 Work Selection process.
- To fill the revised emergency Temporary Work Opportunities/Assignments with the Parks Branch of the PF&R Division, it will be based on the seniority of the employees and considering the Parks classifications included in the employees Personal Work Selection List (PWSL). This process will be inclusive of the positions where employees were recalled up to and including April 8, 2020, with the following exceptions: 1) Deckhand and 2) Gardener's currently working in the Greenhouse will continue to complete the first half of their assignment and the 2nd half of the assignment will be made available for the process identified above. An employee may decline a recall under this Agreement without any impact on their recall rights provided in the CA. That

means there will now be another selection of assignments in order of seniority for those who selected work opportunities in the parks department during work select 2020 other than jobs stated in the above paragraph for all work opportunities regardless if you have started or start date has been delayed.

- City will utilize reverse seniority to place Employees on an EL to meet its requirements.
- The City may require employees placed on an EL to return to work.
- Employees placed on an EL will be entitled to SUB payments for any period during the term of this Agreement.
- Full-time employees shall receive from the City payments equal to the difference between seventy-five percent (75%) of their regular rate and the sum of their weekly EI benefits and any other earnings.
- Employees are not entitled to SUB payments except for the purpose of the supplementation of their EI benefits for the duration of the EL.
- Employees who are placed on an EL due to a refusal to be reassigned or who voluntarily go on an EL shall not be entitled to SUB payments.
- Employees on EL shall continue to receive the same benefits to which they would have been entitled under the collective agreement, including OMERS. The City will continue to pay its share of the benefit premiums and OMERS contributions, unless the employee elects in writing that they do not wish to continue benefit coverage. Employees will be responsible for paying their share of any benefits premium or OMERS contributions.
- If an Employee elects to purchase pensionable service for the period of unpaid leave and the election is made by the end of the next year following the year in which this agreement expires, including any extensions.
- Employees who voluntarily go on an EL or are placed on an EL shall accrue service and seniority for the duration of the leave.
- Employees will be returned to their previous position when normal operations resume and their position is reactivated.
- Nothing in this agreement alters an employee's employment status or modifies the probationary period.
- Employees who are offered reassignment opportunities under this EFA will be able to seek accommodation, where required. Accommodation requests will be reviewed by the City as soon as possible following receipt of the request and supporting documentation. If the City is unable to accommodate a substantiated request the employee will be permitted to use any paid leave to which they are entitled. If the Employee has no paid leaves or exhausts available leaves, the employee will be placed on an EL.
- If an accommodation request is denied as unsubstantiated, and the Employee refuses to report for work, the employee will be placed on an EL. The Union will be provided with

the contact information of the City representative to bring forward any concerns regarding accommodation issues.

- The City acknowledges that it is obligated to maintain a safe and healthy workplace for all employees, including employees who may be redeployed as a result of this agreement. The City and the Union will meet regularly to discuss the occupational health and safety impact of COVID-19
- All staff will be provided with appropriate PPE and training, including training on the use of PPE and protocols for such PPE in their assigned position and work location.

Redeployment FAQs

Redeployment

Q. Why are staff being redeployed to other divisions?

During critical incidents like COVID-19, we need to ensure essential, critical and priority services are delivered effectively so that needs of individuals and the community are met. City staff who are not assigned to supporting COVID-19 or other essential and/or critical services may be asked to assist the City where help is needed most. We must ensure we have appropriate staffing levels to meet the demands of our community. That means we are currently training staff to be redeployed and able to do that work safely.

Working together to make a difference is a key part of the culture of the Toronto Public Service. During this difficult time, the public is relying on us more than ever before. Redeployment helps the City ensure we are meeting the needs of the public and are utilizing our workforce in a manner that is aligned to current demands.

Q. How many staff have already been redeployed?

Close to 500 staff members have already been redeployed (as of April 19, 2020).

Q. What gives the City the authority to redeploy staff?

Due to the unprecedented circumstances created by the COVID-19 pandemic, the Province of Ontario proclaimed a Declaration of Emergency on March 17, 2020 by Order in Council 519/2020. Subsequently, the Province of Ontario has issued various emergency orders respecting work redeployment measures for certain divisions and for municipalities in general. These emergency orders authorize the City to redeploy staff or to cancel or postpone services that are not deemed to be critical, despite the provisions of any other agreements. Furthermore, the City has discussed its redeployment plans in partnership with its Unions and will continue to have discussions during the period of the emergency.

