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Politics and Personnel in Municipal Reorganization

This Bulletin in Brief —

This Bulletin is in the form of three case studies involving implementation of certain amendments contained in Bill 81 (amendments to the Metropolitan Toronto Act which took effect on January 1, 1967). These case studies concern personnel transfers stemming from two municipal amalgamations — the City with Forest Hill and Swansea, and Etobicoke with Mimico, New Toronto, and Long Branch — and from assumption of the welfare function by Metro.*

The Bureau believes that analysis of these Metro experiences can prove instructive now that the provincial Government has decided to create regional governments throughout Ontario. As these governments are formed, personnel transfers will become difficult problems for those involved in municipal amalgamations and annexations** and those who must orchestrate functional transfers to the regional level.

Bill 81 left amalgamation matters almost entirely in the hands of the participants. Neither amalgamation nor upward transfer was measurably facilitated by general provincial legislation, by unsolicited provincial departmental directives, or by the Government's White Paper on the Royal Commission (Goldenberg) Report. These omissions represented a rather surprising departure from the close controls normally associated with provincial-municipal relations. Despite the lack of provincial guidelines, some steps would have to be taken by the municipalities in 1966 to prepare for the appearance of new municipalities when Bill 81 took effect in 1967. The extent to which this need was perceived and acted upon in the realm of personnel transfers forms the basis of this study.

The amalgamation that took place between the City of Toronto, Forest Hill, and Swansea was not a marriage of equals. The large disproportion in size dictated that annexation, rather than amalgamation, would be the practical result in terms of staff integration. By treating the amalgamation as essentially an annexation, the City was able to take action and make decisions that would facilitate a smooth transition and staff integration. Seven elements combined to produce the ease of transition: (1) the City took the initiative; (2) City Council established a policy of co-operation and consultation with the other two municipalities; (3) the City received co-operation from them in return; (4) City administrators proved able at settling difficulties at their level, thus limiting the need for elected officials to become involved in details; (5) the Ontario Municipal Board permitted the 1967 Council-elect to take actions in 1966; (6) the City acted to protect job security and employee benefits as well as to provide for advance notification to employees as to their intended position and salary; and (7) the four involved CUPE union locals co-operated.

The Etobicoke experience contrasts with that of the City. Etobicoke viewed the amalgamation as just that, not as annexation in disguise. Yet, as in annexation, Lakeshore employees were placed in the Etobicoke administration while Etobicoke employees retained their positions. At the same time,

*The York-Weston and East York-Leaside amalgamations, which also resulted from Bill 81, are not considered in this Bulletin. Nor are the personnel shifts resulting from functional transfers other than welfare (such as refuse disposal with 277 persons transferred to Metro and ambulance service with 49 persons transferred).

**Exclusive of Bill 81 changes, the volume of such activities is already substantial in Ontario. During the period 1964-67, there were 86 annexations and four amalgamations.

Etobicoke was faced with considerable opposition to amalgamation and did not benefit from the type of attitude found in Forest Hill — that residents and employees would be best served by active co-operation once the Province had made its decision. The result of Etobicoke's reticence and hostility in the Lakeshore, was near non-preparation for the necessary staff integration on January 1, 1967.

The reasons for Etobicoke's relative difficulty with respect to staff transfer and integration can be summarized as follows: (1) failure at the Etobicoke political level to initiate positive action and assume leadership in 1966; (2) unwillingness in the Lakeshore to accept the inevitable and co-operate; (3) lack of sufficient reliance upon administrators; (4) use of interim decisions that served only to complicate and delay solutions; and (5) failure to complete satisfactory classification and placement once the administrative sector received a political go-ahead in 1967. There are also indications that Etobicoke was unable to prevent last-minute salary increases in the Lakeshore (which were facilitated by the absence of salary classification plans in those three municipalities).

Before summarizing the experience of Metro's assumption of the welfare function, a few observations are in order on the general subject of "soft" services. There are indications in Ontario that such "soft" services are being shifted upward — from municipalities to regional governments, and from the latter to the provincial level.*

These "soft" services, and welfare is a prime example, have several special characteristics, including a largely non-tangible nature, an absence of monopoly due to parallel activities in the private sector, a special clientele rather than community-wide application, and case-by-case treatment requiring substantial administrative judgment. For these and other reasons, Metro's success in administering the welfare function will require a different type of effort than that which has proven effective in "hard" service programmes.

As mentioned above, Bill 81 did provide some details for the transfer of personnel involved in welfare. Although these were not as explicit as the personnel guidelines provided in Bill 80 (the original Metro Act), other favourable factors did exist. Of the 479 employees to be placed in the new department, 424 were from the City where they had already been analyzed and graded in a sophisticated position classification system. The City had demonstrated a willingness to co-operate as early as February of 1966, and had placed an informal freeze on the departmental establishment. An equitable base period for wages existed through use of projected 1967 rates, and temporary placement lists were presented to Metro Council in December of 1966.

Although these advantages were substantial, the personnel transfer process required political decisiveness to be completely successful. Such political agreement was not reached until the Province provided a fiscal impetus. The principal reason for delay concerned the level and scope of welfare services. This delay adversely affected welfare employees, since, without a definite policy statement from Council as to welfare functions, permanent placement and determination of wage rates could not be finalized. Full transfer and integration of staff was not completed until January of 1968.

*See Frank Smallwood, *Metro Toronto: A Decade Later* (Toronto: Bureau of Municipal Research, 1963) for a general discussion, and *News Brief* No. 108, "The Proposed Takeover of the Housing Authority of Toronto by the Ontario Housing Corporation" (Toronto: Bureau of Municipal Research, April 1968) for recent examples.

Recommendations

(1) *The Province should consider inclusion of greater detail and specifics dealing with personnel matters in legislation effecting amalgamations and functional transfers to the regional level of two-tier systems. Some of the specifics we have in mind have been set forth in Bill 112 which established the Regional Municipality of Ottawa-Carleton, although they were largely absent from Bill 81. These strictures and guidelines should cover, among other matters, the following as they apply to employees affected by amalgamations and functional transfers:*

- (a) *Prevention of last-minute and retroactive salary increases and promomotions, with such safeguards being of particular need if small municipalities lacking formal position and wage classification systems are involved.*
- (b) *Requirements that, as a minimum, municipalities assuming functions make every reasonable effort to offer comparable employment to all who were previously employed directly in transferred functions.*
- (c) *Determination of the status of employees involved indirectly or part-time in a function to be transferred.*
- (d) *Limitations on the ability of a municipality from which a function is being transferred to retain employees who performed that function by assigning them to other departments and services.*

(2) *The Ontario Municipal Board and other provincial departments or agencies which would become involved should exhibit a greater willingness to render unsolicited rulings and directives regarding personnel matters in amalgamations and functional transfers. These are particularly needed in amalgamations, when a reconstituted council-elect must be empowered if the new municipality is to become operative and competent immediately.*

