

MINUTES OF THE PUBLIC MEETING of the Toronto Police Services Board held on **AUGUST 20, 2002** at 1:30 PM in the Auditorium, 40 College Street, Toronto, Ontario.

PRESENT:

Norman Gardner, Chairman
Gloria Lindsay Luby, Councillor & Vice Chair
A. Milliken Heisey, Q.C., Member
Frances Nunziata, Councillor & Member

ALSO PRESENT:

Julian Fantino, Chief of Police
Karl Druckman, Legal Services, City of Toronto
Deirdre Williams, Board Administrator

#P217. The Minutes of the meeting held on July 31, 2002 were approved.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON AUGUST 20, 2002**

#P218. OUTSTANDING REPORTS - PUBLIC

The Board was in receipt of the following report AUGUST 8, 2002 from Norman Gardner, Chairman.

Subject: OUTSTANDING REPORTS - PUBLIC

Recommendations:

It is recommended that:

- (1) the Board request the Chief of Police to provide the Board with the reasons for the delay in submitting each report requested from the Service and that he also provide new submission dates for each report.

Background:

At its meeting held on March 27, 2000 the Board agreed to review the list of outstanding reports on a monthly basis (Min. No. 113/00 refers). In accordance with that decision, I have attached the most recent list of outstanding public reports that were previously requested by the Board.

Chairman Gardner advised the Board that the report regarding the memorandum books was provided to the Board office following the preparation of the foregoing report and it will be considered at the September 26, 2002 meeting.

The Air Support Service Pilot Project report was also submitted and may be considered at the September meeting.

The Board received the foregoing report.

Reports that were expected for the August 20, 2002 meeting:

Board Reference	Issue - Pending Reports	Report Status	Recommendation Action Required
#P94/01 #P351/01	<p>Memorandum Books</p> <ul style="list-style-type: none"> • <u>Issues:</u> to review Revised Record Retention Schedule in light of the Adequacy Regulation, submit any amendments to the Board for approval • one outstanding issue: memo books 	<p>Report Due: July 31/02 Extension Reqs'd: Extension Granted: Revised Due Date: Status:.....outstanding</p>	Chief of Police
#P58/02	<p>Air Support Service Pilot Project</p> <ul style="list-style-type: none"> • <u>Issue:</u> review all options and recommend preferred option • identify performance indicators and recommend annual reporting structure • include comprehensive plan for optimal integration with other police operations, develop policies and protocol & training procedures • explore use of single helicopter with other GTA police services or whether a helicopter can be donated 	<p>Report Due: Aug. 20/02 Extension Reqs'd: Extension Granted: Revised Due Date: Status:.....outstanding</p>	Chief of Police

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON AUGUST 20, 2002**

#P219. 2002 ENVIRONMENTAL SCAN

The Board was in receipt of the following report JULY 25, 2002 from Julian Fantino, Chief of Police:

Subject: 2002 ENVIRONMENTAL SCAN

Recommendation:

It is recommended that: the Board receive the 2002 Environmental Scan.

Background:

The Environmental Scan provides a review of the external factors affecting the need for police services and the internal challenges affecting the Service's ability to respond. This document provides a framework for priority setting during the budget process and for strategic planning at all levels of the Service.

The 2002 Environmental Scan has been prepared as the result of an on-going process of analysis of internal and external trends by Corporate Planning, with regular feedback from Service units. In addition, an extensive consultation process took place during the preparation of the 2002 Environmental Scan. Input on current and future impacts on police service expectations and delivery was solicited through 19 consultations: 8 with representatives from a variety of public and private sector agencies (including government, schools, health care, banking, private security, transportation, academia, etc.) and members of the public in town hall meetings, and 11 with Service members, including front-line uniform and civilian personnel from all Commands and unit commanders. While the information received has been incorporated into the body of the Scan where possible, the presentation of each participant in the consultations has also been summarized in the Appendices. A special meeting was also held on April 10th, 2002, to get input from Board members.

As noted above, the Scan examines both external factors (such as changes in crime, demographic, economic, social, traffic, and urban trends, and technological changes – looking for new public safety problems and/or changing community needs or concerns) and internal factors (such as changing human resource, finance, and service delivery issues – looking for changes that might influence the need for and/or availability of police resources). At the beginning of each chapter, the 'Highlights' section outlines the main points covered within the chapter. At the end of each chapter, building on the strengths, weaknesses, opportunities, and challenges identified or forecast within the chapter, there is a list of implications or recommendations for police service. These implications provide a possible basis for Service action in the future.

In keeping with the Board's request on April 10th, 2002, outlined briefly below are a few of the issues examined and discussed in the 2002 Environmental Scan that have implications for the Service now and in coming years.

- In 2001, total non-traffic Criminal Code offences increased 2.8% over 2000. Increases were noted for all major offence categories, including a 4.0% increase for violent crime and a 2.1% increase for property crime. Similar increases were noted with regard to rates. The increase in violent crimes could generally be attributed to increases in robberies (though not of banks or financial institutions) and assaults. The increase in property crimes could generally be attributed to increases in frauds, break and enters of commercial establishments, and 'other' theft.
- This crime information, especially when taken together with information from other chapters, provides a possible focus for Service action. For example, with the above noted increase in assaults and robberies, examination of victimization rates (that is, controlling for population) showed that young people between 12 and 24 years of age were most likely to be victims of assault and most likely to be victims of robbery. These victimization rates showed increases between 2000 and 2001. Further, the rates of crimes occurring on school premises, as outlined in the Youth Crime chapter, showed an increase in robbery between 2000 and 2001. As one means of addressing the increasing violent crime rate, therefore, the Service might enhance or expand robbery prevention programs provided in partnership with City schools.
- Youth are the main focus in another area of increasing concern – the exploitation of children and young people, including child pornography. Technology has enabled child pornography to proliferate exponentially over the past decade and the internet has become a major distribution mechanism. There are no predictions that this growth will slow in coming years. Pedophiles currently being dealt with often have a high level of sophistication and are very computer literate. There is software technology available to scramble their tracks, and with the internet, geographic policing boundaries do not exist. One of the biggest challenges currently faced by the Service in these cases is the lack of resources: the lack of technological support to conduct forensic examinations on hard drives seized. The Service must ensure it has the necessary expertise and technology, as well as form the requisite partnerships with other policing agencies, to deal effectively with child exploitation.
- In addition, teenagers are the most 'wired' age group in Canada, and use chat rooms and e-mail extensively. Chat rooms are places to share elements of youth culture, as well as places to meet people, but are not without risk. Children and young adults often encounter profanity, deal with inquiries regarding personal information, and sometimes handle inappropriate advances made by adults, often masquerading as children themselves. To contribute to the safety of children within the City, the Service should either alone, or in partnership with other organizations, provide information to enhance public awareness of potential dangers related to internet use.

- The increasing societal use of technology has other implications as well. As noted earlier, the increase in property crime in 2001 was influenced by an increase in frauds. As consumers become more comfortable and adept with virtual shopping, it is expected that on-line frauds will increase further. Once again, it is important that the Service ensures it has the necessary expertise, technology, and organizational supports in place to deal effectively with on-line frauds. And again, given the lack of geographic restrictions on the commission of or victimization by on-line frauds, partnerships with other policing agencies are vital.
- The current increase in frauds may also be related to the slowly changing demographics within the City, that is, the ageing of the population. As noted in both the Demographics and Victimization chapters, as the population ages, it is expected that crimes targeting seniors will also increase. Accordingly, an increasing number of crime prevention programs should target the elderly and those crimes to which they most often fall victim, including fraud and elder abuse. Current domestic violence prevention programs must also recognize the potential for an increase in domestics involving older people, and be prepared to address needs specific to this group.
- The ageing of the population has implications for other aspects of police service delivery as well. As outlined in the Traffic chapter, more pedestrians were killed as a result of traffic collisions than drivers, passengers, or cyclists, and pedestrians over 65 years of age make up a large portion of the total number of pedestrians killed. With an increase in the number of older adults, the number of senior pedestrian fatalities could also increase. In addition, the increasing senior population will mean an increase in senior drivers. The Service alone or in partnership with other organizations should expand traffic safety programs that focus on issues specific to older adults as drivers and pedestrians.
- And finally, the ageing of the population will also have particular impacts on the Service. Given the forecast workforce availability – fewer young people within the general population means a smaller pool of potential applicants for Service members – the Service may face greater competition for recruits and skilled civilian personnel. Given the lack of hiring in the mid-1990s, the Service population has aged along with the general population. Staff development will be a serious issue in the next few years. As a large majority of senior and supervisory officers become eligible to retire and new officers are hired each year, the Service must develop and promote qualified personnel to fill supervisory and management positions as quickly as possible, to ensure that all officers, particularly new officers are given proper direction and supervision. An older, more experienced workforce will continue to bring challenges in terms of work satisfaction, promotional opportunities, physical capabilities and the requirements of work, and occupational health and safety. Job content, training and development, lateral and vertical mobility, attrition, and organizational structure will also be affected by the demographic profile of officers. The challenges the Service faces will be further complicated by the fact that the issues will apply to two very distinct groups of employees – young, inexperienced officers and older, more

experienced officers – who often require very different, and sometimes conflicting, solutions.

As noted previously, these are merely a few of the issues examined and discussed in the Environmental Scan document that may have an impact on the Service in coming years.

The Board is reminded that due to the long-term nature of many trends outlined in the Scan, a complete scan process is not carried out each year; a brief update of the major chapters is provided for years in which a full Scan is not produced. The next complete Environmental Scan will be produced in 2004, in preparation for the next business planning cycle.

At this time, the 2002 Environmental Scan is provided for the Board's information. It is recommended that the Board receive the 2002 Scan.

Mr. Frank Chen, Chief Administrative Officer, Corporate Support Command will be in attendance to answer any questions that may arise.

Chief Fantino and Ms. Kristine Kijewski, Director, Corporate Planning, were in attendance and presented details of the 2002 Environmental Scan to the Board.

Chief Fantino discussed the dramatic increase in the number of pedestrians who were killed as a result of traffic collisions and the emphasis the Service will continue to place upon traffic enforcement and traffic safety awareness initiatives.

The Board was also advised of the increase in the average time officers spent on property damage collisions and investigating allegations of domestic violence.

The Board received the foregoing report regarding the 2002 Environmental Scan.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON AUGUST 20, 2002**

**#P220. IMPLEMENTATION OF THE CITY AUDITOR'S
RECOMMENDATIONS PERTAINING TO THE PARKING
ENFORCEMENT UNIT**

The Board was in receipt of the following report JULY 26, 2002 from Julian Fantino, Chief of Police:

Subject: INFORMATION REQUESTED BY THE CITY OF TORONTO POLICY AND FINANCE COMMITTEE REGARDING THE INITIATIVES BEING UNDERTAKEN TO IMPLEMENT THE RECOMMENDATIONS OF THE CITY AUDITOR

Recommendation:

It is recommended that:

- (1) the Board receive this report for information; and
- (2) the Board forward this report to the City of Toronto Policy and Finance Committee for its meeting scheduled to be held on September 19, 2002.

Background:

The City of Toronto Audit Department conducted a review of the Parking Enforcement Unit in which 26 recommendations were made. A comprehensive response was submitted to the Board at its meeting of July 27, 2000 (Board Minute # 320/00). A further report was submitted to the Board on the status of the implementation of the City Audit recommendations at its meeting of February 22, 2001 (Board Minute#P41/2001).

The Policy and Finance Committee, at its meeting held on July 18, 2002:

- (2) requested that the Toronto Police Services Board request the Chief of Police submit a report to Council for its meeting scheduled to be held on July 30, 2002, if possible, or the Policy and Finance Committee for its meeting scheduled to be held on September 19, 2002, outlining the initiatives being undertaken to implement the recommendations of the City Auditor pertaining to efficiency improvements respecting parking enforcement.

Appended to this Board letter is the report entitled, 'Toronto Police Service Parking Enforcement Unit Response to the Recommendations of the City Auditor, July 2002 Update'. This report outlines the initiatives taken by the Parking Enforcement Unit pertaining to efficiency improvements (Appendix "B" refers). At their meeting on July 27, 2000 the Board also requested that all subsequent reports addressing this matter be accompanied by a one page summary (Board Minute # 320/00). The summary is appended to this Board letter as well (Appendix "A" refers).

It is recommended that the Board receive this report for information and forward this report to the City of Toronto Policy and Finance Committee for its meeting scheduled to be held on September 19, 2002.

Deputy Chief M. Boyd, Policing Support Command will be present at the Board meeting to address any questions.

Superintendent Douglas Reynolds, Parking Enforcement Unit, was in attendance and responded to questions by the Board about this report.

The Board discussed the Absenteeism Management Pilot Project and asked Supt. Reynolds whether he was familiar with the methods used by the City of Toronto to determine the absenteeism rates in City departments with similar environmental working conditions, such as, outside workers.

Supt. Reynolds advised that the issue of comparing parking enforcement absenteeism levels to those in other City departments was addressed by the City Auditor in Recommendation No. 17 in the City Audit 2000 Report of the Parking Enforcement Unit which was directed to the City's Executive Director, Human Resources. The City Auditor noted that there should be framework for reporting absenteeism and the development of appropriate definitions for the purpose of conducting meaningful comparisons among the various City departments, agencies, boards and commissions. Supt. Reynolds advised that he was not aware of a response by the City's Executive Director, Human Resources, to this recommendation.

The Board received the foregoing report and approved the following Motions:

- 1. THAT the Board forward a copy of this report to the City of Toronto Policy and Finance Committee for consideration at its September 19, 2002 meeting;**
- 2. THAT the Board request the Policy and Finance Committee to provide the Board with absenteeism rates of City departments with similar environmental working conditions to the Parking Enforcement Unit, such as, outside workers, an explanation on how those rates are determined and a copy of the City's attendance management program; and**
- 3. THAT the Board send correspondence to the City's Executive Director, Human Resources, containing a request for a copy of the response to Recommendation No. 17 in the City Audit 2000 Report of the Parking Enforcement Unit.**

APPENDIX "A"

TORONTO POLICE SERVICE PARKING ENFORCEMENT UNIT ONE PAGE REPORT

Subject: Response to the Audit of the T.P.S. Parking Enforcement Unit July 2002 - Update

Area of Responsibility:

Douglas Reynolds, Superintendent
Parking Enforcement Unit
Toronto Police Service

General Information/Highlights of the Original Audit Report:

The Parking Enforcement Unit of the Toronto Police Service is responsible for the enforcement of the City's parking by-laws to facilitate traffic and transit flow. The unit issues approximately 2.3 million parking tags, representing about 90 percent of the total tag issuance in the City and generating approximately \$43 million in revenue for the City. In 1994, the parking enforcement function, which previously operated from the various police divisions, was consolidated into one centralized unit.

Objective:

To respond to the review of the operations of the T.P.S., Parking Enforcement Unit, which was completed in accordance with the 1999 Audit Services Work Plan and as requested by the Budget Committee. This report was presented to the P.S.B. March 27th, 2000 (Bd. Min. # 116/00) and the Service response was submitted July 27th, 2000 (Bd. Min. # 320/00) at which time a six month status review was requested. The original audit made twenty-seven (27) recommendations with regard to improving the unit's operational effectiveness. Of these 27 recommendations, fifteen (15) were updated in December 2000 (Bd. Min. # P41/01) and fifteen (15) have been updated in this (July 2002) report.

