



**OTTAWA POLICE SERVICES BOARD  
COMMISSION DE SERVICES POLICIER D'OTTAWA**

**REPORT  
RAPPORT**

DATE 26 October 2015

TO/DEST. Chair & Members, Ottawa Police Services Board

FROM/EXP. Policy & Governance Committee, Ottawa Police Services Board

SUBJECT/OBJET **BOARD POLICIES: REVIEW**

**RECOMMENDATION**

**That the Ottawa Police Services Board approve the policy amendments contained in this report.**

**BACKGROUND**

Under the *Police Services Act*, police services boards are charged with ensuring the delivery of adequate and effective police services through providing governance and oversight to the Ottawa Police Service. To assist it in fulfilling these responsibilities, the Ottawa Police Services Board maintains a Policy Manual with over 100 policies divided into the following four chapters:

1. Governance and Administration
2. Board / Chief Linkages
3. Chief's Requirements
4. Ministry Policing Standards and Regulations.

Each policy has a routine review date associated with it; the Board's general practice is that, unless otherwise stated, policies are to be reviewed at least once every three years to ensure they remain current and relevant. This year most of the policies in Chapter Three, which provide direction to the Chief, are due for review. In addition to the 'Chief's Requirements' policies, amendments are being proposed to the following policies in Chapter One, which deal with Board Governance and Administration:

- GA-3 – Board Training
- GA-8 – Legal Services

- GA/CR-14 – Accessibility.

## DISCUSSION

Proposed amendments are the result of a number of factors such as: new or amended legislation; aligning policies with actual practice; consistency; and administrative/ housekeeping updates. Of the policies reviewed, it is the opinion of the Policy & Governance (P&G) Committee that six are still current and fulfilling the objectives they were designed to meet. Amendments are proposed for the remaining policies.

The following chart identifies all the policies that were reviewed, the Committee's recommendations, and the rationale for any changes. For ease of reference, the policies with the proposed amendments incorporated are attached as Annexes.

<b>Policy</b>	<b>Recommendations</b> <i>(new language is underlined)</i>
GA-3: Board Training  (Annex A)	<p>Legislative Reference/Authority section:</p> <ul style="list-style-type: none"> <li>– Replace references to “Accessibility Standards for Customer Service” with “<u>Integrated Accessibility Standards Regulation (IASR), O. Reg. 413-12</u>”.</li> <li>– Replace “Board members” with “<u>persons</u>” in the second paragraph; and replace “...training on accessible customer service” at the end of the second paragraph with, “...<u>training on the accessibility standards set out in the IASR.</u>”</li> </ul> <p>Required Training, point 4:</p> <ul style="list-style-type: none"> <li>– replace the reference to “Accessibility Standards for Customer Service” with, “<u>the AODA and the IASR.</u>”</li> </ul> <p><u>Rationale:</u> The amendments reflect the current applicable legislation. The Province enacted the IASR Regulation in 2011 which includes the provisions of the previous Accessibility Standards for Customer Service Regulation enacted in 2008.</p>
GA-8: Legal Services  (Annex B)	<p>Reporting to the Board:</p> <ul style="list-style-type: none"> <li>– Add a new clause that says, “<u>Requests for legal indemnification and payment of legal indemnification accounts.</u>”</li> </ul> <p><u>Rationale:</u> This amendment reflects current practice, as requests for legal indemnification and payment of indemnification accounts are handled by the Board Solicitor on behalf of the Board.</p>
GA/CR-14: Accessibility Policy	Section A.1:

*Note: The same amendments apply to CR-14 in the Chief's Requirements Chapter of the Policy Manual.*

(Annex C)

- Amend to read, "The Chief of Police shall produce a multi-year Accessibility Plan for the Police Service that outlines the organization's strategy to prevent and remove barriers and meet its requirements under the IASR.

- In the same paragraph, replace "Progress" in the third sentence with "A progress report".

#### Section A.5:

- Remove, "or through the City of Ottawa 3-1-1"

#### Section C.1:

- Amend second sentence to read, "As a reference, guidelines for communicating with people who have various types of disabilities are provided in Appendix B of the City of Ottawa's Accessible Formats and Communication Supports Procedures."

#### Section C.3:

- Amend to read, "When referring to people with disabilities, Board and OPS employees, volunteers and third party contractors shall use terminology that is used in the AODA and IASR."

#### Section D.1:

- Amend the second sentence to read, "The Board will utilize and adhere to the City of Ottawa's policies and procedures in fulfilling the obligations of this Section and the OPS will utilize and adhere to the OPS policies and procedures."

#### Section D.2:

- Amend by removing the reference to the City of Ottawa's Workplace Accommodation Plan at the end of the paragraph.

#### Section D.3:

- Amend by removing the reference to the City of Ottawa's Accessible Formats and Communications Supports Procedure at the end of the paragraph.

#### Reporting Requirements:

- Replace paragraph 2 with the following, "The Board Executive Director shall ensure that the accessibility report required under subsection 14(1) of the AODA for an obligated large organization is filed with a director (appointed under section 30 of the AODA by the Deputy Minister) in accordance with the schedule set out in the

	<p>IASR.”</p> <p>References:</p> <ul style="list-style-type: none"> <li>– Add a section under the heading “OPS References” that lists the OPS procedures to be utilized. The existing City of Ottawa references will be listed under the heading “Board References”.</li> </ul> <p><u>Rationale:</u> This policy applies to both the Board and the Police Service. When it was originally approved, it referenced only City of Ottawa guidelines as the OPS did not have its own. Now that the OPS has its own guidelines in place it is proposed that the policy be amended to clarify the Board will continue to reference the City of Ottawa documents while the OPS will reference its own documents. All reference documents will be listed at the end of the policy in the References section.</p> <p>With regard to the reporting requirements to the Province, after consulting with the Accessibility Directorate of Ontario it has been determined that the Board’s Executive Director will file the required report every three years on behalf of the employer.</p>
CR-1: Positive Workplace (Annex D)	<p>Reporting Requirements:</p> <ul style="list-style-type: none"> <li>– Remove “(d) Report on progress toward achieving the Employer of Choice for All in Policing strategy.”</li> </ul> <p><u>Rationale:</u> the Employer of Choice strategy has been incorporated into other OPS programs and is reported on as part of those programs.</p>
CR-2: Financial Planning & Operations	No change
CR-4: Asset Management	No change
CR-5: Communication and Counsel to the Board	No change
CR-6: Public Consultation (Annex E)	<p>Introduction:</p> <ul style="list-style-type: none"> <li>– first paragraph - amend the last sentence by adding “and feedback” to the end of the sentence, i.e.: “The Ottawa Police Services Board is committed to ensuring that administrative and policy processes are open and accessible, respectful of the public’s right to be involved, and responsive to the public need for information <u>and feedback</u>.”</li> <li>– third paragraph - amend by adding the word “trust” in the following sentence: “The Public Consultation policy</li> </ul>