(3) *When an amalgamation involves a large or comparatively large municipality, that unit must assume a leadership role and initiative in personnel and in other matters. In doing so, it should, of course, respect the rights and legitimate desires of smaller municipalities. For their part, smaller municipalities should concentrate more on the welfare and best placement of their employees in the new unit, less on the disposition of physical assets.*

(4) *Municipalities undergoing amalgamations or functional transfers should be guided by what can best be described as hard-headed compassion toward affected employees. Among the ways in which this attitude can be expressed are:*

- (a) *Individual treatment of individual employees in special circumstances.*
- (b) *Similar treatment of one class of employee as that afforded employees in another class or department, unless substantial justification exists for different treatment.*
- (c) *Encouragement of informal freezes on hirings, especially just prior to amalgamation or functional transfer, in order to facilitate offers of employment to affected employees.*

- (d) *Imaginative use of the supernumerary technique during the period of transition so that a maximum of employees can be offered positions with a minimum risk of permanently overstaffing.*

(5) *Municipal councils involved in amalgamations or functional transfers should establish policies regarding personnel matters and, once having done so, they should encourage and permit administrative officials to handle the details.*

(6) *Labour unions affected by amalgamations or functional transfers should be brought into the picture in a timely and meaningful way. Councils should recognize that such matters could be vital to unions, since previous collective bargaining agreements should not be considered as contracts. For their part, unions should exhibit patience and a willingness to cooperate, especially when previously non-union personnel are involved.*

Politics and Personnel in Municipal Reorganization

The Municipality of Metropolitan Toronto Amendment Act (Bill 81) provided for several changes to take effect on January 1, 1967, two of which form the subject of this Bulletin — the amalgamation of various area municipalities, and transfer of the welfare function from the area municipalities to the Metro level. Three governmental units are mainly involved: the City of Toronto, the former Township of Etobicoke, and Metro Toronto. The City is analyzed in terms of the manner in which it perceived its role in the amalgamation with Forest Hill and Swansea. A similar approach is used with Etobicoke in its amalgamation with Mimico, New Toronto and Long Branch. The analysis of Metro is slightly different, in that Metro was not involved in an amalgamation and therefore retained its legal status on January 1, 1967. What is of interest is the manner in which Metro dealt with the problem of bringing up welfare employees from the area municipalities.

THE POLITICAL/LEGAL ENVIRONMENT

Bill 80

As the Bureau has noted several times in the past, municipalities are the creatures of the Province. They may be created, altered, or eliminated as the Province sees fit, subject to practical, if not legal constraints. Bill 80, which established the Metro Toronto government in 1953, was a product of this reality. Among other things, the Act required that a previously non-existent administrative sector be created and staffed. It was quite specific in projecting the pension rights, accrued sick leave credits, and vacations of those area municipality employees who would carry out the functions transferred to Metro.[1] Section 22 (7) required that Metro offer employment to all area personnel who, by April 1, 1953, were employed to carry out those functions Metro was to assume. Presumably, this guarantee of employment remained in effect until the compilers of the 1960 Revised Statutes of Ontario, dropped it from the Act. At any rate, it was never repealed by legislative action.

Conspicuous by their absence from Bill 80 were statements relating to temporary *versus* permanent employees, and requirements that positions and salaries be frozen as of a particular date prior to the Act becoming operative. Procedures to be followed in these areas were left to the discretion of the area municipalities.

The Goldenberg Report

The Royal Commission on Metropolitan Toronto, H. Carl Goldenberg, Commissioner, was established in 1963 to examine the possibility of change in the Metro government. The Commission's Report included suggestions relating to the integration of municipal staffs that would result from amalgamations.[2] These suggestions followed the same general pattern laid out in Bill 80 — that employee pension rights and benefits be protected in the transfer. Taking a cue from the then defunct section 22(7) of Bill 80, Goldenberg also suggested that the new authorities (as constituted after the amalgamations took place) offer employment to all employees who held permanent status as of April 1 of the year preceding the amalgamation. Two

[1] *The Municipality of Metropolitan Toronto Act, 1953*, 2 Eliz. II Section 22(1) to (7).
[2] *Report of the Royal Commission on Metropolitan Toronto*, June, 1965 pp. 189-190.

points of interest stand out in this recommendation: That the new authority (rather than the largest of the old authorities) would offer employment, but, presumably, not prior to the date of amalgamation when the new authority gained legal status; and that only permanent employees would be guaranteed employment, thus ending the ambiguity of whether temporary employees must also be included.

Goldenberg also recommended that wages be protected in the transfer. The same rate previously paid was to be guaranteed as the minimum for a comparable position with the new authority. He did not recommend "red-circling"[3] of employees offered a position of less responsibility than that previously held — a circumstance that would ordinarily carry less pay. Should the employee be offered employment at a less favourable wage, and therefore resign, Goldenberg suggested he be given "reasonable compensation for loss of employment." No recommendation was made that area municipalities freeze their establishments or wage rates to ensure against last-minute padding of staff or increase in salaries just prior to amalgamation. But the recommendation did provide a means for the new authority to counteract, after the amalgamation, any unusual increase in salary.

Strong political opinions surrounded both the Goldenberg hearings and Report. Since municipalities must co-operate in a joint venture for transferring staff, their original positions regarding amalgamation should be reviewed. Of the municipalities considered in this study, the City also favoured amalgamation. Etobicoke expressed a fairly neutral position, and Forest Hill, Swansea, and the Lakeshore municipalities of New Toronto, Long Branch, and Mimico were against (if not equally adamant in their opposition) amalgamation.

[3] Defined here as maintaining the previous wage rate, though it may be higher than the standard wage for the position, and foregoing all increments until the general wage scale reaches the red-circled level for the position.

Bill 81

Bill 81 was the statutory result of the Goldenberg investigation. The Bill provided for amalgamation, rather than annexation, of the 13 area municipalities into one city and five boroughs as of January 1, 1967. Had the City annexed Forest Hill and Swansea, all City by-laws would have taken effect automatically in the other two areas, there would not have been a legal break in the City's existence, and the 1966 City Council would have had authority to make decisions governing 1967. Under amalgamation, however, all of the municipalities legally ceased to exist at midnight, December 31, 1966. By-laws that were to govern the new City would have to be enacted by the new council in 1967. None of the three 1966 councils could encumber their 1967 replacement without special provincial authority.

From a legal standpoint, no municipality had more authority than another to make decisions regarding the amalgamation. Only the new municipality could offer employment. Yet certain decisions and administrative procedures had to be carried out in 1966 if the staffs were to be fully integrated by 1967. A practical view demanded that the City and Etobicoke, with their large facilities, take the initiative.