Summary of Significant Updates effective July 2002:

- The Unit strength has been increased to 394 with personnel deployed to front-lines.
 - Potential new work sites identified and under study.
 - Shift re-balanced to focus on peak period times (i.e. rush-hour routes).
 - Supervisory accountability for platoon performance introduced.
 - Number of 'restricted duty' assignments limited and monitored regularly.
 - Private Parking by-law enacted regulating M.L.E.O. and towing activity.
 - Absenteeism management, pilot project developed with Lbr. Relations.
 - Hand-held automated units in 2003 capital budget.
-



TORONTO POLICE SERVICE

PARKING ENFORCEMENT UNIT

RESPONSE TO THE RECOMMENDATIONS OF THE CITY AUDITOR

JULY 2002 UPDATE



UNIT PURPOSE

- 1. Assist with the safe and orderly flow of traffic.**
- 2. Respond to the parking concerns of the community.**
- 3. Regulate parking.**
- 4. Provide operational support to the Toronto Police Service.**



INDEX

(STATUS UPDATED JULY 2002)

			Page #
Unit Purpose			2
Index			3
Recommendation # 1 (a)	Operating cost increase due to consolidation	No update from 06/30	5
Recommendation # 1 (b)	Validity of consolidation projection numbers	Productivity updated July 2002	7
Recommendation # 1 (c)	Initiatives to improve operations	Updated July 2002	8
Recommendation # 3	Progress of civilianization initiatives	No update from 06/30	15
Recommendation # 4	Review Admin. & Support functions	Updated July 2002	16
Recommendation # 5	Sufficiency of current staffing levels	Updated July 2002	18
Recommendation # 6	Redeployment of staff in non-peak times	Updated July 2002	19
Recommendation # 7	Split duties - service & enforcement duties	No update from 06/30	20
Recommendation # 8	PEN review supervisors' enforcement levels	Updated July 2002	21
Recommendation # 9	Necessity for PETs to parade at central location	No update from 06/30	22
Recommendation # 10	Current leases and future requirements	Updated July 2002	23
Recommendation # 11	Budget adjustment for FAF allotted space	Completed 2001	25

Recommendation # 12	Enhanced performance review process	Completed 2001	26
Recommendation # 13	Include ORQ withdrawals in non-processible rate	Not implemented	27
Recommendation # 14	PEN & City expedite draft of consolidated by-law	Updated July 2002	28
Recommendation # 15	Not PEN (CFO reports #'s to Admin. Comm)	No update from 06/30	28
Recommendation # 16	Absenteeism monitoring/reduction initiatives	Graphs Updated July 2002	29
Recommendation # 17	Not PEN - (City report on absenteeism)	No update from 06/30	32
Recommendation # 18, #19	PINs data to match City PTO data	Updated July 2002	32
Recommendation # 20	Ann. review of PEN contribution to Service budget	Completed in 2001	34
Recommendation # 21	Hand-Held units – paper processing by banks	Updated July 2002	36
Recommendation # 22	Hand-Held units – cost benefits	Updated July 2002	37
Recommendation # 23	PEN promote use of certified M.L.E. agencies	Completed 2001	37
Recommendation # 24	Private Property – finalize by-laws/roles	Completed 2001	39
Recommendation # 25	PEN to track M.L.E.O. non-processible tags	Updated July 2002	39
Recommendation # 26	Incorporate items in budget for 2001	No update from 06/30	40
Recommendation # 27	(Datelines for original response)	No update from 06/30	40
Timetable for Implementation			41

Recommendation # 1 (a)

- (1) *The Chief of Police report to the Policy and Finance Committee by September 30, 2000 on the results of the parking enforcement consolidation. The report should provide:*
(a) *a detailed analysis of the Parking Enforcement Unit's annual operating cost increase resulting from the consolidation;*

Responder: **PEN**
Implementation: **Information Only**
Response:

As **Table 1** indicates, Parking Enforcement expenditures increased significantly from 1993 to 1994.

There were two main reasons for the increase in cost from 1993 to 1994. First, when the consolidation took place in 1993 not all operational expenses were charged to Parking Enforcement. In 1994 the operational expenses, previously contained within the 17 Divisional budgets, were allocated directly to the Parking Enforcement Unit. Some examples of these are: Administrative Support; Supervisory Officers; Radio equipment; and building facilities.

Secondly, the full costs of 16 additional Parking Enforcement Officers hired in 1993 were not fully annualized until the 1994 budget year.

For these reasons, 1994 is a more realistic base year to use for budgetary comparisons.

As **Table 2** indicates, costs have risen only marginally since 1994, the first year in which the Parking Enforcement Operating Budget contained the full cost of operating the consolidated unit.

(Continued – next page)

Recommendation Response # 1 (a)

Table 1 **Summary of Material Changes – 1993 to 1994**

	(\$ 000)		(\$ 000)		(\$ 000)
	1993		1994		Change
Parking Enforcement Officers	9,209		10,303		1,094
Administrative support	139		591		452
Overtime	328		733		405
Fringe Benefits	1,819		2,354		535
Rent	0		386		386
Vehicles	0		452		452
Parking Indirect Costs	175		437		262

Table 2 **Parking Enforcement Budget & Actual Costs**

Year	Budget (\$ 000)	Actual (\$ 000)	Change in actual	% Change in actual
1993	15,542	13,473		
1994	20,349	17,381	3,908	29.0 %
1995	20,723	18,848	1,467	8.4 % *
1996	20,308	18,566	- 282	-1.5 %
1997	20,700	19,258	692	3.7 %
1998	20,700	19,687	429	2.2 %
1999	21,500	21,165	1,478	7.5 % **

* PIN's System Development

** First year without significant staff gapping.

Recommendation # 1 (b)

- 1) *The Chief of Police report to the Policy and Finance Committee by September 30, 2000 on the results of the parking enforcement consolidation. The report should provide:*
(b) a comparison of the Parking Enforcement Unit's actual results with the projected financial and operational benefits included in the report, which recommended the consolidation;

Responder: PEN
Implementation: Information Only
Response:

Consolidation

At consolidation, projections were made that 2.9 million tags could be written by a Parking Enforcement Unit comprised of 671 members. This figure would represent a "unit production rate" of 4322 tags per staff member.

1999

For the year 1999, a total staff of 341 produced 2.3 million tags, a unit production rate of 6745 tags per staff member, or 156% of the pre-consolidation estimate.

2000

The unit goal for the year 2000 is 2.5 million tags that will be produced by a total staff of 344. Assuming this goal will be attained, the Unit production rate will be 7267 tags per staff member. This figure will be equal to 168% of the pre-consolidation projections.

JULY 2002 UPDATE:

2001

The Unit tag productivity achievement for 2001 was 2.46 million tags produced by a total staff of 344.

2002

The Unit goal for 2002 is 2.63 million with a total staff of 395. This number includes the staggered hiring of 48 PETs over the year. The annualized effect of the additional 48 PETs is projected to result in the issuance of 2.8 million tags.

Recommendation 1 (c)

- 1) *The Chief of Police report to the Policy and Finance Committee by September 30, 2000 on the results of the parking enforcement consolidation. The report should provide:*
(c) any initiatives planned by the Parking Enforcement Unit to improve its operations and thereby reduce the annual cost of enforcement and optimise revenue to the City.

Responder: PEN
Implementation: On-going
Response: Agree in part

The cost of operating Parking Enforcement was studied but it was determined that simply reducing the cost will not necessarily optimize revenue, however, positive changes have been, and are still being made, in several areas, to improve performance.

Performance standards have been introduced at both the Parking Enforcement Officer level and the first line Supervisor level in order to enhance production and thereby optimize revenue to the City. Quality control factors have been included in the evaluation process of officers and supervisors. An increase of \$880,000 was attained in 1999.

The creation of uniform by-laws across the city will greatly reduce the number and frequency of errors caused by mismatched street locations and offence codes. The adoption of hand-held automated ticketing units is currently under study. This will further reduce the non-processable rate in several categories and all but eliminate it in some.

See – Recommendations # 14, #18, # 21.

JULY 2002 UPDATE:

Attendance Enhancement Pilot Project is to commence in the 4th quarter of 2002 following Unit and supervisor-specific training. An on-going initiatives with Medical Advisory Services (MAS) commenced in March 2002 and has resulted in the re-deployment of five 'inside duty' restricted personnel to front-line enforcement duties. A 22% decrease in the number of 'restricted inside-duty' people in this short period. In addition, a "Restricted Duty Assignment Protocol" has been developed so that MAS will be able to match a member's restriction with specific modified enforcement duties.

Recommendation # 2

(2) *the Chief of Police review the current organisational structure of the Parking Enforcement Unit with a view to eliminating at least one level of management and the associated positions, reassess the number of area supervisors required, and report to the Policy and Finance Committee by September 30, 2000;*

Responder: PEN
Implementation: Review completed – Implementation third quarter of 2000
Response: Agree in part

A review of the supervisory structure within Parking Enforcement was conducted. This review brought into focus several problems. Some reporting lines, duties, and areas of responsibility were found to be overlapping or inefficient. As a clear reporting structure is needed to fully implement the new Performance Standards system, a new organizational structure is being proposed.

This new organizational structure (Chart # 1 Parking Enforcement) recognizes the three main functions carried out by members of the Parking Enforcement Unit: Enforcement, Community Liaison, and Support.

This new structure provides for: Clear, direct reporting relationships similar to those of the police service.

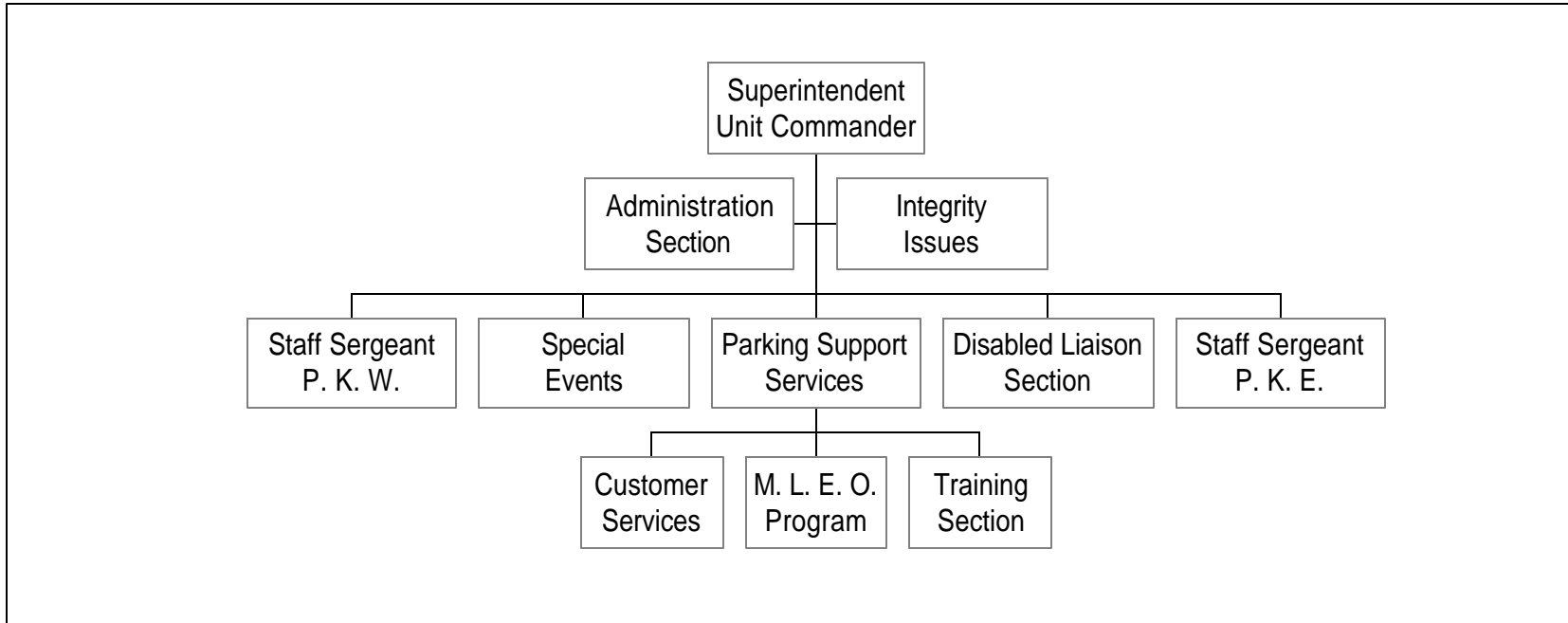
Comprehensible role and function definitions;
Optimal day-to-day control of unit operations;
Enhanced community input/involvement.

Under the proposed structure, the Support Functions will remain as they have been in the past. The major change is in structure of the two sub-units. Both units are to be re-organized to allow for a clear division of authority and responsibility along job function lines. The dual roles performed by Parking Enforcement East and West are; Enforcement and Community Liaison. For this reason, the new enforcement-unit structure is designed around this reality.

(Continued – next page)

CHART 1

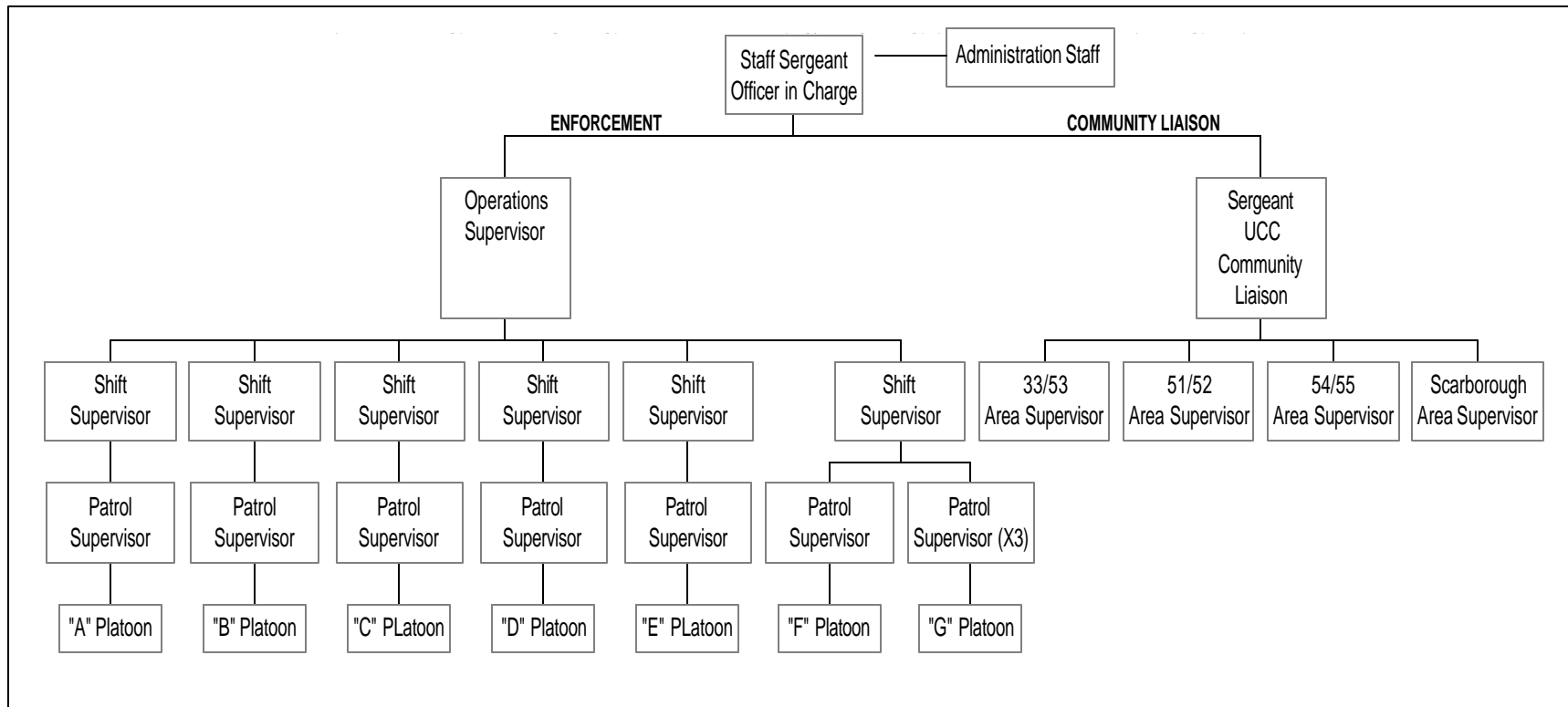
PARKING ENFORCEMENT UNIT ORGANIZATIONAL CHART



(Continued - next page)

As the two enforcement-units are similar but not the same, the organizational structure (Chart #2 Parking Enforcement East, and Chart #3 Parking Enforcement West) takes into account these variations. Parking West has 122 members and Parking East has 178 members. Furthermore, Parking East assumes administrative responsibility for parking operations within the city when the Operations Centre at Parking West closes at 7 p.m. on weekdays and during week-ends. Chart #4 – Changes to Supervisory Staffing set out the net changes required to implement the new organizational structure. Follow this chart is an over view of the duties assigned to each supervisory position.

