

Questions & Answers Re: Policing Services to Town

1. Will OPP enforce Town By-laws? At the billing model presentation there was a comment from a resident that they would not?

Answer:

In consultation with the Police Service Board (PSB) and the Detachment Commander, 'policing-related' by-laws can be enforced by the OPP. It is up to the PSB and the Detachment Commander to decide which by-laws will be enforced by OPP. This should be reviewed annually by the PSB. There are certain by-laws that the OPP will NOT enforce, like building and animal control by-laws as OPP is not trained or have the appropriate equipment to enforce. It is more cost efficient for municipalities to retain by-law enforcement officers in some areas, but if e.g. noise and/or parking enforcement is required outside of the hours a by-law enforcement officer works, OPP will respond. In year 4 (post transition contract), by-laws enforcement are billable calls for service.

2. Regarding the \$46 million budget cut to the OPP Budget recently announced. How will this budget cut affect services, and the cost of services, OPP currently provides to municipal police services? How will this budget cut affect the costs to municipalities that are currently in the billing model?

Answer:

Contract proposal costs provided to municipalities and the OPP cost recovery method for municipalities currently in the billing model are not affected by the announcement. Currently the messaging is coming from the Ministry level. The Ministry has stated that no officers will be losing their jobs and that the reductions will be achieved by streamlining corporate offices and improving vehicle maintenance so the fleet lasts longer. Also mentioned is that the cuts appear to primarily impact OPP field and traffic services – these are areas that fall under the provincial side.

3. If the OPP takes over policing for the town, would they also be tasked with enforcing bylaws? e.g. I'm asking this as a result of a situation that my wife and I brought to the attention of the OPS. There have been 3 very large dogs, Mastiffs, getting loose on a frequent basis over the period of a year. These dogs have attacked and sent other dogs to the vet as well as having knocked down adults in the street on more than one occasion. The SPCA usually is the point of contact but they only will come out during business hours Monday through Friday. I'm not sure if this is just an Orangeville rule. So when we have left a message on the SPCA's after hours line on a weekend or after hours, they have called back and told us to call the OPS. With these dogs contained in our back yard, the OPS officers have told us that the only thing they can do is call the owner to come get their dogs. This only works if the dogs have tags and or contact info on them which they haven't. From a public safety standpoint, would the OPP enforce the town's bylaws and deal with these animals after business hours and on the weekend?

Answer:

Should your municipality accept the OPP Contract Proposal, the agreement with the Town of Orangeville will specify that the OPP shall provide police services, including the enforcement of mutually agreed upon policing related bylaws. Municipal Building Code violations and those bylaws related to animal control do not form part of the agreement, as our members do not have the training nor the appropriate equipment or resources to enforce those by-laws. Having said that, if a public safety issue exists in relation to animals, OPP officers will attend to deal with the situations as necessary. Many municipalities have found it to be more cost effective to have their own bylaw enforcement officers.

4. When I was in business we use to have a metric which compared costs associated with providing our primary mission to those related to internal support or provided benefit to the organization as a whole. Depending on the business type these expenses can be referred to as 'overhead', 'SG&A' (sales, general and admin), or 'general admin'. In my particular business our challenge was to contain our SG&A to less than 18% of our overall cost. Note that our SG&A calculation had no tie to revenue. It was a cost measurement on how well we ran the business. With policing I would assume direct facing costs would include officers on patrol, involved in investigations or involved with court duties, etc. Where support costs, General and Administrative, are expenses that benefit the organization as a whole. G&A would include elements such as supervisor roles such as chief, deputy chief, inspectors, HR, payroll, communications or public relations officers, media relations, legal costs, real-estate, etc. Does your police force use any such metric?

Answer:

No, the OPP police force does not use any such metric. Salaries and benefits comprise a significant portion of the OPP policing budget, averaging 85% as compared to 15% for direct operating expenses. This percentage breakdown is consistent with other police agencies in Ontario and Canada and is common to many professions that require the intense use of available human resources to meet their mandates. If you refer to the proposal presented to the Town, total salary and benefits equals \$6.9 M, support staff and ODOE equals \$1.2M. The salary and benefits represent almost 86% of the entire cost.

5. What happens to existing OPS staff in the event of OPP services being assigned to Orangeville? If employees are severed, what is the severance package the town would provide them?

Answer:

Pages 27 to 29 from the OPP Information Manual (insert highlighted) explains the Hiring Process for Municipal Officers and Civilian Staff. Severance packages would be as per the contracts with police officers and civilian staff with the Ontario Civilian Police Commission overseeing the process.

- Whether property severance arrangements are in place, through agreement or a referral to arbitration, for members of the municipal police service whose employment will be terminated.

The OCPC will thereafter communicate its findings and decision to the municipality, the police services board, the ministry, and the Commissioner of the OPP.

Arranging Appropriate Funding Agreements

The ministry will consider the request of the municipality and the findings of the OCPC. If the ministry approves the request, the OPP will make application, through the ministry to Treasury Board/Management Board of Cabinet to establish the funding arrangement and staffing approvals necessary to enter into a contract for policing of the municipality by the OPP.

