

**THE THUNDER BAY POLICE SERVICES BOARD  
LABOUR RELATIONS COMMITTEE**

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**DATE:** DECEMBER 19, 2023

**TIME:** 5:03 P.M.

**PLACE:** POLICE HEADQUARTERS – SENIOR OFFICERS BOARDROOM  
1200 BALMORAL STREET, THUNDER BAY, ON

**CHAIR:** MR. W. BAHLIEDA

**PRESENT:**

Mr. W. Bahlieda  
Councillor K. Etreni  
Mr. J. Gilbert  
Ms. K. Machado  
Ms. D. Marsh

**OFFICIALS:**

Mr. D. Fleury, Chief of Police  
Ms. S. Vita, Human Resources Manager – Thunder Bay Police  
Service  
Mr. M. Mercer, Board Administrator  
Mr. J. S. Hannam, Secretary - Thunder Bay Police Services  
Board  
Ms. L. Douglas, Assistant to the Secretary

**ATTENDING BY ZOOM:**

Mr. D. Jarvis, Filion Wakely  
Thorup Angeletti LLP

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1. DISCLOSURES OF INTEREST

There were no disclosures of interest declared at this time.

2. CONFIRMATION OF AGENDA

It was the consensus of the Committee to move Agenda Items #6 – Senior Officers Association Grievance and #7 – Grievance Handling after Confirmation of Minutes.

MOVED BY: Mr. J. Gilbert

SECONDED BY: Ms. K. Machado

With respect to the meeting of the Labour Relations Committee being held on December 19, 2023, we recommend that the agenda as printed, including any additional information and new business, be confirmed as amended.

CARRIED

3. CONFIRMATION OF MINUTES

The Minutes of the meetings of the Labour Relations Committee held on October 24, 2023 and November 23, 2023, to be confirmed.

MOVED BY: Councillor K. Etreni

SECONDED BY: Ms. D. Marsh

THAT the Minutes of the meetings of the Labour Relations Committee, held on October 24, 2023 and November 23, 2023, be confirmed.

CARRIED

4. OUTSTANDING GRIEVANCES

Mr. D. Jarvis, Filion Wakely Thorup Angeletti LLP, provided an overview of three (3) outstanding grievances.

Annual Leave Payout Grievance

Mr. Jarvis provided a high level overview of the annual leave payout grievance, which was originally filed in September, 2022. The grievance takes issue with the incorrect calculation of unused Annual Leave upon the retirement of some members of the Police Association. Mr. M. Mercer, Board Administrator, also provided an overview of his research on this matter.

The grievance is currently in a holding pattern while the Police Association and their legal counsel further review this position.

Depletion of Annual Leave Banks While on WSIB

Mr. Jarvis provided background information and an overview of the above noted grievance. The grievance is with respect to a procedure that was implemented in 2021, after ratification of the 2020 – 2023 Collective Agreement, relative to Association members taking annual leave while off work on WSIB. This matter is complicated, in that the Association takes issue with members having to take scheduled annual leave that occurs while they are on WSIB leave (instead of being able to accrue it).

Administrator M. Mercer has held discussions in this regard with the Association's President, Colin Woods. A draft settlement is in the hands of the Association's counsel. The Board is waiting for the Association to respond.

The second part of this grievance is the issuance of T4s and T5s over the span of 3 taxation years for payment of annual leave, while on WSIB, and Loss of Earnings (LOE) + top up while on WSIB, respectively.

Chief D. Fleury advised that everything has been properly aligned as of August 1, 2023. Ms. S. Vita will be meeting with the Association and the City to discuss this issue and determine the best way forward to settle this grievance.

Mr. Jarvis cited the “no more no less” language in the Collective Agreements, whereby members on WSIB are precluded from receiving more net pay than those who are working.

Ms. S. Vita left the meeting room.

Senior Officers Association Grievance – TBPSB and G. Morriseau

Confidential Memorandum to the Labour Relations Committee from John S. Hannam, dated December 16, 2023, relative to SOA Grievance Article 3 – Overview, was distributed separately to Committee Members Only.

Mr. Jarvis provided an overview of the above noted memorandum and grievance against the Thunder Bay Police Services Board and Board Member Georjann Morriseau.