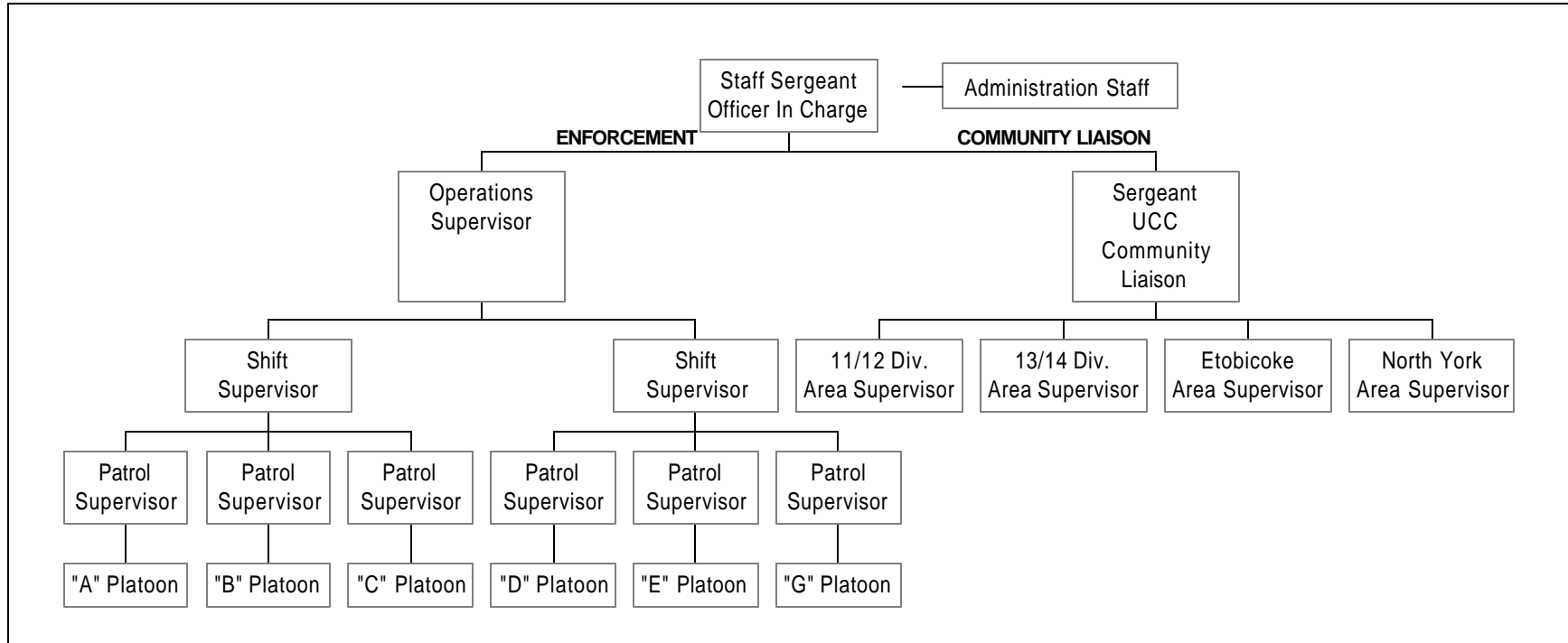
CHART 2
PARKING ENFORCEMENT EAST ORGANIZATIONAL CHART



(Continued – next page)

CHART 3

PARKING ENFORCEMENT WEST ORGANIZATIONAL CHART



Continued – next page

CHART 4

CHANGES TO PARKING ENFORCEMENT OFFICER C SUPERVISORY STAFF

<u>Unit “C” Supervisory Positions</u>	<u>Current</u>	<u>Proposed</u>	<u>Change</u>
Operations Supervisors (new)	0	2	+ 2
Shift Supervisors (PES-8/40)	11	8	- 3
Area Supervisors (PES-8/40)	0	9	+ 9
<u>Patrol Supervisors (SPE-6/40)</u>	19	16	- 3
Total Unit “C” supervisors	30	35	+ 5

Operations Supervisor

Operations Supervisor (new class) to oversee daily operational and performance issues (one per site). This position is currently staffed by a Shift Supervisor (PES) and should be re-designated as a new classification. This position is required to evaluate Shift Supervisors, Area Supervisors, and Patrol Supervisors. This position (currently) oversees all operational issues within each site.

Shift Supervisor

Shift Supervisors, (PES) similar to police Staff Sergeants, will supervise day to day operations, and perform administrative tasks, which had previously curtailed the supervisors’ patrol time. The Shift Supervisors will provide input for the work performance evaluation of both platoon members (PETs) and Patrol Supervisors (SPEs).

(Continued – next page)

Recommendation # 2

Area Supervisor (Community Liaison)

Parking Enforcement will expand and enhance the present Community Liaison Function. “Area Supervisors” (Same class as PES) will be assigned to an area defined by established geo-political boundaries. These supervisors will interact with political leaders and executive assistants, community and school leaders within their respective areas to ensure the needs of the Community are met. They will be also be responsible for monitoring and reporting enforcement activity levels within their assigned areas.

Patrol Supervisor

“Patrol Supervisors”, (SPE) analogous to police patrol Sergeants, will supervise and evaluate members deployed to enforcement duties. This enhanced level of supervision will better ensure adherence to standards, policies and procedures. More time available for patrol will enable Patrol Supervisors to provide one-on-one guidance and provide the oversight required to ensure member conduct is according to established policy and best practices. By their presence on the road, these supervisors will expose themselves to improved opportunities for direct enforcement activity, for which performance levels have been established.

Communication with Police Service

Parking Enforcement officers on patrol will continue to attend police divisions within their areas and maintain a dialogue with local police divisions. Parking Enforcement personnel will continue to assist the Service with local crime prevention and public safety programs. E.g., sweeps of industrial areas for abandoned vehicles. This new structure will allow the unit to better manage performance and conduct while providing improved service to the community.

DEC 2000 UPDATE: Position of Operations Supervisor –Vacancy posted in Nov. Selection process in Dec.; Positions of Area, Shift, and Patrol Supervisors will be filled subject to 2001 Budget approval. For changes in ranking and number of positions – See Chart # 4 (updated).

JULY 2002 UPDATE:

Re-organization completed in June of 2001 with all Area and Shift Supervisor positions filled.

Recommendation #3

(3) *The Chief of Police report to the Policy and Finance Committee by September 30, 2000 on the progress of the civilianization of the Parking Enforcement Unit; and*

Responder: PEN
Implementation: Information Only
Response:

In February 1999, a uniform Staff Sergeant position was civilianized; a Section Administrator (Class 10) was appointed for overall management of the support programs in Parking Support Services.

In February 1999, the Chief of Police recommended to the Board that the remaining five (5) uniform positions within Parking Enforcement be retained. The Board approved the retention of these uniform positions. Board. Minute 105/99 refers.

The five- (5) remaining positions are:

One (1) Superintendent – Unit Commander

Two (2) Staff Sergeants - Officer in Charge; one per enforcement unit.

Two (2) Sergeants – One per site to function as Co-ordinator for Unit Complaints (the Unit receives 2500 complaints per year), Community Liaison and Special Events.

To make the most productive use of uniform members, it is important those members of the management team commit themselves to a term of several (3 – 5) years with the Unit. This commitment of time is required to become sufficiently acquainted with operational and personnel issues so that unit productivity continues to increase and prescribed goals and objectives are consistently achieved.

By deploying uniform staff from the Police Service, Parking Enforcement is provided with a management team with skills to match the current needs of the Unit. Uniform members, drawn from the Service, have the management, planning, training, enforcement and investigative background required to effectively guide both the unit and Service toward their respective goals and objectives, while adhering to the Mission Statements of both. The current management team is exceeding the prescribed goals in productivity, quality control, and accountability.

Recommendation #4

- (4) *the Chief of Police review the administrative and support functions in the Parking Enforcement Unit with a view to rationalising these services by re-deploying parking enforcement officers to direct enforcement duties and eliminating certain functions that could be more cost-effectively provided by the Toronto Police Service or the City and report to the Policy and Finance Committee by September 30, 2000;*

Responder: PEN
Implementation: On Going
Response: Agree in Part

All administrative and support functions have been reviewed and changes made:

One graphics position was re-deployed to the Service;

One Clerk 5, Unit Commander's secretary, was re-assigned to provide support to both the Training and Disabled Liaison Units.

The assignment of PETs to non-enforcement duties is required to ensure smooth operation of programs and provide for staff development opportunities as follows:

Training	4 PET
Contract Services	3 PET
Customer Services	2 PET
<u>Disabled Liaison Unit</u>	<u>2 PET</u>
PETs assigned to Admin. /Support	11 PET

In addition, the unit is required to accommodate members whom, as a result of physical / medical restriction, are unable to be deployed to full-time enforcement duties. All of these members are reassigned to modified work to the duration and extent of their capabilities. Such accommodations are made external to the Unit, under the aegis of the Medical Advisory Services. On average the total number of "Frontline Enforcement Officers" accommodated due to Medical Restrictions is 13 PETs.

(Continued – next page)

Recommendation #4

With an established strength of 309, Unit “C” “Parking Enforcement Officers” (279 PET+19 SPE +11PES)¹ the percentage of officers deployed to front line duties is 89%² (274/309). However, when the “Parking Enforcement Officers” (13) being accommodated for “Medical Resections” are removed the percentage of officers assigned to enforcement related duties is 92 % (285/309).

While, it is acknowledged that the Service has a responsibility to ensure that as many “Parking Enforcement Officers” are deployed to front-line enforcement duties, it must also be recognized that there is a need to ensure the administration and support functions operate properly. For this reason, it is believed that a 92% deployment rate provides a good balance between the deployment of front-line personnel and the need for experienced Parking Enforcement Officers in support functions. This balance allows the Unit to fulfil all of the terms of its mandate.

JULY 2002 UPDATE:

The Parking Enforcement Unit has established a “Restricted Duty Assignment Protocol” to monitor the number of members who may be assigned to inside duties. The limiting of these positions will, as far as is possible, ensure early and proper deployment to front-line duties as members become able. This initiative, with the assistance of Medical Advisory Services (MAS), commenced in March 2002 and has resulted in the re-deployment of five ‘inside duty’ restricted personnel to front-line enforcement duties. A 22% decrease in the number of ‘restricted inside-duty’ people in this short period. In addition, a “Restricted Duty Assignment Protocol” has been developed so that MAS will be able to match a members restriction with specific modified enforcement duties.

A Physical Demands Assessment (PDA) is being conducted in conjunction with Occupational Health Services to ensure that members are appropriately accommodated when they are unable to carry out their full duties.

¹ PET = Parking Enforcement Officer, SPE = Senior Parking Enforcement Officer, PES = Parking Enforcement Supervisor

² 11 PSE +11 Admin/Supp’t PET’s + 13 Medical Restricted PETs = 35

Recommendation # 5

(5) the Chief of Police report to the Policy and Finance Committee by September 30, 2000 on whether the current number of parking enforcement officers are sufficient to meet the enforcement requirements in the City, and the costs and benefits of any proposed changes in the unit's establishment, including the effect on total tag issuance;

Responder: PEN
Implementation: Subject to Board and budget approval.
Response: Recommend increase in strength

The current strength of the Parking Enforcement Unit is insufficient to meet all the enforcement needs and expectations of the city. This is attributable, in part, to the fact that during periods of leave, long and short term illness, training, or lieu time off, the number of personnel assigned directly to front line enforcement duties, is insufficient to meet all of the current needs. One solution is the provision of a relief factor of 17%, to make up for the fluctuation in deployable front line enforcement personnel.

This relief factor allows for: 10% on annual leave;

**4 % short-term illness;
1 % long-term sickness;
1 % Injured on duty (I. O. D.) and
1 % due to lieu time repayment (T.O.).**

Total relief factor - 17 %

An increase in front line personnel of 48 PETs would provide optimal coverage in all areas of responsibility and contribute an additional 0.48 million tags or \$ 10.5 million in revenue without any corresponding increase in supervision or administration costs.

The increase in salary and benefits would be approximately \$ 2.4 million, for a potential net increase in revenue of \$ 8.1 million. All of these personnel would be PET's and, after a brief training period, directly deployed to enforcement duties.

The Unit's two current sites and resources are capable of supporting these additional personnel.

Authorized PET Strength	279
Increase due to an 17% 'relief' factor	<u>48</u>
Recommended PET strength	<u>327</u>

DEC 2000 UPDATE: Increase in strength recommended – pending 2001 Operating Budget approval.

JULY 2002 UPDATE:

Increase in Unit strength to 395 completed in year 2002.

Recommendation #6

- (6) *the Parking Enforcement Unit review the level of enforcement activity during off-peak periods with a view to reducing the number of officers assigned during these periods and re-deploying the officers to other times when there is greater demand for enforcement;*

Responder: PEN
Implementation: On-going
Response: Agree in Part

Current deployment provides optimal coverage during weekday rush-hour periods through the deployment of ‘F’ and ‘G’ platoons. Recognizing the need for some flexibility, staffing during peak daytime periods is supplemented by members who are unable to work the midnight relief. These officers, referred to as ‘fall-back’ officers, work with either the day (at the West site) or afternoon shift (at the East site) while their platoon is on ‘nights’, and rejoin their platoon as it cycles back to the day shift. Parking Enforcement East is considering the impact of increasing the number of off-hour personnel to be so re-deployed. If the review determines that the impacts are positive, the programme it will commence in September, after the summer annual leave period.

The CWW platoons provide response to calls for service on a 7 day, 24 hour basis, providing balanced enforcement and responding to parking complaints. One platoon is always working the night shift without the benefit of an ‘over-lapping’ shift, therefore, this off-peak period has fewer total officers working. This shift is solely responsible for calls for service and enforcement of overnight parking provisions. (On Street Permits) At Parking Enforcement West the midnight relief, including some callback officers, consistently produces 20% or more of the total tags written on weekdays and weekends.

Special events and unforeseen demands are addressed by offering over-time in the form of ‘call-backs’. This callback system is a Unit managed initiative in response to the need for short-term, extra personnel where and when needed. These ‘projects’ have generated positive results for the Unit, Service, and the Community.

DEC 2000 UPDATE: Planned increase in strength on “F” and “G” (Rush Hour) Platoons, is conditional on staff increase requested and budget approval. After consideration, an increase in the redeployment of ‘off-hour’ personnel to day shift was decided against because of the negative impact on community service response times.

JULY 2002 UPDATE:

The additional 48 hires (2002) deployed directly to front line to provide sufficient service levels on both ‘rush-hour’ and rotating platoons.

“F” and “G” Day shift increased as follows: 6 to 10 and 36 to 43 respectively, for a +26% increase in total.

Recommendation #7

- (7) *the Parking Enforcement Unit consider assigning certain officers in each platoon with the responsibility of handling service calls and complaints, on a rotating basis, and having the remaining officers dedicated to tag issuance;*

Responder: PEN
Implementation: Information Only
Response: Agree in Part

The current assignment of Parking Enforcement officers to full service duties is required for efficient delivery of service to the community. Familiarity with localised issues and complaints allows for full-service response in a fair and balanced manner.

Some splitting of enforcement vs. radio call duties already takes place during rush-hour periods. “G” Platoon provides extra ‘downtown core’ enforcement in 14, 51, 52, 53 and 55 Divisions Monday to Friday from 0630 hours to 2100 hours. During these hours, “G” Platoon provides two members whose sole responsibility it is to respond to radio calls for service within 52 Division, which has been shown to be the division with the highest number of radio calls during this period. When these two officers are not available, other members of “G” Platoon handle radio calls.

Assumption of full responsibilities within a specific work area is the basis of the new performance evaluation system; allowing for comparison with those other PET’s with similar responsibilities in the same work area.

Recommendation #8

- (8) the Parking Enforcement Unit review the level of tag issuance by platoon supervisors and confirm the platoon supervisors' responsibilities in this regard;

Responder: PEN
Implementation: First quarter of 2001
Response: Agree

Tag issuance standards have been communicated to supervisors and an evaluation system is currently under development. The Evaluation System for supervisory staff will include two measurements. It will be evaluate individual performance in relation to set performance levels and, more importantly, it will evaluate the supervisors in relation to whether or not their platoons are meeting the performance levels. This system will be put in place following a year-end assessment of the work performance review process and completion of the following supervisory training sessions.

Year 2000 Supervisory Training:

Jan. / Feb.	Training Needs Assessment completed – needs identified/Interviewing & Counselling training completed
March	Acting Supervisors' training completed
May / June	Problem Solving, Ethics, Evaluations, Conducting meetings
September	Supervisory practices
November	Interviewing & Counselling follow-up and de-briefing sessions.

Additional supervisory training is provided through regular Service-sponsored (C.O. Bick) training programs.

The new supervisory structure envisioned for the unit (see Recommendation #2) will provide more time for on-street supervision and direct enforcement by supervisors and will place administrative tasks in the hands of the Shift Supervisors. Interviewing, counseling, and evaluation of front-line personnel, including the patrol supervisors, will take place every 35-day CWW cycle.

DEC 2000 UPDATE: Implementation - second quarter of 2001, subject to budget approval for new structure.

JULY 2002 UPDATE:

Supervisory training completed. Performance Review Process in place for PETs and Supervisors.

Recommendation #9

(9) *the Chief of Police review the requirement for parking enforcement officers to report to their respective office at the start of each shift, and report to the Policy and Finance Committee by September 30, 2000 on the need for this procedure and the costs and benefits of other alternatives.*

Responder: PEN
Implementation: Information Only
Response: Disagree

The 'parade' system of reporting for duty has been in place since the inception of modern day policing. This system of reporting for duty at a designated place and time in the presence of a supervisory officer, has many advantages:

- The daily routine inspection of officers ensures: they are in all respects fit for duty, with proper uniform and equipment .
- Timely exchange of information: Parking complaint files review, routine orders, Unit directives.
- Ad hoc training: training bulletins, updates, by-law, and policy revisions.
- Communications equipment issue: radios and pagers, supervisors' cellular telephones
- Vehicle assignment: including inspection and equipment checks
- Parking tags: tag issuance logs, drop-off requirements including those issues around the continuity of evidence.
- Equipment: regulations require that issued equipment be kept available at the workplace, clothing lockers
- Deployment: officers may also be moved to different areas when and as required.
- Special Events: officers may be briefed and assigned to Special Events; parades, strikes and community events.

Recommendation #10

- (10) *the Chief of Police, in consultation with the City's Executive Director, Facilities and Real Estate, assess and develop an action plan with respect to the office space requirements of the Parking Enforcement Unit and report to the Policy and Finance Committee by September 30, 2000 on the cost of terminating the current leases and the options available to the unit, including the costs and benefits of operating out of one location. The office space assessment should be completed in the context of the City's space rationalisation plan, taking into account the unit's operational requirements, optimal location and the estimated cost of other locations, including City-owned properties;*

Responder: PEN
Implementation: Information only.
Response: As indicated in the following sections.

