

Classification **PUBLIC**

Meeting **March 6, 2012**

Agenda Item **Monitoring Report:  
Employment, Compensation and Benefits**



Recommended Motion:

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

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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: \_\_\_\_\_  
Chief of Police

Date: \_\_\_\_\_

**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 was 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 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) and 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 Unit 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.

In 2011, there were no new collective agreements received. However, the negotiated salary increase for January 1, 2011 and July 1, 2011 were implemented accurately and on schedule.

The Human Resources Unit conducts an annual payroll audit that compares the total number of payroll transactions to the total number of payroll errors for the same period. Of the 130,939 transactions the 2011 audit indicated a better than 99.9% compliance rate. That is, over 99.9% of the time compensation and benefits were appropriately provided to members as outlined within the respective collective agreements. All errors were detected and corrected as soon as administratively possible.

The Service has not extended compensation and benefits beyond the provisions of the respective collective agreements other than occasional inadvertent errors, which were corrected or resolved, during this reporting period.

Therefore, I report compliance with this provision.

## 2. EMPLOYMENT CONTRACTS

In 2011 the DRPS hired 33 civilians (12 full time and 21 part-time), no sworn members; we also hired 72 students. None of the 105 job offers issued indicated or alleged permanent or guaranteed employment. As well, the DRPS did not receive any complaints from individuals alleging a promise of permanent or guaranteed employment.

Therefore, I report compliance with this provision.

## 3. COMPENSATION AND BENEFITS PRACTICES

The DRPS has not had any significant difficulties filling civilian positions. With respect to filling vacancies in 2011 all positions have been filled utilizing compensation levels identified via the 2010 DRPA/DRPS Joint Job Evaluation Committee (JJEC) process.

As a result of JJEC implementation (September 2010) 57 civilian members remain red circled.

With respect to sworn compensation levels, these are set via 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. In 2011, the DRPS hired full-time employees only when the authorization was granted via the budget approval 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 2011, the DRPS hired 105 members (civilians and students). We did not receive any formal complaints nor did the DRPS have any decisions rendered against our hiring processes.

The Human Resources Unit administers the employment separation process. All separations are objective and non-discriminatory. During 2011 we had 112 members separate from the

DRPS. The DRPS currently has one ongoing complaint with respect to the separation process.

It should be noted that the vast majority of members voluntarily leaving to take alternate employment stated that they were very happy with their time at the DRPS. They stated that other considerations, primarily family, was the motivation for taking a new position.

#### 6. PROBATIONARY PERIODS:

All new sworn members undergo the probationary period as described in the Police Services Act (s.44) (Provision 6.a)

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)

Every new civilian employee is placed on the appropriate probationary period. Of the 33 Civilian new hires twenty three (23) probationary reviews were due. The DRPS has a process whereby all civilian members receive a either a three or six-month probationary evaluation (or equivalent for part-time) based on the hires working group. Out of the 23 civilian members requiring a review, 6 probationary reviews have been completed, 8 are not yet due and 9 are outstanding (part-time monitors currently on layoff).

All new members are formally evaluated prior to the end of the applicable probationary period. (Provision 6.c)

Only those new members that satisfactorily complete their probationary period are retained in the Board's employ. (Provision 6.d)

Therefore, I report compliance with this provision