

Table BC:XX – Policy Number BC:XX – Restriction on Membership in Police Association

BC:XX RESTRICTION ON MEMBERSHIP IN POLICE ASSOCIATION	
LEGISLATIVE REFERENCE / AUTHORITY	<i>Community Safety and Policing Act, 2019, section 220-222</i>
DATE APPROVED	XX
DATE REVIEWED	N/A
DATES AMENDED	N/A
DATE TO BE REVIEWED	2027
REPORTING REQUIREMENT	N/A

LEGISLATIVE REFERENCE / AUTHORITY

Section 220 of the *Community Safety and Police Act, 2019*, restricts membership in police associations by outlining positions which are excluded.

Section 222 of the *Community Safety and Police Act, 2019*, addresses how related disputes shall be handled.

BOARD POLICY

Certain members of the police service are prohibited from becoming or remaining members of a police association pursuant to the *Community Safety and Policing Act, 2019*.

This exclusion is meant to address the inherent conflict of interest in the obligation of these members to assist the Board in labour relations matters, particularly collective bargaining, where the police associations are the opposite parties.

1. **Not members.** The following individuals shall not become or remain a member of a police association if his or her position would likely give rise to a conflict of interest in respect of labour relations matters:
 - (a) The chief financial officer;
 - (b) The chief administrative officer;

- (c) The chief human resources executive; and
- (d) The general counsel.

2. Terms and conditions of employment. The Board will establish written terms and conditions of employment with any member captured in paragraph 1. The Board will consult with the Chief of Police with respect to establishing terms and conditions of employment.

The members captured in paragraph 1 are members of the service who are under the direction of the Chief of Police, although they are appointed by the Board. The recruitment of any new member who would be captured in paragraph 1 remains the responsibility of the Chief of Police.

Prior to an offer of employment being made to a person (or an existing member currently in another role) who would be captured in paragraph 1, the Chief of Police shall ensure that the Board has been consulted about the proposed hiring and the proposed terms and conditions of employment.

Under no circumstances will a person (or an existing member currently in another role) who would be captured in paragraph 1 commence employment in their role prior to the Board approving their appointment and the person having a written agreement with the Board regarding the terms and conditions of their employment.

3. Dispute resolution.

(a) The following disputes shall be referred to arbitration:

- (i) As to whether a person is subject to Part XIII of the *Community Safety and Policing Act, 2019* by virtue of being a member of a police service who is an employee of a police service board.
- (ii) As to whether a person is a senior officer.
- (iii) As to whether a person is prohibited from being a member of a police association as a result of section 220 of the *Community Safety and Policing Act, 2019*.

(b) The parties to the arbitration include the police service board and any affected police associations.