Leases - Cancellation Costs

Parking Enforcement Headquarters, Parking Support Services, and Parking Enforcement East located at 1500 Don Mills Rd. 4th and 6th Floors. This lease expires June 30th, 2004. The landlord must be notified by November 2003 in order to renew this lease. Parking Enforcement West, located at 970 Lawrence Avenue West, 7th floor. This lease expires – December 31st, 2005. The landlord must be notified by mid-2003 to renew this lease. It is not beneficial to break these leases before their expiry dates, as there is no 'buy-out' clause. Parking Enforcement would be held responsible for satisfying the terms of the agreement.

One Site – Disagree with further centralization

The further centralization of the Unit into one location may result in cost savings in terms of rent, however, due to the size of the operation: 344 staff; 85 cars; 5 vans; 5 motorcycles; two dozen bicycles; the amount of space required may result in limited savings. Operating from one location will remove some officers farther from their areas resulting in increased travel and a loss of productivity.

West Site – Disagree with re-location

The current west site is ideally suited for enforcement activity in the west end of the city and is not excessive in its space consumption.

It is close enough to downtown to reduce travel time and yet has space for the parking and secure storage of service vehicles, including motorcycles and bicycles.

(Continued – next page)

Recommendation #10

East Site – Agree with re-location

The suitability of the east site should be re-evaluated, as the lease expiry grows closer. A site closer to downtown may be found within the former municipality of East York or other north / east downtown location. This will bring most enforcement officers much closer to their work areas and reduce travel time. Depending on the availability of office space and nearby parking space, some city owned property in the north / east area may be suitable and cost effective.

Several years ago the (TPS) Facilities Management recommended that police facilities were to be located in city owned properties. Both the Police Services Board and City Budget Committee approved this recommendation. The City of Toronto Facilities & Real Estate Department has been notified of the foregoing. Members of the Unit and Service will be working with the above department to make recommendations to the Police Services Board and Space Allocation Committee.

JULY 2002 UPDATE:

Potential sites identified as follows:

Parking Enforcement East – Former East York Municipal Offices located at Coxwell Avenue and Mortimer Avenue. Site to be shared with a new 54 Division police station;

Parking Enforcement West – since last update, the former TTC property on Lansdowne Avenue has been identified as a potential suitable site to be shared with a new 11 Division police station.

Recommendation #11

(11) *the Parking Enforcement Unit charge City Finance the annual rental cost of the First Appearance Facilities, and the 2000 budgets of both the Parking Enforcement Unit and Parking Tag Operations Unit of City Finance be adjusted accordingly;*

Responder: PEN
Implementation: 2001 Operational Budget
Response: Agree

Figures for the calculation of such a budgetary transfer have been estimated as follows:

Areas devoted exclusively to PTO First Appearance Facility within PEN leased space:

1500 DON MILLS ROAD

36,500 sq. ft. at an annual lease cost of \$ 256,000.

PTO/FAF PORTION:

4,350 Sq. Ft. @ \$7. /sq. ft. = \$ 30,450.

Less Training room (800 Sq. ft.) = 3,550 Sq. ft.

\$ 30,450. - \$ 5,600. = \$24,850 ++ annually.

970 LAWRENCE AVENUE WEST

11,000 sq. ft. at an annual lease cost of \$ 100,000.

PTO/FAF PORTION:

1,200 Sq. Ft. @ \$ 9. /sq. ft. = \$ 10,800.++ annually.

Amount that would have to be transferred to PTO budget to reflect actual costs: \$ 35,650. ++³

DEC 2000 UPDATE: Incorporated in the 2001 Operating Budget.

³ ++ This is the base lease amount and does not include property tax and maintenance escalations.

Recommendation #12

(12) *the Parking Enforcement Unit enhance the performance review process, currently being developed for implementation in 2000, to include other performance indicators and benchmarking with other comparable organisations, that would further assist in measuring the benefits and effectiveness of the unit;*

Responder: PEN
Implementation: Immediately
Response:

Other jurisdictions were canvassed to determine any additional potential areas of evaluation for persons employed in the enforcement of parking by-laws. While many jurisdictions have a less comprehensive evaluation system than that which has been created for use in Toronto, none of those organisations contacted had a system based on criteria not included in the Toronto system. In one case, due to union regulations, no employee evaluation systems is permitted and in others, parking enforcement is carried out as only one part of a larger by-law enforcement program.

Performance indicators selected for uses in the 'new' system are:

Total tag issuance; (quantity)
Processable rate; (quality)
Absenteeism; (attendance)
Complaints; (conduct), and
Patrol Hours (down-time).

This information is collected from daily log-sheets and verified through the Unit's primary management information system, PINS. Measurement of the above criteria will be compared against previously attained levels in these areas. The levels were decided upon with input from the management team, supervisors, and PET's. Representatives of the Toronto Police Association vetted these performance levels, as well. Proper implementation of this Performance Evaluation system will ensure the continued effectiveness of the Unit.

Recommendation #13

(13) *the Parking Enforcement Unit include the number of tags that are withdrawn upon officer request or replaced by another tag in calculating the non-processable rate, in order to better measure officer performance;*

Responder: PEN
Implementation: Third quarter 2000
Response: Disagree

ORQ

The use of the Officer Request for Cancellation (ORQ) is an efficient way of withdrawing a PIN when it is felt by the issuing officer that, had all the facts been known at the time, the PIN would not have been commenced. This process allows for some officer 'discretion' after the tag has been commenced. This process is preferable to having a member of the public appear at either a First Appearance Facility or in court unnecessarily. It is also an integrity issue. If the issuing officer does not believe the tag should have been written, then the continuation of the matter or the prosecution of the defendant in the courts cannot be supported. When the PINS system is updated, tags withdrawn by an ORQ will not form part of the officer's total.

Credit will only be given for properly completed tags. The Integrity issues officer tracks use of the ORQ forms.

Spoiled Tags – Replaced/Not Replaced

Officers replacing spoiled tags with another tag due to an error are working within the unit policy designed to stop poorly written tags from entering into the process. Only the properly issued 'replacement' tag will form part of the officer total. If an officer spoils a tag and does not replace it, then the policy has not been followed. This is tracked as 'non-processable - officer at fault'. However, the 'spoiled' tag will not form part of the officer or unit total.

To deny officers proper use of either the ORQ or 'spoiled tag' provisions is to punish them for working within established policy.

Recommendation #14

(14) *the Parking Enforcement Unit, in consultation with the appropriate City officials, expedite the drafting of a uniform by-law that consolidates all existing parking-related by-laws of the former area municipalities;*

Responder: PEN
Implementation: Third quarter of 2000.
Response: Agree

Parking Enforcement Unit is preparing a 'draft' of a consolidated by-law to submit to the City Solicitor in order to expedite this process.

DEC 2000 UPDATE: Board Report submitted November 23rd, 2000. Board minute # 488/00 refers.

JULY 2002 UPDATE:

Required to properly prepare for transition to hand-held ticketing devices. Costs included in 2003 Capital Budget request.

Recommendation #15

(15) *the City's Chief Financial Officer and Treasurer enhance the current quarterly parking tag report submitted to the Administration Committee to include information on the average number of parking enforcement officers deployed each month, average issuance per officer, non-processable rate (broken down between officer controllable and non-controllable) and the absenteeism rate for the Parking Enforcement Unit; and that the unit provide the necessary information to City Finance in this regard;*

Responder: Chief Financial Officer & Treasurer
Response: Information Only

This information is currently being collected by the Service and can be extracted on demand should Parking Tag Operations require it to formulate part of their report.

Recommendation # 16

(16) *the Parking Enforcement Unit establish an acceptable absenteeism rate and continue to monitor absenteeism in order to determine the effectiveness of the unit's absenteeism reduction initiatives and take any additional action required. In addition, the absenteeism rate should be compared periodically to other comparable organisations and jurisdictions;*

Responder: PEN
Implementation: Immediately
Response: Agree

The Parking Enforcement Unit has been reducing time lost in this area over the years (Graph 1 Parking Enforcement Unit Absenteeism-1996-1999). In 2000, a goal of 4% has been set for short term sick and all sickness is being tracked to identify possible patterns of abuse. Sickness is classified as short-term, long-term, (more than two months) and injured on duty (I.O.D.). This differentiation is necessary so that strategies may be developed for managing each type of absence. Control of absenteeism is reinforced through the evaluation/award system.

Sick monitoring is carried out as provided for in the various Collective Working Agreements. In addition, a Unit policy has been developed that provides for a 'caution letter' to be sent to members sick more than eight (8) times and whose chronic absenteeism, if continued, will place them in jeopardy of having salary withheld in accordance the established policy.

Consultation with Medical Advisory Services ensures that members return to meaningful work as soon as they are able.

1999 Summary - Graph 2 Parking Enforcement Unit Sick/IOD 1999 Monthly Profile

Short-term sick: 10.0 days/person/year (incl. Dep. Sick) Short-term sickness accounts for 4.5% of scheduled shifts missed.

Long-term sick: 2.5 days/person/year. This accounts for 1.2% of missed shifts. There exists little opportunity to control long term sickness. Strategies are in place to assist long-term 'light duty' personnel upgrade their skills in for reclassification or modified work.

Injured on Duty: 2.5 days/person/year. This accounts for 1.2% of missed shifts.

The overall absentee rate (incl. Short-term, long-term and I.O.D.) has declined steadily since 1996 as indicated below:

1996 - 8.5%, 1997 - 8.3%, 1998 - 7.5%, 1999 - 6.7%

DEC 2000 UPDATE: 2000 - 5.2 % (Projected +/- .1%)

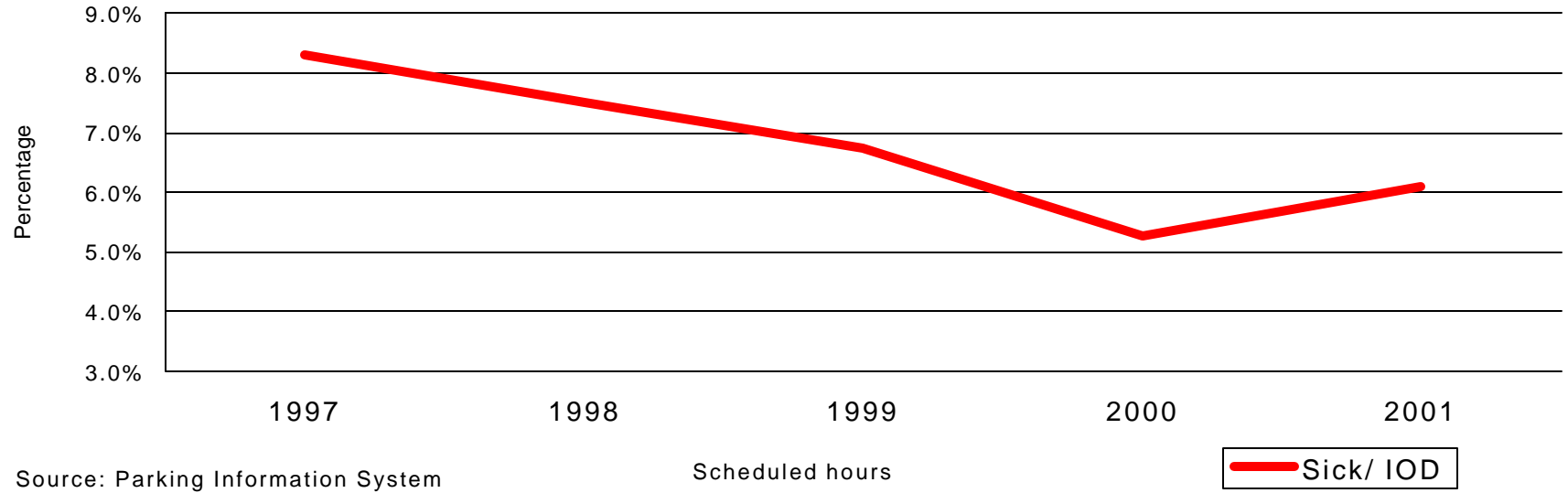
JULY 2002 UPDATE:

See updated GRAPHS 1 and 2.

Attendance Management Programme developed in conjunction with Labour Relations. "Attendance Enhancement Pilot Project" appended. Pilot project to commence 4thrd quarter 2002 following training. See Recommendations 1(c) and 4.

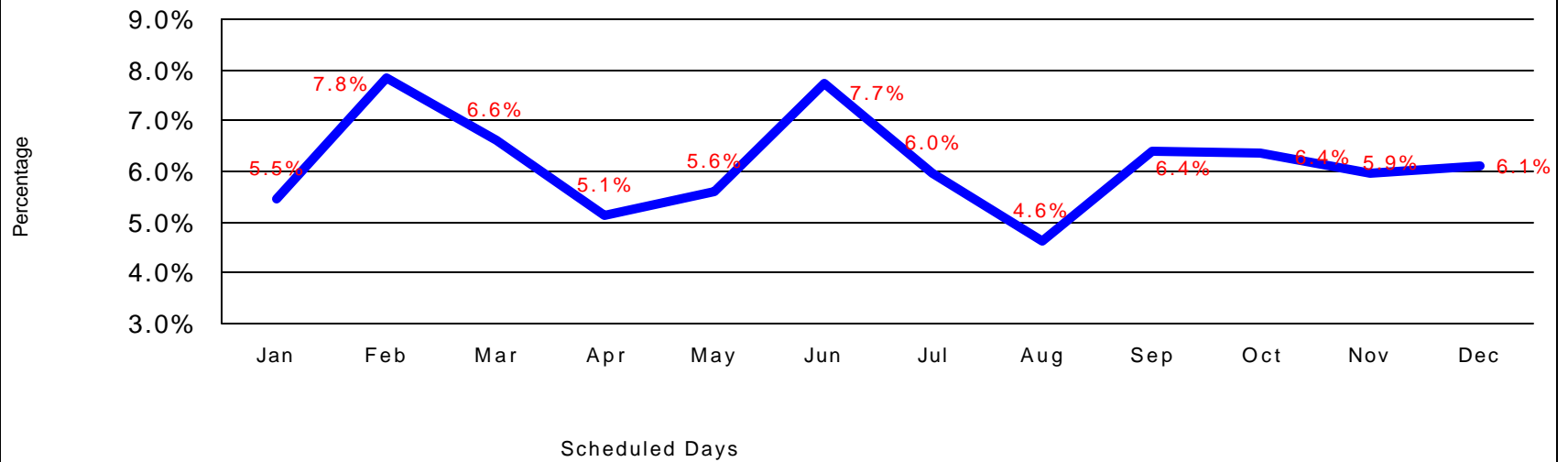
Recommendation # 16

**Graph 1: Parking Enforcement Unit Absenteeism
1997 - 2001**



Recommendation # 16

Graph 2: Year 2001 Absenteeism - Monthly Profile - Sick/IOD



Source: PINS

Recommendation #17

- (17) *the City's Executive Director, Human Resources, report to the Administration Committee by September 30, 2000 on a framework for reporting absenteeism across the corporation, which should include the development of appropriate definitions and reporting guidelines, to enable a meaningful comparison of absenteeism among the various departments, agencies, boards and commissions;*

Responder: City's Executive Director - Human Resources

Recommendation #18 and #19

- (18) *the Parking Enforcement Unit investigate the reasons for unmatched data between the City Parking Tag Management System and the Toronto Police Service Data Entry Control System and take appropriate action to ensure that the unit's Parking Information System contains a more accurate and complete record of parking tag information;*
- (19) *the Parking Enforcement Unit implement procedures to ensure that the parking tag information received from the City Parking Tag Management system is complete;*

Responder: PEN
Implementation: Immediately upon PINS update.
Response: Agree

Both of these recommendations are interrelated and for that reason will be dealt with as one recommendation. Based on a sample, the parking tag information received by the City is 98.3% complete.

Currently the Parking Information System (PINS) summarizes parking tag data based on the individual officer's hours of work extracted from the Data Edit and Control System (DECS). Reasons for unmatched data are as follows:

(Continued – next page)

- Officers not writing AM or PM on the tag, or incorrectly entering their hours of work on their daily log sheet. (Times must be in 24 hour clock format).

Corrective Action - Separate AM and PM boxes are being considered for next tag update to reduce errors.

- Flyleaf recording error. When a tag book is issued to an officer, the officer's number must be transcribed onto the flyleaf and entered into the PTO system along with the barcode information. The scanning of the flyleaf of a 25 tag book opens 25 files in the PTO system. There are no data entry checks within the flyleaf system. Some programming bugs have been discovered.

Corrective Action - A new flyleaf system is being designed as part of the next PINS update. This system will validate badge numbers before accepting entered information. Tag books are being personally issued by supervisors and station duty personnel. Members scanning flyleaves and entering badge numbers have been instructed to take care as one mistake can potentially negate 25 properly issued tags.

Three (3) reasons for differing information between the Parking Enforcement PINS system and City Parking Management System have been identified:

1. Illegible tag – where it is unable to be entered, and
2. Mandatory 'Date' field is not filled in. All tag information without an offence date is rejected during the transfer of data from the City system to PINS.

Corrective Action – Points 1. And 2: This is a training and evaluation issue.

“ Processability rate” is one criterion of officer performance evaluation.

3. Parking Tag Operations enters data incorrectly.

Corrective Action - Should be referred to Parking Tag Operations for review.

Hand-held units could resolve many of these errors. See Recommendation # 21.

