

- 1. NATIONAL DAY FOR TRUTH AND RECONCILIATION - September 30
(beginning 2021)
JOURNÉE NATIONALE DE LA VÉRITÉ ET DE LA RÉCONCILIATION –
30 septembre (à partir de 2021)**

COMMITTEE RECOMMENDATION

That City Council observe the National Day for Truth and Reconciliation and direct the City Manager to adjust the City's service offerings as described in this report.

RECOMMANDATION DU COMITÉ

Que le Conseil municipal observe la Journée nationale de la vérité et de la réconciliation et demande au directeur municipal d'ajuster les offres de services de la Ville de la façon décrite dans le présent rapport.

DOCUMENTATION/DOCUMENTATION

1. City Manager's report, dated August 26, 2021 (ACS2021-ICS-LEG-0004)

Rapport du Directeur municipal daté le 26 août 2021, (ACS2021-ICS-
LEG-0004)

**Report to
Rapport au:**

**Finance and Economic Development Committee
Comité des finances et du développement économique
7 September 2021 / 7 septembre 2021**

**and Council
et au Conseil
8 September 2021 / 8 septembre 2021**

**Submitted on August 26, 2021
Soumis le 26 août 2021**

**Submitted by
Soumis par:
Steve Kanellakos, City Manager / Directeur municipal**

**Contact Person
Personne ressource:
David White, City Solicitor, Innovative Client Services
613-580-2424 x21933/David.White@ottawa.ca**

Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2021-ICS-LEG-0004

**SUBJECT: NATIONAL DAY FOR TRUTH AND RECONCILIATION - September 30
(beginning 2021)**

**OBJET: JOURNÉE NATIONALE DE LA VÉRITÉ ET DE LA RÉCONCILIATION –
30 septembre (à partir de 2021)**

REPORT RECOMMENDATION

That the Finance and Economic Development Committee recommend that City Council observe the National Day for Truth and Reconciliation and direct the City Manager to adjust the City's service offerings as described in this report.

RECOMMANDATION DU RAPPORT

Que le Comité des finances et du développement économique recommande que le Conseil municipal observe la Journée nationale de la vérité et de la réconciliation et demande au directeur municipal d'ajuster les offres de services de la Ville de la façon décrite dans le présent rapport.

BACKGROUND

On June 3, 2021, the federal government of Canada enacted legislation establishing September 30 of each year as the National Day for Truth and Reconciliation. As detailed in Bill C-5, the new national holiday is intended "*to respond to the Truth and Reconciliation Commission of Canada's call to action number 80 by creating a holiday called the National Day for Truth and Reconciliation, which seeks to honour First Nations, Inuit and Métis Survivors, their families, and communities, and to ensure that public commemoration of their history and the legacy of residential schools remains a vital component of the reconciliation process.*" The first National Day for Truth and Reconciliation is to be observed in 2021.

DISCUSSION

Among other things, Bill C-5 amends the *Canada Labour Code* to add the National Day for Truth and Reconciliation to the list of public holidays for which employees whose employment is governed by the *Canada Labour Code* are to be granted a holiday with pay. At the City of Ottawa, this means employees that are part of the OC Transpo service - a federal undertaking - in the Amalgamated Transit Union, Locals 279 and 1760, as well as the Canadian Union of Public Employees, Local 5500. The National Day for Truth and Reconciliation has not been included within the list of public holidays set out in the provincial *Employment Standards Act, 2000*. That said, the collective agreements for the vast majority of unionized staff at the City of Ottawa contain definitions of "statutory/public holiday" that extend to any newly-proclaimed provincial or

federal public holidays. Employees in these bargaining units are therefore entitled to the National Day for Truth and Reconciliation as a holiday with pay.

While the employment of staff in the Management and Professional Exempt (MPE) group is provincially-regulated, [City Council on February 13, 2008](#) approved that "all statutory holidays received by CUPE 503 and/or CIPP automatically be given to MPE staff" (ACS2008-CMR-CSE-0013).

Similarly, non-unionized Administrative Support employees are not automatically entitled to the new federal public holiday, as of right. However, the City has a longstanding practice of providing Administrative Support employees terms and conditions that are in line with those offered to the similarly-situated CUPE 503 employees.

The City's practice in observing public holidays varies. For example, in the case of provincial public holidays such as Family Day, the City of Ottawa Client Service Centres and administrative buildings are closed, with recycling/garbage collection delayed until the next day. Some recreation facilities remain open with reduced programming and OC Transpo may operate based on a reduced schedule. However, in the case of federal public holidays which are not also provincial public holidays, such as Remembrance Day, the extent of service reductions is less, with such things as recreation programming and recycling/garbage collection operating on normal schedules. It should be noted that New Years, Good Friday, Victoria Day, Canada Day, Labour Day, Thanksgiving, Christmas, and Boxing Day are public holidays under both federal and provincial law.

