

Is this the beginning of the end for Miller?

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Mayor David Miller is a weakened politician today, vulnerable to challengers following a strike deal that suggests he caved in to the unions.

Would-be mayors spoiling for a run at his job in November 2010 are no doubt emboldened as details of the deal emerge. They now have an issue on which to launch a run for mayor. They'll be able to spin an election message of "Throw out the sellout."



Rene Johnston/ Toronto Star

The number one issue that sparked the longest municipal strike in Toronto's modern history was a long-held benefit that gives employees 18 sick days a year, days they can bank over time to a maximum of a year's worth. Then, on retirement, the worker is guaranteed a maximum payout, a nest egg, of six months' pay at a rate matching his pay at retirement.

It's a sweet deal. Miller targeted it. He left the impression that a strike-ending deal hinged on ending the benefit. He went public with his demand, angering the unions. The public backed his view. They didn't get what they anticipated. Now Miller is trying to spin his way out of the political backlash.

Councillor Denzil Minnan-Wong, tabbed as a potential Miller challenger, is having none of it.

"It's a slap in the face to the residents of Toronto who held out for 36 days, who supported the mayor because they believed in what he said," Minnan-Wong said. "The mayor caved in on this. He betrayed Torontonians and he let them down. He sold out to the unions."

Maybe he overstates, even as the mayor obfuscates. The city did improve its financial position, at least in terms of observable liability. Over time, a long time, the sick-pay benefit will end. Whether this is good – absenteeism, a problem before the sick-bank plan, may rise again and result in lost productivity – is a debatable point.

But even with that improvement, the nagging question is: Did we go through a five-week strike for *that*? Could Miller not have accomplished the same without a strike? Why the bluster and chaos and disruption when meeting the unions more than halfway could have settled the dispute months ago?

Miller yesterday tried to paint the picture of a recalcitrant union, unwilling to budge. He failed to take any responsibility for the strike. The unions wanted pay hikes matching the annual 3 per cent given to some civic workers, he says. But Miller offered them zero; then amended it to 1 per cent, 1 per cent, 2 per cent, 3 per cent over four years. The unions settled for 1.75 per cent, 2 per cent, 2.25 per cent. Clearly, salary wasn't the big sticking point.

Miller says the unions weren't prepared to even discuss the ending of the sick benefits. But any analysis of the issue suggested that the city would be incapable of ending the benefit without a significant buyout of a benefit the workers had bargained.

Common sense suggested an end to the benefit for new employees only. That's not what Miller pushed.

Fairness suggested the city adopt a fallback position: pay out those who have the benefit because no union would tolerate a stealing of their accumulated benefits. Again, no go.

So, who would have anticipated this: the sick-bank plan is not frozen for those who have it. And they continue to accrue sick days and payouts as before.

So, five weeks later, and counting, Torontonians find that they endured a lost summer for a deal arguably available without a strike.

To add insult to injury, Miller now insists on selling spoiled goods. "We've eliminated the sick bank," he said, 12 TV cameras rolling and frustrated reporters rolling their eyes yesterday. Torontonians should be "extremely pleased," he said. And no doubt, at least the 30,000 strikers are – even if they are miffed at walking the picket line for five weeks to maintain the status quo.

But tried as he may, armed with lawyerly hairsplitting and a politician's doublespeak, he couldn't convince that Toronto's five-week municipal strike was worth the trouble.

The sick-bank "phase-out" saves "millions and millions and tens of millions." But asked to be specific, Miller said he didn't know and refused to "speculate."

Told that he couldn't say the sick banks are ended when workers still have the choice of sticking with the old sick-days plan, Miller persisted:

"The provision is ended."

"Why the doublespeak? Why do you continue to do this?" a reporter challenged.

"With great respect," the mayor said, "I don't think this is doublespeak; this is the fact."

Well, you judge.

A 35-year-old civic worker, employed for 10 years, is entitled to continue banking 18 sick days a year, and do so for the next 30 years – and the mayor says the provision is ended.

Pushed and cajoled, Miller adopted a compromise offered by *Star* reporter Donovan Vincent. "Phase-out."

Maybe, Miller will find that this municipal strike unmasked much about his personality and leadership that Torontonians reject. And maybe, come November 2010, he may find that while his tenure as mayor did not end in the summer of 2009, the Miller phase-out had begun.