JULY 2002 UPDATE:

Unit 'processable' rate as of June 2002 is 98.3% with 'individual officer standard' established at 97%.

New flyleaf process implemented to reduce errors and increase accountability for all tags issued to individual officers.

Recommendation #20

(20) *the Parking Enforcement Unit, in consultation with appropriate Toronto Police Service personnel, review the current overhead charges in detail and determine whether a more reasonable basis of allocation can be used to fairly reflect the actual costs of the services provided to the unit. Support for the basis of allocation should be documented in writing and reviewed annually, making appropriate changes as required;*

Responder: PEN
Implementation: 2001 Operational Budget
Response: Agree

The following Unit charges services directly to PEN:

Communications Services \$ 553,500.

In reviewing each of the “Indirect Charge Backs” it became apparent there would be no significant material gain in moving to a “Direct Charge Back” system. For this reason, each item was reviewed to identify a more relevant formula for setting “Indirect Charge Backs” than the previously set staffing ratio of 4.5%. However, at the completion of the study it was determined that the Relative Staffing Ratio method was appropriate in the following areas:

Budgeting & Control	\$ 524,600	4.5% = \$ 23,607.
Labour Relations	748,200	4.5% = 33,690.
Compensation & Benefits	655,600	4.5% = 29,502.
Occupation Health & Safety	997,000	4.5% = 44,865.
Employee Assistance Program	489,100	4.5% = 22,009.
<u>Legal Services</u>	<u>291,500</u>	<u>4.5% = 13,117.</u>
Sub Total		\$ 166,790.

However, the following units were identified as areas where a more relevant ratio may be developed. Using the present staff ratio (4.5%) the year 2000 cost estimates are as follows:

(Continued – next page)

Financial Management	\$ 1,710,700	4.5% = \$ 76,981.	
Fleet (excl. Marine)	6,316,000	4.5% = 284,220.	
Customer Service	2,621,600	4.5% = 117,972.	
Human Resources	4,012,500	4.5% = 180,562.	
Sub Total			\$669,735.

PEN contribution under current method of calculation \$ 1,390,000.

It is recommended that the following units, use the formulae set in the section, for estimating the “Indirect Charge Back” costs.

Financial Management

A formula based on the relative size of the respective budgets, PEN vs. TPS: $\$ 21,500(000) / \$524,720(000) = 4.1\%$
This would result in a decrease in PEN responsibility of: \$6,843. (\$76,981-\$70,138).

Fleet (Excl. Marine)

A formula based on the relative number of vehicles assigned, PEN vs. TPS: 85 PEN vehs. / 1460 TPS vehs. = 5.8%
This would result in an increase in PEN responsibility of \$ 82,108. (\$ 366,328 - \$ 284,220)

Human Resources

A formula based on the relative number of hirings, PEN vs. TPS: $45 \text{ PEN hires} / 373 \text{ TPS hires} = 12\%$
This would result in an increase in PEN responsibility of: \$ 300,938 (\$ 481,500 – 180,562)

Customer Services (ITS)

A new formula based on the number of workstations: $\text{PEN Wkstns} / \text{TPS Wkstns} = 96/3000 = 3.2 \%$
This would result in a decrease in PEN responsibility of: \$ 34,081 (\$ 117,972. - \$ 83,891.)

Pound Operations (a new “Indirect Charge Back”)

A new formula has been developed to reflect the costs associated with 80% of Pound Operations. This, alone, has resulted in an increase in PEN responsibility of: \$400,000.

These changes in the method of calculation would result in a NET INCREASE in PEN responsibility of: (+) \$ 742,122.
New PEN responsibility would then be: $(1,390,000. + 742,122.) = \$ 2,132,000.$

JULY 2002 UPDATE:
Addressed in 2001 Budget.

Recommendation #21

(21) *Parking Enforcement and City Parking Tag Operations staff meet with potential hand-held ticket issuing equipment suppliers to explore possible solutions that would enable the paper used by hand-held ticket issuing equipment to be processed through the banking system;*

Responder: PEN
Implementation: On-going study
Response: Agree

This issue has been and still is under study. Field trials have been conducted and a variety of hand-held units investigated. While all have their good points, none to date have met the **‘city imposed criterion’** of being processable by the banks. Parking Tag Operations must consider whether the benefits of the ‘bank payment option’ outweigh the efficiencies that may be gained from the hand-held units and the resulting benefits:

- Reducing non-processable and illegible tags;
- Error reduction;
- Data and by-law download/upload;
- Defective meter information transmitted;
- Employee productivity monitoring capability;
- Total data processing system;
- NIC processing contracted out.

Parking Tag Operations and Parking Enforcement are meeting with hand-held equipment suppliers, on a continuous basis, to resolve the paper problem.

See Recommendations # 18 and #19.

JULY 2002 UPDATE:

Parking Enforcement, in consultation with City Parking Tag Operations and Transportation, is moving to implement hand held ticketing equipment. The 2003 Capital Budget contains a request to fund hand-held ticketing equipment.

Recommendation #22

(22) *the Chief of Police, in consultation with the City's Chief Financial Officer and Treasurer, prepare a complete cost benefit analysis and identify any issues with respect to the use of hand-held ticket issuing equipment by parking enforcement officers, and report to the Policy and Finance Committee by September 30, 2000;*

Responder: PEN
Implementation: Upon solution to paper quality issue.
Response: Agree

Once the problem with the quality of paper is resolved, Parking Tag Operations and the Parking Enforcement Unit will undertake a joint feasibility study.

See Recommendations # 18, #19, and # 21.

DEC 2000 UPDATE: A committee involving members of both Parking Enforcement and Parking Tag Operations is continuing to study the potential benefits of hand-held ticketing systems. Specific issues under study are: the selection of a suitable hand-held unit; paper requirements for such units; 'back-end' processing of Parking Infraction Notices; possible negative financial impact of making changes to the payment methods allowable. In addition, there are legal issues involved in the use of hand-held units. i.e. electronic signatures.

JULY 2002 UPDATE:

The 2003 Capital Budget contains a request to fund hand-held ticketing equipment.

Recommendation #23

(23) *the Parking Enforcement Unit develop a strategy to promote the use of certified municipal law enforcement agencies by property owners and develop appropriate policies and procedures to monitor the performance of these agencies;*

Responder: PEN

Implementation: a) Upon approval of by-law. b) At Contract Services Information System (CINS) update.

Response: Agree

- a) A report is to go forward in June 2000 to the Police Services Board and if approved will be forwarded to the July 2000 meeting of the City Administration Committee outlining three proposals for private property by-law consolidation and program enhancements. The preferred option promotes the use of certified Municipal Law Enforcement Officers through licensed M. L. E. agencies.
- b) An enhanced Contract Services Information System (CINS) will provide the reports necessary to effectively monitor M.L.E.O. agencies and individual officers.

JULY 2002 UPDATE:

New By-law in effect Jan. 1, 2001.

Recommendation #24

(24) *the Parking Enforcement Unit expedite the finalisation of the by-laws with respect to unifying parking enforcement activities on private property and defining the role and responsibilities of the Chief of Police in the Municipal Law Enforcement Officer Program, so that these by-laws are submitted to City Council for approval by September 30, 2000;*

Responder: PEN
Implementation: Upon approval of by-law
Response: Agree

Roles and responsibility of the Chief of Police are to be defined by new “Private Property” By-law and “Appointment” By-law.

DEC 2000 UPDATE: City Council has approved the report for the consolidation of, and enhancements to, the private property by-law. The staff working group shall provide the actual by-law to Council for it’s January 2001 meeting. Board Minutes # 282/2000 and 364/2000 refer.

JULY 2002 UPDATE:

New By-law in effect Jan. 1, 2001.

Recommendation # 25

(25) *the Parking Enforcement Unit enhance the performance standards used by the unit to include the level of non-processable tags issued by municipal law enforcement officers;*

Responder: PEN
Implementation: Upon update of CINS
Response: Agree

Contract Services Information System (CINS) enhancement will track non-processable M.L.E.O. or C.C.O. tags. See Recommendation # 23

DEC 2000 UPDATE: PINS and CINS enhancements are currently in the final stages of development. This process should be completed by the end of December (2000) and ready for implementation in the second quarter of 2001.

JULY 2002 UPDATE:

CINS in place. Review of MLEO processible rate to commence Fall 2002, when staffing levels permit.

Recommendation #26

(26) *the Parking Enforcement Unit develop an implementation plan with specific timelines to address the recommendations contained in this report, such that the resulting budgetary adjustments are incorporated and considered in the 2001 budget;*

Responder: PEN
Implementation: Implementation time frames accompany each response.
Response: A summary of timelines follows recommendation # 27 in this report.

Recommendation # 27

(27) *this report be forwarded to the Toronto Police Services Board and that the board be requested to report back to the Policy and Finance Committee, by March 30, 2000, on its response to each of the recommendations contained in this report.*

Responder: PEN
Implementation: Implementation time frames accompany each response.
Response: Completed submitted to the Board March 27th, 2000; Board *Minute*. # 116/00.

(Original) Timetable for Implementation of Recommendations

“x” indicates items updated in (this) December 2000 report.

1. (a), (b) Information provided in this report.
- (c) On-going
- x 2. Review completed – Implementation 3rd quarter of 2000.
3. Information provided in this report.
4. All functions currently under review.
- x 5. Increase required - Subject to board and budget approval.
- x 6. On-going –as needed. Agree in part.
7. Agree in part – already being carried out and under review.
- x 8. Agree - Upon review of PET Performance Standards Review system.
9. Information only.
10. Requirements under review / no further centralization. / New sites to be evaluated in the future.
- x 11. PEN/PTO Budget amounts to be adjusted in 2001 budget year.
12. Immediately.
13. Disagree – though some changes to be made in 3rd quarter of 2000.
- x 14. Consolidated ‘draft’ by-law - 3rd quarter of 2000.
15. Not PEN response – C.F.O. & Treasurer - Information available through PINS.
- x 16. Immediately.
17. Not PEN response - Exec. Director of H.R.
- x 18.& 19. Upon PINS update – 3rd quarter 2000.
- x 20. New formulae suggested – subject to board approval.
- x 21. & 22. Currently under study.
- x 23. (a) By-laws and policies currently under review.
- (b) Upon completion of PINS enhancement (CINS) in 2000.
- x 24. Roles defined by new appointment by-law in 2000.
- x 25. See Recommendation 23(b), above.
- x 26. (this chart - updated November 2000)
- x 27. Received by the Board March 27th, 2000. (Bd. Min. #116/00).
Response submitted to the Board July 27th, 2000 (Bd. Min. # 320/00).



TORONTO POLICE SERVICE

PARKING ENFORCEMENT

ATTENDANCE

ENHANCEMENT

PILOT PROJECT

TORONTO POLICE – PARKING CONTROL

ATTENDANCE PHILOSOPHY

Toronto Police Service requires all MEMBERS to attend work regularly and on-time in order to provide the level of service that not only its external clients, but also its internal personnel expect and deserve. The contribution of each MEMBER is of paramount importance in meeting those standards, and absences from work make this goal increasingly difficult to attain. Regular attendance at work is an essential job requirement, however, the Toronto Police Service recognizes that there are times that circumstances beyond the MEMBERS' control can cause absence.

The Toronto Police Service takes a positive approach towards attendance management by instilling awareness, providing recognition, and offering coaching and counselling. The Toronto Police Service will provide a clean and safe work environment in order to prevent injuries due to mishap or illness from unclean or unsanitary conditions. ALL MEMBERS share in the responsibility of maintaining that safe workplace.

The Service's Procedure Manual and Collective Agreements provide for income protection for those MEMBERS who are legitimately unable to attend work due to illness or injury. In addition, where possible, the Toronto Police Service will assist in the rehabilitation process of MEMBERS who have medical or other problems affecting job performance and help those MEMBERS return to their duties in a meaningful and productive capacity by offering rehabilitative employment through modified work.

The responsibility for managing MEMBER attendance is vested within and is a priority duty of the immediate supervisor. ALL MEMBERS' attendance records must be periodically reviewed. Those MEMBERS demonstrating exemplary attendance are to receive recognition, while those MEMBERS who are identified as incurring excessive absenteeism are to be counselled under the Attendance Enhancement Process.

ATTENDANCE ENHANCEMENT PROGRAMME

1.0 PROGRAMME STATEMENT

THE OBJECTIVES OF THE PARKING ENFORCEMENT UNIT'S ATTENDANCE ENHANCEMENT PROGRAMME (AEP) ARE:

- 1.1 ENCOURAGE AND RECOGNIZE EXEMPLARY AND IMPROVED ATTENDANCE;
- 1.2 ASSIST MEMBERS IN IMPROVING ATTENDANCE THROUGH A VARIETY OF PROGRAMMES, SUCH AS THE EMPLOYEE AND FAMILY ASSISTANCE PROGRAM, THE INTER-FAITH CHAPLIANCY PROGRAM AND, MEDICAL ADVISORY SERVICES;
- 1.3 ENCOURAGE THE REDUCTION OF EXCESSIVE SICK LEAVE;
- 1.4 ACCOMMODATE MEMBERS WITH DISABILITIES AS DEFINED BY ONTARIO HUMAN RIGHTS LEGISLATION;
- 1.5 FOSTER MEMBER AWARENESS OF THE IMPORTANCE OF GOOD ATTENDANCE.

2.0 APPLICATION

- 2.1 THIS AEP SHALL APPLY TO ALL MEMBERS OF THE PARKING ENFORCEMENT UNIT AND IS DESIGNED TO ADDRESS INNOCENT ABSENTEEISM. CULPABLE ABSENTEEISM WILL CONTINUE TO BE ADDRESSED BY LABOUR RELATIONS AND MANAGEMENT. INNOCENT ABSENTEEISM, WHICH IS RELATED TO A HANDICAP AS DEFINED BY THE ONTARIO HUMAN RIGHTS CODE, WILL BE INVESTIGATED AND ASSESSED FOR POTENTIAL ACCOMMODATION REQUIREMENTS.
- 2.2 FOR THE PURPOSES OF THE AEP, THE FOLLOWING GUIDELINE SHALL BE USED AS THE TRIGGER POINT FOR BEING PLACED ON THE AEP. THE TRIGGER POINT WILL BE DETERMINED AS CONSTITUTING ABSENCES OF MORE THAN THREE MISSED SHIFTS IN ANY QUARTER, PER MEMBER. THE DEFINITION IS TO BE USED AS A GUIDELINE TO INITIATE THE PROGRAMME. WHERE DEPARTMENTAL STANDARDS HAVE BEEN APPLIED SUCCESSFULLY, THEY MAY CONTINUE TO BE USED. IT IS ESSENTIAL THAT STANDARDS BE APPLIED FAIRLY AND CONSISTENTLY ACROSS THE WORK UNIT. IT IS RECOGNIZED THAT THERE MAY BE MITIGATING CIRCUMSTANCES THAT MAY IMPACT THE DECISION TO PLACE A MEMBER ON THE AEP. EXAMPLES INCLUDE SITUATIONS WHERE A MEMBER WITH GENERALLY EXCELLENT ATTENDANCE IS ABSENT FOR FOUR DAYS IN ONE QUARTER DUE TO A SINGLE ILLNESS.

IN SUCH CASES, WHERE THE MEMBER IS NOT PLACED ON THE AEP, THE SUPERVISOR MUST BE ABLE TO DOCUMENT AND SUPPORT THE DECISION. IN THESE CASES IT IS ACCEPTABLE TO EXAMINE USAGE OVER A SIX-MONTH PERIOD OF TIME. SUPERVISORS ARE ALSO REMINDED THAT PATTERNS OF ABSENCE AND KEY DAY USAGE (MONDAYS OR FRIDAYS) ARE TO BE TAKEN INTO CONSIDERATION IN THE DETERMINATION OF EXCESSIVE ABSENTEEISM.

3.0 PURPOSE

- 3.1 TO PROVIDE A MECHANISM THROUGH WHICH MEMBER ABSENTEEISM CAN BE MANAGED IN A MANNER THAT ACKNOWLEDGES AND CREATES A BALANCE BETWEEN THE NEEDS OF THE PARKING ENFORCEMENT UNIT AND THE NEEDS OF INDIVIDUAL MEMBERS.

4.0 DEFINITIONS

- 4.1 INNOCENT ABSENTEEISM – ABSENCES THAT ARE OUTSIDE OF THE CONTROL OF THE MEMBER (E.G. LEGITIMATE PERSONAL ILLNESS) AND CAN BE SUBSTANTIATED, IF REQUIRED.
- 4.2 CULPABLE ABSENTEEISM – ABSENCES THAT ARE WITHOUT AN ACCEPTABLE REASON, UNSUBSTANTIATED, OR INSTANCES WHERE FALSE REASONS OR DOCUMENTS ARE PROVIDED FOR THE ABSENCE (E.G. USE OF IPP TAKEN OR REASONS OTHER THAN A MEMBER’S PERSONAL ILLNESS).
- 4.3 SICK LEAVE – CERTIFICATION BY A PHYSICIAN THAT A MEMBER WAS ABSENT FROM WORK ON SICK LEAVE BENEFITS, FOR A SPECIFIC MEDICAL REASON, FOR A SPECIFIC PERIOD OF TIME. PROVISION OF MEDICAL CERTIFICATES WILL BE REQUIRED AS STIPULATED IN THE RELEVANT COLLECTIVE AGREEMENT. ADDITIONAL REQUIREMENTS MAY BE REQUESTED IN SOME SITUATIONS. THESE REQUIREMENTS WILL BE COMMUNICATED CLEARLY TO THE MEMBER BY MEDICAL ADVISORY SERVICES, AT THE TIME OF THE REQUEST.

