

MEMO / NOTE DE SERVICE

To / Destinataire Ottawa Public Library Board

cc: Sonia Bebbington – Chief Librarian and Executive Officer

From / Expéditeur Anna Basile – Deputy Chief Executive Officer, Corporate Services

Subject / Objet Administrative Updates to the Management & Professional Exempt (MPE) Terms and Conditions (T&C) of Employment

Date: August 29, 2024

The purpose of this memo is to advise the Ottawa Public Library (OPL) Board of administrative updates to the Management and Professional Exempt (MPE) Terms and Conditions (T&C) of employment.

Background

OPL is an independent agency of the City of Ottawa (City), constituted under the *Public Libraries Act, RSO 1990, c. P.44*, and is governed by the Ottawa Public Library Board. The Board is accountable for the full range of decisions at OPL. While the Board focuses its attention on setting strategic directions and objectives, responsibilities for setting and modifying administrative and operational policies has been delegated to the CEO.

All management employees are identified under the MPE cadre and are subject to MPE T&C, which are aligned with the City of Ottawa's T&C for the same employee classification. The T&C outline several benefits applicable to this classification of employees and considered part of the Total Compensation package.

Furthermore, shortly after amalgamation, Ottawa City Council approved that the Management Group benefits be aligned with the unionized plans so there would be consistency in benefit provisions for all employees. This was further endorsed on February 5, 2008. The term "benefits" includes all benefit plans along with all leave entitlements (including statutory holidays) and mileage rates.

Historically, OPL and the City have used the same document for MPE employees of both organizations, which granted authority for changes to the City Manager. In 2020, the OPL Board

directed staff to create a stand-alone OPL MPE T&C in order to reflect the independence of the two organizations, including the Board's authority over decision making. All other elements remain the same as those in the City documentation.

OPL Board Policy #002 – Delegation of Authority item #31 states that the Board is accountable to “Set general compensation policies and salary levels for the organization.” The CEO is accountable for making ongoing administrative updates, based on changes in legislation / regulations, or the need to add clarity as may be required from time-to-time.

Discussion

Earlier this summer, the City of Ottawa received an arbitration award for the renewal of the collective agreement with Civic Institute of Professional Personnel (CIPP), (a City union that is not part of OPL). As a result, the City moved to make updates to the MPE benefit coverage that aligns with the CIPP entitlements.

OPL will be making the same updates to the OPL MPE T&C, to ensure that the total compensation package remains consistent. In all cases, these updates do not have a financial impact to OPL currently.

In addition, staff will remove a SMART drug formulary from the benefits to align with the City's drug coverage. The additional annual cost for the removal of this formulary is estimated at \$1K. Given that this amount is within the CEO's Financial Delegated Authority, this is being treated as an administrative update.

To ensure that the terms align with the *Employment Standards Act of Ontario (ESA)*, and in keeping with the CEO's authority over administrative matters, staff will be making amendments to the MPE T&C. In addition, staff will use this opportunity to make minor edits for clarity.

The complete list of changes is noted below the signature line.

Should you have any questions, please let me know.

Thank you,

Anna

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Entitlements – Administrative Updates

Proposed Updates	Current	Estimated Annual Cost	Notes
<p>Bereavement Leave – Immediate Family (Administrative Update)</p> <p>When a member of an employee's immediate family dies, the employee shall be entitled to bereavement leave with pay for a period of up to five (5) consecutive working days, one (1) day of which must be the day of the funeral or memorial. If an employee is on vacation leave at the time of the death, the employee will not be deducted vacation credits for the period of bereavement leave. Employees may request such leave days not to be consecutive and such request shall not be unreasonably denied.</p> <p>Child – the issue of the employee and/or his or her spouse or one formally adopted by the employee or spouse, or a legal ward, or the child of the spouse.</p>	<p>No eligibility of using the leave on the day of the memorial and leave should be taken consecutive working days.</p> <p>Definition of child has a qualifier.</p>	<p>N/A</p>	<p>To align with the <i>Employment Standards Act (ESA) of Ontario</i> that does not prescribe that bereavement leave must be used on consecutive days nor on the day of the funeral, rather outlines several reasons why bereavement can be taken. Proposed language aligns with the current CIPP collective agreement to request non-consecutive days of leave.</p> <p>To align with definition of family member under the <i>ESA</i>.</p>

