

Human resources and reconstitution of municipalities

Work is progressing!

On January 1st, 2006, 15 former municipalities in the Agglomeration of Montreal will be reconstituted. They are Baie d'Urfé, Beaconsfield, Côte Saint-Luc, Dollard-des-Ormeaux, Dorval, Hampstead, L'Île-Dorval, Kirkland, Montreal East, Montreal West, Mount Royal, Pointe-Claire, Sainte-Anne-de-Bellevue, Senneville and Westmount.

The Transition Committee of the Agglomeration of Montreal is responsible for setting up the administrative apparatus which will enable the municipalities to provide the services they will be responsible

for. In the fall of 2004, the Transition Committee decided to appoint general managers for all the municipalities except L'Île-Dorval and Senneville. A good number of the general managers concurrently hold their new position as well as their current one within one of the boroughs involved.

With the help of the general managers, the Transition Committee is preparing organization charts including the positions needed in each of the municipalities to be reconstituted. These positions will mostly be filled by employees already assigned to them. They will be transferred to the

municipalities to be reconstituted according to transfer agreements which are still under discussion with the various unions involved and the City of Montreal, except for management employees whose transfer plan has already been adopted.

January 1st, 2006 still seems far away but this deadline is approaching fast and everything must be ready. At this time, the Committee would like to answer some of the questions most often raised by employees.

The law protects you.

Articles regarding human resources issues can be found in Section II of Chapter V of Act 9 "An Act respecting the consultations of citizens with respect to the territorial reorganization of certain municipalities", and modified by Act 75 "An Act respecting the exercise of certain municipal powers in certain urban agglomerations". Articles 122 to 137 of Act 9 essentially define employee rights and the guidelines to be followed in the transfer of City of Montreal employees to the municipalities to be reconstituted. A complete version is available for consultation on the Transition Committee's Web site: www.montreal-transition.qc.ca, Employees' Section, Acts 9 and 75.

Q. Who can be transferred to a municipality to be reconstituted?

A. In the majority of cases, employees who will be transferred to a municipality to be reconstituted presently work in a borough which corresponds to or includes a municipality to be reconstituted. They hold a position which most likely will appear in the staffing plan (organization chart) of the municipality to be reconstituted in question. In this case, no postings or competitions will be held for such positions. Proceeding in this manner, the Transition Committee will reduce the movement of personnel to a minimum.

Q. When and how will a unionized employee learn that he or she has been transferred?

A. The work of the Transition Committee is accomplished in three phases. The Committee must first reach transfer agreements with the unions and the City of Montreal. Along with this, staffing plans will be completed for each of the municipalities. Finally, when the transfer agreements and staffing plans are complete, those involved will receive transfer notices.

On February 2nd, the Minister of Municipal Affairs and Regions gave notice

that if the parties fail to reach a transfer agreement by April 15th, the mediation-arbitration process stipulated in Act 9 will be launched.

The Transition Committee is certainly doing everything possible to speed up the process and reach an agreement with the unions involved before the deadline. Employees affected by reconstitution of the 15 municipalities can rightly expect to know as soon as possible what position they will fill.

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Note: The information published in this newsletter describes the general advancement of the Human Resources work that has been accomplished to date. It cannot take into account individual situations that could arise. As work progresses, particular situations will most likely come up in the various municipalities to be reconstituted. The Transition Committee will take them into consideration as they occur.

Q. Are negotiations underway with the unions to reach transfer agreements?

A. At this time, the Transition Committee is continuing discussions with the four unions and the City of Montreal to reach agreements for the transfer of employees to the municipalities to be reconstituted. Meetings are being held with representatives of professionals, scientific professionals, white-collar and blue-collar employees. We hope to reach agreements with them by April 15, 2005.

Q. Is there a transfer plan for managers?

A. The Transfer Plan for Managers was approved by the Minister of Municipal Affairs and Regions on February 23rd, so it now has the force of law. It is available on the Transition Committee's Web site at www.montreal-transition.qc.ca.

This plan provides that managers filling a position in a borough will be confirmed in the same or comparable position in the staffing plan of the municipality to be reconstituted. This condition keeps personnel transfers to a minimum, contributing to continuity and stability in both the City of Montreal and the municipalities to be reconstituted.

Q. What is a staffing plan?

A. It is the organizational chart of the new municipality including all positions: management, professional, white-collar and blue-collar employees.

Q. Have some positions already been filled?

A. The only positions filled so far are those of general managers of 13 of the 15 municipalities to be reconstituted (L'Île-Dorval and Senneville are exceptions).

Q. What will happen to our salary?

A. Article 123 of Act 9 stipulates that no officer or employee of the city may suffer a salary reduction, be laid off or dismissed simply as a result of the reorganization of the city.

Q. What is happening with our pension plans?

A. An employee who is transferred keeps his or her seniority and fringe benefits and remains a member of the same pension plan as before reorganization. On January 1, 2006, transferred employees will belong to the same pension plan as they do now.

It is possible that managers have the option, on an individual basis, to change pension plans in order to adhere to the one of their new employer. For unionized employees, an eventual change to their new employer's pension plan could also occur, but in a collective manner, following negotiations of the new collective agreement.

Q. What is happening with our group insurance?

All the group insurance plans for union members have been harmonized. On January 1, 2006, employees will continue to belong to their plan and receive the same coverage.

For management employees, agreements have not yet been harmonized; actions are being taken to offer comparable coverage.

Q. Will collective labour agreements be maintained?

A. Yes. Collective agreements are transferred to the new employer. However, any collective agreement transferred to a municipality to be reconstituted expires six months after reconstitution, (June 30, 2006), but continues to apply until it is renewed. Municipalities and unions may follow the usual procedures to renew their agreements.

Any questions or comments?

One address:

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Principles and objectives

These are the principles and objectives which guide the Transition Committee in establishing transfer agreements for all groups of employees.

1. The terms and conditions of the transfer agreements must be in accordance with Acts 9 and 75.
2. Employee transfers must encourage stability and continuity of operations in both the municipalities to be reconstituted and the City of Montreal, and maintain or adopt best management practices.
3. The transfer agreements must limit movement of personnel as much as possible.
4. When filling positions in the municipalities to be reconstituted, priority will go to personnel currently assigned to the borough in which that municipality is located.
5. Transfers must be made with the purpose of providing high-quality services adapted to the needs of the people.
6. Transfers will reflect the linguistic character of the municipalities to be reconstituted.
7. Transfer agreement terms must not entail higher costs than they were by the conditions of employment which applied before the transfer.
8. Staffing assignments must be complete by January 1, 2006.

www.montreal-transition.qc.ca

Updated regularly...

Our mandate... The Montreal Transition Committee of the Agglomeration of Montreal was established by the Government of Quebec; under Acts 9 and 75, pertaining to the process of the municipal reorganization, its mission is to work with elected officials, administrators and employees of the City of Montreal and affected boroughs to facilitate the transition process between successive municipal administrations. The Committee was created following the democratic expression in June 2004 by the citizens of 15 former Island of Montreal municipalities of their desire to reconstitute their municipalities.

The Transition Committee can be reached at (514) 864-4501. Fax: (514) 873-6539.