5.0 MEMBER RESPONSIBILITIES

- 5.1 IT IS EVERY MEMBER’S RESPONSIBILITY TO FULFIL THE DUTIES OF THEIR JOB AND REGULAR ATTENDANCE IS AN ESSENTIAL DUTY OF ANY JOB.
- 5.2 ALL MEMBERS MUST MAKE EVERY EFFORT TO ATTEND WORK ON A REGULAR BASIS, MAINTAIN HEALTH AND TAKE PRECAUTIONS AGAINST ILLNESS AND INFORM A SUPERVISOR OF ANY ABSENCE.
- 5.3 REPORTING IN ADVANCE ALL ABSENCES, THE CATEGORY OF THE ABSENCE AND THE ANTICIPATED TIME OF RETURN TO WORK TO A SUPERVISOR PRIOR TO THE START OF THE REGULAR WORKDAY, OR IN AN EMERGENCY SITUATION AS SOON AS POSSIBLE. MEMBERS MUST REGULARLY CALL THEIR SUPERVISOR TO UPDATE THEIR STATUS DURING A PROLONGED ABSENCE. MEMBERS MAY

EXPECT TO BE REGULARLY CONTACTED BY THEIR SUPERVISOR DURING THEIR ABSENCE.

- 5.4 PROVIDING ALL INFORMATION NECESSARY TO PROCESS AN APPLICATION FOR SICK LEAVE, I.E. MEDICAL CERTIFICATE, AS PER THE APPLICABLE COLLECTIVE AGREEMENT. INCOMPLETE MEDICAL CERTIFICATES MAY BE RETURNED TO THE MEMBER AND CERTIFICATION OF THE SICK LEAVE WILL BE DELAYED PENDING RECEIPT OF THE REQUIRED INFORMATION.
- 5.5 MEMBERS MUST MAINTAIN CONTACT WITH THEIR SUPERVISOR AND MEDICAL ADVISORY SERVICES AS REQUIRED, PROVIDE DOCUMENTATION AS REQUESTED, AND PARTICIPATE IN A MUTUALLY AGREED UPON RETURN TO WORK PROGRAMME, IF NECESSARY.
- 5.6 EXCESSIVE ABSENTEEISM DURING THE PROBATIONARY PERIOD MAY BE GROUNDS FOR TERMINATION OR FOR AN EXTENSION OF THE PROBATIONARY PERIOD DEPENDING ON THE CIRCUMSTANCES. LABOUR RELATIONS SHOULD BE CONTACTED FOR ASSISTANCE IN SUCH SITUATIONS.

6.0 MANAGEMENT RESPONSIBILITIES

- 6.1 IT IS THE SUPERVISOR'S RESPONSIBILITY TO MANAGE THE ABSENTEEISM OF THEIR MEMBERS BY MAINTAINING ATTENDANCE PROFILES ON ALL MEMBERS AND/OR REGULARLY OBTAINING AN ATTENDANCE PROFILE, WHERE AVAILABLE. SUPERVISORS ARE REQUIRED TO ANALYZE ATTENDANCE PROFILES TO DETERMINE ATTENDANCE MANAGEMENT ISSUES AND CASES REQUIRING ACTION, AND CONSISTENTLY ADDRESS THESE ISSUES WITH MEMBERS.
- 6.2 SUPERVISORS SHALL TREAT MEMBERS FAIRLY AND EQUITABLY, BE CONVERSANT IN THE AEP, MONITOR THE ATTENDANCE OF THEIR MEMBERS, COMMUNICATE DIRECTLY WITH THOSE MEMBERS DISPLAYING EXCESSIVE ABSENTEEISM, RECOGNIZE MEMBERS WHO HAVE EXCELLENT OR IMPROVED ATTENDANCE AND WORK WITHIN THE PROVISIONS OF THE RETURN TO WORK PROGRAMME TO FACILITATE MEMBERS' SUCCESSFUL REINTEGRATION TO THE WORK PLACE.
- 6.3 SUPERVISORS, IN CONJUNCTION WITH LABOUR RELATIONS, ARE RESPONSIBLE FOR MAKING DECISIONS AS TO THE COURSE OF ACTION TO BE TAKEN IN ADDRESSING EXCESSIVE ABSENTEEISM. SUPERVISORS ARE ALSO RESPONSIBLE FOR PREPARING ANY RELATED CORRESPONDENCE.
- 6.4 SUPERVISORS, IN CONJUNCTION WITH LABOUR RELATIONS, MUST BE AWARE OF THE NEED TO BALANCE THE INTERESTS OF THE UNIT WITH THOSE OF THE MEMBERS AND, WHERE NECESSARY, EXERCISE DISCRETION AND GOOD JUDGEMENT IN ADMINISTRATION OF THE PROGRAMME.

6.5 SUPERVISORS ARE RESPONSIBLE FOR MAINTAINING CONTACT WITH ABSENT MEMBERS. SUPERVISORS SHALL ADHERE TO 'HOME VISIT GUIDELINES' – APP. M.

7.0 HUMAN RESOURCES UNIT RESPONSIBILITIES

7.1 LABOUR RELATIONS ANALYST

7.1.1 PROVIDE ADVICE AND EXPERTISE TO SUPERVISORS CONCERNING MATTERS RELATED TO ATTENDANCE ENHANCEMENT AND HOW TO CARRY OUT STEPS IN PROGRAMME

7.2 MEDICAL ADVISORY SERVICES

7.2.1 IN CONSULTATION WITH LABOUR RELATIONS, PROMOTE A CONSISTENT APPLICATION OF THE AEP ACROSS THE UNIT.

7.2.2 IN CONJUNCTION WITH LABOUR RELATIONS, MEDICAL ADVISORY SERVICES WILL ACT AS AN INFORMATION/TRAINING RESOURCE AND PROVIDE ADVISORY AND PROFESSIONAL SERVICES WITH RESPECT TO THE IMPLEMENTATION AND MAINTENANCE OF THE AEP.

7.2.3 THE PROFESSIONAL SERVICES REFERRED TO ABOVE INCLUDE, BUT ARE NOT LIMITED TO: PROVIDING GUIDANCE AND TRAINING TO MANAGERS IN THE APPLICATION OF THE AEP AND PROCEDURES; RETURN TO WORK PROGRAMME DEVELOPMENT; MEMBER AND MANAGEMENT MEETING AND COMMUNICATIONS; FACILITATION; REFERRALS TO VARIOUS HEALTH PROFESSIONALS, AS REQUIRED; AND ASSESSMENT AND PROCUREMENT OF MEDICAL INFORMATION.

7.2.4 REGULARLY REVIEW THE PROGRAMME AND ADJUST THE STANDARDS OF ABSENCES AND PROGRAMME ELEMENTS AS REQUIRED.

8.0 UNIT COMMANDER RESPONSIBILITIES

8.1 THE UNIT COMMANDER IS RESPONSIBLE FOR ENSURING THE PROVISION OF A SAFE AND HEALTHY WORKING ENVIRONMENT TO ALL MEMBERS, SUPPORTING THE AEP AND ENSURING COMPLIANCE WITH ONTARIO HUMAN RIGHTS LEGISLATION, THE OCCUPATIONAL HEALTH AND SAFETY ACT, AND THE COLLECTIVE AGREEMENT.

9.0 REPORTING ABSENTEEISM

THE FOLLOWING PROCEDURE SHOULD BE ADMINISTERED IN A MANNER THAT BALANCES THE INTERESTS OF THE UNIT WITH THOSE OF THE INDIVIDUAL MEMBER.

- 9.1 IF A MEMBER CANNOT WORK, DUE TO ILLNESS OR ONJURY, THE MEMBER MUST CALL THE SUPERVISOR OR DESIGNATE.
- 9.2 THIS CONTACT MUST OCCUR PRIOR TO THE BEGINNING OF THE SHIFT, UNLESS THE MEMBER IS UNABLE TO DO SO. IN AREAS WHERE COVER-OFF IS REQUIRED, CONTACT SHOULD BE MADE AS EARLY AS POSSIBLE.
- 9.3 THIS CONTACT WILL PROVIDE GENERAL INFORMATION REGARDING THE REASON FOR THE ABSENCE AND THE ANTICIPATED LENGTH OF THE ABSENCE.
- 9.4 IF THE DURATION OF THE ABSENCE IS UNKNOWN, THE MEMBER MUST CONTACT A SUPERVISOR OR DESIGNATE ON A REGULAR BASIS. IF THE MEMBER KNOWS THEIR STATUS FOR THE NEXT DAY, THEN THIS INFORMATION MUST BE COMMUNICATED TO A SUPERVISOR OR DESIGNATE.
- 9.5 IF THE ABSENCE BECOMES EXTENDED, THE MEMBER MUST BE EXAMINED BY A MEDICAL PRACTITIONER AND MUST OBTAIN A SATISFACTORY MEDICAL CERTIFICATE. THE DURATION OF AN ABSENCE BEFORE A MEDICAL CERTIFICATE IS REQUIRED SHALL BE GOVERNED BY THE RESPECTIVE COLLECTIVE AGREEMENTS. CIRCUMSTANCES, UNIQUE TO A MEMBERS SITUATION, MAY HAVE TO BE TAKEN INTO CONSIDERATION.
- 9.6 THIS CERTIFICATE MUST BE PROVIDED TO MEDICAL ADVISORY SERVICES.
- 9.7 AT THE REQUEST OF MEDICAL ADVISORY SERVICES, A MEMBER MAY BE REQUIRED TO PROVIDE A SUPPLEMENTARY MEDICAL CERTIFICATE OR SUPPLEMENTARY INFORMATION TO THE INITIAL MEDICAL CERTIFICATE PRIOR TO RETURNING TO WORK.
- 9.8 ALL MEDICAL CERTIFICATES ARE PROVIDED AT THE MEMBER'S EXPENSE.

10.0 PROCEDURES: IMPROVING ATTENDANCE

THE FOLLOWING PROCEDURE IS OUTLINED IN APPENDIX B AND SHOULD BE ADMINISTERED IN A MANNER THAT BALANCES THE INTERESTS OF THE UNIT WITH THOSE OF THE INDIVIDUAL MEMBER.

- 10.1 IF A MEMBER EXHIBITS EXCESSIVE ABSENTEEISM (SEE SECTION 4.0), THE SUPERVISOR WILL CONDUCT STEP 1, WHEREBY THE SUPERVISOR AND MEMBER MEET TO REVIEW THE MEMBER'S ATTENDANCE RECORD AND OUTLINE THEIR EXPECTATIONS FOR FUTURE REGULAR ATTENDANCE. SUPPORT SERVICES ARE OFFERED TO MEMBERS SUCH AS MEDICAL ADVISORY SERVICES AND THE EMPLOYEE AND FAMILY ASSISTANCE PROGRAMME. IF DISCRETION IS USED TO DETERMINE PLACEMENT ON THE PROGRAMME, THE SUPERVISOR MUST DOCUMENT THIS DECISION. MEDICAL ADVISORY SERVICES, OR THE APPROPRIATE LABOUR RELATIONS ANALYST MAY BE CONTACTED TO ASSIST IN MAKING THIS DETERMINATION.

- 10.2 THE SUPERVISOR WILL DOCUMENT STEP 1, (APPENDIX C) AND GIVE COPY OF DOCUMENTATION TO THE MEMBER. IT IS IMPORTANT TO REMEMBER THAT ALL DOCUMENTATION SHOULD BE SENT OUT TO THE MEMBER AS SOON AS POSSIBLE AFTER EACH MEETING (SEE APPENDIX D FOR PRINCIPLES OF DOCUMENTATION). THIS WILL ENSURE THAT EVERYONE IS CLEAR ON WHAT WAS DISCUSSED AND WHAT IS EXPECTED OF EACH PARTY.
- 10.3 IF, IN THE NEXT QUARTER, THE MEMBER CONTINUES TO EXHIBIT EXCESSIVE ABSENTEEISM, THE SUPERVISOR WILL CONDUCT STEP 2, WHEREBY STEP 1 IS REPEATED AND THE SUPERVISOR MEETS WITH THE MEMBER TO DISCUSS THE NEGATIVE IMPACT OF THEIR ABSENTEEISM ON THE UNIT AND REFERS THE MEMBER TO MEDICAL ADVISORY SERVICES, BY COMPLETING THE REFERRAL FORM IN APPENDIX E, FOR FURTHER ASSISTANCE. ALTHOUGH THE MATTER IS NON—DISCIPLINARY IN NATURE, THE MEMBER WILL BE GIVEN THE OPTION OF CONTACTING AN ASSOCIATION REPRESENTATIVE.
- 10.4 THE SUPERVISOR WILL DOCUMENT STEP 2 AND GIVE A COPY TO THE MEMBER AND TO MEDICAL ADVISORY SERVICES (APPENDIX F). THE LETTER MUST ADVISE THE MEMBER THAT THEY HAVE BEEN REFERRED TO MEDICAL ADVISORY SERVICES FOR ASSISTANCE WITH THEIR ATTENDANCE.
- 10.5 IF A MEMBER CONTINUES TO EXHIBIT EXCESSIVE ABSENTEEISM, THE SUPERVISOR WILL CONDUCT STEP 3, WHEREBY STEP 2 IS REPEATED. THE SUPERVISOR MAY CONSULT WITH MEDICAL ADVISORY SERVICES AND LABOUR RELATIONS IF REQUIRED. THE SUPERVISOR MAY WISH TO INVOLVE THE UNIT COMMANDER. DURING THE MEETING, THE SUPERVISOR WILL:
- ASK THE MEMBER IF THERE IS ANYTHING THEY CAN DO TO ASSIST THEM, AND
 - ADVISE THE MEMBER THAT THEIR ATTENDANCE WILL CONTINUE TO BE MONITORED AND FOLLOW UP WILL OCCUR IF THERE IS NO IMPROVEMENT. AGAIN, THE MEMBER IS ADVISED THAT THEY MAY CONTACT AN ASSOCIATION REPRESENTATIVE.
- 10.6 THE SUPERVISOR MUST GIVE THE MEMBER THE “LETTER OF CONCERN” (APPENDIX G) OUTLINING THE DISCUSSION IN 10.5.
- 10.7 IF A MEMBER CONTINUES TO EXHIBIT EXCESSIVE ABSENTEEISM, THE SUPERVISOR WILL CONDUCT STEP 4, WHEREBY THE SUPERVISOR REPEATS STEP 3 AND ENCOURAGES THE MEMBER TO SEEK THE SERVICES OF MEDICAL ADVISORY SERVICES. AT THIS POINT THE SUPERVISOR MAY WISH TO NOTIFY THE UNIT COMMANDER.
- 10.8 THE SUPERVISOR MUST GIVE THE MEMBER THE “LETTER OF CONTINUING CONCERN” (APPENDIX H) OUTLINING WHAT WAS DISCUSSED IN 10.7.

- 10.9 IF A MEMBER CONTINUES TO EXHIBIT EXCESSIVE ABSENTEEISM, THE SUPERVISOR WILL CONDUCT STEP 5, WHEREBY THE SUPERVISOR REPEATS STEP 4. THE SUPERVISOR WILL ENSURE THAT THE UNIT COMMANDER OR DESIGNATE IS INVOLVED. THE MEMBER IS ADVISED THAT THEY MAY CONTACT AN ASSOCIATION REPRESENTATIVE.
- 10.10 THE SUPERVISOR MUST GIVE THE MEMBER THE “LETTER OF ADVANCED CONCERN” (APPENDIX I) OUTLINING WHAT WAS DISCUSSED IN 10.9.
- 10.11 IF A MEMBER CONTINUES TO EXHIBIT EXCESSIVE ABSENTEEISM, THE SUPERVISOR WILL MEET WITH MEMBER AND LABOUR RELATIONS/MEDICAL ADVISORY SERVICES (IF REQUIRED) WHEREBY A PLAN OF ACTION WILL BE DEVELOPED. IT MAY INCLUDE:
- A LETTER TO THE MEMBER’S PHYSICIAN;
 - FILE REVIEW BY OCCUPATIONAL HEALTH AND WELLNESS PHYSICIAN/INDEPENDENT MEDICAL EXAM (IME);
 - ASSESSMENT OF HANDICAP UNDER ONTARIO HUMAN RIGHTS LEGISLATION
 - OTHER OPTIONS AVAILABLE, I.E. MODIFIED/PART-TIME WORK.
- 10.11 THE SUPERVISOR, THE UNIT COMMANDER OR DESIGNATE, WITH THE MEMBER AND LABOUR RELATIONS PRESENT IF REQUIRED, WILL CONDUCT STEP 6. THE MEMBER IS ADVISED THAT THEY MAY CONTACT AN ASSOCIATION REPRESENTATIVE.
- 10.12 WHERE A MEMBER EXHIBITS EXCELLENT ATTENDANCE OR A MARKED IMPROVEMENT IN ATTENDANCE, THE SUPERVISOR MUST ACKNOWLEDGE THE MEMBER’S PERFORMANCE (SEE APPS. J, K, L AND REWARD CRITERIA – APP. O)
- 10.13 IF A MEMBER MAINTAINS TWO CONSECUTIVE QUARTERS OF ACCEPTABLE ATTENDANCE, THEN THE MEMBER WILL STAY AT THE STEP THAT S/HE WAS IMMEDIATELY PRIOR TO THOSE TWO CONSECUTIVE QUARTERS.
- 10.14 IF A MEMBER MAINTAINS FOUR CONSECUTIVE QUARTERS OF ACCEPTABLE ATTENDANCE, THEN S/HE WILL REVERT BACK TO ROUTINE MONITORING.
- 10.15 LETTERS 6 (APPENDIX J), AND 7 (APPENDIX K), AND 8 (APPENDIX L) RECOGNIZE ATTENDANCE ENHANCEMENT, EXCELLENT ATTENDANCE AND VERY GOOD ATTENDANCE, RESPECTIVELY.

