Classification **PUBLIC**

Meeting December 10, 2018

Agenda Item **Monitoring Report:**
Employment, Compensation and Benefits
(For the period of January –November 2018)

Recommended Motion:

THAT the Board finds that all provisions of the *Employment, Compensation and Benefits Policy* have been complied with.

I hereby submit my monitoring report on your Executive Limitations Policy "Employment, Compensation and Benefits" according to the schedule set out. I certify that the information contained in this report is true.

I report compliance to all provisions of this policy.

Signed: _____ Date: DECEMBER 3, 2018
Chief of Police

BOARD POLICY STATEMENT:

"With respect to employment, compensation, and benefits of members, consultants, contract workers and volunteers, the Chief of Police will not cause or allow jeopardy to fiscal integrity or to public image."

Further, without limiting the scope of the foregoing by the enumeration, the Chief of Police will not:

1. *Fail to abide by the terms and conditions of all applicable collective bargaining agreements and contracts to which the Board is a signatory, while without creating any new enduring liabilities, administering the collective agreements and resolving all interpretative differences and grievances.*
2. *Promise or imply permanent or guaranteed employment.*
3. *Establish current compensation and benefits that deviate materially from the geographic or professional market for the skills employed.*
4. *Create obligations over a longer term than revenues can be safely projected.*

5. *Fail to ensure that all employment processes, including hiring and separations are consistent with the legislative requirements of the Human Rights Code, the Police Services Act, and the Employment Standards Act, as well as the applicable collective agreement. In particular, hiring and separation processes must be objective, non-discriminatory and without favour, thereby ensuring all candidates were given equal opportunity for employment.*

6. *Fail to ensure that:*

   a) *All new sworn members undergo the probationary period as described in the Police Services Act (s.44);*
   b) *All new civilian members undergo a minimum 3-month probationary period (or equivalent for part-time members); except for new civilian members hired as a Communicator after July 6, 2010 are subject to a 6 month probationary period.*
   c) *All new members are formally evaluated prior to the end of the applicable probationary period; and*
   d) *Only those new members that satisfactorily complete their probationary period are retained in the Board's employ.*

INTERPRETATION OF THE CHIEF OF POLICE:

It is my interpretation that compliance with the six provision statements fulfills the total requirements of this policy.

Further it is my interpretation for provision:

1. That the collective bargaining agreements must be implemented in such a manner as to ensure that members receive the compensation and benefits as described therein and further that I am entitled to issue directives governing processes to ensure that members receive those entitlements. It is also my reasonable interpretation that occasional inadvertent errors will occur in the administration of the collective bargaining agreements, which if corrected in a timely manner does not result in non-compliance with this policy provision.

   It is my further interpretation that this policy provides limited authority to resolve contract administration issues, as long as the resolution does not extend beyond the expiry of the collective bargaining agreement or interfere with the Board's ability to negotiate a new agreement.

2. That permanent or guaranteed employment is not to be promised or implied at the time of recruitment nor during the term of employment. It is my further interpretation that we are entitled to disclose to candidates and/or members the particulars of the Police Services Act and/or the Employment Standards Act.

3. That where employment is governed by a collective agreement, pursuant to Policy # 1 above, that said collective agreement shall govern compensation and benefits. It is my further interpretation that where the collective agreements provide for "market adjustments" as part of the Civilian Evaluation, the Chief of Police, in applying said provisions, is in compliance with this provision.

4. That I am not permitted to enter into contracts, agreements or any other form of binding obligation that would extend beyond a safe projection of revenues. It is my interpretation that the latter generally means the current five-year forecast.

5. That all employment functions must be in compliance with the legislation as outlined, any other legislative requirements that may apply from time to time, and the collective agreements. It is my further interpretation that the Board is particularly wishing to ensure that the hiring and separation processes are objective, non-discriminatory and without favour, the outcome of which is that all candidates are provided equal opportunity for employment.

6. That all sworn recruits are subject to the legislated probationary period, 12 months from the date of being sworn-in as a constable. New civilian employees are subject to a probationary period of 3 or 6 months depending on position (equivalent for part-time members). All members must receive a satisfactory evaluation prior to the end of the applicable probationary period in order to remain employed with the Service. It is my further interpretation that officers hired with previous police experience and have completed a probationary period previously with another police service are not subject to a further probationary period in accordance with court rulings on this issue. These officers would, however, be closely evaluated in the first twelve months of their employment with the Board to ensure satisfactory performance.

