

Codiac Regional Policing Authority

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Category: Human Resources Oversight
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Framework

Police Act

Under s. 1.1(1) of the *Police Act*, the Minister of Justice and Public Safety shall (a) promote the preservation of peace, the prevention of crime, the efficiency of police services and the development of effective policing, and (b) coordinate the work and efforts of police forces and the RCMP within the Province.

Section 1.1(2) of the *Act* provides that the Minister may provide to boards, councils, police forces, a regional policing authority and the RCMP:

(i) information and advice respecting the management and operation of police forces and the RCMP in handling special problems, and

(ii) such other information as the Minister considers to be of assistance.

Finally, Section 1.1 (3) provides that subject to the *Act* and regulations, the Minister may issue guidelines and directives to any police force within the Province for the attainment of the purposes in s. 1.1(1) above.

Governance Guidelines

In 2011, the Department of Public Safety issued the Police Governance and Oversight in New Brunswick Policy Guidelines (“Governance Guidelines”). These Guidelines apply to a regional policing authority, as well as to other models of police governance in use in New Brunswick. The Governance Guidelines deal extensively with the human resources-related issues that a governing board should address (see pp. 16-18 of the Guidelines).

Regional Police Services Agreement (RPSA)

The RPSA between the Codiac Regional Policing Authority (CRPA) and the Government of Canada has a number of articles that touch upon human resources-related matters, including:

1.1 (d) “Codiac Regional Police Service” or “Service” means the aggregate of

resources and Members utilized by Canada to provide policing services to the Codiac Region under an agreement with the Codiac Regional Policing Authority, but does not include...[specific services].”

1.1 (mm) “Support Staff” means all those individuals, other than Members, who are provided by the Codiac Regional Policing Authority in support of providing and maintaining the Codiac Regional Police Service including clerks, data processors, telecommunication operators, jail guards, janitors and analysts.

2.4 The Codiac Regional Policing Authority will provide, without any cost to Canada, all necessary Support Staff; such staff will meet the job and other related requirements as determined by the Commissioner.

2.5 If the Codiac Regional Policing Authority provides Support Staff to Canada in support of provincial or federal policing, Canada will pay the Codiac Regional Policing Authority a proportional share of the salaries for that part of the Support Staff that is so utilized.

2.6 If the Codiac Regional Policing Authority does not provide Support Staff required by subarticle 2.4, Canada may provide, upon reasonable notice to the Codiac Regional Policing Authority, resources in place of such Support Staff, and the Codiac Regional Policing Authority will pay 100 per cent of all the costs incurred by Canada to provide such resources.

5.1 Canada will increase the number of Members in the Codiac Regional Police Service as soon as practicable within one year from the receipt of a written request and confirmation of the corresponding financial commitment of the CEO [defined as the Chairperson].

5.2 Canada will decrease the number of Members as soon as practicable within one year from the receipt of a written request from the CEO [i.e. CRPA Chairperson] unless the Federal Minister gives written reasons to the CEO stating that the requested reduction would lower the level of resources below the level needed to deliver effective and efficient policing or to maintain public or officer safety.

6.2 The internal management of the Codiac Regional Police Service, including its administration and the determination and application of professional police standards and procedures, will remain under the control of Canada.

6.3 The CEO (i.e. CRPA Chairperson) will determine, in consultation with the Commissioner, the level of policing service to be provided by the Codiac Regional Police Service.

8.1 In each Fiscal Year, the Member in Charge will give to the CEO annual statements, and such additional statements as may be reasonably requested from time to time by the CEO, of the composition of the Codiac Regional Police

Service that show or include:

- a) A current organization chart of the Codiac Regional Police Service;
- b) The location and function of all Members and Support Staff who are not casual employees;
- c) The location and function of all casual employees and temporary employees;
- d) The number of vacancies which represent positions with no-one assigned to the positions;
- e) The number of vacancies in which the assigned individual is on a special leave and, where possible, including an indication of whether or not an additional individual has been assigned to backfill the position;
- f) The number of Members being deployed in surplus to the established strength;

and in each case an explanation of changes since the previous statement.

8.2 For the purposes of human resource planning for the next Fiscal Year, the Member in Charge will consult with and obtain approval, or approval in principle, from the CEO on or prior to June 1 of each year for the number of Members required to maintain the level of policing service provided by the Codiac Regional Police Service as determined by the CEO pursuant to subarticle 6.3.

8.3 The Member in Charge, upon receiving reasonable notice, will provide the CEO with any additional information, to the extent possible, relating to human resource and organizational planning of the Codiac Regional Police Service.

Additional Background

In 2015, the Supreme Court of Canada struck down a law that specifically forbade the Members of the RCMP from unionizing, saying it violated their Charter rights to freedom of association. In 2019, the National Police Federation was certified as the bargaining agent for RCMP Members. Collective bargaining is scheduled to commence in 2020.

