



## **That smell!**

It stinks that our public-minded mayor is so ready to gut worker morale

By Mike Smith

Smell that? It may be the garbage that's gathering in the street, but to many it reeks of strategy: the realpolitik of a mayor stung by accusations that he's in bed with the unions.

David Miller, who ran as the candidate of labour peace, will be far harder to NDP-bait after standing up to city unions.

But boon for the mayor or not, city negotiators likely would have decided anyway that they needed to draw the line on who's setting public sector labour patterns in tough times.

At bottom, the question isn't whether allowing employees to bank sick days is a good idea or not – it's whether stripping them of a long-standing goodie won in bargaining in exchange for long-forgotten concessions is worth the cost. And whether the recession justifies that move.

The showdown generating such hysteria over a few days of stored garbage (what is wrong with us that it was already piling up after less than 24 hours?) hinges on the fact that city workers have the right to save up their unused sick days – up to 18 a year.

Some use these days at times of short-term sickness or injury (the city offers no short-term disability insurance but has put a new plan on the table), and others accumulate them until retirement, when they can cash them in.

It's a touchy issue. Last year, Canada Post workers walked out when management tried to tamper with their sick-day bank, despite an offered wage increase.

In Toronto, the right was won decades ago, prior to amalgamation. This is the first time it's come up in megacity bargaining. And that, according to McGill faculty of management professor and public service scholar Bob Hebdon, helped make the city's insistence on removing it a "recipe for war."

"[Banking sick days] is a steady drain on the revenues of the city, which needs to do something about it

in the long term,” he says. “But you can’t just show up and say you want to get rid of something without being able to compensate [workers]. If I were advising the city, I’d advise doing it in good times. Then you can trade things off. You can buy people out of it.”

In a recession, there’s not much management can offer to soften the blow wage-wise, making the move more provocative than savvy, says Hebdon.

It’s an affront to older city workers in particular, because after 25 years an employee can potentially retire with a sick-day cash-out equivalent to a six-month bonus – hardly shocking after a lifetime of public service.

Police and firefighters can do the same – but being essential services, their disputes are solved by arbitration, not strikes, which tends to result in higher rewards. Remember that next time someone says garbage collectors should be deemed essential.

“Management has learned how to sustain a strike – how to win over public opinion,” says Hebdon. But once the strike has ended, that same public will be going for services to workers they turned against.

“The city may think it’s winning,” he says, “but I’ve got to say you’re not going to get rid of the union. And what will things be like when employees have lost their benefits?”

While it would be nice to think that by the time you read this the two sides will have settled, John Kervin at U of T’s Centre for Industrial Relations is skeptical. He says we can likely expect a long strike; more than a short-term disability plan, what’s at stake is who gets to redefine the benefit structure of the public service. Basically, he says, both sides are breaking new ground.

Kervin imagines that in the end, the sick-day bank will either be whittled down or “grandfathered,” meaning current employees will keep it while newer ones won’t.

Hebdon says that kind of deal would cause long-term bitterness. He remembers when the Ontario Public Service Employee Union lost its sick-day bank in the 70s in a grandfathering compromise.

“It was unsettling,” he says. “The younger employees resented it. Wages can be lower for [newer workers], but entitlements should be the same. There was a real morale problem.”

In other words, even after the pickets clear, the battle will continue.

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NOW | June 23-30, 2009 | VOL 28 NO 43