11.0 PERFORMANCE MEASUREMENT

- 11.1 THE UNIT COMMANDER IS RESPONSIBLE FOR ENSURING THAT SUPERVISORS ARE ASSESSED ON THEIR PERFORMANCE WITH RESPECT TO CONSISTENT IMPLEMENTATION OF THE ATTENDANCE ENHANCEMENT PROGRAMME.

11.2 THE CRITERIA AGAINST WHICH PERFORMANCE WILL BE MEASURED SHALL INCLUDE, BUT ARE NOT LIMITED TO, THE PERCENTAGE RATIO OF SICK HOURS TO WORKED HOURS AND THE PERCENTAGE RATIO OF SICK DOLLARS SPENT TO PAYROLL DOLLARS PAID (DIRECT COSTS).

12.0 ACCOUNTABILITY

12.1 WHERE INTERVENTION IS NOT PURSUED BY THE SUPERVISOR IN REGARDS TO A MEMBER EXHIBITING EXCESSIVE ABSENTEEISM, THE SUPERVISOR MUST CLEARLY DOCUMENT ON WHAT DISCRETIONARY GROUNDS THIS COURSE OF ACTION HAS BEEN MADE.

2002 MEMBER ATTENDANCE RECORD

Attendance Record of: _____

Location: _____ Date: _____

Record all contacts regarding attendance

<u>Date</u>	<u>Code</u>	<u>Explanation</u>	<u>Supervisor</u>

STEPS TO MANAGING ABSENTEEISM

APPENDIX 'B'

MEMBER is identified as having an absenteeism problem.

STEP 1 (Letter 1, Appendix C)
 Supervisor to conduct non-disciplinary meeting with MEMBER to:

- i) review absenteeism record
- ii) express concern for MEMBER's health and offer support services
- iii) determine expectations of future regular attendance

(Letter 1 – document discussion and give copy to MEMBER)

Excessive absenteeism continues

STEP 2 (Letter 2, Appendix F)
 Supervisor to meet with MEMBER and go through i) to iii) in STEP 1 and in addition:

- iv) remind MEMBER of impact caused by absence
- v) refer MEMBER to MEDICAL ADVISORY SERVICES to determine reason for continued absence and to offer assistance

(Letter 2 – document discussion and give copy to MEMBER)

Excessive absenteeism continues

STEP 3 (Letter 3, Appendix G)
 Supervisor consults with Labour Relations and MAS. Supervisor to meet with MEMBER and go through i) to v) above. ALSO:

- vi) ask if there is anything that you can do to assist them
- vii) advise MEMBER that attendance will continue to be monitored and follow up will occur if there is no ENHANCEMENT.

(Letter 3 – document discussion and give copy to MEMBER, EFAP and Association rep – if applicable)

Excessive absenteeism continues

STEP 4 (Letter 4, Appendix H)
 Supervisor to repeat STEP 3 and encourage use of EFAP
(Letter 4 – copy to MAS and Association rep – if applicable)

Excessive absenteeism continues

STEP 5 (Letter 5, Appendix I)
 Supervisor & unit commander, or designate to repeat STEP 4
(Letter 5 – copy to MAS, Association rep and Labour Relations, if applicable)

Excessive absenteeism continues

STEP 6 (Letter drafted depending upon circumstances)
Supervisor and Unit Commander, or designate to review full record with MEMBER and Labour Relations and make a decision re: termination. Correspondence to be determined by Labour Relations depending upon outcome of consultation. Letter prepared

PLEASE NOTE
 At any time when a MEMBER's attendance improves, it is important to acknowledge the ENHANCEMENT.

Annual Recognition of Very Good and Excellent Attendance Records
(Letter 7-Appendix K or Letter 8-Appendix

LETTER SUMMARIZING FIRST MEETING

[Date]

Dear {MEMBER}:

This letter is to confirm our discussion on ____ (date) ____ and ____ (date) ____ regarding your attendance record.

I brought to your attention the number of absent days and/or incidents and advised you that these have reached a level of concern for the Unit. Your absence record from _____ to _____ is as follows:

- (mention concerns about 'patterns or key days such as Mondays/Fridays' when appropriate)

We reviewed the Unit's attendance expectations as well as the problems that may arise if your attendance does not improve. Your responsibilities require that the UNIT be able to rely on your regular attendance in order to provide a continuity of service.

{MEMBER's name}, the UNIT does not take issue with your reasons for absence and we are willing to provide you with reasonable assistance in order that you may maintain your regular attendance.

Please be assured that neither our discussion nor this letter is disciplinary. I will continue to monitor your attendance and will meet with you again in 3 months.

Yours truly,

{Manager's name}

{Title}

cc: MEMBER file
MEDICAL ADVISORY SERVICES
Association Representative (if required)

D

The following points are some basic principles to consider when conducting meetings related to absences and when documenting the meetings:

- ✓ **Concern** – make the MEMBER aware that their attendance is of concern
- ✓ **Expectations** – outline specific expectations e.g. reporting procedures may be reaffirmed or refined
- ✓ **Contribution** – assure the MEMBER that their contribution is of value to the operational area and outline effects on operations and the need for ENHANCEMENT.
- ✓ **Consequences** – clearly explain consequences and make the MEMBER fully aware that they are expected to improve their attendance and outline that if they do not, non-disciplinary termination could result.
- ✓ **Goals** – outline jointly established goals and schedule a follow-up time.
- ✓ **Medical documentation** – outline what medical documentation will be required for future absences.
- ✓ **Clarify** – attempt to clarify anything that the MEMBER may not understand and encourage the MEMBER to check with you if they have any questions.
- ✓ **Planned** – prepare what you will say for meeting with the MEMBER. Consult with LR if required.
- ✓ **Timely** – take notes during the meeting and set aside time immediately after discussions with the MEMBER to document what was discussed.
- ✓ **Assistance** – outline what assistance was offered to the MEMBER through a series of steps to help them improve their attendance and that they were asked if there was anything the supervisor should know about, that would affect their attendance. Write down activities they mention of individual circumstances.
- ✓ **Joint** – ensure that the MEMBER receives a copy of any formal documentation that you maintain.
- ✓ **Consider individual circumstances** – the sample memos have been provided to assist you. Please use them only as a guide. Each individual's situation and circumstance is unique and it is important to be able to see this in the documentation.
- ✓ **Comprehensive** – keep in mind that there are many areas of assistance available to them. The HR Unit can assist, MEDICAL ADVISORY SERVICES, Labour Relations, etc.
- ✓ **Positive** – when a MEMBER shows progress towards attendance goals, document the ENHANCEMENT, commend them and encourage them to continue.
- ✓ **Clearly non-disciplinary** – use those words in your memos or letters to emphasize that this is not progressive discipline. It is important to document that a series of non-disciplinary steps were taken to try to improve a MEMBER's attendance. Emphasis should be placed on the fact that discussions and meetings are warnings of excessive absenteeism.

REFERRAL TO MEDICAL ADVISORY SERVICES

MEMBER Name	MEMBER Number
--------------------	----------------------

Job Title	Dept.:	Branch:
------------------	---------------	----------------

Work Location	Telephone (H):	(W)	

Present Status: At work	Off work	Last worked	Expected back:

Date/How you made this MEMBER aware of this referral:			

Referral request:

Medical investigation - . **Specify action requested:**

<input type="checkbox"/> Referral for Occupational Health Nurse assessment in accordance with the Attendance ENHANCEMENT Programme.
<input type="checkbox"/> Referral to deal with a handicap management issue i.e. functional assessment, review of modified work recommendation, medical impairment affecting job, work site assessment: Specify your request:

What issues are occurring in the work place to necessitate a medical review?:

Actions taken by the supervisor to date to manage the problem:

History of medical absences for past 3 years (if relevant):

Divisional/Branch sick leave average last year: _____ (if applicable)
What information/action do you hope to receive from this referral?

REFERRING SUPERVISOR: _____ LOCAL _____
[Please print]

REVCIEVED BY MAS: _____ DATE: _____

LETTER SUMMARIZING SECOND MEETING

[Date]

Dear [MEMBER]:

Further to our meeting on _____, this letter is to confirm our discussion on _____ and _____ regarding your attendance record.

I brought to your attention the number of absent days and/or incidents and advised you that these have reached a level of concern for the Unit. Your absence record from _____ to _____ is as follows:

- (mention concerns about 'patterns or key days such as Mondays/Fridays' when appropriate)

We reviewed the Unit's attendance expectations as well as the problems that may arise if your attendance does not improve. Your responsibilities require that the Unit be able to rely on your regular attendance in order to provide a continuity of service.

As was stated to you in a previous meeting, the UNIT does not take issue with your reasons for absence and we are willing to provide you with reasonable assistance in order that you may maintain your regular attendance. I urge you to contact MEDICAL ADVISORY SERVICES, or the Employee and Family Assistance Programme, at _____ for appropriate guidance and assistance.

Please be assured that neither our discussion nor this letter is disciplinary. I will continue to monitor your attendance and will meet with you again in 3 months.

Yours truly,

[Manager's name]

[Title]

cc: MEMBER file
MEDICAL ADVISORY SERVICES
Association Representative (if required)

LETTER OF CONCERN

[Date]

Dear [MEMBER]:

Further to our meeting on _____, this letter is to confirm our discussion on _____ and _____ regarding your attendance record.

I brought to your attention the number of absent days and/or incidents and advised you that these have reached a level of concern for the Unit. Your absence record from _____ to _____ is as follows:

- (mention concerns about 'patterns, key day usage Monday/Friday' when appropriate)

We reviewed the Unit's attendance expectations as well as the problems caused by your absenteeism. Your responsibilities require that the Unit be able to rely on your regular attendance in order to provide a continuity of service.

[Member's name], the Unit does not take issue with your reasons for absence and we are willing to provide you with reasonable assistance in order that you may maintain your regular attendance. I urge you to contact MEDICAL ADVISORY SERVICES, at _____ for appropriate guidance and assistance.

Please be assured that neither our discussion nor this letter is disciplinary. I will continue to monitor your attendance and will meet with you again in 3 months.

Yours truly,

[Manager's name]

[Title]

cc: MEMBER file
MEDICAL ADVISORY SERVICES
Association Representative (if required)

LETTER OF CONTINUING CONCERN

[Date]

Dear [MEMBER]:

Further to my letter of _____ date _____, and our recent discussion on _____ date _____, regarding your attendance. I am confirming my ongoing concern about the number (and frequency, if applicable) of your absences. Your attendance record from _____ to _____ is as follows:

[List absent dates from date of LETTER 1 to date of recent discussion. Mention concern about 'patterns' when appropriate].

Your co-operation is required to improve your record as your absences create significant problems for the UNIT and put additional workload on other staff.

The UNIT does not take issue with the reasons for your absences and neither this letter nor our recent discussions are disciplinary. However, regular attendance is part of your employment contract and is required under our Attendance Enhancement Programme. I encourage you to take whatever steps are necessary to resolve your unsatisfactory attendance record. [Member's name], as you have been previously advised, the Unit is willing to provide you with reasonable assistance to help you attend work more regularly. I urge you to contact MEDICAL ADVISORY SERVICES for appropriate guidance and/or assistance.

If you are unable to demonstrate the ability to fulfil your employment contract by providing us with regular attendance, the Unit may have to reassess your employment status. I sincerely hope that these steps will not be necessary. I will continue to monitor your attendance and I will meet with you again in _____ month's time.

Yours truly,

[Manager's name]

[Title]

cc: MEMBER file
MEDICAL ADVISORY SERVICES
Association Representative (if required)

LETTER OF ADVANCED CONCERN

[Date]

Dear [MEMBER]:

This letter is to confirm our discussion on _____ regarding our continued concern with your lack of regular attendance.

During our meeting, I referred to our earlier discussions on _____ and _____ and my letters of _____ and _____. Your attendance has not improved significantly or (has deteriorated even further) since those meetings as you have been absent on the following occasions:

- (list dates; mention concern about 'patterns' when appropriate)

Your absences create significant problems for the Unit in its efforts to maintain a high level of service as well as creating additional workloads for other staff. Because of your continued unacceptable record you are required to meet with MEDICAL ADVISORY SERVICES. Please contact them at _____ within the next 5 days to book your appointment at a mutually agreeable time. You will be expected to discuss the detailed reasons for your absence in order that they can reasonable determine what you and/or the Unit can do to improve your attendance to a satisfactory level. This may include mandatory referral to our Employee and Family Assistance Program or a specialist in the field of your concern.

I will continue to monitor your attendance. This letter and our meeting are non-disciplinary. However, I regret that unless there is immediate and sustained Enhancement in your attendance, the Unit will have no choice but to consider releasing you from your employment.

I encourage you to discuss this situation with your physician(s) and ask him/her if there is anything you and/or the Unit can do to assist you in attending work more regularly. If your physician(s) would like to discuss the situation with us or make specific recommendations, he/she should contact MEDICAL ADVISORY SERVICES directly.

Please do not hesitate to speak with me or MEDICAL ADVISORY SERVICES if we can assist you in any way.

Yours truly,

[Manager's name]

[Title]

cc: MEMBER file
MEDICAL ADVISORY SERVICES
Association Representative (if required)

ATTENDANCE ENHANCEMENT LETTER

Provided to MEMBERS on the Programme who have good attendance (three days or less)

[Date]

Dear {MEMBER}:

On _____ I spoke to you regarding your attendance. At that time, I indicated that a significant enhancement in your attendance was expected.

Since our last meeting on _____, your attendance record has improved to _____ days and _____ incidents. At this time I would like to acknowledge both the enhancement in your attendance and the positive impact your attendance has had on the functioning of the department.

We will review your attendance again on _____. I hope to see this enhancement continue.

Yours truly,

[Manager's name]

[Title]

cc: MEMBER file
MEDICAL ADVISORY SERVICES
Association Representative (if required)

ANNUAL REVIEW (for all MEMBERS) LETTER
EXCELLENT ATTENDANCE – 0 (zero) absences

[Date]

Dear [MEMBER]:

Your attendance over the past twelve months has been excellent, and your contribution to maintaining high work standards to the Parking Enforcement Unit is much appreciated. Your hard work and achievements are not going unrecognized.

Your excellent attendance exemplifies the highest standard of Member commitment and has made an invaluable contribution to the quality of service provided by the Unit.

Congratulations and thank you for your excellent attendance.

Yours truly,

Chief J. Fantino

cc: MEMBER file

ANNUAL REVIEW (for all MEMBERS) LETTER
VERY GOOD ATTENDANCE (0 to 3 days)

[Date]

Dear [MEMBER]:

I am pleased to be able to write this letter acknowledge your near perfect attendance record for 200__.
You had only ____ days absent on Sick Leave.

Your reliability is very much recognized and appreciated. Best wishes for continued good health for many years to come.

Yours truly,

[Unit Commander]

[Title]

cc: MEMBER file

PARKING ENFORCEMENT ATTENDANCE MANAGEMENT

HOME VISIT GUIDELINES

The following guidelines are meant to ensure a reasonable and consistent approach to home visits. These guidelines and rationale have been provided by the Unit Commander of Occupational Health Services – Detective Sergeant Thomas Imrie.

Authorities: Parking Enforcement Unit - Policy and Procedure Manual

(Administrative Section 1-08)

Service Rule 6.5.0.

Service Proc. 08-02 – Sickness and injury reporting Sec. 1 & 3

Canadian Constitution

Collective agreement – Unit “C” –Article 11-13

Home visits shall occur during reasonable hours; typically between 0800hrs to 2000hrs. A phone call shall be made before the visit to advise the member of our attendance. If there is an answering machine, a message will be left advising that a supervisor will be attending the place of habitation. If there is no answer, then a home visit will ensue.

The purpose of the visit is to ensure wellness, not to commence a disciplinary investigation, however, should a supervisor observe evidence which suggests malingering or feigning illness, then a discipline investigation shall be commenced.

We cannot require employees to remain in their residence. A member may choose to go another place to seek a higher level of care. If they do choose to be someplace other than their residence, then this information must be communicated to a supervisor.

(Service Procedure 08-02, Sec.1&3).

Visits on the 4th day will continue for all employees. Those, whose pattern of absenteeism has become problematic, may be visited before such time.