There are approximately 80 City of Moncton employees (some of whom are unionized under collective agreements between the City of Moncton and their bargaining agent(s)) designated as Support Staff for the Codiac Regional Police Service (CRPS). They are managed by the Director – Strategic Planning and Police Support Services (SPPSS), also a City of Moncton employee, who is accountable directly to the Officer in Charge (OIC) of CPRS. These Support Staff positions are reflected in the annual CRPA Budget for which the OIC is ultimately accountable. There is no contractual agreement in place between the Codiac Regional Police Authority (CRPA) and the City of Moncton regarding the assignment of Support Staff to the CRPS.

The CRPA also pays an administrative fee equal to 3% of the CRPA's annual budget to the City of Moncton for administrative support services such as finance, human

resources, IT, legal, facilities management, etc. There is no contractual agreement in place between the CRPA and the City of Moncton regarding these administrative services.

Policy

The Codiac Regional Police Authority (CRP Authority) does not have any employees. It relies upon personnel employed by either the RCMP or the City of Moncton ('primary contractors') to carry out policing services on the CRP Authority's behalf. The Regional Police Services Agreement (RPSA) also provides that the CRP Authority cannot interfere with the internal administration of the RCMP.

The CRP Authority expects its two primary contractors to:

- Create a safe and positive workplace environment, and
- Develop a thoughtful and effective succession plan for positions that play a key role in supporting the CRP Authority's activities

(a) Roles and Responsibilities

(i) Officer in Charge (OIC)

Safe and Positive Workplace Environment

The OIC will provide the CRP Authority with regular reports on human resources-related indicators, including sick leave usage, overtime and the use of leaves generally.

The OIC will annually confirm in writing to the CRP Authority that the CRPS has policies and procedures (including internal audit procedures) in place in the areas of:

- Respectful workplace
- Outreach and diversity
- Workplace discrimination and harassment
- Official languages
- Salary and benefit administration
- Performance management
- Recognition of meritorious service, community service, long service and valor
- Absence management and support
- Discipline
- Health and safety (including workplace violence), and
- Collective agreement administration
- Employee complaints or grievances

The OIC will also include in this report his/her assessment of the effectiveness of and organizational compliance with the CRPS' policies and procedures, highlighting areas

where policy reviews may result in significant changes.

The OIC will annually report on the compliance/completion rate and other outcomes of the CRPS' performance review program.

The OIC will ensure that the Director – SPPSS meets the reporting requirements set out in this Policy.

Finally, the OIC will annually report on the state of labour relations within CRPS (where applicable), including the number and type of outstanding grievances, recent or upcoming arbitrations or collective bargaining.

Effective Succession Planning

To the extent possible without interfering with the RCMP's internal administration, CPRA would like the CRPS to develop leadership capacity within the organization. A robust and targeted executive succession plan is necessary to ensure the development of a pool of qualified leaders who are able to step into critically-important positions both in the short-term and on a permanent basis.

The OIC will identify 'critical' positions within the CRPS and will annually confirm to the CRP Authority who are the designated 'emergency' successors for all critical positions. In the same report, the OIC will also confirm any anticipated retirements or departures of employees in critical positions as well as the process that is in place to identify and develop potential successors for these positions.

(ii) Director – Strategic Planning and Police Services (SPPS)

The Director-SPPS will provide similar reports to the CRP Authority regarding the City of Moncton's policies, procedures, HR-related indicators, labour relations and succession.

(iii) The CRP Authority

The CRP Authority will oversee the human resources environment of contracted personnel by:

- Monitoring, through the OIC, reports regarding the use of sick leave or other leaves and overtime to ensure that excessive use does not indicate employment practices that are not conducive to workplace well-being
- Having a clear understanding of the 'mission-critical' positions for CRP Authority within the CRPS or City of Moncton and reviewing succession plans for these positions with the primary contractors at least annually
- Monitoring the human resources-related policies, programs, labour relations and succession planning of its contractors through annual reports regarding same
- Monitoring, through the OIC, reports of complaints and compliments

regarding the individual action of officers, civilian staff, and quality of service of the CRPS

- Monitoring the OIC's leadership effectiveness through the CRPS' progress against objectives, priorities and goals set by the CRP Authority

Where there is an indication that the leadership of the OIC does not meet the CRP Authority's expectations, the CRP Authority Chair and another representative of the Authority will meet with the OIC and the Commanding Officer of J Division to bring about the required changes. Such a consultation should be supported by ongoing documented examples of occasions when the OIC failed to act in accordance with the CRP Authority's expectations.

In accordance with s. 5.3 of the RPSA, in the event that the CRP Authority desires the removal of any particular member of the Regional Police Service, the CRP Authority must submit a written request, with reasons, to the Commanding Officer. The Commanding Officer will give the request full consideration. If the matter is not then resolved, the Commanding Officer shall refer the request to the RCMP Commissioner whose decision is final.

The CRP Authority will also participate in the selection and appointment of the OIC for the CRPS. For further information, see Policy G-301: CRP Authority-OIC Relationship.