

January 11, 2010

To: The Board of Governors of Exhibition Place

From: Dianne Young, Chief Executive Officer

Subject: **Family Day for Non-Union Employees**

Summary:

In 2007, the Board followed the direction of the City which provided Family Day in 2008 as an additional statutory holiday. However, the City reversed this decision for 2009 on the basis that the City (like Exhibition Place) already provided for two “float” days which are additional to the provincial statutory holidays. For 2010, the City’s Executive Committee has recommended, subject to Council approval, that Family Day be designated as a holiday for all non-union employees commencing February 2010. This report proposes to follow the City’s new direction with respect to full-time, non-unionized staff.

**Recommendation:**

**It is recommended that the Board approve of a policy to have the addition of Family day as an additional statutory holiday for Exhibition Place full-time, non-unionized employees.**

Financial Implications & Impact Statement:

The financial impact of this proposed direction is a cost of \$38,200.

Decision History:

At its meeting in November 2007, the Board received a report that proposed the addition of Family Day in February as an additional statutory holiday for Exhibition Place employees. At its meeting in December 2008, the Board received a report that proposed the deletion of Family Day for 2009.

Issue Background:

The City’s Employee and Labour Relations Committee on November 26, 2009, considered a report (November 16, 2009) from the City Manager, providing information about the 2007 Ontario provincial government’s designation of the third Monday of February as Family Day as a holiday pursuant to the *Employment Standards Act*. At its meeting on January 4, 2010, the City’s Executive Committee recommended, subject to Council approval, that Family Day be designated as a holiday for all non-union employees commencing 2010.

Comments:

Since being proclaimed, clarifications on the application of Family Day as a designated holiday have been made and it has been determined that organizations that already provide a “greater

benefit” to their employees (i.e. more than 9 paid holiday) may choose not to grant Family Day. This is the situation for the City and Exhibition Place.

In October 2007, City management decided that City employees would be allowed to observe this declared holiday. In 2008, Exhibition Place followed the City and all Exhibition Place staff not required to be at work on that day were paid for the day. Those staff required to work were given alternate time off in accordance with the *Employment Standards Act*. Unionized staff were paid in accordance with their Collective Agreements.

In November 2008, the City reviewed their allowance of Family Day as a paid holiday and based on current legal interpretations decided to revise their original position and Family Day was not a recognized designated holiday for 2009. In keeping with the City’s decision, Exhibition Place did not recognize Family Day as a paid holiday / designated day for full-time non-unionized staff. Employees wishing not to work ‘Family Day’ used a vacation or floater day if scheduling permits.

Some of the local Exhibition Place union agreements have already included “Family Day” as a term of the agreement including the provincial ICI agreements. However, unionized staff would only be called in and required to work Family Day if there is third party activity on the grounds.

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Submitted by:

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