Q. How are decisions being made about where staff are being redeployed to?

Redeployment efforts will support the growing needs of our shelter system, long-term care facilities, 311 services and any other areas where additional support is needed to continue to deliver essential and critical services. We must ensure we have appropriate staffing levels to meet the demands of our community in these service areas and we are currently training staff to be redeployed and able to do that work safely.

Q. How were staff identified for redeployment assignments?

Management in each City division was asked to identify staff who are in positions where services have been discontinued, are at home in positions that can't be performed remotely and/or are in positions that are deemed non-essential or non-critical during this time and are available to be redeployed. If you are not aware of whether you have been identified as available for redeployment, please contact your supervisor.

Q: How will I be contacted about redeployment?

If you have been identified by your base division as available for redeployment, you will receive an email with an online survey about redeployment. Upon receipt, you will have 48 hours to complete the survey. Staff in positions where services have been discontinued and those at home who are in positions that can't be performed remotely will be the first to receive the survey.

If you opt-in and are assigned to a redeployment role, you will be contacted by the Redeployment team in People and Equity with details. You may be contacted over the next several weeks as operational needs are identified. Staff who are identified for redeployment are being contacted by either email or telephone, depending upon circumstances.

Q. What will happen if I don't complete the online survey

If you do not complete the survey within 48 hours of receipt, you will be deemed to be opting-out of redeployment.

Q. What happens if I choose to opt-out of redeployment?

Any staff who opt-out of redeployment will be assumed to be requesting placement on Emergency Leave (EL) until further notice. This means you will no longer receive a salary from the City of Toronto. The Emergency Leave will provide eligible staff with the opportunity to access Federal income supports (such as Employment Insurance and the Canada Emergency Response Benefit). For the period of time that staff are on EL, they will continue to receive the same benefits to which they would normally be entitled, including OMERS contributions. The City and the employee will both be responsible for payment of their portions of OMERS contributions. You may be allowed to use a portion of available vacation prior to being placed on EL. If you do not complete the survey within 48 hours of receipt, you will be deemed to be opting-out of redeployment.

Q: What if I am identified for redeployment but I have vacation time or a leave booked?

In order to effectively maintain the delivery of essential or critical municipal services, if you are identified for redeployment, the City may defer or cancel vacations, absences or other leaves with the exception of Earned Deferred Leave or Pregnancy/Parental Leaves that have already started or have been approved/will begin during the pandemic emergency.

[Emergency Leave](#)

Q. What does an Emergency Leave entail?

Emergency Leave (EL) will provide you with access to Employment Insurance or the Canada Emergency Response Benefit, the same health and dental benefits in which you are currently enrolled, including OMERS if applicable, and continued accumulation of seniority. However, you will not report to work and will not be paid your regular pay. Information about benefits and OMERS contribution continuation can be found in the Compensation, Payroll and Benefits section of this FAQ.

Emergency Leave does not apply to employees who are required to work in divisions subject to a provincial emergency order providing for work deployment measures, including Toronto Public Health, Seniors Services and Long-Term Care and Toronto Water.

Q. How will I access the Canada Emergency Response Benefit or Employment Insurance if I am on Emergency Leave?

Your Record of Employment (ROE) will be issued and sent electronically to Service Canada five days after the last pay period in which you were paid. You do not need to access a hard copy of your ROE for submission. Your ROE will be coded as a shortage of work. You can visit canada.ca for information about how to apply for these benefits.

Employee Communications

Q: What information is being communicated to the redeployed staff?

Once the corporate Redeployment team obtains the employee's a) availability b) preference regarding the shift and location (i.e., preferred quadrant of the City such as North, South, East, West of Yonge & Bloor), staff are informed that they could be redeployed to a certain number of locations based on operational needs. While staff are asked to indicate their preferred shift, they are informed that there are no guarantees the employee will be slotted for their choice.

Q: When can staff expect to be contacted by the division after they are contacted by Redeployment?