Bill 81 did not protect the status of employees in amalgamated area municipalities who were not to be transferred to Metro. The Labour Relations Act does provide that employees of amalgamated municipalities be considered as one staff after amalgamation[4] but, again, this does not indicate a protection of employee status (job security or retention of employee benefits). Bill 81 was, nevertheless, specific (in section 24) about protecting employee *benefits* of any

[4] *Labour Relations Act*, Section 47a (10), *R.S.O. 1960*, Ch. 202, as amended in 1966 by Ch. 76.

employee who took a position with Metro as a result of implementing Bill 81. Unlike Bill 80, however, there was no guarantee of *employment* for area municipality employees who had been carrying out functions that were transferred to Metro.

Although a final reading on Bill 81 did not take place until the second quarter of 1966, area municipalities were informed of provincial policy regarding amalgamations as early as January 10, 1966, with release of the Government White Paper. Thus they knew of the impending amalgamations and the need to integrate staff nearly one year prior to the effective date.

Provincial Boards and Departments

While there were no statutory requirements concerning the integration of staff, the possibility existed that unsolicited rulings by provincial departments or boards might specify procedure. When none was forthcoming, the City requested and was granted certain Ontario Municipal Board (OMB) rulings. These helped substantially, as discussed below. Nor did the Department of Municipal Affairs specify actions in this area, apparently because new municipalities were being created and it was felt that they should be left as free as possible to establish their own rules and policies.

In sharp contrast stands the Regional Municipality of Ottawa-Carleton Act, 1968 (Bill 112). The Act echoes the provisions of Bills 80 and 81 to protect pensions, sick leave credits, and holidays of employees from area municipalities who take employment with the regional government.[5] Like Bill 80, it also requires that the Regional Council offer positions to all those previously employed to carry out functions that were transferred to the Regional Council. But the Act goes a significant step further: it guarantees only the protection of salary levels being paid on April 1, 1968, irrespective of any retroactive salary increases. The clause was clearly intended to overcome the problem of last-minute, retroactive salary increases given to area municipality employees prior to their move to the regional government.

City-Suburb Friction

One aspect of the political/legal environment that has not yet been commented on is the atmosphere of friction between the City and boroughs in Metro. Basic to the split is a difference of opinion on amalgamation, with City elected officials generally in favour of total amalgamation and suburban spokesmen generally opposed. This disagreement regarding amalgamation can be detected in previous voting on the welfare function—the City had been in favour of the assumption of welfare by Metro and the suburbs had been opposed. As will be seen, this split affected the subsequent transfer of welfare staff.

CITY OF TORONTO AMALGAMATION WITH FOREST HILL AND SWANSEA

Political Actions

At a special meeting on January 13, 1966, (three days following the Government's statement on the Goldenberg Report), City Board of Control recommended the establishment of the Ad Hoc Committee Re Assumption of Forest Hill and Swansea by the City. It is to be noted that the title of the Committee includes the phrase "assumption of"[6] rather than "amalgamation with." The difference in wording connotes a basic attitude on the part of Council: while legally this was to be an amalgamation, for all practical purposes it was to be an annexation. (On April 27, in fact, Council had requested that the Province be asked to amend Bill 81 so that in determining the application of municipal by-laws, Forest Hill and Swansea would be considered

[5] *The Regional Municipality of Ottawa-Carleton Act, 1968*, 17 Eliz. II, Section 26(1) to (9).

[6] It should be noted that the Committee's Report indicated the Committee's title as being Ad Hoc Committee Re *Consolidation* of Forest Hill and Swansea by the City (emphasis added).

as having been annexed by the City). This and other City action indicated a practical realization that a marriage of unequals was involved in the integration of a large staff with two relatively small ones, and that the City should assume a leadership role.

Nevertheless, the City's approach to the amalgamation was marked by co-operation and consultation with Forest Hill and Swansea, not by heavy-handedness. The Ad Hoc Committee was directed to meet and consult with officials designated by the other two municipalities rather than to make decisions on a unilateral basis. The Fire Chief of the City was simultaneously authorized to meet with the chiefs of Forest Hill and Swansea for the same purpose.

On January 17, 1966, both the Forest Hill and Swansea Councils were advised of the establishment of the Ad Hoc Committee and invited to meet with the Committee. Reactions of Forest Hill and Swansea differed sharply. The Swansea Council decided to petition the Government for a referendum on the proposed amalgamation and requested a joint meeting with the Forest Hill Council to discuss certain aspects of amalgamation. The Forest Hill Council, accepting the amalgamation as inevitable, felt the interests of the employees and citizens of Forest Hill would be best served through co-operation with the City. In this light, the Forest Hill Council rejected the suggestion to meet with the Swansea Council unless an advance agenda could be prepared so as to avoid the suggestion that the meeting was directed against the City. Forest Hill then invited City Council and department heads to meet with their counterparts and to establish a favourable atmosphere in which the staff integration could take place. Swansea made no move in this direction at that time.

The rather uncooperative attitude taken by the Swansea Council (which diminished noticeably by the third month) might be attributed in part to a difference in citizen attitude toward amalgamation. While a vocal opposition to amalgamation existed in Swansea, a questionnaire sent out by the Forest Hill Council did not uncover strong citizen opposition. On this basis, the suggestion might be made that the councils were merely expressing the opinions of their residents.

Beyond a difference in general attitude between Forest Hill and Swansea, the Councils, on the basis of Council Minutes, varied as to the matters in which they were most concerned. Job security and protection of benefits were recurrent topics in Forest Hill Council discussions. Council's only letter to the Province on the subject of Bill 81 was to inform the Minister of Municipal Affairs that there was no provision for continued employment and benefits for the employees of amalgamated municipalities. In contrast, Swansea Council demonstrated a greater interest in the municipality's physical assets (such as the town hall, which was later made a recreation centre).

Little official action was taken between April and the time the Ad Hoc Committee submitted its Report to City Council. Since amalgamation details had been left to the Committee, the actions of the three councils tended to be informal and comprised mainly of consultations with their own department heads to remain informed of progress. But the problem of the legal demise of the three municipalities remained. Although none of the three was legally empowered to offer employment in the name of the new City, several actions regarding amalgamation had to be taken in 1966 if integration was going to be complete on January 1, 1967. On September 14, 1966, City Council requested Board of Control to seek a ruling from the OMB that would give the Council authority to decide such matters in 1966. The councils of Forest Hill and Swansea, and their Boards of Education, were requested to comment upon the proposed application so all three municipalities would be in agreement on the City's action.

The resultant OMB Order provided

for a December, 1966, meeting of the Council-elect to pass the necessary by-laws that would come into effect on January 1, 1967. An offer of employment, however, could still not legally be made until the last two weeks of December. Earlier action had to be taken to notify employees of their intended position and salary range. This was undertaken by the Commissioner of Personnel following the October 26 Council approval of the Report of the Ad Hoc Committee which outlined the suggested position and starting salary of each employee to be taken on from Forest Hill and Swansea. On December 16, 1966, Council-elect also approved the Report of the Ad Hoc Committee, providing the official sanction for the planned staff integration.

