Memorandum

Date: June 26, 2008

To: Mary Gallagher, Co-ordinator, Committee of the Whole/Council/Budgets

From: Rose Caterini, Deputy Clerk / Manager, Legislative Services
       Corporate Services, City Clerks

Subject: LUMCO – changing definition of “non-construction employer”

Council, at its meeting of June 25, 2008, considered the attached letter from LUMCO dated June 6, 2008, respecting the above matter.

Please be advised that Council has received this correspondence and referred it to the Special Committee of the Whole meeting respecting the Carpenter’s Union and copies of any recommendations from that COW meeting have been requested to be sent to the Premier of Ontario and the Minister of Labour.

RC:sr
Att.
LUMCO
LARGE URBAN MAYORS' CAUCUS OF ONTARIO

June 6, 2008

Mayor Fred Eisenberger
City of Hamilton
77 James Street North
Suite 230
Hamilton, Ontario
L8R 2K3

Dear Mayor Eisenberger:

At its meeting on May 2, 2008, the Large Urban Mayors’ Caucus of Ontario (LUMCO) discussed the resolution brought forward by the City of Hamilton at its previous meeting of November 16, 2007 as listed below:

WHEREAS MUNICIPALITIES are not businesses and have a different purpose and mandate from commercial enterprises;

AND WHEREAS THE OLRB treats municipalities as businesses for the purpose of the construction industry provision in the Labour Relations Act, 1995;

AND WHEREAS AN AMENDMENT to the Labour Relations Act, 1995 would ensure that municipalities are able to tender construction work in a free and open competitive environment to maximize value for construction expenditures;

BE IT RESOLVED THAT the Large Urban Mayors’ Caucus of Ontario asks the Province of Ontario to amend the Labour Relations Act, 1995 by changing the definition of “non-construction employer” in Section 126, by deeming municipalities to be non-construction employers.

At its meeting of May 2, 2008, LUMCO officially endorsed the City of Hamilton’s resolution and will be requesting the Province of Ontario to make the necessary change in the Labour Relations Act.

Sincerely,

[Signature]

HAZEL MCCALLION, C.M.
MAYOR & CHAIR OF LUMCO

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Mayor Hazel McCallion
City of Mississauga
300 City Centre Drive, 3rd Floor
Mississauga, Ontario
L5B 3C1

Phone: (905) 896-5555
Fax: (905) 896-5879