	<p>supports the Police Service's vision statement and is fundamental to acquiring public <u>trust</u>, understanding and support for the actions of the Police Service and Police Services Board."</p> <p>Goals:</p> <ul style="list-style-type: none"> <li>– 2.a): amend to read, "To provide an opportunity to every citizen who wishes to be heard <u>on issues within the Board's jurisdiction</u>."</li> <li>– 2.c): amend to read, "To provide the public with sufficient and comprehensive information <u>and education</u> about the Service's mandate, services and programs."</li> </ul> <p><u>Rationale</u>: Clarification / housekeeping.</p>
CR-7: Workforce Management	No change
CR-8: The Acceptance of Donations, Gifts, Loans and Sponsorships	No change
CR-11: Official Languages – Police Service	No change
CR-13: Workplace Violence and Harassment  (Annex F)	<p>Section B.1:</p> <ul style="list-style-type: none"> <li>– Amend to read, "Develop and maintain a program to implement the policy with respect to workplace violence and harassment <u>prevention</u> as prescribed by law."</li> </ul> <p>Section C.2:</p> <ul style="list-style-type: none"> <li>– Amend to read, "Ensure that the results of the workplace violence risk assessment are provided to the <u>Joint Occupational Health and Safety Committee</u>."</li> </ul> <p><u>Rationale</u>: clarification / housekeeping.</p>
GA/CR-14: Accessibility Policy  (Annex C)	See amendments and rationale for GA-14 above.

### CONSULTATION

The policies identified in the table above were reviewed by the Board's Executive Director, applicable OPS staff, and the Board Solicitor where appropriate. They were then reviewed by the Board's Policy & Governance Committee at a meeting on September 21, 2015.

## FINANCIAL STATEMENT

There is no cost associated with the review of the Board policies.

## CONCLUSION

The Ottawa Police Services Board maintains a comprehensive set of policies to assist it in providing effective governance and oversight for the Ottawa Police Service. Such policies are necessary to successfully fulfill the Board's legislative responsibilities in providing adequate and effective police services in the City of Ottawa. The Board has committed itself to regular review of its policies to ensure they remain relevant and up-to-date. This current review of the majority of policies contained in Chapter 3 – Chief's Requirements and the other policies addressed in this report will ensure the Board's policies remain current.

---

Submitted by the Policy & Governance Committee:

Member C. Nicholson, Chair  
Member L.A. Smallwood  
Member T. Tierney  
Board Chair E. El-Chantiry (*ex-officio*)

Attach. (6)

Policy Number:	Policy Subject:
<b>GA-3</b>	<b>BOARD TRAINING</b>
LEGISLATIVE AUTHORITY	REFERENCE / Police Services Act, section 31(5) <i>Accessibility for Ontarians with Disabilities Act</i> , S.O. 2005 and Integrated Accessibility Standards Regulation, O. Reg. 413-12
DATE APPROVED	27 February 2006
DATE REVIEWED	2007, 2010, 2012, 2013
DATES AMENDED	24 September 2007, 01 November 2010 22 October 2012, 28 October 2013
DATE TO BE REVIEWED	2016
REPORTING REQUIREMENT	Annual Report to Board

#### LEGISLATIVE REFERENCE / AUTHORITY

Section 31(5) of the *Police Services Act* requires the Police Services Board to ensure that its members undergo any training that the Solicitor General may provide or require.

The Integrated Accessibility Standards Regulation (IASR), O. Reg. 413-12 enacted under the *Accessibility for Ontarians with Disabilities Act*, S.O. 2005, requires all persons who deal with the public on behalf of the Ottawa Police Services Board or who are involved in Board policy development to receive training on accessibility standards as set out in the IASR.

The Ottawa Police Services Board recognizes the importance of pursuing excellence in governance through an ongoing commitment to training, education and development, and has adopted this policy to formalize training and ongoing learning requirements for its members.

#### BOARD POLICY

##### **REQUIRED TRAINING**

1. Each member of the Ottawa Police Services Board during his or her first year of appointment is required to attend:
  - a) Any training sessions provided or required by the Ontario Ministry of Community Safety & Correctional Services.
  - b) Any orientation sessions for new members provided by the Chief of Police, Board Executive Director and Board Solicitor

2. Within the first two years of being appointed to the Board, each member is encouraged to attend the annual conferences of both of the following organizations at least once:
  - a) Ontario Association of Police Services Boards (OAPSB)
  - b) Canadian Association of Police Governance (CAPG).
3. The Board shall be represented by at least one member at each of the following:
  - a) meetings of OAPSB Zone 2 boards;
  - b) annual OAPSB conferences;
  - c) annual CAPG conferences;
  - d) meetings of Ontario large boards ("Big 12").
4. Each member of the Board must complete training on the AODA and Integrated Accessibility Standards Regulation as outlined in the training program of the City of Ottawa.
5. Each member of the Board shall complete the online training modules on the Ontario Association of Police Services Boards website.

### **OTHER LEARNING OPPORTUNITIES**

6. Having satisfied the requirements set out in 1 and 2 above, and provided sufficient funds remain in the annual budget, board members are encouraged to attend other learning opportunities related to governance or policing such as those offered by (but not limited to):
  - a) the Canadian Police College
  - b) the Police Association of Ontario
  - c) the Ontario Association of Chiefs of Police
  - d) the Canadian Association of Chiefs of Police
  - e) the Canadian Police Association
  - f) the Canadian Association of Civilian Oversight of Law Enforcement.

### **BOARD TRAINING AS A WHOLE**

7. Board training as a whole will take place through inviting guest speakers to make presentations or deliver workshops on issues pertinent to board governance, board responsibilities or emerging trends in policing, with an emphasis placed on issues of a strategic nature.

### **ANNUAL REPORTING**

8. Individual Board member training and Board training as a whole will be reported on as part of an annual report on Board Activity, Training and Performance in the first quarter of each year.



Policy Number:	Policy Subject:
<b>GA-8</b>	<b>LEGAL SERVICES</b>
LEGISLATIVE AUTHORITY	REFERENCE / <i>Police Services Act</i> , sections 37
DATE APPROVED	1996 (as part of FAP Manual)
DATE REVIEWED	2007, 2010, 2013
DATES AMENDED	24 September 2007 01 November 2010
DATE TO BE REVIEWED	2016
REPORTING REQUIREMENT	Quarterly reporting to Board

LEGISLATIVE REFERENCE / AUTHORITY

Section 37 of the *Police Services Act* states that a board shall establish its own rules and procedures in performing its duties under the *Act*. This policy provides direction with regard to the provision of legal services required by the Board, including delegations of responsibility.

BOARD POLICY**SECTION 1 - LITIGATION**1.1 GENERAL AUTHORITY.1 The Board

As a normal consequence of its operations and the exercise of its responsibilities, the Board is involved in litigation both as Plaintiff and Defendant before the Courts and various administrative tribunals. The Board has overriding authority to commence, manage and settle all legal matters involving the Ottawa Police Service. For administrative and other reasons, the Board has delegated its authority over a variety of legal matters as set out in this policy.

.2 Board Solicitor

The Board Solicitor has general authority to supervise the defence, prosecution and conduct of all matters or actions brought by or against the Board, subject to such instructions as may be issued by the Board from time to time. In the conduct of such litigation, the Board Solicitor is to use the most efficient combination of staff and external legal services as required to represent and defend the interests of the Board in each issue at hand.