Relatively few of the problems involved in integrating the staff ever reached the Council level. Council had set its general policy early in 1966 and from there on the Ad Hoc Committee proceeded with a fair amount of independence. Notable exceptions were those areas in which official action was required before the work could proceed. For example, the 1967 Council made two applications to the OMB to permit the new City to continue to pay retirement allowances and extend group life insurance coverage to former Forest Hill employees.

In each case, the application to the OMB appears to have originated voluntarily in City Council with the rationale that these people had lost benefits through circumstances beyond their control, and the City's action would help rectify the situation. Once again the evidence points to a positive and co-operative attitude on the part of the City to carry out its role in the amalgamation.

Administrative Actions

When the 1966 City Council established the Ad Hoc Committee, it set the tone for the Committee's action. Investigation into the problems involved in amalgamation was to be carried out by the City administrative sector in consultation with representatives from Forest Hill and Swansea. Since no one from Forest Hill or Swansea held an official position on the Committee, however, final Committee decisions were to be made by the City officials only.

Relations between City administrators and those in Swansea and Forest Hill appeared to be highly co-operative. By the second meeting of the Committee, on May 31, the City Commission of Personnel had already examined classification and wages for employees from the other two municipalities and had compiled a preliminary placement list. Department heads, many of whom were Committee members, were then requested to meet with their prospective employees, or the employees' supervisors, in an effort to make an initial check on the proposed placement. Any comments the department heads might have could then be sent directly to the Commissioner of Personnel. Just as the Committee had acted with relative independence after Council established policy, the Commissioner of Personnel was able to act with a great deal of independence from the Committee in dealing with matters relating to the integration of staff.

In September, a letter was sent to Forest Hill and Swansea employees asking them to indicate whether or not they intended to work for the City after January 1, 1967. Only permanent employees were questioned, since the policy indicated that only permanent employees were to be involved in the transfer. Once again a distinction was apparently being made between the City and her two partners in amalgamation. While only the permanent employees from Forest Hill and Swansea were being considered for integration, no like distinction appears for City personnel who were also, by definition, involved in the integration. The Swansea Fire Department, composed of volunteers, represented the only major deviation from this policy. An offer of employment was made to all Swansea firemen if they could pass the formal examination.

The basic difficulty that arose in the placement of staff centered around the lack of a sophisticated wage and position classification system in Forest Hill and Swansea. The City had long since developed a complete position classification and wage and salary classification system that provided the means for rationalizing the wage structure throughout the administrative sector. The system also enabled the administrative sector to be broken down into specific jobs that have uniform duties and requirements throughout the entire structure. When positions are classified in this way, the initial groundwork is laid to implement the fundamental principle of "equal pay for equal work."

Understandably, neither Forest Hill nor Swansea had developed such classifications to the extent of sophistication the City had. Their permanent administrative sectors were quite small; excluding firemen, they numbered approximately 100 persons combined. While the same basic functions were carried out by all three administrative sectors, differences in workload between the City and Forest Hill and Swansea dictated that the range of duties for a given position was much broader in Swansea and Forest Hill than in the highly specialized administration of the City. The problem, then, was to place people in comparable positions to those previously held.

The only initial guideline the City had was that of the previous wage rate. By setting the wage rate paid in the two municipalities against the City's wage classification system, the City could determine what the position classification of the employee would be in the City system. This provided the primary measure for placement.

By September of 1966, the City had developed a tentative schedule on each employee. The schedule noted: name, age, seniority, previous classification and salary, City classification and salary, and the City department in which the employee would work. Provision was made to continue pension plans and medical coverage, and the City agreed to honour vacation time. Accrued sick leave credits were automatically carried over as required by the Municipal Act.

The Ad Hoc Committee met with Swansea representatives on September 13, to review the proposed transfers. A similar meeting was held ten days later with Forest Hill representatives. By the October 21 meeting of the Committee, placement of employees had been agreed upon for all of the Forest Hill and Swansea staff that indicated a desire to work for the City as of January 1, 1967.[7]

Some difficulty arose with the realization that the severance pay policy in Forest Hill was more liberal than that of the City or Swansea, since it extended to an employee who resigned or was laid off permanently. No recommendation for solving the problem was made until the Council-elect met on December 16 and approved a report from the Solicitor recommending that all employees be governed by the City policy on severance pay as of January 1.

Once again, however, the City chose to treat the fire-fighters in a different manner from the rest of the administration. Although all general employees would come under the City's policy regarding severance pay on January 1, Forest Hill firemen would retain their extra benefits on severance pay until July 31st, 1967.

In his final report, the Commissioner of Personnel recommended that the transferred staff be placed as supernumerary additions[8] to department establishments.

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[7] There were a few cases where a position had not been found, but these were special cases where physical disabilities created obstacles in carrying out normal workload in the City system. These employees, as well, were subsequently placed.

[8] This was done in all cases except the Fire Department, where the increased area to be serviced resulted in a staff shortage as of January 1. This was due to two main factors: no firemen from Swansea transferred to the City; and Forest Hill firemen had previously worked a longer week than City firemen. Thus, in adjusting the week alone, more men would be needed.

The supernumerary addition, as opposed to a change in the authorized establishment, was essentially a technical measure that would facilitate a review, in 1967, of the actual job performance of the employees and any adjustments in placement that would have to be made. It also gave the department heads the chance to check their estimates for added personnel to service the larger area at a time when the servicing was actually under way.

The placement of personnel, questions of wage and fringe benefits and a letter to employees denoting their new status, had essentially all been carried out by November of 1966. By December of 1967, all the supernumerary strength of departments had been dissolved through classification refinements, departmental strength increases, and transfers from one department to another.

Relationship with Unions

A union is consulted in matters considered to be management prerogative as a result of both the union's strength and the extent to which management considers it politic to do so. In the case of the transfer and integration of staff in 1967, Canadian Union of Public Employees locals for inside and outside workers with the city, were not brought into formal consultation. This contrasted sharply with the fire-fighters' union which was brought into consultation on the transfer at a very early stage. No clear explanation has appeared as to why this difference should have occurred.

The two unions organizing employees in the City were quite strong and secure in their positions. Both CUPE Local 79, for inside workers, and Local 43, for outside workers, had modified union shop agreements[9] of long standing with the City. Under normal circumstances, the new employee, classified within the bargaining unit, would automatically join the appropriate union. Under amalgamation, however, union certification that had existed with the 1966 City was not automatically carried over in 1967. From a legal standpoint, the entire process of certification, including application to the Labour Relations Board, would have to be done anew in 1967.