It was originally filed in March, 2022. Discussions have taken place with Board Chair K. Machado, Administrator M. Mercer and the Senior Officers Association. No arbitrator has been appointed yet nor has a date been set. The Association wants an acknowledgement of harsh and unfair treatment by the Board and some sort of monetary settlement for their members.

Mr. Jarvis provided an overview of the three (3) elements of a proposed settlement. Discussion followed.

MOVED BY: Ms. D. Marsh  
SECONDED BY: Ms. K. Machado

With respect to the grievance from the Senior Officers Association under Article 3 of the collective agreement, we recommend that an offer of settlement be made to the Association that would include a communication, mutually drafted by both parties, on the good work of the Senior Officers Association;

AND THAT a monetary donation to a charity of the Association’s choice in their name, with a limit up to \$5,000, be made by the Board.

CARRIED

A draft proposal will be prepared and submitted to Mr. Jarvis. Mr. Hannam advised that the settlement will be funded through the Board’s operating fund.

Upon completion of this agenda item, Ms. S. Vita re-entered the meeting room.

5. FORMATION OF A BARGAINING TEAM

At the October 24, 2023 meeting of the LRC, discussion was held relative to Board representation on the Bargaining Team. The following motion was presented to the full Board at

their November 21, 2023 Closed Session and was approved.

THAT the Chair of the Labour Relations Committee and the Chair of the Thunder Bay Police Services Board be appointed as representatives of the Board on the Bargaining Committee.

6. TERMS OF REFERENCE

At the October 24, 2023 LRC meeting, it was noted that amendments to the Committee's Terms of Reference were required due to three (3) Board members being appointed to the Labour Relations Committee.

Copies of the amended Terms of Reference were provided for the Committee's information.

Mr. J. Hannam presented the proposed amendments to the Committee's Terms of Reference.

Based on the proposed changes, Mr. J. Gilbert didn't feel that community members had a vote.

Administrator M. Mercer, noted that the *Community Safety and Policing Act* will be proclaimed on April 1, 2024, and will require that the majority of committee members be board members.

Mr. J. Hannam noted that the Committee will need the support of least one of the community members in order for the Committee to reach a decision. Mr. Hannam will amend the wording under #7. Membership > Delegated Authority and Its Application, as well as the wording under #3. Mandate.

It was noted that the Bargaining Committee will be negotiating the collective agreements with the Association (and not the Labour Relations Committee).

MOVED BY: Mr. J. Gilbert  
SECONDED BY: Councillor K. Etreni

THAT the Labour Relations Committee accepts the Terms of Reference with the proposed changes in Paragraph 7 and Paragraph 3.

CARRIED

7. GRIEVANCE HANDLING

Mr. J. Gilbert requested clarification on the process of handling grievances. Mr. J. Hannam provided clarification on the timing of responses to the Associations under the collective agreements.

Mr. Gilbert asked that the LRC members copied on the response to the Associations, or suggested that the draft response come to the Committee for approval prior to submission.

Going forward, Mr. Hannam requested that the Committee members articulate what they want conveyed in the response letter at the meeting where the grievance was heard.

The Labour Relations Committee directed Mr. Hannam to send the response letter to Committee members for review prior to sending the response to the Associations.

8. COMMUNICATIONS BETWEEN BOARD AND LRC

A brief discussion was held relative to communications with, to and from the Board. Some sort of mechanism is needed for Committee members to be made aware or be given a heads up on significant developments between meetings. Secretary Hannam committed to drafting a memo to Committee members following each Board meeting to inform on items discussed at the Board that would impact, or be of interest, to the Committee.

9. COLLECTIVE AGREEMENT ISSUES

Collective Agreement Issues to be discussed. Copies of proposed changes distributed separately with December 19, 2023 LRC Agenda. For retention for future discussions.

10. NEW BUSINESS - None

11. NEXT MEETING

The next meeting of the Labour Relations Committee is scheduled for Tuesday, January 9, 2024 at 5:00 p.m. at Police Headquarters. A tentative meeting for February 13, 2024 at 5:00 p.m. was also set.

12. ADJOURNMENT

The meeting adjourned at 7:19 p.m.