.3 Chief of Police

The Board Solicitor shall advise the Chief of Police of the defence, prosecution, conduct, or settlement of any matter or action brought by or against the Board, and ensure the Chief of Police has an opportunity to provide input for consideration should he/she wish. Similarly, the Chief of Police shall advise the Board Solicitor of any action brought to his/her attention.

.4 Disagreement

Notwithstanding any other provision, when consultation between the Board Solicitor and Chief of Police is warranted and such consultation does not result in agreement on the course of action to be taken, the matter shall be referred to the Board for resolution.

.5 Option

Notwithstanding any delegation of authority in this policy, the Board Solicitor may seek direction from the Board in any situation in which the Board Solicitor feels it is appropriate or desirable to do so.

1.2 SMALL CLAIMS COURT

The Small Claims Court exercises jurisdiction over minor claims subject to a maximum amount, which is currently \$10,000. The Board Solicitor shall have authority to commence, defend, settle and abandon all matters within the jurisdiction of the Small Claims Court.

1.3 ONTARIO COURT OF JUSTICE

The Ontario Court of Justice, formerly the Ontario Court (Provincial Division), is the forum for the prosecution of by-law offences as well as offences governed by the *Provincial Offences Act*. The Board Solicitor shall have authority to commence, defend, settle and abandon all matters within the jurisdiction of the Ontario Court of Justice.

1.4 SUPERIOR COURT OF JUSTICE

The Superior Court of Justice, formerly the Ontario Court (General Division), is generally the Trial Court or Court of first instance and includes two branches, Divisional Court and Small Claims Court. The jurisdiction of the Small Claims Court is described in subsection 1.2. The Divisional Court considers matters of appeal and judicial review.

Proceedings in the Superior Court of Justice are initiated either by Statement of Claim or by way of Application.

## ANNEX B

The Board Solicitor is authorized to conduct the defence of all actions and to take such steps, including all interim proceedings, as may be considered necessary or proper.

The Board Solicitor, in consultation with the Chief of Police, is authorized to commence and prosecute all actions for damages and other relief when the amount at issue is expected to be less than \$250,000.00 and to take such steps, including all interim proceedings, as may be considered necessary or proper.

The approval of the Board is required to commence all other actions in the Superior Court of Justice.

### 1.5 FEDERAL COURT

All legal matters to be commenced in the Federal Court shall be approved by the Board.

### 1.6 RELATED MATTERS

In exercising the authority granted by this chapter, the Board Solicitor shall have authority to:

#### .1 Payment of Expenses

Authorize the payment of all expenses related to the conduct of any action or matter and the payment of any costs awarded against the Board.

#### .2 Execution of Documents

Execute all documents required to conduct any action, or conclude the settlement of any action or matter.

#### .3 Enforcement of Judicial Rulings

Take all steps required to enforce orders, decisions, awards and judgements.

### 1.7 EXCEPTIONAL CIRCUMSTANCES

Where time constraints or other circumstances will not allow for the required authority granting procedures to be followed with respect to any legal matter, the Board Solicitor shall have the authority to take the appropriate action and report such action to the Board at the earliest opportunity.

## **SECTION 2 - SETTLEMENTS**

### **2.1 SMALL CLAIMS COURT**

The Board Solicitor shall have authority to settle or abandon all Small Claims Court actions.

### **2.2 ALL OTHER COURTS**

#### **.1 Board Solicitor**

The Board Solicitor, in consultation with the Chief of Police, shall have authority to settle any action where the amount to be paid to or paid by the Board does not exceed \$100,000.00.

#### **.2 The Board**

Subject to subsection 2.2.1, the Board shall approve the settlement of all actions and claims.

## **SECTION 3 - UNCOLLECTIBLE AMOUNTS**

3.1 Where, in the opinion of the Board Solicitor, a claim cannot be supported by legal principles, the Board Solicitor shall have the authority to abandon and write off the claim.

3.2 Where the Board Solicitor deems an amount or claim to be uncollectible, in whole or in part, and the amount or claim or part thereof, exclusive of interest, does not exceed the amount stated in subsection 2.2.1, the Board Solicitor shall have authority to abandon and write off the claim.

## **SECTION 4 - APPEALS**

### **4.1 SMALL CLAIMS COURT**

The Board Solicitor shall have authority to appeal decisions of the Small Claims Court and Ontario Court of Justice.

### **4.2 ALL OTHER COURTS**

#### **.1 The Board**

The Board shall authorize all appeals or applications for judicial review of decisions of all courts other than those specified in subsection 4.1.

**.2     Board Solicitor**

Defence of appeals or applications for judicial review do not require the approval of the Board; however, they shall be reported to the Board for information.

**SECTION 5 - ADMINISTRATIVE TRIBUNALS**

**5.1     JURISDICTION**

This section applies to hearings before the Ontario Labour Relations Board, Ontario Civilian Police Commission, Coroner's Inquests and other administrative tribunals. Arbitration matters are also included.

**5.2     AUTHORITY**

The Board Solicitor shall have authority to make applications, conduct hearings, represent the Board's interests and take objection to all matters brought before administrative tribunals.

**5.3     APPEALS**

The Board Solicitor shall have the authority to appeal any decision of an administrative tribunal where the appeal lies to another administrative tribunal. The Board Solicitor shall have the authority to commence judicial review of decisions of administrative tribunals that relate to labour relations. The Board shall authorize all other appeals or applications for judicial review of the decisions of administrative tribunals.

**SECTION 6 - REPORTING TO THE BOARD**

6.1     The Board Solicitor shall submit a report to the Board on a quarterly basis that includes statistical information and a concise analysis of trends on:

- .1     positive and negative variances against the approved budget;
- .2     all claims or actions filed against the Board including how many have been filed, how many are outstanding, how many have been settled, the nature of them (categorized by type), and the cost of settlements;
- .3     the number, cost and outcome of all appeals and applications for judicial review;
- .4     requests for legal indemnification and payment of legal indemnification accounts.
- .5     any issues of significance the Board should be advised of.

Policy Number:	Policy Subject:
GA-14 & CR-14	<b>ACCESSIBILITY POLICY</b> (Previously Accessibility Standards for Customer Service policy – replaces GA-14 and former CR-14)
LEGISLATIVE AUTHORITIES	<ul style="list-style-type: none"> <li>▪ <i>Accessibility for Ontarians with Disabilities Act, 2005</i>, S.O. 2005, c. 11</li> <li>▪ Accessibility Standards for Customer Service, O Reg. 429/07</li> <li>▪ Integrated Accessibility Standards, Ontario Regulation 191/11</li> <li>▪ Ontario <i>Human Rights Code</i>, R.S.O. 1990, c. H. 19</li> <li>▪ Ontario <i>Police Services Act</i>, R.S.O. 1990, section 31 (1)(c)</li> </ul>
DATE APPROVED	19 December 2011 (Accessibility Standards for Customer Service Policy)
DATE REVIEWED	2013, 2014
DATE AMENDED	28 July 2014
DATE TO BE REVIEWED	2016
REPORTING REQUIREMENTS	<ol style="list-style-type: none"> <li>1. On progress in meeting the multi-year Accessibility Plan: annually to the Board.</li> <li>2. On Compliance: every three years to the Provincial Director, with the first report due as of 31 December 2014. This report also to be submitted to the Board.</li> </ol>

## LEGISLATIVE AUTHORITIES

- The *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) was enacted into law by the Provincial Government in 2005 to ensure the development, implementation and enforcement of accessibility standards in order to achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises.
- The Accessibility Standards for Customer Service Regulation 429/07 (ASCS) became law on January 1, 2008 and was the first of five sets of standards to be issued by the Provincial Government in support of the AODA. The Regulation establishes accessibility standards for customer service and applies to every designated public sector organization, and to every other person or organization that has at least one employee in Ontario and that provides goods or services to members of the public or other third parties.
- The Integrated Accessibility Standards Regulation 191/11 (IASR) was enacted in 2011 and is a consolidation of accessibility standards in the following five areas:

General; Information and Communications; Employment; Transportation; Design of Public Spaces (Accessibility for the Built Environment).