Proposed Updates	Current	Estimated Annual Cost	Notes
<p>Bereavement Leave – Extended Family (Administrative Update)</p> <p>In addition, an employee who has been working at the City for at least two (2) consecutive weeks, is entitled to additional bereavement leave, without pay, of one (1) working day per each calendar year, in the event of the death of the spouse’s grandparent, in accordance with the <i>Employment Standard Act of Ontario</i>.</p> <p>An employee who has been working at the City for at least two (2) consecutive weeks is entitled to two (2) days of bereavement leave without pay, in the event of the death of a <i>relative of the employee, not identified above, who is dependent on the employee for care or assistance</i>, in accordance with the <i>Employment Standard Act of Ontario</i>.</p>	<p>No bereavement leave for death of a relative of the employee who is dependent on the employee for care or assistance.</p>	<p>Unpaid Leave</p>	<p>To align with the entitlements in accordance with the <i>Employment Standards Act (ESA) of Ontario</i>.</p>
<p>Promotion (Administrative Update)</p> <p>An employee who is promoted to a position having a higher salary range, shall be paid the greater of 5% of the employee’s current annual salary or the minimum of the salary schedule not to exceed the advanced maximum.</p> <p>The effective date of the promotion is the first day of work in the new position.</p>	<p>An employee who is promoted to a position having a higher salary range, shall be paid the greater of 5% of the employee’s current annual salary or the minimum of the salary schedule.</p> <p>The effective date of the promotion is the first day of work in the new position.</p>	<p>No additional cost as this is current policy.</p>	<p>To provide clarity on current policy that any promotion adjustment must be within the new salary schedule.</p>

Proposed Updates	Current	Estimated Annual Cost	Notes
<p>Involuntary Separation Entitlements (Administrative Update)</p> <p>During the period of salary continuation: the City will continue health, dental and group life and accidental death and dismemberment insurance coverage on the usual cost-sharing basis. The employee will pay the employee portion of premiums, if applicable;</p>	<p>No reference to accidental death and dismemberment insurance coverage during period of salary continuance</p>	<p>No additional cost. As current practice, OPL has been paying the accidental death and dismemberment premiums for employees during the period of salary continuation.</p>	<p>Administrative update as reference to accidental death and dismemberment is provided and was not identified.</p>

Proposed Updates	Current	Estimated Annual Cost	Notes
<p>Benefit eligibility for Full Time Continuous Employees (Administrative Update)</p> <p>All MPE full-time continuous employees who are regularly scheduled to work more than 24 hours per week are enrolled in the benefit plan as of their date of hire.</p>	<p>All full-time continuous employees who are regularly scheduled to work a minimum of 28 hours per week are enrolled in the benefit plan as of their date of hire. There is no waiting period, except for the income protection plan, which is one (1) month.</p>	<p>No additional cost. Any employee coded as Full Time Continuous Employees regardless of hours work are currently enrolled in the benefit plan. OPL does not currently have any MPE employees who work less than 35 hours per week.</p>	<p>Administrative update to reflect current practice and align with City MPE entitlement.</p>

Proposed Updates	Current	Estimated Annual Cost	Notes
<p>Benefit for Post 65 Employment (New)</p> <p>MPE employees ages 65 and older will continue being covered for modified benefits coverage.</p> <p>Extended Health Care with Out of Country Coverage and Drug Coverage. It is understood that, where applicable, OHIP will be the first payer for drug coverage. (updated)</p> <ul style="list-style-type: none"> • Dental insurance • \$25,000 Life insurance • Optional Life coverage (including optional life coverage for an eligible spouse) available to purchase up to age 70, subject to the insurer eligibility requirements. Optional Life coverage for the employee or eligible spouse, acquired before the age of 70, can be extended until employee's termination of employment. (updated) <p>This is applicable to MPE Full-Time Permanent Employees and those MPE Temporary Full-Time Employees and Part Time Continuous Employees who had elected for benefits upon hire.</p>	<p>At the end of the month in which an MPE employee reaches age 65 some coverage is reduced or terminated (no coverage for out of country and drug coverage and limited optional life coverage).</p>	<p>OPL does not have any MPE employees who currently meet this age criteria. This benefit, and related costs, are applicable on a go forward basis.</p>	<p>To align with CUPE 503 – Library Group and City of Ottawa MPE changes.</p>

Proposed Updates	Current	Estimated Annual Cost	Notes
<p>Income Protection Plan (IPP) (New)</p> <ul style="list-style-type: none"> The employee is required to produce a sick leave certificate signed by a qualified medical practitioner for a sick leave of more than five (5) consecutive days. Permanent full-time employees will receive IPP benefits of one (1) week paid at 100% from the start of their employment. 	<p>Four (4) consecutive days</p> <p>IPP benefits begin after 1 month of service.</p>	<p>OPL does not pay for sick leave certificates.</p> <p>There is no replacement cost for MPE for the early IPP entitlement.</p>	<p>To align with City of Ottawa MPE changes.</p>
<p>Removal of SMART Drug Formulary (New)</p> <p>Removal of SMART drug formulary used to determine eligibility of drugs under the Health Plan</p>	<p>New drugs are reviewed by Canada Life under their SMART drug formulary to determine if they should be added to eligible drugs under the plan based on clinical data and availability of alternate drugs.</p> <p>This was implemented for MPE plan as a cost containment measure in 2017.</p>	<p>\$1K</p>	<p>Canada Life recommends SMART drug formulary as an industry best practice for health benefits to assist in containing costs. Due to the requirement that this be negotiated through Collective bargaining, SMART formulary has not been implemented for unionized groups. This has the effect of certain new drugs not being available to MPE that may be available to other unionized groups.</p>