Questions, nevertheless, arose as to the January 1, 1967, validity of collective bargaining agreements negotiated in 1966 (to expire December 31, 1967). Collective agreements are not usually considered to be legal contracts through which suit may be brought in the courts. They are instead made enforceable only through the provincial labour legislation that provided for their initial existence. The City took the position that it would not be automatically bound by these agreements in 1967. However, the 1966 agreements between the City and Local 79 did include a section indicating the union's intention to bargain anew in 1967, for the new bargaining unit, on exactly the same terms as negotiated in 1966.

It is doubtful that the certification of CUPE locals in 1967 was ever questioned by the City. The largest bloc of employees involved, those from the City, had long experience with union membership and a subsequent rejection of union status was highly unlikely. But the City felt that the question of which local would be certified was a matter for the unions to settle. Although Swansea employees were not unionized, there were two CUPE locals operating in Forest Hill. In January, 1967, the two Forest Hill and two City unions met to settle their differences. The result was a voluntary surrender of certification on the part of both Forest Hill locals to allow the City locals to proceed as sole bargaining agents. The City then agreed to bargain with the unions on the same terms as negotiated in 1966 with the rider on severance pay for former Forest Hill employees that was identical to the agreement for the fire-fighters.

[9]Defined here as making membership in a particular union a condition of employment for all employees who are already members and for any new employees.

This rather formal process formed the bulk of contact between the City and the unions on matters regarding the amalgamation. No evidence of a formal grievance appeared after the 1967 certification of the unions, indicating that City efforts to place employees, and safeguard fringe benefits wherever possible, were successful.

There is evidence of some apprehension on the part of Swansea employees regarding their union membership required under the collective bargaining agreements. This appears to have been recognized by both the City and the unions and efforts made by both, though not jointly conceived, served to ease any tension in this matter. The first, by the City, was the requirement that all employees work in City Hall as of the first working day in January, 1967. This meant that even people in the financial departments would be auditing books and clearing accounts of the former municipalities from City Hall rather than their former offices. It provided an opportunity for employees to adjust to their new environment and get to know their City counterparts, at a time when the work they were doing was still quite familiar. Their counterparts, of course, were already union members. The unions themselves aided in the adjustment process by not rigidly adhering to their usual mandatory time limits on membership. For Local 79 the requirement was membership within thirty days and for Local 43 it was membership as of the first day of employment.)

The Actual Transfers

A total of 83 eligible employees from Swansea and Forest Hill transferred. This left approximately 10-15 others, some of whom failed to transfer because the physical distance and/or change would be objectionable, not because of dissatisfaction with wage, position or benefits being offered by the City. Others from Forest Hill failed to transfer because at the time they would have done so, indications were that the new City would not be offering any leeway on severance pay benefits. While this was later adjusted at the bargaining table, a certain number of Forest Hill employees felt it was to their advantage to leave civic employment in 1966 and collect the various payments from the Forest Hill Council. These figures, substantiated by other evidence, point up the commendable efforts taken by most of those responsible to effect an equitable and smooth transition.

ETOBICOKE AMALGAMATION WITH NEW TORONTO, MIMICO AND LONG BRANCH

Political Actions

The problems that arose in the amalgamation of Etobicoke with the three Lakeshore municipalities differed both in degree and kind from those in the City. One of the first difficulties was the existence of a strong Lakeshore opposition to amalgamation. All three Lakeshore municipalities had critized amalgamation in the briefs in 1964. A three-year series of public meetings, Council resolutions to the Royal Commission, telegrams to the Province, and letters to neighbouring municipalities, served to keep the opposition alive.

As late as mid-April, 1966, the Mimico Council stated its objections to Bill 81: (1) it did not guarantee employment (as Goldenberg would have); (2) its January 1, 1967, effective date should be extended a minimum of six months; and (3) Centennial year was a particularly unsuitable time to eliminate the separate legal identity of three Canadian municipalities.[10] Partly as a result of this, the Etobicoke Council then passed a resolution requesting that the Reeve and Board of Control meet with Lakeshore municipalities to identify and discuss the pertinent matters in amalgamation.

The Etobicoke Board of Control was selected in January of 1966 to serve as

[10]Interestingly, the three municipalities involved were created between 1911 and 1930.

the Co-ordinating Committee to deal with the problems of amalgamation. The Committee was designed so that department heads could submit their comments on the proposed amalgamation to the Board of Control. It was set up at about the same time as the City's Ad Hoc Committee but was comprised of elected councillors rather than appointed officials. By January 19, the Board had received a request from Mimico that all four municipalities meet jointly to discuss the impending amalgamation. No action was taken at that time.

On May 30, a meeting was held in Etobicoke with all four municipalities participating. The guiding attitude toward amalgamation evidenced at the political level in Etobicoke was one of equality with the three Lakeshore municipalities. Etobicoke had done little in the way of establishing committees to determine, for example, the integration and placement of staff. This was considered to be a matter either for joint settlement or for the Borough Council to handle. For political reasons, the Etobicoke Council did not follow the City's policy of treating the amalgamation with smaller communities as more of an annexation. Unlike the City, Etobicoke was faced with substantial opposition to the impending amalgamation and to act as more than an equal member might have jeopardized Etobicoke politicians (although they were chair to most meetings).

It was informally agreed at this meeting that no employee of the new Borough would lose employment or face a reduction in salary beyond the December 31, 1965, level. This constituted an attempt to protect employees but also, by implication, to discourage inordinate 1966 pay increases that would later saddle the new municipality. The latter objective did not prove particularly successful. Since the Etobicoke Council was the only one of the four to pass a formal resolution to that effect, the first major and formal indication of non-cooperation arose.

Aside from establishing a committee of administrative officials to deal with questions of amalgamation, little more was done in any of the councils until 1967. There had been discussion of applying to the OMB to allow Council-elect to meet in December 1966, although there is no record of any formal meeting having taken place. The Etobicoke Clerk did send a letter to the Board of Control-elect outlining the recommendations of the staff committee; however, the first formal action taken on the letter occurred on January 4, 1967, at the Borough Council's first meeting. Of significance in the Clerk's report was the fact that no indication was given as to any definite plans for placement and integration of individual employees. The letter stated only that all salaried administrative staff should come to the Etobicoke Municipal Buildings as soon as possible, and that all contract and collective bargaining agreements should be forwarded to the Clerk who would then present them to the Board of Control.

The guiding principle for action appears to have been to pay employees the rate received at the former municipalities and to take the first several months of 1967 to determine appropriate placement, classification, and wage levels. It was not until May 10, that the Board had before it salary classification recommendations from the Commissioner of Personnel. The Board met several times during the next fortnight with department heads to review and examine the placement and classification recommendations made by the Commissioner of Personnel. (This practice differed sharply from that of the City Board, which gave more latitude to its Commissioner of Personnel.) The re-organization plan was subsequently approved by Board and Council on May 23. Wages for these positions were considered retroactive to January 1, 1967.