DATA SUPPORT:

1. IMPLEMENTATION OF COLLECTIVE BARGAINING AGREEMENTS AND CONTRACTS

The Human Resources and Financial Services Units ensures that all compensation and benefits, identified within the three collective agreements (DRPS Sworn, DRPS Civilian and DRPS Senior Officer), are administered appropriately. The three collective agreements have been implemented in a manner that ensures all members receive the entitlements outlined within the respective agreements.

The three collective agreements expire December 2018 and bargaining with respective associations will begin in 2019. To ensure members receive the entitlements outlined in the respective agreements the Financial Services Unit conducts payroll audits.

Therefore, I report compliance with this provision.

2. EMPLOYMENT CONTRACTS

In 2017, the DRPS hired 32 sworn, 2 full time civilians, 25 part time civilians, and 130 students. None of the job offers issued indicated or alleged permanent or guaranteed employment. The DRPS did not receive any complaints from individuals alleging a promise of permanent or guaranteed employment.

Between January and November 22, 2018 DRPS, 43 Sworn, 26 part time civilians and 135 students for a total of 204 members. None of the job offers issued indicated or alleged

permanent or guaranteed employment to date. As well, the DRPS has not received any complaints from individuals alleging a promise of permanent or guaranteed employment.

Contract Type	2016	Jan to Nov 2017	Jan to Nov 22, 2018
Deputy	1	0	0
SOA- Civilian	0	0	0
Sworn	35	32	43
Civ Full Time	4	2	0
Civ Part Time	21	25	26
Students	145	130	135
Total	**206**	**189**	**204**

Therefore, I report compliance with this provision.

3. Compensation and Benefits Practices

Civilian compensation levels are determined by the DRPS/DRPA Civilian Joint Job Evaluation (JJEC) process.

With respect to sworn compensation levels, these are set through collective agreement negotiations. The compensation levels for sworn positions fall in line with the Board's identified market comparators.

Therefore, I report compliance with this provision

4. Obligations and Projection of Revenues

The DRPS has not created employment obligations that extend beyond the safe projection of revenues.

From January to November 22, 2018, the Service hired 43 new sworn members. All hires were within authorized strength and approved through the annual budget process.

Therefore, I report compliance with this provision.

5. Equal Opportunity Employer

The DRPS ensures compliance with all required legislation creating an objective and non-discriminatory selection process using trained Human Resources professionals. These professionals design and monitor processes that ensure selection is objective and non-discriminatory. In 2017, the DRPS hired 189 employees (sworn, civilians and students); as well as the 204 employees between January and November 22, 2018. The Service did not

receive any formal complaints nor did the DRPS have any decisions rendered against our external hiring processes.

The Human Resources Unit administers the employment separation process. All separations are objective and non-discriminatory. We have had 28 members resign from our employ in 2017, and 23 members resign from the Service between January and November 2018, not including retirements or Youth in Policing and Summer Programs.

Therefore, I report compliance with this provision.

6. PROBATIONARY PERIODS:

All new sworn members undergo the probationary period as described in the Police Services Act (s.44) (Provision 6.a) Sworn members are also supported through an internal coach officer program. New recruits participate with the coach officer in the development and attainment of educational objectives under directive LT-05-008 Coach Officer Program.

All new civilian members undergo a minimum 3-month probationary period (or equivalent for part-time members); except for new civilian members hired as Communicators after July 6, 2010 are subject to a 6-month probationary period. (Provision 6.b)

The DRPS has a process whereby all civilian members receive either a three or six-month probationary evaluation (or equivalent for part-time) based on his or her working group. Every new civilian employee is placed in the appropriate probationary period. Probationary reviews for part time members must be completed prior to reaching 520 hours (equivalent to 3-months) and 1040 hours (equivalent to 6-months) for communicators.

Only those new members that satisfactorily complete their probationary period are retained in the Board's employ (Provision 6.d). New hires in our Communications Unit receive a formal progress report at the end of each block and are measured against the eleven competencies of a Call Taker. They have a minimum of 9 weeks to complete all eleven competencies at which point they move on to Dispatch training or receive additional Call Taker training. The table below shows the number of members who separated during their training period:

In Training	Separations 2017	Separations Jan – Nov 22, 2018
During Probationary Period	**3**	**2**
Post Probationary Period	**1**	**2**
Total	**4**	**4**

Therefore, I report full compliance with this provision.