

REPORT

Human Resources & Information Technology

To: Mayor Johnstone and Members of Council (in Regular meeting) **Date:** July 10, 2023

From: Eva Yip, Acting Director, Human Resources & Information Technology **File:**

Item #: 2023-482

Subject: National Day for Truth and Reconciliation – September 30

RECOMMENDATION

THAT Council receives this report for information.

PURPOSE

To update Council regarding the Province of British Columbia's (the "Province") announcement that September 30 would be designated as the National Day for Truth and Reconciliation (NDTR).

BACKGROUND

Further to the Open Council Report on July 11, 2022 regarding the NDTR, Bill 2-2023, *National Day for Truth and Reconciliation Act (Bill 2)* passed the third reading and received royal assent on March 9, 2023. The Province now joins Canada, Prince Edward Island, the Northwest Territories, Nunavut and the Yukon as jurisdictions that have enshrined September 30 each year as NDTR to commemorate the history and legacy of the residential school system.

On May 11, 2023, further amendments to the *Employment Standards Act (ESA)* had received royal assent through the [Miscellaneous Statute Amendment Act \(No. 2\)](#) (Attachment A).

ANALYSIS

Since 2021, the federal government has recognized September 30th as a statutory holiday in recognition of National Truth and Reconciliation. Subsequently, for 2021 and 2022, the Province had also recognized the same, while consultations on how and

when to recognize the day in the future were being completed. Consultations have now been completed and the Province has officially designated September 30th as the NDTR.

The May 11, 2023 *ESA* amendment means that “the amendment will require unionized employers to provide their employees with statutory holiday pay on this day, even if the collective agreement does not include the NDTR as a statutory holiday, but still “meets or exceeds” the *ESA*’s statutory holiday provisions.” The Corporation of the City of New Westminster will be reviewing our collective agreements, including procedures around payment, eligibility requirements, and the use of alternate days for statutory holidays to ensure that they are compliant with the NDTR amendment in the *ESA*.

Furthermore, similar to operations during existing statutory holidays, regular programs and services may continue to operate in some City departments and facilities on this day.

FINANCIAL IMPLICATIONS

The estimated total staffing costs for regular and temporary employees with the implementation of NDTR in 2023 amount to \$271K. It is important to note that these costs are already accounted for within the salaries of these employees, resulting in no additional impact on the City’s staffing budget. However, it is important to consider the opportunity costs associated with the loss of productivity during the NDTR, although it is difficult to quantify these costs precisely.

Furthermore, there may be additional financial implications resulting from *ESA* amendments that have not been factored into the budget. For regular and temporary employees, staff are working through the implications of *ESA* amendments and assessing the potential impacts and costs. For auxiliary employees, the *ESA* amendments require the City to pay auxiliary employees statutory holiday pay on the NDTR. By considering the total number of auxiliary hours worked in 2022 as a reference, if auxiliary employees continue to work the same number of hours in 2023, there could be an additional cost of approximately \$31K.

CONCLUSION

In alignment with the Province, the Corporation of the City of New Westminster will be commemorating the history and legacy of residential schools and honour Indigenous communities, families and survivors by observing a day for Truth and Reconciliation on September 30th.

ATTACHMENT

Attachment A – *Miscellaneous Statute Amendment Act (No. 2)*

OPTIONS

Option 1: THAT Council receive this report for information.

Option 2: THAT Council provide staff with other direction.

Staff recommend Option 1.

APPROVALS

This report was prepared by:

Eva Yip, Acting Director, Human Resources & Information Technology

Jacqueline Dairon, Acting Director, Finance/Chief Financial Officer

Wendy McDonnell, Manager, Payroll and Benefits

This report was reviewed by:

Christina Coolidge, Indigenous Relations Advisor

Dean Gibson, Director, Parks & Recreation

This report was approved by: Lisa Spitale, Chief Administrative Officer