

November 1<sup>st</sup>, 2013

Mayor Rob Ford, Executive Committee Chair

Attn: Kelly McCarthy  
10<sup>th</sup> Floor, West Tower, City Hall  
100 Queen Street West  
Toronto, ON - M5H 2N2

**RE: Executive Committee Item Number EX33.38 *Toronto Community Environment Days and Toronto Civic Employees Union, Local 416 of the Canadian Union of Public Employees (CUPE)***

Dear Chair and Committee Members,

I would like to request Item Number EX33.38, ***Toronto Community Environment Days and Toronto Civic Employees Union, Local 416 of the Canadian Union of Public Employees (CUPE)***, originally deferred indefinitely at the July 3<sup>rd</sup> 2013 Executive Committee meeting, be heard at the upcoming December 5<sup>th</sup>, 2013 Executive Committee meeting.

I have also included in this letter an article by Sue-Ann Levy (published: April 30<sup>th</sup>, 2013) and 2 letters to Jim Harnum (General Manager, Solid Waste Management Services, Cc'd to Mayor Ford, The City Manager, the City Deputy Manager and City Solicitor) that I would like attached as information to this item.

Please contact my office at 416.395.6401 if you have any question or require further information.

Kind regards,



Councillor Giorgio Mammoliti  
Ward 7, York-West

## **Mammoliti shelves Environment Day over CUPE Local 416 tactics — again** *By Sue-Ann Levy, Toronto Sun*

First posted: Tuesday, April 30, 2013

TORONTO - You might say the proverbial s--- has hit the fan once again in Giorgio Mammoliti's Ward 7. Upset with the compost-distribution tactics of CUPE Local 416, Mammoliti — still recuperating from major brain surgery — has cancelled his Environment Day on May 2 for the third year in a row.

Mammoliti said he has no problem with the union brothers and sisters having a presence at the event and helping residents lift the heavy compost, which is handed out for free.

What he does have a great issue with are the petitions the CUPE brass, led by president Mark Ferguson, are asking residents who attend to unwittingly sign — under the impression the petition is simply in support of the civil service and union jobs.

Those who sign are not told that the names and numbers are collected for a database used by the union — and even shared with some left-leaning councillors at City Hall — to conduct robocalls and to send out correspondence pitching the NDP agenda, he said.

Mammoliti said this not only violates the "privacy" of his constituents but he thinks it is "plain wrong" that CUPE 416 is infiltrating taxpayer-funded events to further its long-term agenda to return the NDP dynasty to City Hall.

The same thing is happening with CUPE-sponsored Family Movie Nights, which were held last August and September in the wards of Pam McConnell, Mary Fragedakis, Adam Vaughan, Mike Layton as well as, get this, that of wimpy John Parker and would-be mayor Karen Stintz.

Mammoliti said it's happening all over the city but most of his council colleagues don't seem to "care" that CUPE 416 is using these events to collect potential voters' lists.

He said Ferguson's goal with these tactics is to "defeat the (current) administration."

That makes perfect sense considering Ferguson and his union have lost the most under the Rob Ford regime — having been forced to agree to contracting out garbage in District 2 and to a far tougher new union contract.

Hell hath no fury like a union leader scorned. Aren't politicians supposed to bend and scrape before these esteemed leaders?

But the story gets better.

Mammoliti said Ferguson — along with his second-in-command David Hewitt — have created a company within CUPE called Civic Public Relations and Research to do robocalls. That company is overseen by computer guru Apollo Chung, of a company called Aneon based in B.C.

According to my own research, the same Apollo Chung did extensive work for Councillors Kristyn Wong-Tam and Adam Vaughan in the 2010 election — work which included setting up phone lines and websites and in the case of Wong-Tam, producing robocalls.

Just to further connect the dots, Hewitt provided ongoing administrative support, subsidized by the union, to Wong-Tam's campaign. In fact, in the final days of the election, I saw him working out of her Yonge St. campaign office.

Ferguson did not return Toronto Sun phone calls, as has been his practice since last fall.

Ron Johnson, a Toronto Community Housing Corp. senior superintendent and former chief of stewards, who lost to Ferguson in his bid to be president last fall, said the second biggest room in the whole union hall is set up just for robocalls and has been handled by Chung essentially since the 2010 election.

Asked if the lists being collected at Environment Days are going towards building a database for the 2014 election, Johnson said: "Of course."

