

Date: 2021-11-19

Subject: 2021 National Day for Truth & Reconciliation – RM 79/2021

Contact: Cynthia Ogbarmey-Tetteh, Acting Director, Human Resources
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Report Number: Corporate Support Services-2021-1251

Recommendations:

1. That the report from Cynthia Ogbarmey-Tetteh, Acting Director, Human Resources, Corporate Support Services, in association with the staff report '2021 National Day for Truth & Reconciliation – Federal Public Holiday' provided at the September 8, Committee of Council, be received;
2. That the City incorporate the National Day for Truth & Reconciliation into the Paid Holiday 8.1.0 policy, effective January 1, 2022 with the same provisions as other City-designated paid holidays.

Overview:

- **The Federal government recently passed legislation to make September 30th a federal statutory holiday called the National Day for Truth and Reconciliation, as part of the 94 calls to action from the Truth and Reconciliation Commission.**
- **The City of Brampton hosted internal and external facing events, including:**
 - A formal Proclamation to be read at the September 29th Council Meeting
 - Raising the "Every Child Matters" flag for the week of September 27th in keeping with Council direction
 - Lighting the City clock-tower orange in recognition
 - Indigenous programming on the Garden Square screen in partnership with the Downie & Wenjack Fund that aims to build cultural understanding and create a path toward reconciliation between Indigenous and non-Indigenous peoples
- **The City also provided all City staff a paid holiday on September 30th, to allow time and space for reflection on the intergenerational harm that**

residential schools have caused to Indigenous families and communities and to honour First Nations, Inuit and Métis survivors, their families, and communities who have been affected by this injustice.

- **Plans for 2022 have been outlined in the following report.**

Background:

On August 3, 2021, Bill C-5 came into force, establishing September 30 the National Day for Truth and Reconciliation as a statutory holiday for employees in the federal government and federally regulated workplaces. This was part of the federal government's response to action #80 of the Truth and Reconciliation Commission's 94 calls to action (excerpt below).

We call upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to honour Survivors, their families, and communities, and ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process.

The province of Ontario has not yet taken the same steps to designate September 30th as a paid holiday for provincially legislated employers. Instead, the province is "working in collaboration with Indigenous partners, survivors and affected families to ensure the respectful commemoration of this day within the province, similar to Remembrance Day."

Current Situation:

Recognizing Truth and Reconciliation Day in 2021

The City of Brampton recognizes the National Day for Truth and Reconciliation Day with:

- A formal Proclamation read at the September 29th Council Meeting
- Raising the "Every Child Matters" flag for the week of September 27th
- Lighting the City clock-tower orange in recognition
- Half masting of flags at all City of Brampton facilities
- Indigenous programming on the Garden Square screen in partnership with the Downie & Wenjack Fund that aims to build cultural understanding and create a path toward reconciliation between Indigenous and non-Indigenous peoples
- The City developed a [public facing communications](#) campaign to highlight and recognize external community-led events commemorating National Truth and Reconciliation Day through a featured [events calendar](#) on Brampton.ca. This communications plan also highlighted resources to learn more about Truth and Reconciliation Day.
- The City hosted a learning session to recognize the Truth and Reconciliation Day within our September 23 Brampton Learning Day for all staff, with a [keynote address](#)

[by Kendal Netmaker](#). This event was an opportunity to provide a meaningful contribution towards the Truth and Reconciliation Commission's call to action number 57, which calls upon all levels of government to "provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations."

- The City created a [public facing site](#) that was made accessible effective September 30 to recognize the day and make the learning events, information and additional resources accessible to the public.

In 2022, subject to Council approval of the Corporate Events Listing 2022 report, the National Day for Truth and Reconciliation will be added to the 2022 Corporate Events listing.

Designating Truth and Reconciliation Day as Paid Holiday

The City of Brampton currently has 13 paid holidays for all full-time staff, as listed in the Paid Holidays Policy, which complies with the Employment Standards Act (ESA) as approved through the provincial legislature, and may include additional holidays designated by the Federal Act, and as deemed by the Corporation.

On September 30, 2021 the City recognized the National Day for Truth and Reconciliation as a paid holiday which allowed staff to attend the City-hosted and public events, to encourage dialogue and reflection to honour Survivors of residential schools, their families and communities.

Benchmarking as of November 15, 2021:

2021

Comparator	Paid Holiday	Events	Additional Notes
City of Mississauga	Yes	Yes	
Region of Peel	Yes	Yes	The paid holiday was approved on September 9, for September 30, 2021 only; future years will be reconsidered.
City of Toronto	No	Yes	
City of Hamilton	No	Yes	
City of Ottawa	Yes	Yes	Governed by the Canada Labour Code.

2022

Comparator	Paid Holiday	Events	Additional Notes
City of Mississauga	Yes	Yes	
Region of Peel	Yes	Yes	The paid holiday was approved on September 9, for September 30, 2021 only; future years will be reconsidered.
City of Toronto	N/A	Yes	
City of Hamilton	N/A	Yes	
Town of Caledon	N/A	Yes	
City of Ottawa	Yes	Yes	Governed by the Canada Labour Code.

Options for 2022:

1. Align future years handling with provincial legislature as outlined in the *Employment Standards Act* (ESA). The National Day for Truth and Reconciliation is not currently included as a paid holiday for the province of Ontario.

Considerations:

- There is no requirement under the Corporation's existing collective agreements to include the new federal holiday as a paid holiday under the agreements. Unions and Associations can negotiate the new federal holiday into their respective collective agreements as a paid holiday in future rounds of collective bargaining.
 - As the Corporation looks to build more flexibility and diversity into City programs, we may consider moving away from designated paid holidays and towards personal or wellness days. Currently the City has designated the following 3 holidays, though they are not required per the provincially legislated minimum outlined in the ESA
 - Easter Monday
 - Civic Holiday
 - Remembrance Day
2. Amend the City's **8.1.0 Paid Holiday** policy to incorporate the newly approved Federal statutory holiday as a City-designated paid holiday for all regular full-time staff, indefinitely.

Considerations:

- This will ensure the City's paid holidays fully align with the Federal Act, though not required by law.
- This paid holiday was requested by the Truth and Reconciliation Commission of Canada as part of their 94 calls to action.
- This will align the City of Brampton with both the City of Mississauga and the Region of Peel (approved the paid holiday for 2021 and 2022).

- [Approved paid holidays](#) for 2022 have been communicated to staff. This can be updated based on direction from Council.
- All full-time and part-time employees and subject to relevant Collective Agreements. Part-time employees will be paid in accordance with the Ontario Employment Standards Act, 2000.

Corporate Implications:

Financial Implications:

The Truth and Reconciliation Day as a holiday is estimated to result in additional incremental impact of approximately \$850,000 in operating costs and will require to be included as part of the 2022 budget submission, pending Council approval.

Other Implications:

NA

Term of Council Priorities:

- This report supports the Term of Council priority of being a well-run city and strengthens the City's commitment to recognizing Brampton as a Mosaic.

Conclusion:

This report highlights the opportunities and potential costs of implementing the National Day for Truth & Reconciliation as a paid holiday for City staff, along with alternatives to support the City's commitment and solidarity with Indigenous peoples.

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