A receiving division might reach out to an employee within a few hours or a few days depending upon their redeployment needs.

Q: Are staff provided with an offer letter?

While no offer letters are provided, the host division confirms their assignment directly with the employee.

Redeployment Assignment Details

Q: Will redeployed staff's requested preferences (location, shift hours) be honoured?

While staff's shift requests will be taken into consideration, ultimately the receiving division will determine shifts based upon their operational needs. Accommodation needs will be considered in determining redeployment assignments. In terms of location, staff are asked in the survey to identify the area that is most accessible to them. Although the information will be taken into consideration when identifying placements, ultimately the receiving division will decide on the location based on their operational needs.

Q: What are the typical shift hours?

Shift hours will vary depending upon the needs of the receiving division. At this time,

there are a variety of shifts ranging from day shifts to over nights, weekdays and weekends.

Q: When will I start my new role?

The receiving division will contact you regarding all the details of your assignment, including your work location, start date and time. Some staff may be contacted to start soon, while others may not be contacted until a later date, depending on how operational needs evolve over the coming days and weeks.

Q: What is the duration of redeployment?

The redeployment assignment duration will vary depending on the circumstances and ongoing operational need during the COVID-19 pandemic. The receiving division will provide you with details of your redeployment assignment. Please continue to monitor the [staff ELI resource page](#) for ongoing updates on the overall situation.

Q: What kind of training do divisions provide to redeployed staff?

Staff will be provided with the training they need to complete their work safely. Staff will receive further information about training once they receive their redeployment assignment. The type of training required will depend on the division and role staff are assigned to work in. Staff will be trained on how to complete any work, safety measures and any other important information.

Q: Are full-time staff guaranteed full-time hours if they are redeployed?

Yes, they are.

Q: Can a redeployed staff member refuse a certain shift? If so, what are the consequences or options? (If I do not accept this, do I still get paid for my regular work shifts?)

The expectation is if you are redeployed, you will work the shifts to which you are assigned.

Q. There is a particular division where I feel I would be of benefit based on my skills. Can I 'apply' for redeployment there specifically?

The redeployment survey does ask questions that will help place staff in suitable positions. Ultimately, the operational needs of the City will be the deciding factor.

Q: What is the process if a redeployed staff member's situation changes (i.e., health, personal issues, etc.) and they can no longer complete their assignment?

Staff in this situation should advise their redeployment supervisor and the People and Equity Redeployment team to explore next steps.

[Compensation, Payroll and Benefits](#)

Q: If full-time staff who are redeployed are not guaranteed full-time hours, do these staff only get paid for the time they do work?

Staff who are redeployed will receive full-time hours.

Q. How are length of service or seniority affected if I am a full-time employee but only get part-time redeployment hours?

Staff will not have their length of service or seniority affected by either a redeployment or an Emergency Leave.

Q: Do part-time staff fall under their current collective agreement and current rate of pay?

Employees will maintain their current rate of pay or will receive the rate of pay for their redeployed assignment, whichever is greater.

Q: How are non-union staff compensated under redeployment?

Non-union management are compensated at their current rate of pay.

Q: Who do redeployed staff submit their Bi-Weekly Attendance Record (BWAR) timesheet to?

Redeployed staff should have their timesheets signed by their Location Officer each day and submit them to their Divisional Payroll Coordinator (DPC) at the division they are redeployed to at the end of each pay period. The full list of DPC's can be found in the [Bi-Weekly Attendance Record Timesheet Guide](#).

Q. If I am placed on Emergency Leave, will I still be contributing to OMERS and employee benefits?

Union and non-union employees on an Emergency Leave will continue to receive the same benefits to which they would have been entitled to previously or under their collective agreement, including OMERS. The City will continue to pay its share of benefit premiums and OMERS contributions, unless the employee elects in writing that they do not wish to continue benefit coverage. The employee will be responsible for paying their share of any benefit premium or OMERS contribution, and such payment is to be paid directly to the City.

