

OCCPS Disbandment Decision #07-01

TEMISKAMING SHORES POLICE SERVICE
Application for Consent to Abolishment

Presiding OCCPS Members:

Murray W. Chitra, Chair
Hyacinthe Miller, Member

Appearances:

Mayor Judy Pace, Chair, Temiskaming Shores Police Services Board
Brenda M. Glover, Counsel, Temiskaming Shores PSB
Brian Carré, Chief Administrative Officer, City of Temiskaming Shores
S/Sgt. Alex Ivanov, Detachment Commander, Temiskaming OPP
Maurice (Moe) Hodgson, Principal, Hodgson Associates, Keep Our Police
Service
Douglas Jelly, Chief, Temiskaming Shores Police Service
Shannon Austin, President, Temiskaming Shores Police Assn.

Heard:

March 28, 2007

Date of Decision:

June 15, 2007

DISBANDMENT - Application pursuant to s. 40 of *Police Services Act* for consent to abolish municipal police force - Amalgamated municipality - Hybrid policing model in effect with municipal police force serving one portion of city and OPP serving two other former townships - Proposal for integrated OPP policing arrangement, incorporated into existing OPP detachment - Proposed arrangement allowing for necessary staffing, infrastructure, training and administration to provide adequate and effective policing - Parties agreeing to refer to arbitration unresolved severance issues - Application granted.

ADEQUACY AND EFFECTIVENESS - Disbandment - Application for consent to abolish municipal police force - Proposed OPP staffing arrangement providing effective management of workload as well as access to OPP's range of specialized services - Existing OPP detachment facility and equipment adequate - Proposal operationally acceptable notwithstanding reduced office hours - No apparent problem with managing increased dispatching activity - Proposal allowing for adequate and effective policing - Application granted.

SEVERANCE - Application for consent to abolish municipal police force - Proposal for OPP service providing adequate and effective policing - Severance arrangements concluded with respect to Chief - All uniform officers to be offered full-time

employment with OPP - Civilian members to be given preference in filling vacancies for City positions - Parties agreeing to resolve or refer to arbitration all severance issues - Application granted.

Summary of Reasons for Decision

The city of Temiskaming Shores was an amalgamation of the former municipalities of New Liskeard, Dymond and Haileybury. The former town of New Liskeard was the commercial, industrial and administrative centre for the area. After the three towns amalgamated in 2004, New Liskeard continued to function as the region's service centre.

On January 9, 2006 the Temiskaming Shores municipal council asked the Commission to hold a disbandment hearing. There had been considerable public debate over the issue of whether to retain the current hybrid policing model. Under arrangements to date, the former town of New Liskeard was policed by a municipal service, while the rest of the city was policed by the OPP from the Temiskaming OPP Detachment.

The municipal force consisted of ten officers, which included one chief, one staff sergeant, one sergeant and seven constables. The community was patrolled 24 hours a day, 7 days a week. The service operated a 24-hour emergency communications centre staffed by several civilians. The service also dispatched for twelve area fire departments, and it maintained contact with emergency medical services, hydro and VCARS staff. The service also answered after-hours calls for the Temiskaming Child and Family Services as well as the City Works Department. The service had one full-time and one part-time clerical support staff. Communications and clerical staff were designated special constables. The front counter was open to the public 24 hours a day.

There were 7.57 full-time equivalent OPP officers who policed the remainder of the city.

The Commission held a public meeting on February 1, 2007 to examine the OPP proposal for an integrated policing service.

Held, Application granted.

An application under s. 40 of the *Police Services Act* for consent to abolish a municipal police force raised two fundamental issues: whether the proposed arrangement appeared to provide adequate and effective police services, in accordance with the municipality's obligations under ss. 4(1), 4(3) and O. Reg. 3/99; and whether the parties had reached an agreement with respect to severance for members of the service who were likely to be terminated as a result of the disbandment.

In terms of staffing, the proposal consisted of a Detachment strength of 55 uniform officers; of these, 8.96 FTE officers would be allocated to the former town of New Liskeard. Combined with officers allocated to the former towns of Dymond and Haileybury, the city of Temiskaming Shores would have a total complement of 16.53

officers. The city would also have access to 15 OPP auxiliary officers. The resulting workload averages per officer were within the historical Canadian average. Calls for service in the former town of New Liskeard had declined considerably between 2003 and 2006. The reduction in complement was attributable to a flattening of management, not frontline policing. In that regard, one constable would be added from the current 7, bringing the number of frontline officers up to 8. There were also advantages to the city in having access to specialized services provided by the OPP, including auxiliary officers and a large backup complement. The proposal would permit an effective management of workload, and thus, it would allow for adequate and effective policing.

The proposed equipment for the integrated Detachment and the existing facility were both adequate. Although the building was only open to members of the public during normal business hours, residents would still be able to call 9-1-1 for emergencies; and a fixed phone with direct free access to the North Bay communications centre would be outside the building, for use during evening hours. In addition, there would be a minimum of two officers on patrol at any given time. This situation was operationally acceptable.

The communications centre in North Bay appeared to have the capacity to assume the additional workload generated by calls from the city. The implications for fire and other emergency services of disbanding the city's communications centre would have to be addressed; but they were not within the Commission's mandate. Similarly, issues concerning projected costs associated with the disbandment, the potential for future escalating costs and the absence of a budgetary dispute resolution mechanism were issues for the municipal council. The Commission's role was to assess the adequacy of the proposed policing arrangement.

Arrangements had been concluded for severance or termination with regard to the Chief. The OPP would be offering full-time employment to all uniform members of the service. Those holding supervisory ranks would be eligible to participate in the OPP rank level determination process. The Police Services Board and the Association had concluded a new collective agreement in November 2006. A Memorandum of Settlement provided that differences between the parties with respect to severance would be referred to arbitration. Civilian members were invited to submit their resumes to the city, which had agreed to give them preference in filling vacancies, based on their qualifications. Contract employees would be given notice that their contracts would be terminated upon disbandment.

The proposal thus appeared to provide both adequate and effective policing, as well as proper treatment of members with respect to severance. Any outstanding severance issues were to be referred to arbitration within 90 calendar days.

Statutes cited

Police Services Act, R.S.O. 1990, c. P. 15, as amended, ss. 4 and 40

O. Reg. 3/99

Authorities cited

Municipality of Chatham-Kent (OCCPS, Aug. 14, 1998)

Township of Atikokan (OCCPS, July 20, 2005)

Town of Red Rock (OCCPS, May 26, 2000)

Town of Goderich (OCCPS, Oct. 27, 1997)

City of Orillia (OCCPS, Jan. 17, 1996)