- Section 1 of the Ontario *Human Rights Code*, R.S.O. 1990, c. H. 19 states that, “Every person has a right to equal treatment with respect to services, goods and facilities, without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability.”
- Under Section 31(1)(c) of the *Police Services Act* the Board is responsible for the provision of adequate and effective police services in the municipality and shall establish policies for the effective management of the police force. This policy addresses the provision of services to persons with disabilities by the Ottawa Police Service.

## **BOARD POLICY**

### **POLICY STATEMENT**

The Ottawa Police Services Board is committed to meeting the accessibility needs of people with disabilities in a timely and proactive manner and will use reasonable effort to provide equitable access to programs, services, goods and facilities provided by the Board and the Ottawa Police Service, in a way that respects a person’s dignity and independence.

Policy requirements set out in this document shall form part of the Police Services Board’s Policy Manual and the Chief of Police shall comply with these requirements in directing the Ottawa Police Service.

### **PURPOSE**

This policy is intended to provide the overarching framework to guide the review and development of other Ottawa Police Services and Board policies, standards, procedures and guidelines to comply with the standards developed under the *Accessibility for Ontarians with Disabilities Act 2005*, S.O. 2005, c. 11 (the AODA).

### **APPLICATION**

This policy applies to the members and employees of the Ottawa Police Services Board (the Board) and to all employees of the Ottawa Police Service (OPS), auxiliary members, volunteers, and to any individual or organization that provides goods, services or facilities to the public or other third parties on behalf of the OPS or Board, in accordance with the legislation.

## PRINCIPLES

OPS and Board services, programs, goods and facilities are to be available to people with disabilities in a manner that:

- Is free from discrimination
- Offers accessible formats and communications supports
- Seeks to provide integrated services
- Provides an opportunity equitable to others to obtain, use and benefit from the goods or services
- Takes into consideration a person's disability.

## DEFINITIONS

For the purposes of this policy, the following definitions shall apply:

**Accessible Formats** – may include, but are not limited to, large print, recorded audio and electronic formats, Braille and other formats usable by persons with disabilities, provided for any information and communication that the OPS and Board makes available to the public.

**Communication Supports** – may include, but are not limited to, captioning, alternative and augmentative communication supports, plain language, sign language and other supports that facilitate effective communications.

**Disability** – is defined as prescribed in section 2 of the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11 and the *Human Rights Code*, R.S.O. 1990, c. H. 19, as follows:

- a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
- b) a condition of mental impairment or a developmental disability,
- c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- d) a mental disorder, or
- e) an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*.

**Kiosk** – an interactive electronic terminal, including a point-of-sale device, intended for public use that allows users to access one or more services or products, or both.



**Service Animals** - are defined as prescribed in section 4(9) of the Accessibility Standards for Customer Service, O. Reg. 429/07, as follows: “An animal is a service animal for a person with a disability if:

- It is readily apparent that the animal is used by the person for reasons relating to his or her disability, or
- If the person provides a letter from a physician or nurse confirming that that person requires the animal for reasons relating to the disability.

**Support Person** – is defined as prescribed in section 4(8) of the Accessibility Standards for Customer Service, O. Reg. 429/07, as follows: “A support person means, in relation to a person with a disability, another person who accompanies him or her in order to help with communication, mobility, personal care or medical needs or with access to goods or services.”

**Unconvertible** – information or communications are unconvertible if it is not technically feasible to convert the information or communications or the technology to convert the information or communications is not readily available.

## **POLICY REQUIREMENTS**

### **Policy Obligations**

The Ottawa Police Service is a “large organization” under the AODA. The Board and the OPS are committed to meeting the accessibility needs of people with disabilities.

#### **Board**

It is the policy of the Ottawa Police Services Board that it:

- Meets all requirements of the ASCS, O. Reg. 429/07 under the AODA on an ongoing basis.
- Meets all requirements of the IASR, O. Reg. 191/11 under the AODA on an ongoing basis in accordance with the timelines set out in the regulation.
- Has policies, practices and procedures that are aligned with the requirements of the IASR, O. Reg. 191/11 under the AODA.
- Includes accessibility requirements related to the implementation of this policy as part of its annual budget and planning processes.

#### **Chief**

It is the policy of the Ottawa Police Services Board that the Chief of Police shall ensure that the OPS:

- Meets all requirements of the ASCS, O. Reg. 429/07 under the AODA on an ongoing basis.

- Meets all requirements of the IASR, O. Reg. 191/11 under the AODA on an ongoing basis in accordance with the timelines set out in the regulation.
- Has policies, practices and procedures that are aligned with the requirements of the IASR, O. Reg. 191/11 under the AODA.
- Includes accessibility requirements related to the implementation of this policy as part of the annual budget and planning processes.

Specifically, the Chief of Police shall ensure that there are procedures and practices in place that incorporate the principles and provisions set out below, and shall ensure that they are adhered to. Where references are made to the Board's responsibilities, it is understood that responsibility rests with the Board and not the Chief for ensuring policies, procedures and practices are in place and complied with.

## **A. GENERAL STANDARDS**

### **1. Accessibility Plan and Policies**

The Chief of Police shall produce a multi-year Accessibility Plan for the Police Service that outlines the organization's strategy to prevent and remove barriers and meet its requirements under the IASR. The Plan will be posted on the OPS website and shall be made available in an accessible format and with communications supports, upon request. A progress report on the Plan will be provided annually to the Board. The Accessibility Plan shall be reviewed and, if necessary, updated at least once every five (5) years.

Policies governing how the Board and OPS shall meet its requirements under the AODA will be provided in an accessible format, upon request.

### **2. Accessible Formats and Communications Supports**

Except as otherwise provided by the AODA, the OPS and Board shall, upon request, and in consultation with the person making the request, provide or make arrangements to provide accessible formats and communications supports for persons with disabilities. Accessible formats and communication supports shall be provided in a timely manner, taking into account the person's accessibility needs and at a cost that is no more than the regular cost charged to other persons, in accordance with the Accessible Formats and Communication Supports Procedures of the City of Ottawa.