This Emergency Leave is deemed not to be a break in continuous service under the OMERS Municipal Pension Plan and will be classified as a period of authorized leave for OMERS purposes. If an employee elects not to continue to pay their OMERS contribution while on leave, they will be able to buy back their pensionable service for the period of the leave. Employees have until the end of the next year following the year the leave ends to request the purchase and remit contributions. The City will pay 50 per cent of the cost of the purchase. For example, if the leave ends in June 2020, the employee will have until December 31, 2021 to buy back their pensionable service.

If the employee does not purchase the pensionable service by the end of the next year following the year the leave ends, the employee can still buy back this service at a full cost including employee and employer contribution subject to the OMERS buy back policy in place at the time of the request.

Q. What if I am scheduled to retire when on a redeployment or leave?

There will be no impacts to the retirement process. Please contact your benefits representative for direction on how to move forward.

Q. Will there be an option for early retirement?

Employees will be able to retire based on their years of service. Please visit the OMERS website at omers.com or contact their member services at 416-369-2444.

Q. What if I am scheduled to go on maternity leave while on redeployment or leave?

Maternity and parental leaves will not be affected. Please contact your benefits representative for direction on how to move forward.

Q. I am scheduled to come back from a long-term disability leave. What do I do?

Employee Health and your division will be in touch with you regarding your return-to-work options.

Q. Can I use my vacation and lieu banks before going on Emergency Leave?

Employees may be allowed to use a portion of available vacation prior to being placed on Emergency Leave.

Q: Are there any supports available to me to help me through this stressful time?

The City has implemented a recently negotiated increase in coverage for psychological services of \$1,000 per person per benefit year for non-union, CUPE Local 79 Full-Time, Rec and Part-Time B employees. This benefit is already in place for TCEU Local 416 (CUPE) members.

Health and Safety

Q: What steps is the City taking to protect staff from COVID-19?

We are committed to taking every precaution reasonable in these circumstances to protect your health and safety. Services identified as essential have staff reporting to their places of work and the City is implementing appropriate measures to protect employee health and safety. This includes initiating controls such as the screening of clients and employees, making changes to work processes and the set up of facilities to create physical distancing, heightened cleaning and disinfecting and, where appropriate, issuing personal protective equipment (PPE).

In order to make sure employees at risk as a result of their work activities are protected, the City has established a PPE Task Force at its Emergency Operations Centre. One key role of this task force is to ensure the availability of PPE, such as surgical masks and N95 respirators, etc., for those job functions that require it. In order to provide personal protective equipment appropriate to the risks encountered in job duties, we are evaluating each job's level of risk and required PPE based on the advice of reputable public health and occupational health and safety authorities.

Q: What sort of PPE will staff receive when they are redeployed?

The receiving divisions will provide the redeployed staff with information on PPE. Receiving divisions have been working with the Occupational Health and Safety team and have taken several steps to ensure that staff are provided with appropriate PPE for their assignments as required.

Q: When are staff provided with their PPE?

Staff will be provided with any required PPE, depending on the role, once they report in to their work location.

Q. If I am not satisfied with the PPE provided to me, can I bring my own?

Staff who are provided with PPE as a function of their work must wear the PPE provided. Other staff may wear their own non-medical masks in the workplace if they choose to do so. However, it's imperative that we save medical masks (personal protective equipment) for health care workers and other essential City staff who need them. Wearing a non-medical mask has not been proven to protect the person wearing it, but the use of a non-medical mask can be an additional measure you can take to protect others around you. It's also important to keep in mind that wearing a non-medical mask is not a replacement for following proven COVID-19 prevention measures, such as hand washing and maintaining physical distancing. If you choose to wear a non-medical or cloth mask while at work, follow these guidelines to ensure you're wearing your mask properly.

Accommodation

Q: How do I request an accommodation?

There is a question within the redeployment survey that enables staff to identify that they have accommodation needs (medical, family status, other). Those with accommodation needs will be required to provide additional supporting documentation.

Q: I am willing to be redeployed but have physical limitations. Does this mean I go on Emergency Leave?

No. You would opt-in to be redeployed and state your accommodation needs in the survey. You will be contacted and will need to provide appropriate documentation. A suitable assignment will be looked for to accommodate you. If no suitable accommodation can be found, a People & Equity representative will share next steps with you.

Q: What will happen if my accommodation request can't be fulfilled?