On August 2, the Board accepted a Report from the Commissioner of Personnel amending and setting up authorized departmental establishments with an effective date of July 21, 1967. Official action by the Council in the amalgamation and placement of staff thus appeared to have been completed some seven months following the actual amalgamation date. Yet this was not to be the case. By June of 1968, evidence appeared that the 1967 placement of employees was less than satisfactory. At that point, the Board requested a major re-organization and classification study. The stated purpose of the study was to determine the efficacy of decisions made in 1967 and to adjust and correct these decisions where necessary. It was also to provide the opportunity to complete position classification for the 70-odd employees who transferred in January 1967, yet had evidently remained as supernumeraries. The study had not been completed by the time of this writing.

Administrative Actions

Because of the political uncertainties, no administrative action toward amalgamation was taken by Etobicoke until August of 1966. In that month, the Board of Control requested department heads to meet with their counterparts in the Lakeshore to discuss the procedures to be followed in amalgamation. These meetings were to be co-ordinated by an informal staff committee composed of the Clerk, Treasurer and Engineer.

Since these meetings were informal, with minutes not kept, the extent to which placement and classification of personnel was discussed is unknown. The Bureau considers it doubtful that any in-depth attempts were made to analyze or determine positions for the incoming employees during 1966 since; (1) no indication was found of anything more than surface inquiries into the functions performed by these people in the former municipalities;[11] (2) the new Board of Control received no report or statement of placement of personnel until May of 1967; and (3) in the face of Etobicoke's general reluctance to assume an aggressive role, such prior action would be unlikely. The major decision made in 1966 was to retain intact, in 1967, the former wages and positions of Lakeshore employees. This was relatively simple in the case of outside workers since most such employees were involved in providing vital services to Lakeshore residents. The employees were simply maintained in their positions and continued to work in the same manner, under the same supervisor, as before. The decision was not as easily rationalized for office workers. Etobicoke already had an administrative sector performing the duties of office workers and there was no advantage, as with the outside workers, to retain a separate corps of employees. Brought to the Etobicoke municipal building following amalgamation, employees were placed on the basis of former wage and department, with the new department heads simply expected to find an available position.

During the interim in 1967, when the actual placement and classification study was underway, employees were paid at their December, 1966, wage rates. Of interest here is the fact that the 1966 rate was used as the base pay, rather than focussing on the 1965 rate (which, as mentioned above, had been agreed to informally by all and formally by the Township of Etobicoke). The result of this decision was a noticeable disparity of wage rates, particularly at the higher levels of administration, although all four municipalities had given presumably regular increments in 1966. When the Lakeshore employees came to work in 1967, the result was that subordinate officials received salaries well in excess both of their position and the salaries accorded higher officials formerly from Etobicoke.

Some differential was to be expected, since senior officials in the Lakeshore became lesser officials in the Borough, but the extent of the differences was accentuated by use of the 1966 base rates rather than those of 1965.

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[11] Although Etobicoke had a well-developed position classification system, the Lakeshore municipalities did not (for reasons similar to those mentioned above with respect to Swansea and Forest Hill).

The question of whether or not 1966 increases were excessive is difficult to analyze, except for Etobicoke which had an established wage and salary administration thus permitting any increments offered in 1966 to be readily examined in light of the normal standard previously set. This restraint did not exist in the Lakeshore municipalities, where unusual increases could be given as due and merited raises in the absence of formal systems. It is interesting to note that, in establishing the Regional Municipality of Ottawa-Carleton, the Province took this responsibility out of the municipalities' hands by declaring in advance what month and year be used as the base rate in the new government.

In 1967 the classification and analysis got underway. The method used was the regular classification procedure with an expanded coverage to include the new employees, rather than a re-organization study of the entire system. Once again the basis for placement was the wage level. Available information has indicated two main reasons; position classification systems did not exist in Lakeshore municipalities; and, where personal analysis of Lakeshore supervisors would have to be relied upon, the latter appeared somewhat unco-operative with Etobicoke officials investigating this area. The fact remains, however, that by 1967 the former Lakeshore departments were no longer cohesive units and an analysis of the functions performed at the Lakeshore would have to be done from memory. On the other hand Borough department heads would now have the opportunity to analyze the transferred employees as to their skills and the position they would be best suited for. In some cases positions had to be created for employees whose actual skills were particularly difficult to determine.

With respect to fringe benefits, each employee brought his seniority, accrued sick leave credits, and vacation. Some question arose as to whether the pension plans should be brought intact; Etobicoke already had three separate plans, those in New Toronto and Long Branch differed in the way they were stacked one with the next, and in Mimico there was no formal plan since former employees were paid out of current revenue at a rate determined by Council. The final decision was to allow the employees to retain their former plans unless they opted to change. While this served to enhance good internal relations for the Borough, it also created a web of differing pension plans for various employees.

Relationship with Unions

Relations with unions were carried out in much the same causal manner prior to 1967. Unlike the City, inside workers in these four municipalities were not unionized. Since virtually all the former Etobicoke regulations were reinstated for the Borough, inside workers simply followed Etobicoke regulations immediately as of January, 1967. Although outside workers and firemen were unionized, none of the four municipalities would take responsibility for making decisions that would have the effect of changing relationships as of January 1967. The decision was left to the Borough.

Although the Borough had the same options of dealing with the unions as the City had, it chose to mount quite a different response. The Borough recognized all previous collective bargaining agreements, signed by the four municipalities, as being contracts which would bind the new Borough. Further, the union certification was considerd to be valid in 1967 until such time as a new bargaining agent was certified for the new unit of employees.

The result was a tangle of paperwork. If each collective bargaining agreement was deemed to be a contract binding on the Borough, then the employees who signed the agreement would be employed by the Borough under the conditions of service delineated in the agreement. These conditions differed with the various groups of employees. Employees were paid in excess of the rates received by their superiors, a former Etobicoke employee injured on the job would have 25% of his total wage docked from sick pay while a former Lakeshore employee would not have his sick pay affected at all. This last example caused problems in that conflicting standards of this type are particularly difficult to administer when dealing with large numbers of employees.

During the first few months of 1967, the Etobicoke union for outside employees, CUPE Local 185, entered negotiations for a new bargaining agreement with the Borough. The negotiations centred around the differences between the former agreements. There was some evidence of stepping-stone tactics (gaining the best settlement from each agreement). But because the best benefits derived from the Etobicoke agreement, the union did not appear particularly militant in following up on them. As a result, the new settlement was little more than a restatement of the 1966 Etobicoke agreement. Negotiations in this period were apparently carried on prior to the recertification date of Local 185. Available evidence indicates that the other unions did not apply for decertification until April, 1967, by which time Local 185 had virtually completed the bargaining and was ready to sign a memorandum of agreement.