This does not apply to products and product labels, unconvertible information or communications and information that the Board or OPS does not control directly or indirectly through a contractual relationship. If it is determined that information or communications are unconvertible, the Board/OPS shall provide the person requesting the information or communication with:

- a. An explanation as to why the information or communications are unconvertible.
- b. A summary of the unconvertible information or communications.

3. **Kiosks**

When designing, procuring or acquiring self-service kiosks, the Board and OPS shall incorporate accessibility features, unless it is not feasible (or practicable). If not practicable, the Board or OPS, as the case may be, shall provide an explanation, upon request.

4. **Training**

Board members and employees, all OPS employees, volunteers, and all other people who provide goods, services or facilities on behalf of the Board or OPS, as well as those who develop policies, practices and procedures will receive accessibility training.

This training shall include:

1. A review of the purposes of the AODA and the requirements of the Accessibility Standards for Customer Service (Ontario Regulation 429/07) and instruction about the following matters:
  - How to interact and communicate with persons with various types of disability.
  - How to interact with persons with disabilities who use an assistive device or require the assistance of a guide dog or other service animal or the assistance of a support person.
  - How to use equipment or devices available on the provider's premises or otherwise provided by the provider that may help with the provision of goods or services to a person with a disability.
  - What to do if a person with a particular type of disability is having difficulty accessing the provider's goods or services.
2. A review of the requirements of the Accessibility Standards referred to in the AODA Integrated Accessibility Standards (Ontario Regulation 191/11) and on the *Human Rights Code* as it pertains to persons with disabilities.
  - Training must be provided to:
    - All employees, and volunteers
    - All people who participate in developing the organization's policies, and
    - All other people who provide goods, services or facilities on behalf of the organization.
  - Every person must be trained as soon as practicable.

- Organizations must provide training on any changes to its accessibility policies on an ongoing basis.

The training provided shall be appropriate to the duties of the employee, volunteer or third party. Training shall take place as soon as is practicable and upon completion, the Board or OPS, as the case may be, shall keep a record of the training provided including the dates on which accessibility training took place.

**5. Feedback**

Feedback on how services were delivered to people with disabilities shall be invited, forwarded to the appropriate personnel, responded to, documented and tracked. Feedback shall be collected by phone at the OPS, the Board or through Next Talk TTY (teletypewriter); by email to the OPS, Board; and in person at any of the OPS' police stations or the Board office. Feedback shall be accepted in accessible formats and with other communication supports as required.

**6. Documentation**

Documentation that describes this Policy and each of its requirements and any information and communication that the OPS and Board provides to the public shall be maintained on the OPS and Board websites respectively, and shall be provided to individuals, upon request, in the appropriate format or communication support in a timely manner and at a cost that is no more than the regular cost charged.

**B. CUSTOMER SERVICE STANDARDS**

**1. Assistive Devices**

The Board and Ottawa Police Service employees, auxiliary members, volunteers and third party contractors shall accommodate the use of personal assistive devices such as scooters and Braille display boards. Assistive devices that are available for access to specific services and programs shall be kept in good working order and the public shall be informed of their availability. Assistive devices include, but are not limited to, Assistive Listening Devices and FM Loop systems.

**2. Service Animals**

The Board and Ottawa Police Service employees, auxiliary members, volunteers and third party contractors shall accommodate the use of service animals by people with disabilities who are accessing OPS services or goods unless the animal is otherwise excluded by law, such as food preparation

areas as prohibited by Food Premises, R.R.O. 1990, Reg. 562 under the *Health Protection and Promotion Act*, R.S.O. 1990, c. H.7.

**3. Support Persons**

Where a person with a disability accessing Board or OPS goods or services is accompanied by a support person, Board and OPS employees, auxiliary members, volunteers and third party contractors shall ensure that both persons are permitted to enter the premises together and shall ensure that the person with a disability can access the support person while on the premises.

**4. Admission Fees**

If the Board or OPS charges an admission fee in connection with a support person's presence at an event or function, the Board or OPS shall ensure that notice is given in advance about the amount, if any, that is payable in respect of the support person accompanying a person with a disability.

**5. Communications**

1. When communicating with a person with a disability, Board and OPS employees, auxiliary members, volunteers and third party contractors shall do so in a manner that respects the person's disability.
2. Publications printed by the Board and the OPS shall be made available in alternate formats, upon request by people with disabilities.

**6. Notice of Service Disruption**

In the event that there is a temporary disruption in the availability of facilities, services or goods used by persons with disabilities (e.g. temporary loss of elevator service), the Board or OPS shall give notice to the public of the reason for the disruption, the date(s) of disruption, its anticipated duration and a description of alternative facilities or services, if any, that are available. Such notice may be provided by a variety of methods depending on the circumstances, and may include postings in conspicuous places at the affected premises, other facilities, and on the Board or OPS website, to ensure that the notice reaches those persons potentially affected by the temporary disruption.

**C. INFORMATION AND COMMUNICATION SUPPORT STANDARDS**

**1. Communication**

When communicating with a person with a disability, Board and OPS employees, volunteers and third party contractors shall do so in a manner that takes into account the person's disability. As a reference, guidelines for

communicating with people who have various types of disabilities are provided in Appendix B of the City of Ottawa's Accessible Formats and Communication Supports Procedures.

2. **Terminology**

When referring to people with disabilities, Board and OPS employees, volunteers and third party contractors shall use terminology that is used in the AODA and IASR.

3. **Accessible Websites and Web Content**

Internet websites and web content controlled directly by the Board or the OPS, or through a contractual relationship that allows for modification of the product, shall conform to the World Wide Web Consortium Web Content Accessibility Guidelines (WCAG) 2.0, at level A and AA in accordance with the schedule set out in the AODA Integrated Accessibility Standards.

4. **Emergency Procedures, Plans and Information**

The OPS shall provide all existing public emergency procedures, plans and public safety information upon request in an accessible format or with appropriate communication supports in a timely manner.

**D. EMPLOYMENT STANDARDS**

It is understood that, while the Employment Standards reference only the OPS, they apply equally to the Board. The Board will utilize and adhere to the City of Ottawa's policies and procedures in fulfilling the obligations of this Section and the OPS will utilize and adhere to the OPS policies and procedures.

1. **Recruitment**

The OPS shall post information about the availability of accommodations for applicants with disabilities in its recruitment process. Job applicants who are individually selected for an interview and/or testing shall be notified that accommodations for material to be used in the process are available upon request. The OPS shall consult with any applicant who requests an accommodation in a manner that takes into account the applicant's disability. Successful applicants shall be notified about the OPS' policies for accommodating employees with disabilities as part of their offer of employment.

2. **Employee Supports**

The OPS will inform employees of the policies used to support employees with disabilities, including policies on the provision of job accommodations

that takes into account an employee's accessibility needs due to disability. The OPS will provide this information to new employees as soon as practicable after they begin their employment and provide updated information to all employees whenever there is a change to existing policies on the provision of job accommodations that take into account an employee's accessibility needs due to disability.

### **3. Accessible Formats and Communication Supports for Employee**

Upon an employee's request, the OPS shall consult with the employee to provide or arrange for the provision of accessible formats and communication supports for:

- a. Information that is needed in order to perform the employee's job; and
- b. Information that is generally available to employees in the workplace.