The OPP and the ministry officials should make it clear in dealing with municipalities that, notwithstanding the provisions of an OPP contract proposal and the subsequent acceptance of the OPP proposal/contract by a municipality, and notwithstanding that the OCPC has consented to the disbanding of the municipal police service, there is no commitment on the part of the Government until Treasury Board/Management Board of Cabinet approval is obtained.

Upon notice of OCPC approval, the OPP will send the finalized policing agreement to the municipality for the appropriate signatures. Upon receipt of the signed agreement, the OPP forwards it to Ontario Government for the Solicitor General sign-off. If the application is denied, the ministry may upon request, through its Public Safety Division, assist the municipality to investigate other options for meeting its policing obligations.

Process for Hiring Municipal Police Officers and Civilian Staff by the OPP

OPP, CDB is responsible for all matters that relate to the hiring process for both uniform and civilian personnel of a municipal police service that is amalgamating with the OPP.

In order to comply with the OCPC decision to provide policing services to a municipality, and to complete the pre-employment process in a timely manner, a moratorium is placed on the hiring of additional personnel by the amalgamating police service once the municipality accepts the OPP contract proposal.

After the municipal Council passes a bylaw accepting the OPP contract proposal, within a month, MPB will schedule an Employment Information Session for uniform and civilian members of the municipal police service. Representatives from CDB will attend to explain the following:

Uniform members

- Application Process
 - Officers who are considering employment with the OPP will be required to complete and submit an Amalgamation Application package and supporting documents. The Amalgamation Application form is accessible online at opp.ca
- Background Investigation and security verification
 - Uniform municipal officers must participate in, and successfully complete a background investigation and security verification, in addition to meeting the requirements of Section 43 of the *PSA*. Should issues be identified during the course of this review, the officer may be asked to respond to the issues identified.
- Rank Level Determination (RLD)
 - To be eligible to seek appointment to the OPP at a rank other than constable, an officer must hold a confirmed rank above constable in the disbanding municipal police service and apply for an equivalent rank within the OPP through RLD.
 - **All applicants are assessed first on their suitability for employment as a police officer with the OPP. On a favorable employment decision, the RLD process will proceed.**
 - The RLD process evaluates the knowledge, skills, and abilities of a member in relation to the OPP core competencies for the supervisor, mid-manager, and manager – leader roles.
 - The member applies for rank level consideration as part of the application process to the OPP.
 - The RLD Board shall be composed of the following groups who represent the applicant and the OPP's interests based on the current or applied for rank level:
 - Ontario Provincial Police,
 - Ontario Association of Chiefs of Police,
 - OPP Commissioned Officers Association or Ontario Provincial Police Association (OPPA) (as applicable).
 - Note: this is not a promotional process.
 - The Commissioner will make the final determination of assigned rank.

Civilian Members

- Application Process
 - Municipal civilian members are required to apply to OPP civilian positions included in the amalgamation. The application involves a resume and cover letter that speaks to the applicant's qualifications as required by the position. Where a competitive process is required, that process will be restricted to civilian members of the municipal police service.

- Civilian candidates must pass an OPP background security investigation.

Offer of Employment (uniform and civilian)

- The Commissioner of the OPP reserves the right to review suitability of any civilian or uniform municipal employee. Uniform municipal officers must meet the requirements of Section 43 (1) of the *PSA*. With the Commissioner's approval, the OPP will offer employment to uniform municipal police officers who meet the employment requirements of the OPP.
- Note, no offers of employment will be made until such time as OCPC has rendered its final on disbandment of the municipal police service.

After the OCPC decision has been announced, Pay and Benefits session will take place. Staff from MPB and CDB, along with representatives from the OPPA and the Ontario Pension Board (OPB) will be on hand to provide further information to the amalgamating personnel, and to answer questions in relation to the following:

- Orientation Training
- Appointment
 - Municipal police officers are required to take the Oath (or Affirmation) of Office and the Oath (or Affirmation) of Secrecy as required under O.Reg. 168/10 made under the *PSA*.
 - Municipal civilian employees are required to take the Oath (or Affirmation) of Office and Secrecy and the Oath (or Affirmation) of Allegiance pursuant to the Public Service Act.
- Probationary Period
 - The Public Service of Ontario Act, Part III Section 37(1), states that new employees may be subject to a probationary period of not more than one year.
- Salary, Benefits and Entitlements
 - The determination of employee entitlements, service dates, etc. is the sole responsibility of the CDB. Members hired with the OPP will receive confirmation of service dates following a comprehensive review separate from the offer letter.

Records Transfer Practices/Procedures

Should a municipality accept the OPP contract policing proposal, the OPP Records and Information Management Unit (RIM) will attend the municipal police service to conduct an assessment of the status of the police service's recordkeeping practices/procedures. The current state of paper and electronic records is assessed by their physical storage conditions and record management processes. The municipal police service must provide access to all paper and electronic records required to support the transition processes, especially files related to payroll, attendance, employee performance and learning plans, etc.

