

Notice of Motion

Date: March 18, 2014

To: Toronto Public Library Board

Topic: **Strengthening the Lobbying Disclosure Policy for Board Members**

Moved By: Michael Foderick, Chair

Seconded By: Councillor Jaye Robinson, Vice-Chair

Background:

In 2012 the Toronto Public Library Board enacted a Lobbying Disclosure Policy for Board Members (the ‘Policy’). The Policy recognizes lobbying as a legitimate activity, but requires lobbying of Board Members to be disclosed in a formal, transparent, publicly accountable way. This disclosure helps create public confidence in the Board’s decisions.

There are, however, several areas in which it has become obvious that this new Policy can be improved and strengthened. This motion endorses those changes in principle, and asks staff to bring forward the appropriate revisions to the Policy to reflect them.

These include:

- The expansion of the Policy beyond merely procurement matters to include altering, interpreting, applying or otherwise dealing with existing contracts and agreements. As it is currently written, the Policy could be clearer with respect to contracts and agreements that the Board has already approved. Similar to the federal, provincial and municipal lobbyist registries, the Policy should apply to lobbying on any Board decision.
- The inclusion of sensible exemptions, similar to those found in the City of Toronto, Province of Ontario, and Canadian Federal lobbyist registries, for deputations made at Board or Committee meetings and for communications with City or Agency, Board and Commission employees if the employee is acting in their official capacity. As it is currently written, the Policy does not clearly make exception for these activities, but should.
- The inclusion of unions, including Local 4948 in particular. The federal and provincial lobbyist registries apply to unions. The City of Toronto’s lobbyist bylaw applies to some unions. The largest contract entered into by the Board is with Local 4948. For the same strong reasons that it is in the public interest for transparency and accountability to exist with respect to lobbying related to any other contract, the public has a right to know if unions are attempting to influence Board Members and Board decisions directly, circumventing Staff. It is noteworthy that unlike the federal, provincial and municipal Acts and Bylaw, the Policy does not apply to Staff, only to Board Members.

Recommendations:

The Toronto Public Library Board hereby:

1. requests that the City Librarian bring forward revisions to the Lobbying Disclosure Policy for Board Members that include:
 - a. the inclusion of unions, including Local 4948;
 - b. the explicit application of the Policy to include lobbying of Board Members for the purposes of influencing employee-labour negotiations such as collective bargaining (the Policy already explicitly only applies to Board Members, and does not apply to any Library Staff whose job it is to negotiate).
 - c. the expansion of the Policy beyond merely procurement matters to include altering, interpreting, applying or otherwise dealing with existing contracts and agreements, or any Board resolution or policy;
 - d. the inclusion of sensible exemptions, similar to those found in the City of Toronto, Province of Ontario, and Canadian Federal lobbyist registries, for deputations made at Board and Committee meetings and for communications with City or Agency, Board and Commission employees, if the employees are acting in their official capacity.