The OPS will consult with the employee making the request in determining the suitability of an accessible format or communication support.

### **4. Workplace Emergency Response Information**

If an employee's disability is such that workplace emergency response information is necessary and the OPS is aware of the need for accommodation, this information shall be provided to the employee. In addition, this information shall be provided, with the employee's consent, to the person designated to provide assistance. The information shall undergo review when the employee moves to a different location, when the employee's overall accommodation needs or plans are reviewed and when the OPS reviews its general emergency response plan. (Reference City of Ottawa Individualized Workplace Emergency Response Information Plan (IWERIP) – Manager's Guide, and Individualized Employee Discussion Guide.)

### **5. Documented Individual Accommodation Plans**

1. A written process for the development and maintenance of documented individual accommodation plans shall be developed for employees with disabilities. The process for the development of documented individual accommodation plans shall include the following:
  - a. The manner in which an employee requesting accommodation can participate in the development of the individual accommodation plan.
  - b. The means by which the employee is assessed on an individual basis.
  - c. The manner in which the employer can request an evaluation by an outside medical or other expert, at the employer's expense, to assist the employer in determining if accommodation can be achieved and, if so, how accommodation can be achieved.

## ANNEX C

- d. The manner in which the employee can request the participation of a representative from their bargaining agent in the development of the accommodation plan.
  - e. The steps taken to protect the privacy of the employee's personal information.
  - f. The frequency with which the individual accommodation plan will be reviewed and updated and the manner in which it will be done.
  - g. If an individual accommodation plan is denied, the manner in which the reasons for the denial will be provided to the employee.
  - h. The means of providing the individual accommodation plan in a format that takes into account the employee's accessibility needs due to disability.
2. If requested, these plans shall include information regarding accessible formats and communications supports.
  3. If requested, the plans shall include individualized workplace emergency response information.

### **6. Return to Work Process**

The OPS shall have in place a documented return to work process for employees returning to work due to disability and requiring disability-related accommodations. This return to work process shall outline the steps that the OPS shall take to facilitate the return to work.

### **7. Performance Management and Career Development and Redeployment**

The OPS shall take into account the accessibility needs of its employees with disabilities as well as any individual accommodation plans when providing career development, performance management and when considering redeployment.

## **E. BUILT ENVIRONMENT STANDARDS**

1. The OPS shall comply with the AODA Design of Public Spaces Standards (Accessibility Standards for the Built Environment) and the City of Ottawa's Accessibility Design Standards when undertaking new construction and redevelopment of public spaces in the following areas:
  - a. Exterior paths of travel
  - b. Accessible parking
  - c. Obtaining services
  - d. Maintenance of accessible elements.

## **RESPONSIBILITIES**



The Board, in consultation with the City of Ottawa's Corporate Accessibility Office, is responsible for reviewing this policy annually and recommending amendments to ensure on-going compliance with regulated accessibility standards and legislated obligations.

OPS supervisors and managers, and the Board's Executive Director, shall ensure that they and their respective staff are familiar with and comply with this policy.

## **MONITORING REQUIREMENTS**

Failure to comply with the AODA regulations can result in administrative penalties as defined in Part V of the IASR.

Supervisors and managers shall monitor current practices to ensure compliance.

On an annual basis, the Chief of Police shall review and assess the effectiveness of the Police Service's policies and procedures related to the Integrated Accessibility Standards Regulation.

## **REPORTING REQUIREMENTS**

1. The Chief of Police shall report annually to the Board on progress in meeting the OPS multi-year Accessibility Plan.
2. The Board Executive Director shall ensure that the accessibility report required under subsection 14(1) of the AODA for an obligated large organization is filed with a director (appointed under section 30 of the AODA by the Deputy Minister) in accordance with the schedule set out in the IASR.

## **ENQUIRIES**

For further information regarding this policy, contact: Board Executive Director.

## **REFERENCES**

### OPS REFERENCES:

- AODA Accessible Formats and Communication Supports Procedure
- Accessible Web Publishing Procedure
- OPS Third Party Contractors AODA Compliance Procedure
- AODA Feedback Procedure
- OPS Notice of Temporary Disruption Procedure
- Tips for Serving Customers with Disabilities

- Resources for Accessible Formats and Communication Supports
- OPS Managers Guide – Individual Workplace Emergency Response Information and Plans for Employees with Disabilities

BOARD REFERENCES:

- City of Ottawa Accessible Formats and Communications Supports Procedure
- City of Ottawa Accessibility Training for Customer Service – Reference Guide
- City of Ottawa Manager's Guide for Individual Workplace Emergency Response Information & Plans for Employees with Disabilities (IWERIP)
- City of Ottawa Employee Emergency Information Discussion Guide
- City of Ottawa Workplace Accommodation Policy

Policy Number:	Policy Subject:
<b>CR-1</b>	<b>POSITIVE WORKPLACE</b>
LEGISLATIVE REFERENCE / AUTHORITY	<i>Police Services Act</i> , sections 31(1)(c) and 41(1)(b) Ministry Standard AI-003 <i>Occupational Health and Safety Act</i> , R.S.O. 1990, c. O.1
DATE APPROVED	June 1999
DATE REVIEWED	2007, 2009, 2012,
DATES AMENDED	24 September 2007 22 June 2009 22 October 2012
DATE TO BE REVIEWED	2015
REPORTING REQUIREMENT	Annual compliance reporting

LEGISLATIVE REFERENCE / AUTHORITY

- Section 31(1)(c) of the *Police Services Act* states that a board shall establish policies for the effective management of the police force. This policy provides direction with regard to creating and maintaining a positive work environment for members of the Ottawa Police Service.
- Section 41(1)(b) of the *Police Services Act* addresses Duties of the Chief of Police in relation to maintaining discipline.
- Ministry Standard AI-003 – Equal Opportunity, Discrimination and Workplace Harassment (see Board Policy AI-003 in Chapter 4).
- The Ontario *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1., as amended by Bill 168 (see Board Policies CR-13: Workplace Violence & Harassment and CR-15: Occupational Health & Safety)

BOARD POLICY

It is the goal of the Ottawa Police Services Board to ensure a positive workplace that exemplifies the organization's vision, mission and values. In this workplace members can expect an environment that promotes and offers:

- Personal and professional support
- Equal and accessible treatment
- Valuing the contribution of members
- A safe and healthy environment

- e) High ethical and professional standards
- f) Diversity and non-discrimination.

### POLICY REQUIREMENTS

The Chief shall ensure that there are procedures or practices in place that contribute to a positive workplace, specifically in the areas of:

- 1. Respectful workplace
- 2. Outreach and diversity
- 3. Salary and benefit administration
- 4. Performance management
- 5. Recognition of meritorious service, community service, long service and valour
- 6. Absence management and support
- 7. Discipline
- 8. Health and Safety
- 9. Collective Agreement Administration.

### MONITORING REQUIREMENTS

During each business cycle, the Chief shall:

- 1. Assess the effectiveness of the Police Service's Respectful Workplace Program.
- 2. Conduct a compliance audit for salary and benefits and a review of working conditions of any sworn officers, civilian members or any individual staff member, including him or herself, to ensure consistency with the appropriate contract as negotiated and signed by the Board.
- 3. Assess the effectiveness of the Performance Review Program.