The Actual Transfers

By the time bargaining was completed, the preliminary classification and placement had been completed for all new Borough employees. As noted above, while the placement theoretically included new analysis of former Etobicoke employees, little was done in this respect since they had previously been classified. All new Borough employees retained their previous wage scales until the placement was approved by Council. At that point, any wage increases coming from a higher classification for the employee would be paid. In some cases, however, position placement would have ordinarily carried a lower wage than the 1966 rate. In all such instances the employees were merely red-circled to assure no wage loss.

It should be noted that this occurred with former Etobicoke employees as well as former Lakeshore employees. While all Etobicoke department heads held their positions, there was some question in subordinate areas as to whether the Etobicoke employee or the Lakeshore employee (formerly holding a superior position) should be given a particular job. It is interesting to note, however, that even without any formal statement—such as the City had made guaranteeing existent wage rates, stating a position with salary range, or indicating what fringe benefits would be continued, gained, or lost — almost all Lakeshore employees transferred to the Borough.[13] Those who failed to do so indicated their reasons as being much the same as those found in Swansea and Forest Hill — they had already reached retirement age, transportation was difficult, the shift to the new location was objectionable. Concern for wages and positions did not evidence itself as a reason for failing to transfer.

Thus, while the problems that developed can be partially attributed to complicating factors, they do not excuse the results.

METRO'S ASSUMPTION OF THE WELFARE FUNCTION

Activities undertaken by Metro with the assumption of the welfare function in many ways resembled those of the City and Etobicoke when taking on employees, but performed in a very different context. Metro was not placing a few individuals in several different depart-

[13]The fact that all former Etobicoke employees transferred is not relevant since little or no immediate change of job, work location, or supervisor was involved.

ments. A new Metro Welfare Department was being established out of the modest Welfare and Housing Department and Metro's policy on welfare was one of the first problems to be settled, since policy determines the number and type of personnel needed. Most important, Metro would not legally die on December 31, 1966. Since the 1966 Council could make decisions that would automatically have effect in 1967, definite employment offers could be made in advance and incoming employees were sure of their status.

Political Actions

In Metro, the Welfare and Housing Committee composed of elected officials and a standing committee of Council, needed no special appointment to consider the problems involved in the impending amalgamation. The Personnel Officer would smooth the integration of staff in consultation with the Welfare and Housing Commissioner. Since the Welfare and Housing Committee would be making decisions that would affect those of the Personnel Officer, the result was a closer examination than usual, by political figures, of areas normally considered within administrative discretion. It has also been suggested that the interest taken by the Welfare and Housing Committee was more the result of suburban irritation that Metro was assuming the welfare function, the major part of which derived from City activities.

The Welfare and Housing Committee recommended on May 31, that the Welfare and Housing Department be divided into two separate units. From this time forward, preparations for 1967 could be made in light of establishing a new department rather than working employees into an old one. By mid-June advertisements had been placed in newspapers to recruit people for the positions of Commissioner of Housing and Commissioner of Welfare. By mid-October the Welfare and Housing Committee, in consultation with the Commissioner, had designated the proposed sites of welfare offices, the types of welfare cheques the Department would issue, and an estimate of monies needed in 1966 to prepare for 1967.

The important matter of policy, however, had not been settled. Disagreement between City and suburban representatives to Metro can be detected in two areas — scope and extent of interim welfare services, and job-protection for welfare-related employees. The City had the largest welfare organization offering the widest range of services.. Disparities in quality and scope of relief programs which existed when welfare was in the hands of the area municipalities would be intolerable in a Metro department (indeed, Queen's Park's desire to eliminate such disparities gave rise to Bill 81). City representatives quite naturally wanted existing City services to be used as the minimum standard for Metro. Suburban representatives, on the other hand, might just as naturally question such a policy, since a decision in this area might mean additional expenses to them (in the form of their share of Metro expenditures) to raise all areas to the same high standards.

At issue were several services not required by statute but then being provided by the City. The most notable example was the day care programme which the City operated as part of its overall welfare services. Only two other municipalities participated to even a minimal degree in a similar programme.

Policy decisions on this and other services had to be made prior to January 1, 1967, so that a uniform Metro-wide programme would be available on that date. Although the Welfare and Housing Committee had seven months in 1966 to make decisions, City and suburban representatives reached no agreement.

In the end, a compromise was struck. The additional services the City had provided would be continued and available to the whole Metro area. However, no agreement was reached to implement these services Metro-wide, until the 1967 welfare legislation made them less costly for the municipality to provide. Of significance in the delay is the fact that decisions as to the requisite number and type of personnel could not be made until their intended function had been delineated, which in turn would rest on determination of the scope and content of welfare services.

On December 15, the Personnel Officer presented Council with the initial listing of employees who would be transferred to the Welfare Department. Under Bill 81, Metro was not required to *guarantee* employment to area municipality employees involved in a function Metro was to assume. The Bill did state Metro's obligation to make *every reasonable effort* to provide employees with comparable positions (although this obligation applied only to those employees *directly* involved in the service to be transferred). This wording was questioned at the December 15 meeting.

The City Property Department had 24 permanent employees whose maintenance functions related to welfare buildings. Once welfare was transferred, the 24 employees would be surplus to the Department's requirements. The Metro Property Commissioner had indicated a need for all but eight at their existing City classification and salary rates. The others could be employed by Metro, but only at lower classifications and lower pay. City and suburban representatives clashed on the issue. The latter pointed out that Bill 81 did not guarantee the retention of area municipality employees, and further that there was no obligation to take on City Property employees at all since City Property services were not being assumed by Metro. Yet the fact remained that 24 employees had worked for the City as the direct result of welfare having been at the City level.

The policy finally agreed upon had been recommended by the Personnel Officer: area municipality employees, partially employed to carry out a service assumed by Metro, should be allowed to apply for non-union positions created by virtue of the assumption of services. Beyond the requirements of Bill 81, this was as far as Metro Council went in declaring its position on job security. Council never went on record with anything that approached the near-guarantee of employment the City had offered to employees of Forest Hill and Swansea.

The basic procedures for transferring staff to the Metro level had been spelled out in 1953. Though Bill 81 did not include all the employee guarantees contained in Bill 80, the essentials of the transfer remained intact. Each employee brought with him seniority and his normal fringe benefits—sick leave credit, accrued vacation time, etc. Although all sick pay plans were similar, Forest Hill and North York had a variance in the grants at resignation. The Metro decision, unlike that of the City, was that as of January 1, 1967, the workers would be Metro employees and would have to abide by Metro regulations regardless of previous conditions of service with their former employers.

An informal freeze had been placed on welfare department staffs and April, 1966 was used as the base-date to determine permanent and temporary employees. Presumably, no additions to the permanent establishments would be made from that date forward. Though not actually enforceable, this provided departmental stability over a period of months so that Metro officials would have an opportunity to examine existing employees. It also would prevent last-minute padding of departmental establishments and attempted to control inter-departmental transfers — where a municipality's best employees moved to another department, not going to Metro.