In keeping with the City's observance of Remembrance Day, staff are recommending that City service levels be similarly adjusted. For example, all of the City of Ottawa Client Service Centres would be closed to the public, as would the City's administrative buildings while recycling and garbage would be collected as normally scheduled and the Trail Road Waste Facility would remain open to the public. The City's recreational facilities would remain open and registered programming would be continued while the OC Transpo train and bus service may operate on a reduced schedule, based on observed and projected levels of ridership.

To mark National Day for Truth and Reconciliation, Mayor Watson will issue a proclamation to proclaim September 30, National Day for Truth and Reconciliation. In

In addition, at sunset on September 30, the Heritage Building, the lights on Marion Dewar Plaza, and the OTTAWA sign in the ByWard Market will be illuminated orange to recognize and commemorate the legacy of the residential school system and the impact it has had on Indigenous communities.

City staff in the Gender & Race Equity, Indigenous Relations, Diversity and Inclusion branch will support learning opportunities leading up to September 30 for City staff, host a virtual circle with the First Nations, Inuit and Métis staff affinity group, and assist in the promotion of local or virtual learning events taking place this year.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

There is no public consultation required with this report.

ADVISORY COMMITTEE(S) COMMENTS

There are no comments or recommendations required by an Advisory Committee for this report.

LEGAL IMPLICATIONS

There are no legal impediments to the approval of the recommendation contained in this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL IMPLICATIONS

As the National Day for Truth and Reconciliation was proclaimed after the adoption of the City of Ottawa's 2021 Budget, staffing costs arising out of the creation of a new statutory holiday have not previously been accounted for. The statutory holiday provisions of the *Canada Labour Code* and relevant collective agreements generally require that time worked on a public holiday be paid at overtime rates.

Based on service levels paralleling those in place for Remembrance Day, the estimated compensation cost for overtime for hours worked by City staff on the National Day for Truth and Reconciliation would be approximately \$385,000.

ACCESSIBILITY IMPACTS

The City of Ottawa supports and considers the *Accessibility for Ontarians with Disabilities Act, (2005)* in its operations. There are no associated accessibility impacts with this report.

INDIGENOUS AND GENDER EQUITY IMPLICATIONS

Ottawa is built on the unceded territory of the Algonquin Anishinabe Nation, and their culture and presence continue to nurture this land. The Ottawa region is home to an estimated 40,000 urban First Nations, Inuit and Métis people, who call this City home. The City of Ottawa honours all Indigenous people for their past and present contributions to this land.

For many years, the City of Ottawa has worked in partnership with the Algonquin Anishinabe Nation and urban Indigenous community partners to deliver cultural awareness training for City staff, as part of our commitment to reconciliation. This includes annual Indigenous Day activities, recently expanded into Indigenous History Month activities, as well as virtual learning modules accessible to all City of Ottawa staff. The National Day for Truth and Reconciliation on September 30 will provide another opportunity to work together to promote understanding of the impacts of the residential school system.

The National Day for Truth and Reconciliation was established in response to the Truth and Reconciliation Commission (TRC) Calls to Action #80. The TRC's Calls to Action provide important direction to all levels of government, institutions, as well as all Canadians, to redress the legacy of residential schools and advance reconciliation. These Calls to Action, alongside the Principles of Reconciliation, informed the development of the City of Ottawa's first Reconciliation Action Plan in 2018, which includes work aimed at raising cultural awareness for City staff.

The date of this new statutory holiday, September 30, coincides with a grassroots movement called Orange Shirt Day, in recognition of Phyllis Webstad, whose orange shirt was forcibly taken away from her on her first day at residential school. The orange

shirt has become a symbol of remembrance of all Indigenous children who were forcibly removed from their families to attend residential schools where their language and culture were repressed, and many children endured physical, emotional, or sexual abuse. The painful legacy of residential schools has had lasting impacts on Indian residential school survivors and their families.

Beginning in 2019, the City of Ottawa has actively participated in Orange Shirt Day learning events, including presentations from the Legacy of Hope Foundation, and the official proclamation of Orange Shirt Day in 2020, in which the City of Ottawa declared its commitment to “promoting education about the impacts of the residential school system, to build empathy and understanding, to address racism today and work collaboratively with Algonquin Anishinabe Host Nation and the urban First Nations, Inuit and Métis community in Ottawa.”

TERM OF COUNCIL PRIORITIES

As described in this report the National Day for Truth and Reconciliation aligns with the 2019-2022 Term of Council Priorities of Service Excellence Through Innovation and Thriving Communities.

DISPOSITION

Subject to Council’s approval, the City of Ottawa will observe the National Day for Truth and Reconciliation on September 30, as described in this report. Due to the time sensitivity of the items contained in this report, and to allow staff to plan for necessary service level adjustments on September 30, 2021, this item will be presented to Council on September 8, 2021 in Finance and Economic Development Report No 28.