### REPORTING REQUIREMENTS

- 1. On an annual basis, the Chief of Police shall:
  - a) Provide a summary of usage and outcomes of the Respectful Workplace Program.
  - b) Report the compliance rate and other outcomes of the Performance Review Program.
  - c) Report the number of complaints filed by members with the Ontario Human Rights Commission.

Policy Number:	Policy Subject:
<b>CR-6</b>	<b>PUBLIC CONSULTATION</b>
LEGISLATIVE AUTHORITY	REFERENCE / N/A
DATE APPROVED	24 November 1997
DATE REVIEWED	2008, 2009, 2012
DATES AMENDED	28 April 2008 22 June 2009 22 October 2012
DATE TO BE REVIEWED	2015
REPORTING REQUIREMENT	Annual compliance reporting

## BOARD POLICY

### 1. INTRODUCTION

The Ottawa Police Services Board recognizes the importance of well conceived external communications and consultation in promoting public understanding of Ottawa Police policies, programs and services, and providing the Board and Service with a critical insight into public attitudes and expectations. It values public consultation as a means to address the expectations of the citizens of Ottawa, and to achieve improved policies, programs and initiatives in serving the public. The Ottawa Police Services Board is committed to ensuring that administrative and policy processes are open and accessible, respectful of the public's right to be involved, and responsive to the public need for information and feedback.

This policy provides direction to the Chief of Police and a framework for a process of engagement with the public in order to solicit their views as an integrated part of the decision-making process at the Ottawa Police Service.

The Public Consultation policy supports the Police Service's vision statement and is fundamental to acquiring public trust, understanding and support for the actions of the Police Service and Police Services Board.

### 2. GOALS

The goals of the Board's Public Consultation policy are:

- a) To provide an opportunity to every citizen who wishes to be heard on issues within the Board's jurisdiction.
- b) To recognize citizens as a source of information and education for decision-making.
- c) To provide the public with sufficient and comprehensible information about the

Service's mandate, services and programs.

- d) To provide a timely and comprehensive response to public requests for information.
- e) To address the impacts of Police Service decisions on the community.
- f) To ensure the Police Service is kept informed about public opinion and community aspirations.
- g) To develop and maintain a trusting, positive, cooperative relationship between the Police Service and its citizens.
- h) To improve the quality of Police Service decisions and actions.

### **3. BENEFITS**

The benefits of public consultation include:

- a) Being responsive to the community's right to know and to be involved, as well as the Police Services Board's obligation to make decisions on behalf of the community;
- b) Recognizing the value of the opinions and expertise offered by members of the public;
- c) Acknowledging public sensitivity to change in the community and its desire to participate effectively in policy and program development processes;
- d) Ensuring information and knowledge is shared with and/or received from the public;
- e) Providing opportunities to build consensus around issues or changes; and
- f) Encouraging active public promotion regarding implementation of Police Service initiatives.

### **4. PRINCIPLES**

The Chief of Police shall ensure that the following general practices and principles are adopted throughout the organization:

- a) A climate is created in which public consultation is utilized as a management function;
- b) Consultation and communications planning is integrated within the overall organization and strategic planning;
- c) Cooperation and liaison exists between consultation staff and communication staff both within the Service and with other partners and outside agencies;
- d) The consultation process involves the right level of accountability and participants for the consultation process;
- e) An environment is fostered that encourages and values feedback to and from individuals, the public and employees by communicating the results of

consultation to interested participants.

## 5. POLICY REQUIREMENTS

The Chief of Police shall ensure that the following principles and practices are included in organizational activities and processes:

### 5.1. Values that Support Public Consultation

The following values that support public consultation are fostered and in place throughout the Police Service:

- a) *Consultation is instilled as a way of organizational life* - the Service will consult the community as a normal part of its work.
- b) *Consultation occurs early in the process* - consultation is much more fruitful and less demanding of resources when it occurs early in the process.
- c) *Two-way communication* - communication with the public not only flows both ways, but also can be initiated by either side. The Service should consult the community, and the community should consult the Service.
- d) *Uniqueness is recognized* - each problem and situation is unique. The Service should be innovative, flexible, and sensitive to local conditions, all of which require close contact with both the affected community and community at large.
- e) *Multi-faceted input is sought* - by considering each problem from many points of view, the Service is more likely to achieve a preferred solution.
- f) *Community leadership is recognized as valuable* - community leaders are a valuable resource to the Service.
- g) *The Service knows the community* - be familiar with the community, their concerns, their goals, their strengths and their needs.
- h) *The importance of continuity is recognized* - the Service should recognize that change may disrupt the lives of its citizens. Change may be viewed negatively when it:
  - does not serve the needs of those experiencing the change;
  - occurs without time to adjust;
  - is not preceded by opportunities for consultation; or
  - seems to create impacts and benefits which are not fairly distributed.

5.2. Process Considerations

The process for consultation shall be undertaken as a matter of practice. In circumstances where it is not possible, a clear and justifiable reason shall be presented. The following considerations related to the process for consultation will be practiced by members of the Ottawa Police Service:

- a) The Service must routinely assess its activities, the impact of those activities on the citizens and the need for public consultation, and identify early in the process which issues require public consultation. Due to the diversity and complexity of activities undertaken by the Ottawa Police Service, the requirement for public consultation is not always clear. Not all activities in the day-to-day operation or administrative functioning of the Service require public consultation.
- b) The Service is frequently a partner or participant with other governments and agencies for joint projects. In these instances, the Service does not always have the authority to determine the process for public consultation. The Police Service will encourage and promote implementation of a public consultation process as a key component of any project/activity along with needs and approaches utilized by others, but a decision not to embrace a public consultation approach by the lead organization will not preclude the Police Service from participating in projects/activities.
- c) Consultation should be considered for every project that has a direct impact on the public and consideration given to the most effective and appropriate method of consultation. There is no single method for successful communication and consultation. Consultation may be as simple as informing people of a proposed change, or it may take the form of an informal discussion, or a formal event such as an open house or public meeting.

5.3. Required Actions

- a) Reports to the Police Services Board must contain information on what consultation took place and how the staff recommendation reflects or does not reflect the input received;
- b) Staff required to conduct and manage effective consultation receive adequate resources, training and professional development;
- c) Consultation requirements are developed and reflected in employee assessments, and in policy, program design and service delivery;
- d) A training module is adopted by the Professional Development Centre;



#### ANNEX E

- e) A process to ensure the ability to create a network to consult with potentially affected stakeholders (parties, entities). Public consultation literature is acquired and made accessible through a range of media (electronic and hard copy) and at all main police locations;
- f) Periodic evaluations of the results of the consultation process are conducted to ensure they reflect client needs;
- g) Evaluation of past consultations and establishment of best practices are done to achieve continuous service improvements; and
- h) This policy shall be communicated to all members of the Ottawa Police Service and the community regularly and in an ongoing manner through channels such as the Internet.

#### MONITORING REQUIREMENTS

The Police Service shall develop procedures or practices that support this policy. The monitoring shall be in accordance with the procedures and practices, and support the annual reporting to the Police Services Board.