The OPP RIM Unit will work collaboratively with the municipal police service to ensure the legislative/regulatory requirements of the *PSA* Section 31(1) and Section 41(1) have

6. What is the ACTUAL cost increase or savings over the long term & short term - including the transition costs and any other “hidden” costs? What are the 2019 cost per household for OPS?

Answer:

At its May 13, 2019 meeting, Council approved the hiring of a consultant to analyze the cost and services outlined in the Ontario Provincial Police Costing Proposal and the cost and services currently provided by the Orangeville Police Service. The motion included the analysis of service levels, cost of service, the cost of any enhancements required from the Ontario Provincial Police to equate to service currently provided by the Orangeville Police Service, and any other criteria necessary to effectively evaluate the cost of policing in the Town of Orangeville. The Town has hired the consultant. The consultant’s report will provide the cost increase or savings over the long term and short term and is scheduled to be presented to Council and the public at the October 21, 2019 Council meeting.

The 2019 budget for OPS without revenues and grants is \$9,961,715; with revenue and grants the 2019 budget is \$8,105,127. The total property count for Orangeville is 9851, which includes residential, commercial occupied and industrial occupied. Using these numbers the per property without revenues and grants is \$1,011.00 and with revenues and grants is \$822.77.

7. If town votes against OPP proposal, what is the contingency plan for reducing the OPS budget? Or is there a plan under the current administration?

Answer:

Under the Police Services Act, the police services board submits operating and capital estimates to the municipal council to maintain the police force and provide it with equipment and facilities, and to pay the expenses of the board’s operation other than the remuneration of board members. The municipal council establishes the overall budget for the police services board but does not have the authority to approve or disapprove specific items.

Reducing the overall budget of OPS would be the responsibility of Town Council; however, if the police services board is not satisfied that the budget established for it by the municipal council is sufficient to maintain an adequate number of police officers or other employees of the police force or to provide the police force with adequate equipment or facilities, the police services board may request the Ontario Civilian Police Commission to determine the question of whether the budget is adequate or not after a hearing.

8. It's my understanding that OPP would be providing the level of expected UNIFORM staffing that the OPS currently has, which is 42 uniform FTE (full time equivalent).

Answer:

The OPP is proposing 42 FTE uniform positions based on OPS's authorized strength. OPS currently has 40 uniform members and are carrying 2 vacancies.

9. When the OPS has uniform employees on stress or disability leave, I assume they don't let the level of community protection slip and back fill from the remaining force. For example, if 4 or 5 officers were on disability or stress leave, some of the remaining officers would need to pull some overtime to ensure that the level of protection in the community isn't diminished. If the OPP were awarded the police services contract for Orangeville and some of the assigned officers were on sick, stress or disability leave, would the OPP charge Orangeville the additional overtime costs above amount associated with having the 42 uniform FTE?

Answer:

The level of protection required in any community may vary from day to day dependent on many different factors, known and unknown, including weather and community events. It is the responsibility of the Detachment Commander to ensure they have adequate coverage for the zones in their detachment area each day. If an event occurred that required additional police resources, the OPP has support from neighboring zones and/or detachments and has the ability to dispatch additional on-duty resources to meet the needs of the event. If the OPP calls in members on overtime to backfill vacant positions at a detachment caused by a "shift shortage" there is no overtime cost billed to the municipality. The straight time worked is accounted for as regular hours of service, no overtime premium applies.

10. I found the following info from the WSIB Compass web site that is available to the public. As per the WSIB, they indicate that Orangeville (the Corporation of the Town of Orangeville) is a schedule 1 client. The web site also shows that Orangeville has experienced the following Lost Time Injury Rates compared to all schedule 1 clients where the Lost Time Injury Rate relates to how many FTEs (full time equivalents) were lost per 100 FTEs. This equates to a percentage of how many FTEs were lost or unavailable. The Lost Time Injury Rate for Orangeville in 2016 was at 1.65% compared to 0.95% for all Schedule 1 clients. In 2017, Orangeville was 1.84% vs 0.98%, and in 2018 Orangeville was 4.24% vs 1.00%. The WSIB Compass web site also shows a report for the Leading Types of Lost Time Injuries 2012 - 2018. Besides showing what types of injuries are most common, it shows that the Occupation of 'Police officers and firefighters' accounts for 46%. When contacted, the WSIB indicated that as a schedule 1 client, Orangeville is charged \$3.15 per \$100 of payroll. In addition, as a schedule 1 client, there is the potential for a rebate or a surcharge depending on the number and size of the claims. The WSIB did not indicate if Orangeville has been getting rebates or paying surcharges, however, without having a police department under Orangeville's schedule 1, there would be the potential to achieve a larger rebate or less of a surcharge. It seems reasonable that without the OPS, Orangeville's Lost Time Injury Rate average of 2.59%/yr over the last 3 years would be closer to the other schedule 1 clients' average of 0.98%/yr and would benefit Orangeville financially. Note that the OPP is a WSIB schedule 2 client. If the OPP were to assume the policing responsibilities for Orangeville, would

the OPP pass along any additional costs to Orangeville if they incurred any WSIB claims / injuries?

Answer:

Any costs incurred by members as a result of WSIB claims/injuries are not passed on to the municipality in either the transition contract or in the billing model.