

REPORT TO: Mayor and Members of Council

PREPARED BY: Greg Vandenheuvel, Director of Fire and Emergency Services

DEPARTMENT: Fire and Emergency Services Department

DIVISION: Fire Department

MEETING DATE: November 20, 2024

SUBJECT: Employment Status of Firefighters

PROPOSED MOTION

That Council accept this report and approve the Employment Status of Firefighters policy.

STAFF RECOMMENDATION

That North Middlesex firefighters continue to be considered 'volunteers', not as casual employees of the Municipality.

EXECUTIVE SUMMARY

Based on consultation with an outside law firm, it was determined the Municipality can maintain the status quo and that the firefighters do not need to be recognized as casual employees. Alternatively, Council may choose to consider the firefighters as employees, providing them with the opportunity to contribute to an OMERS pension, the Canada Pension Plan, and other benefits such as vacation pay provided by the Employment Standards Act.

LINK TO STRATEGIC PRIORITIES

Plans: To Support Robust Industrial, Commercial and Residential Growth By Developing A Safe And Secure Municipality

BACKGROUND

Effective January 2023, the Ontario Municipal Employees Retirement System (OMERS), allowed for non-full-time employees to be eligible for enrollment. This decision triggered

many municipalities to consider whether their ‘volunteer’/paid-on-call firefighters should be deemed to be employees. Some larger, composite Departments made the decision to consider their non-full-time firefighter’s casual employees, providing them with access not only to OMERS, but also provisions of the Employment Standards Act.

Council directed staff to obtain a legal opinion based on the circumstances under which North Middlesex firefighters work. A law firm was retained, and an opinion was received indicating that the status quo, that North Middlesex firefighters do not have to be considered to be employees, was received.

The Fire Committee and the Policy Committee have recommended the policy, Employment Status of Firefighters (FD-2024-4) be approved.

DISCUSSION

Reclassifying North Middlesex firefighters as casual employees would result in significant increases to the costs of employing them, with minimal benefit to the firefighters.

FINANCIAL

Approved Operational Budget

ATTACHMENT

Prepared By: Greg Vandenheuvel. Director of Fire and Emergency Services

Approved By: Carolyn Tripp, Chief Administrative Officer