Meanwhile, Mammo said after he met with staff insisting his community shouldn't be targeted by CUPE 416, Ferguson apparently responded that he was showing up with petitions, as was his executive.

"We cancelled it for the third year in a row because Ferguson wants to organize this political agenda through everyone's ward," Mammoliti said. "I'm the only one saying 'no.'"

Monday, April 29, 2013

Jim Harnum  
City of Toronto  
Solid Waste Management Services  
25th Fl. E.,  
100 Queen St. W.

Jim,

It has been brought to my attention through your communication with my office that CUPE 416 President, Mark Ferguson has insisted that my welcoming of CUPE 416 staff to assist residents is not satisfactory to him. It is my understanding that Mark Ferguson has not only declined my accommodation, he has taken the matter one step further and is demanding to illegally collect personal and private information of our residents without the full use of this information being disclosed to the individuals or the City and in addition, he is demanding to have CUPE 416 propaganda displayed throughout the event.

While I welcome the hard-working members of Union local 416 and their great work on behalf of residents across the city, I believe that they are being poorly represented by their leader who seeks to exploit good deeds by gaining access to personal information. It is my understanding that Mark Ferguson, as President of CUPE 416 passes this private information on to a third party private company, namely, Civic Public Relations & Research of which he is a representative of in an effort to build a database of information which then gets used to solicit these individuals for the political gain of NDP party representatives and initiatives. It is also my understanding that this company works closely with some current left leaning Councillors and exchanges this personal information collected.

It is for these reasons I feel duly obligated as the local Councillor to protect the privacy of our taxpayers by cancelling Environment Day in Ward 7, York West for the third consecutive year.

I maintain my initial commitment over the last three years and as discussed with you that union staff are welcome to attend and volunteer their assistance with our residents, provided private and personal information is not collected and lists/petitions are not being solicited.

I am officially requesting an investigation by the Solid Waste Management department as to exactly what use and purpose CUPE 416 collects the private and personal information of

our taxpayers at City of Toronto funded events and/or on City of Toronto property. As well, I am requesting an explanation as to why the City of Toronto feels obligated to allow the union to organize in this manner at a city run event.

Given I have been informed that as the local Councillor I am unable to impose the protection of my resident's privacy, even though this event is presented as a Councillor's event, I expect the city bureaucrats to uphold their commitment and responsibility to all taxpayer's by ensuring the collection of resident's private information is not permitted; especially under these circumstances and that City Staff will carry out the necessary steps and actions to ensure the privacy of our residents is upheld.

I look forward to hearing from you in a timely manner.

Sincerely,



Councillor Giorgio Mammoliti, York West – Ward 7

cc; Mayor, Rob Ford  
Chief of Staff, Mark Towhey  
City Manager, Joe Pennachetti  
Deputy City Manager, John Livey  
Legal Services, Anna Kinastowski

November 1<sup>st</sup>, 2013

Jim Harnum  
City of Toronto  
Solid Waste Management Services  
25<sup>th</sup> Floor East  
100 Queen Street West

**Re: Letter Dated Monday, April 29<sup>th</sup>, 2013**

Dear Mr. Harnum,

My office has yet to receive a written response in regards to the April 29<sup>th</sup>, 2013 letter we sent to you regarding an investigation that I requested by Solid Waste Management as to discern the use and purpose for CUPE 416's collection of the private and personal information of our taxpayers at City of Toronto funded events and/or on City of Toronto property. As well, I requested an explanation as to why the City of Toronto feels obligated to allow the Union to organize in this manner at a City run event.

In addition, please clarify why the City of Toronto endorses the collection and use of personal information of our residents by third parties. I am disappointed that we have had no further correspondence on this matter from your division.

Our residents attend these events branded as City of Toronto and Local Councillor events and expect that they are protected by the governance of City of Toronto policies. Allowing third parties affiliated with the City of Toronto and branded as such – Union Members represented as City of Toronto workers – is a misrepresentation of City of Toronto policies as the Union operates under their own protocol.

Could you kindly provide me an explanation on the City of Toronto's privacy policy and how it relates to this matter?

Thank you,



Councillor Giorgio Mammoliti  
Ward 7, York-West

Cc: Mayor Rob Ford  
Cc: City Manager, J. Pennachetti  
Cc: Deputy City Manager, J. Livey  
Cc: City Solicitor, A. Kinastowski