Intensive investigation of available employees began in mid-year. One of the first steps was to determine the number of employees who intended to transfer to Metro. Information gathered on each employee indicated former municipality, basic and alternate position, basic and alternate wage rate, permanent or temporary status, length of work week, senior-

ity, extent of sick pay credits to the end of 1966, and payroll deductions. This information was used to help determine classification and salary at Metro and what differences, if any, existed in fringe benefits. Decisions as to the employee's major function, when time was split between welfare and another department, were left to the area municipalities.

On October 18, Council approved a plan whereby non-union vacancies, created as the result of transfer to Metro of welfare and other certain services, would be advertised throughout the area municipalities. In some cases, temporary employees were really permanent by virtue of their length of service. Since temporary employees were not considered for transfer, the area-wide advertising became a means of offering employment to anyone qualified regardless of status.

In determining salary, Metro used an approach that differed from those of the City and Etobicoke. Rather than become concerned about a date in the past on which to base salary rates, Metro requested the intended 1967 rates for employees. The prospective 1967 rate was the base wage each employee would be paid in January of 1967, meaning that increases the employee would have expected with the area municipality would be paid by Metro. This system had the same flaw as those previously mentioned — because of differing rates in the area municipalities, persons employed in comparable positions received differing wage rates.

Preliminary placement had been determined for all employees by mid-December. Though final policy decisions were not complete, the number and location of welfare officers had been established. For the most part, the staff which had previously worked at the location was retained, thus necessitating a minimum of physical relocation.

Of the 479 employees who transferred to the Metro Welfare Department (see Table), 424 were from the City alone (a statistical indication of both the City's more extensive welfare services and the fact that welfare-needing families and individuals tend to locate in the central city).

The Bureau suggests that City-suburban friction regarding welfare policy might have been augmented by suburban fear that the Metro Welfare Department would be, in effect, the City Department on a larger scale. The attention paid the welfare employees might also be explained by the fact that the 479 such employees constituted 56% of the 852 who transferred as a result of Bill 81.

TABLE I
EMPLOYEES TRANSFERRING TO METRO AS A RESULT OF BILL 81

Metro Department	Area Municipality From Which Transferred											Total Tr'ferring
	Toronto	E. York Etob.	For. Hill Leas.	L. Br.	Mim.	N. Tor.	N. York	Scar.	West.	York		
Welfare	424(1)	5	8	2	—	2	1	1	19	8	1	8	479
Works													
Refuse Disposal	229(2)	—	—	5	2	—		[7]	28	—	—	1	272
Land Fill	—	—	—	2	—	—	—	—	—	3	—	—	5
Emergency Services	49(3)	—	—	—	—	—	—	—	—	—	—	—	81(4)
Property	15(5)	—	—	—	—	—	—	—	—	—	—	—	15
TOTALS	717	5	10	7	2	2	1	[7]	1	47	11	1	9	852(4)

(1) Composed of 319 Permanent, 63 Temporary, and 43 Casual employees.
(2) Composed of 146 Permanent and 83 Temporary employees.
(3) Composed of 47 Permanent and 2 Temporary.
(4) Includes 32 employees transferred from former Metro Emergency Measures Organization to operate public ambulance service.
(5) Maintenance personnel associated with Welfare buildings.
Source: Metro Personnel Department.

During the time that Metro was preparing to take on employees, the City had established a committee to ease the work from its end. The Board of Control had approved, on February 23, 1966, creation of the Committee Re: Transfer of Assets to Metropolitan Toronto. By the third week of June, contact had already been made between City and Metro department heads. Among the main purposes of the Committee was co-ordination to determine which employees were to be transferred and relocation of welfare employees to other departments in order to retain them in City service. No definitive policy statement existed regarding the City's obligation to transfer welfare personnel, and the status of those who were not directly in the welfare establishment but who serviced the Welfare Department was uncertain. Yet the City's attitude during the transfer was one of positive co-operation, as illustrated by the Committee's existence and early work and by the offer the Committee made to assist the Metro heads in any way possible.

The placement lists submitted in December were preliminary. Wage rates established in December of 1966 were held constant for 1967. The exception was a late January change for former York Township employees whose 1967 rates had been established after Metro Council approved the starting salaries. Job descriptions and employees were under study from January through November of 1967. Again, a complicating factor in organizing a virtually new department was the lack of a definite policy statement.

The employee turnover rate, although not unusual for welfare departments (which tend to have high rates), added to the difficulties of analysing capabilities and determining placement. People who were taken into the temporary category retained their positions unless and until a vacancy appeared in a permanent position. No additional permanent positions were created during this period. Then, too, since wage rates in this particular circumstance were constant for the person rather than position, employees promoted to more responsible positions continued to receive their previous wage. By the end of 1967, the salary and position classifications were approved, and an authorized establishment determined for the Department. Permanent placement and the new wage rates became effective on January 1, 1968, one year after the transfer.

Relations with Unions

The union involved to the greatest extent in the transfer of welfare to Metro was CUPE Local 79. It was this union that acted as the sole bargaining agent for all administrative, clerical, and low supervisory personnel for Metro. Although Local 79 also represented these same grades in the City, identical agreements did not exist. Nor was the City agreement applied automatically to Metro, since, prior to a settlement in October of 1966, Metro welfare workers were receiving lower rates of pay. If past agreements with Metro had been less favourable to the employees than those with the City, there was little reason to assume that Metro would now accept the City agreement. While City employees formed the largest part of the new Department, 55 employees would be coming from other municipalities with different agreements. Finally, Metro had no responsibility to feel bound by collective bargaining agreements signed by area municipalities prior to January of 1967.

On January 1, 1967, Local 79 sent a letter to the Metro Clerk taking the position that it was the sole bargaining agent for Metro employees in the classifications the welfare employees would likely receive. Supportive evidence included a reference to the fact that these employees had previously been covered by union agreements in the area municipalities. Yet, since a new department with new classifications was being established, there was no automatic guarantee that the bargaining unit would be the same.

The Bureau considers it doubtful that there was ever any real question of certifying Local 79 to bargain for welfare employees within its general bargaining unit, although differences of opinion do appear to have arisen regarding the classifications to be included in that bargaining unit. The issue of delineation between union membership and management usually surrounds the classification generally termed "first line supervisory." Unions tend to view this position as the highest echelon of union membership, while management considers it as management's lowest tier. A dispute on just this topic occurred in establishing the bargaining unit in the Welfare Department, and had not been resolved by the time of this writing.

Apart from this issue, relations between union and management, regarding the transfer of welfare appear to have been favourable, with the union even being involved in informal consultation on the structure of the Department. As with other aspects of Metro's assumption of the welfare function under Bill 81, this minor difficulty should not cloud the fact that the transfer was handled with administrative skill in a political atmosphere.

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