#### REPORTING REQUIREMENTS

The Chief of Police shall submit an annual report to the Board.

Policy Number: <b>CR-13</b>		Policy Subject: <b>WORKPLACE VIOLENCE AND HARASSMENT PREVENTION</b>	
LEGISLATIVE AUTHORITY	REFERENCE	/	<u>Authorities:</u> <ul style="list-style-type: none"> <li>▪ Ontario <i>Occupational Health and Safety Act</i></li> <li>▪ Ontario <i>Police Services Act</i>, Regulation 123/98, Ministry Standard AI-003</li> <li>▪ Ontario Human Rights Code</li> </ul> <u>References:</u> <ul style="list-style-type: none"> <li>▪ <i>Municipal Freedom of Information and Protection of Privacy Act</i></li> <li>▪ Board Policy CR-1: Positive Workplace</li> <li>▪ Board Policy AI-003: Equal Opportunity, Discrimination and Workplace Harassment Prevention</li> </ul>
DATE APPROVED		31 May 2010	
DATE REVIEWED		2012	
DATE AMENDED		26 November 2012	
DATE TO BE REVIEWED		2015	
REPORTING REQUIREMENT		Annual reporting	

#### LEGISLATIVE REFERENCE / AUTHORITY

- Bill 168, an Act to amend the *Occupational Health and Safety Act*, became law in December 2009, with an implementation date of 15 June 2010. The Bill made legislative amendments to the *Occupational Health and Safety Act* to further protect workers from violence and harassment in the workplace.
- Ontario Ministry of Community Safety and Correctional Services Standard AI-003 – Equal Opportunity, Discrimination and Workplace Harassment Prevention, requires procedures on responding to and preventing discrimination and harassment in the workplace. (See Board Policy AI-003 in Chapter 4 of Board Policy Manual.)
- Subsection 5(2) of the Ontario *Human Rights Code* states, “Every person who is an employee has a right to freedom from harassment in the workplace by the employer or agent of the employer or by another employee because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, record of offences, marital status, family status or disability.”

## ANNEX F

- Subsection 7(2) of the Ontario *Human Rights Code* states, “Every person who is an employee has a right to freedom from harassment in the workplace because of sex by his or her employer or agent of the employer or by another employee.”
- Any management response to allegations related to this policy against sworn members of the police service must adhere to the procedural requirements of Part V of the *Police Services Act*, and to Regulation 123/98.

## BOARD POLICY

### **PURPOSE**

The Ottawa Police Services Board is committed to providing a safe and healthy work environment for its employees and for the members of the Ottawa Police Service, and is committed to the prevention of workplace harassment and violence. The Board recognizes that unwanted behaviours in the workplace must be addressed early to minimize the potential for workplace harassment and/or workplace violence. Workplace violence and harassment are serious conduct matters that may constitute a violation of Canada’s *Criminal Code*, the *Ontario Human Rights Code* or the *Occupational Health and Safety Act*.

This policy was created to provide direction to the Board and to the Chief of Police to ensure continued compliance with Ontario’s *Human Rights Code* and *Occupational Health and Safety Act*, as amended by Bill 168.

### **DEFINITIONS**

For the purposes of this policy, the following definitions shall apply:

1. **Workplace Harassment** as prescribed by the *Ontario Occupational Health and Safety Act* means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome. Workplace harassment may be, but is not limited to, an action or behaviour related to prohibited grounds of discrimination under the *Ontario Human Rights Code*.
2. **Workplace Violence** means:
  - (i) The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker.
  - (ii) An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker.
  - (iii) A statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

## ANNEX F

3. **Prohibited Grounds** under the *Ontario Human Rights Code* are: race, creed, colour, ancestry, place of origin, ethnic origin, language or dialect spoken, citizenship, sex, sexual orientation, age, marital status, family status, physical or mental disability.
4. **Member** means all employees of the Ottawa Police Service including temporary, contract, part-time staff and volunteers.
5. **Workplace** means any and all locations where business or social activities of the Police Service are conducted, including external training facilities such as the Ontario Police College.

### A. WORKPLACE VIOLENCE AND HARASSMENT PREVENTION POLICY

The Chief of Police shall:

1. Take all reasonable steps to protect members from workplace harassment or violence.
2. Develop and implement a written workplace violence and workplace harassment prevention policy and shall review the policy annually.
3. Ensure that the policy is posted in a conspicuous place in the workplace.
4. Ensure that the members of the organization are educated with respect to the policy.
5. Ensure that the right to refuse work is subject to section 43(1) and 43(2)(a) of the *Ontario Occupational Health and Safety Act*, which stipulates that anyone employed in a police service cannot assert the right to refuse work when the particular job or task is: inherent in the employee's work; is a normal condition of the member's employment; or when a refusal to work would directly endanger the life, health or safety of another person.

### B. WORKPLACE VIOLENCE AND HARASSMENT PREVENTION PROGRAM

The Chief of Police shall:

1. Develop and maintain a program to implement the policy with respect to workplace violence and harassment prevention as prescribed by law.
2. Provide members with appropriate information and training on the contents of the workplace violence and harassment prevention policy and program.
3. Ensure that members with supervisory responsibilities are held accountable for promoting and implementing available health and safety programs, for complying with the *Occupational Health and Safety Act*, and for ensuring that

workplaces under their supervision are maintained in a healthy and safe condition.

C. WORKPLACE VIOLENCE – ASSESSMENT OF RISKS

The Chief of Police shall:

1. Ensure that a workplace violence risk assessment is undertaken. This assessment shall consider the risks of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of work.
2. Ensure that the results of the workplace violence risk assessment are provided to the Joint Occupational Health and Safety Committee.
3. Reassess the risks of workplace violence as often as is necessary, and at a minimum on an annual basis, to ensure that the related policy and program continue to protect workers from workplace violence.

D. DOMESTIC VIOLENCE

The Chief of Police shall take every precaution reasonable in the circumstances for the protection of a member if a person in authority becomes aware, or ought reasonably to be aware, of domestic violence that would likely expose a worker to physical injury that may occur in the workplace.

E. DISCLOSURE OF PERSONAL INFORMATION

The Chief of Police shall ensure that the disclosure of personal information related to a risk of workplace violence takes into consideration the requirements of both the *Occupational Health and Safety Act* and the *Municipal Freedom and Protection of Privacy Act*.

MONITORING REQUIREMENTS

The Chief of Police shall:

1. On an annual basis, review the Police Service's workplace violence and harassment prevention policy.
2. On no less than an annual basis, re-assess the risks of workplace violence to ensure that the related policy and program continue to protect workers from workplace violence.
3. During each business cycle, assess the effectiveness of the Police Service's Workplace Violence and Harassment Prevention Program.

REPORTING REQUIREMENTS

1. On an annual basis, the Chief of Police shall report on the effectiveness of the Police Service's Workplace Violence and Harassment Prevention Program as part of the annual report on Board Policy CR-1 on Positive Workplace.
2. Any incidents where a person is killed, critically injured, or disabled from performing his or her usual work because of workplace violence shall be reported to the Joint Health and Safety Committee, a Health and Safety representative, and the applicable police association.