If the City is unable to accommodate a request that has been substantiated or you are required to work from home but there are no opportunities for remote work, you will be allowed to use available vacation and/or lieu time and a People & Equity representative will share next steps with you.

Q: Will staff have access to child care if they are redeployed?

The City of Toronto is authorized by the Province of Ontario to provide emergency child care for children of essential and critical service workers. Emergency child care services are reserved exclusively for children of essential service workers who have no other alternatives. A complete list of workers eligible for emergency child care is available at <https://www.ontario.ca/page/child-care-health-care-and-frontline-staff>

The safest option for your family is to have children remain at home if at all possible. Please complete the [online application](#) to apply for emergency child care. Space is limited.

City Manager email to all staff

RE: Redeployment survey for COVID-19

Today, I'm writing to update you on new measures we are taking to address the COVID-19 pandemic. When we spoke at the Town Hall meeting, we talked about many issues, concerns, ideas and reflections about the situation we find ourselves in. I was inspired by the number of staff who attended and the thoughtful questions you had. An important topic we covered was redeployment and I want to share our plan with you – a plan we have put together in partnership with our unions.

Redeployment

As part of our corporate response, the City has been implementing a redeployment process in order to meet the City's service continuity plans and ensure we can continue to deliver essential and critical services to our community.

To support anticipated needs over the next few weeks, management in each City division was asked to identify and put forward staff who are in positions that are deemed non-essential or non-critical during this time and are available to be redeployed. **Today, the next round of staff who have been made available for redeployment will receive an email with instructions to complete a short survey.** Staff are to complete the survey within **48 hours**, as the information gathered through this survey is needed to connect staff with suitable assignments in City divisions where support is needed.

The survey poses an important question that you need to consider. Will you opt-in to redeployment and provide help where it is needed most? Or will you opt-out? While I do hope you will opt-in, I cannot decide this for you and we are leaving the choice in your hands to do what is right for you and your family.

That said, I want to be transparent about what opting-out means. Any staff who opt-out of redeployment will be assumed to be requesting placement on Emergency Leave (EL) until further notice. This means you will no longer receive a salary from the City of Toronto. The Emergency Leave will provide eligible staff with the opportunity to access Federal income supports (such as Employment Insurance and the Canada Emergency Response Benefit). For the period of time that staff are on EL, they will continue to receive the same benefits to which they would normally be entitled, including OMERS contributions. The City and the employee will both be responsible for payment of their portions of OMERS contributions. You may be allowed to use a portion of available vacation or lieu time prior to being placed on EL. If you do not complete the survey within 48 hours of receipt, you will be deemed to be opting-out of redeployment.

Working together to make a difference is a key part of the culture of the Toronto Public Service. During this difficult time, the public is relying on us more than ever before. Redeployment helps the City ensure we are meeting the needs of the public and are utilizing our workforce in a manner that is aligned to current demands. We have a responsibility to our residents to be financially responsible and accountable – this is true at all times, but even more so now.

Timing

As mentioned in the all staff message on Friday, you will continue to be paid your regular wages until April 26, as we implement the redeployment plans over the next week.

If you opt-in and are assigned to a redeployment role, you will be contacted by the Redeployment team in the People and Equity division with all of the necessary details. Additional staff may be contacted over the next several weeks, as operational needs are identified.

Health and Safety

The health and safety of all of our staff is of the utmost importance – you will be provided with the necessary training and PPE to ensure you are prepared to take on any new role.

Thank you

I would like to thank the close to 500 staff members who have already taken on redeployment roles, and those who will do so in the coming days and weeks. Your dedication and commitment serves as a model of what it means to be a member of the Toronto Public Service.

I also want to thank staff who are working every day, around the clock, in essential, critical and priority functions to help serve our residents – I couldn't be prouder.

I understand that this is a stressful situation as we respond to a challenge we have never faced before. I want to assure you that we will do everything possible to return to regular operations as soon as we are able to do so in a manner that protects your health and safety and that of the residents of Toronto. I appreciate your support as we continue to work together as one team.

Should you have any questions, you can always contact our staff support email at covid19staffsupport@toronto.ca. As well, Q&As will be available today on the intranet and on the staff ELI page.

Chris Murray
City Manager