(Service Rule 6.5.4.)

A member is not under any obligation to allow the supervisor into the residence.

(Constitution)

Should a member not be at his residence, the supervisor shall, upon reaching that member demand an explanation for such an absence. The supervisor must then consider any reasonable explanation before proceeding. If a member refuses to respond to such a request for an explanation, then a disciplinary investigation shall be commenced.

SUGGESTED ATTENDANCE INTERVIEW FORMAT

1. Start the interview by reviewing the employee's attendance record.
Have actual data on hand. It is hard to argue with facts. Often it will come as a surprise to the employee that s/he has taken so much time off. This is the employee's report card; make sure it is accurate and detailed.
2. Explain to the employee why attendance is important.
Absenteeism costs the Department/Corporation a great deal of down time, overtime, morale, etc. Fellow employees are often adversely affected since they have to pick up the slack. The employee may lose opportunities for promotion, as attendance at work is a consideration, and most importantly, may lose the respect of fellow workers. Describe what additional work (i.e. scheduling) and inconvenience it causes the department/unit.
3. Discuss how improved attendance is important to the section/unit.
Very often, employees are absent because they do not perceive themselves as being valuable to the section/unit or they do not perceive their jobs as being personally rewarding; so they take time off and rationalize that attendance is not all that important anyway.
Attendance is vital and more specifically, their attendance is critical because the section/unit/Service needs them to ensure that work is completed. Be specific about the importance of the employee's work contribution.
4. Ask if there is an underlying reason for their absence and offer assistance.
For example, does the employee have any problems away from work that may be contributing to their absenteeism, or is there a medical reason that the employer/supervisor may not be aware of.
5. Offer help to the employee in improving attendance at work.
If the employee states that no help is required, set attendance targets for the next three-month period. The onus is on the employee to improve.
If the employee asks for help, direct the employee to the appropriate service, i.e. Employee and Family Assistance, Medical Advisory Services, or speak with labour relations staff for additional assistance. Set attendance targets for the next three-month period and ensure these targets are followed up with the employee.
6. End the interview by setting an objective and agreeing on specific action. Restate your concern for improved attendance and the employee's well being.
7. Confirm the meeting and the pertinent details in a memo to the employee and ensure that the meeting is recorded according to Service and Unit procedures.
8. Follow-up with the employee as required.
9. If no improvement is seen, proceed with the process as indicated herein.

INTERNAL CORRESPONDENCE

TPS 649 1998/011



APPENDIX 'O'

TO: All Members and Supervisors FROM: Superintendent D. Reynolds
Parking Enforcement Unit Parking Enforcement
 _____ DATE: _____
 YYY/YY/YY

RE: Positive Attendance Reward Program

The Parking Enforcement Unit is embarking on a program to enhance attendance in the workplace. One component of a more comprehensive Unit strategy, is the creation of an awards program to recognize those members with a perfect attendance record over a one-year period.

Criteria for Award

Members having a perfect attendance record, that is those members with no lost time due to; sickness, I.O.D. or 'dependent' sick, during the 2002 (January to December) calendar year, will be eligible.

Members Selected for Award

Those meeting this standard will receive a positive letter (TPS 960) in their personnel files and, from this pool, a draw will be held to allot 8 hours lieu time to randomly selected members of the group as follows:

- PKE – 5 members to be awarded 8 hours.
- PKW – 3 members to be awarded 8 hours.
- PSS/PHQ – 2 members to be awarded 8 hours.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON AUGUST 20, 2002**

**#P221. 2002 OPERATING BUDGET VARIANCE FOR THE TORONTO POLICE
SERVICES BOARD AS AT JUNE 30, 2002**

The Board was in receipt of the following report JULY 31, 2002 from Norman Gardner, Chairman:

Subject: 2002 OPERATING BUDGET VARIANCE FOR THE TORONTO POLICE
SERVICES BOARD, AS AT JUNE 30, 2002

Recommendation:

It is recommended that:

- 1) the Board receive this report, and
- 2) the Board forward a copy of this report to the City Chief Financial Officer and Treasurer.

Background:

Toronto City Council, at its meeting of March 4 to 8, 2002, approved the 2002 Toronto Police Services Board Operating Budget at a net amount of \$1,291,000, an increase of 2.4% over the 2001 Net Operating Budget. The Council-approved budget provides sufficient funding to maintain current services.

2002 Operating Budget Variance

As at June 30, 2002, the Board is projecting a zero variance. This is unchanged from the variance reported for May.

STAFFING

The staffing budget for the Board office is \$726,900, or 56.3% of the total net budget. At this time, all positions are fully staffed, and no variance is anticipated.

The recent Association contract settlement has had a minimal impact on the Board office budget (less than \$5,000). When all outstanding salary settlements have been determined for 2002, a recommendation will be made to request a draw from the City's corporate contingency account to the Board office through an in-year budget adjustment.

NON-SALARY ACCOUNTS

The non-salary budget for the Board office is \$564,100. The majority of the Board's costs are related to arbitration and grievance hearings. No variance is anticipated in these accounts at this time.

The Board received the foregoing and agreed to forward a copy to the City of Toronto Chief Financial Officer and Treasurer for information.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON AUGUST 20, 2002**

**#P222. 2002 OPERATING BUDGET VARIANCE FOR THE TORONTO POLICE
SERVICE AS AT JUNE 30, 2002 AND REQUEST FOR IN-YEAR BUDGET
ADJUSTMENT**

The Board was in receipt of the following report AUGUST 2, 2002 from Julian Fantino, Chief of Police:

Subject: 2002 OPERATING BUDGET VARIANCE REPORT FOR THE TORONTO POLICE
SERVICE AS AT JUNE 30, 2002

Recommendation:

It is recommended that:

- (1) the Board receive this report;
- (2) the Board approve a request to Toronto City Council to provide for a draw of \$18.8 Million from the City's corporate contingency account to the Toronto Police Service through an in-year budget adjustment for the 2002-2004 Collective Agreement for Police Association members, with an equivalent increase to the 2002 adjusted base budget; and
- (3) the Board forward a copy of this report to the City Chief Financial Officer and Treasurer.

Background :

Toronto City Council, at its meeting of March 4 to 8, 2002, approved the Toronto Police Service (TPS) Operating Budget at a net amount of \$587.2 Million (M), an increase of 1.5% over the 2001 Net Operating Budget. The Council-approved budget provides sufficient funding to maintain current services. The budget also provides additional funding for the creation of an Anti-Gang Unit in the amount of \$0.7M as well as funding for costs related to the City taking over Provincial Offences Act courts. In addition to the approved budget, City Council also approved one-time funding for World Youth Days at a net amount of \$2.7M bringing the Service's total operating budget to \$589.9M.

2002 Operating Budget Variance

As at June 30, 2002, the Service is projecting a year-end surplus of \$0.3M. This surplus is \$0.2M less than that reported in the May 31, 2002 variance report. This does not include the impact of the salary settlement for 2002 which is discussed further below.

STAFFING

No variance is projected for net salaries to year-end (which is \$0.2M less favourable than last month). The Service continuously evaluates staffing data and the related impact on the Service's expenditures. It is currently projected that there will be a total of 400 uniform separations in 2002 compared to the original budget estimate of 322, and a revised estimate of 425 earlier this year, for a gross savings of

\$5.5M. This projection is \$0.2M lower than reported last month as separations have declined significantly in recent weeks. As at June 30, 2002 there were 237 separations compared to 252 at the same point in time last year. It is unclear at this point if this recent decline will impact the total separations figure. The Service is currently assessing the impact of the ratified collective agreement on year-end separation projections, as early indications point toward a further decline in separations. The Service will continue to evaluate data as it becomes available and any impact on separation figures will be reported in future variance and Human Resource strategy reports.

As identified in previous variance reports, the Service has embarked on in-year strategies to cope with the staffing shortfall caused by the increase in separations. These strategies include the increased use of overtime and callbacks, and the granting of fewer days off. In addition, the Service is attempting to increase the number of lateral entries through aggressive recruiting, incentives to attract and retain new hires (e.g. lieu time credits) and the hiring of part-time police officers. These actions result in a projected 2002 cost of \$4.9M (unchanged from last month). Details of separations and hiring along with staffing strategies were provided in the Human Resource Strategy report at the Board meeting of May 30, 2002 (Board Minute #P136 refers).

Moreover, the Service has incurred additional salary costs related to policing protests at the PC Convention and providing increased resources during the OPSEU strike. These events have added \$0.6M to the 2002 projected expenditures.

The net impact of the above on the staffing budget is a zero variance.

BENEFITS

A net benefit savings of \$0.3M is projected to year-end, also unchanged from last month. As a result of cost containment initiatives initiated during 2001, the Service has continued the favourable trend in medical and dental costs and is projecting a \$0.8M favourable variance for benefits. However, additional costs for WSIB in the amount of \$0.5M result in a net savings of \$0.3M.

ASSOCIATION COLLECTIVE AGREEMENT

The Board and Association have ratified the 2002 to 2004 collective agreement. The estimated net impact on 2002 expenditures is \$18.8M. This estimate does not include any impact of salary increases for Senior Officers, Command Officers or senior Excluded staff. The Service's 2002 Operating budget does not include any allowances for salary increases (this is consistent with the practice utilised in the past and supported by the City).

Normally, funding to offset the impact of a negotiated agreement is provided from the City's Corporate Contingency Account at the request of the Board. Preliminary discussions with City staff indicate that a provision has been made within the City's budget for salary increases. The Service's share of this provision is estimated to be \$14.6M. It is expected that the City will ask the Service to absorb the difference (\$4.2M). The Service's current year-end surplus, however, would not make this possible.

It is therefore recommended that the Board request Toronto City Council to provide a draw of \$18.8M from the City's corporate contingency account. Any year end surplus would be used to reduce the amount of the request from the Corporate Contingency Account.

The Service is currently in the process of preparing the 2003 operating budget. It is therefore recommended that the Board request Toronto City Council to approve an \$18.8M addition to the Toronto Police Service 2002 adjusted base budget, in order to ensure that the 2002 salary settlement pressure is accommodated.

An additional request will be made once wage increases for the Senior Officers, Command Officers and senior Excluded staff are known. The 2003 cost of any wage settlements (\$25.2M for the Association collective agreement) will be added as a base increase in the 2003 request.

SUMMARY

As at June 30, 2002 a favourable variance of \$0.3M is projected. The Service continues to monitor and control expenditures and is committed to delivering an effective and efficient policing operation within the approved funding level. It is therefore recommended that the June 30, 2002 Operating Budget Variance report be received and that the Board forward a copy of this report to the City Chief Financial Officer and Treasurer and that the Board request Toronto City Council for a draw of \$18.8M from the City's contingency account.

Mr. Frank Chen, Chief Administrative Officer, Corporate Support Command will be in attendance to answer any questions the Board may have.

The Board was also in receipt of correspondence, dated August 20, 2002, from Councillor David Soknacki, City of Toronto, and member of the City of Toronto Budget Advisory Committee, with regard to the foregoing variance report and request for in-year budget adjustment. A copy of Councillor Soknacki's correspondence is appended to this Minute.

Councillor Soknacki was in attendance and made a deputation to the Board. He requested the Board attempt to identify funding within the 2002 operating budget to absorb the \$4.2M difference between the \$14.6M the City of Toronto set aside in their Corporate Contingency Account for salary increases and the \$18.8M total impact of the negotiated 2002-2004 collective agreement.

- 1. THAT the deputation by Councillor Soknacki and his correspondence be received;**
- 1. THAT the foregoing report be approved and, in the interim, Chief Fantino be requested to provide a further report to the Board that includes options identifying any savings that could be achieved in regards to Councillor Soknacki's request to attempt to absorb the \$4.2M difference that may not be available through the City's Corporate Contingency Account. It was further requested that each of the options include the consequences that may occur if the Service was asked to implement the options in order to achieve the savings; and**
- 3. THAT, following consideration of the Chief's report noted in Motion No. 2, the Board forward a copy of that report to the Budget Advisory Committee.**



David Soknacki

Councillor Scarborough East
City Hall, 2nd Floor, Suite C52
100 Queen Street West
Toronto, Ontario M5H 2N2
Tel: 416-392-4008
Fax: 416-392-4006

Scarborough Civic Centre
150 Borough Drive
Toronto, Ontario M1P 4N7
Tel: 416-396-7222
Fax: 416-396-4286
councillor_soknacki@city.toronto.on.ca



August 20, 2002

By fax at 416 808-8082

Norman Gardner, Chairman
Toronto Police Services Board
40 College Street
Toronto, Ontario M5G 2J3

Dear Chairman Gardner:

Re: Request to Make a Deputation

I write this letter to request the opportunity to make a short deputation at the Police Services Board meeting of August 20, 2002 re Item No. 5: 2002 Budget Variance and Request for In-Year Budget Adjustment.

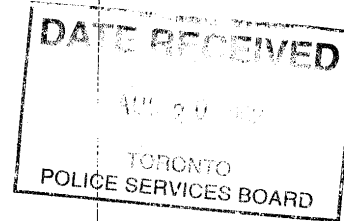
The reason for the deputation will be to ask the Police Services Board to first seek to find savings within the Police Service prior to approaching the City for an extra \$4.2 million in funding. Like a strong majority on Council, I support the need to offer remuneration at a level to hire and retain our police officers. However I believe that it would be appropriate for both the Police Service as well as the Toronto Police Association to show Council that they have found savings and gains to offset at least some of the increased costs prior to making this request.

Thank you for your consideration.

Yours truly,

David Soknacki, Councillor
Scarborough East

Cc: Councillor David Shiner



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON AUGUST 20, 2002**

**#P223. 2002 OPERATING BUDGET VARIANCE FOR THE TORONTO POLICE
PARKING ENFORCEMENT UNIT AS AT JUNE 30, 2002 AND REQUEST FOR
IN-YEAR BUDGET ADJUSTMENT**

The Board was in receipt of the following report AUGUST 6, 2002 from Julian Fantino, Chief of Police:

Subject: 2002 OPERATING BUDGET VARIANCE REPORT FOR THE TORONTO POLICE
PARKING ENFORCEMENT UNIT AS AT JUNE 30, 2002

Recommendation:

It is recommended that:

- (1) The Board receive this report;
- (2) the Board approve a request to Toronto City Council to provide for a draw of \$0.8 Million from the City's corporate contingency account to the Toronto Police Parking Enforcement Unit through an in-year budget adjustment for the 2002-2004 Collective Agreement for Police Association members, with an equivalent increase to the 2002 Toronto Police Parking Enforcement Unit adjusted base budget; and
- (3) The Board forward a copy of this report to the City Chief Financial Officer and Treasurer.

Background:

Toronto City Council, at its meeting of March 4 to 8, 2002, approved the Parking Enforcement Operating Budget at a net amount of \$26.5 Million (M) which is the same amount approved by the Toronto Police Services Board at its meeting of December 13, 2001. The Council-approved budget provides sufficient funding to maintain current services and also provides additional funding for the hiring of an additional 48 Parking Enforcement Officers.

As at June 30, 2002 no variance is projected. This does not include the impact of the salary settlement for 2002 which is discussed below.

Salaries & Benefits

Attrition is in line with what was projected during the budget process. Parking Enforcement has hired the first group of Parking Enforcement Officers from the approved staggered hire of 48 additional Parking Enforcement Officers.

Association Collective Agreement

The Board and Association have ratified the 2002 to 2004 collective agreement. The estimated net impact on 2002 expenditures is \$0.8M. The Parking Enforcement 2002 Operating budget does not include any allowances for salary increases (this is consistent with the practice utilised in the past and supported by the City).

Normally, funding to offset the impact of a negotiated agreement is provided from the City's Corporate Contingency Account at the request of the Board. Preliminary discussions with City staff indicate that a provision has been made within the City's budget for salary increases. Parking Enforcement's share of this provision is estimated to be \$0.5M. It is expected that the City will ask Parking Enforcement to absorb the difference (\$0.3M). Current projections, however, indicate that this would not be possible.

It is therefore recommended that the Board request Toronto City Council to provide a draw of \$0.8M from the City's corporate contingency account. Any year end surplus would be used to reduce the amount of the request from the Corporate Contingency Account.

The Service is currently in the process of preparing the 2003 Parking Enforcement operating budget. It is therefore recommended that the Board request Toronto City Council to approve a \$0.8M addition to the Toronto Police Parking Enforcement 2002 adjusted base budget, in order to ensure that the 2002 salary settlement pressure is accommodated. The 2003 cost of the wage settlement (\$0.9M) will be added as a base increase in the 2003 request.

Non Salary

No variance is projected.

Parking Tag Revenue

Projected revenue from parking tags for 2002 is \$69.9M, which includes additional revenue of \$3.2M due to additional staff.

Deputy Chief Mike Boyd, Policing Support Command will be in attendance to answer any questions the Board may have.

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON AUGUST 20, 2002**

#P224. AWARD OF CONSTRUCTION CONTRACT FOR NO. 51 DIVISION

The Board was in receipt of the following report AUGUST 2, 2002 from Julian Fantino, Chief of Police:

Subject: AWARD OF CONSTRUCTION CONTRACT FOR 51 DIVISION

Recommendation:

It is recommended that: the Board approve the award of the aluminium entrances, windows & skylights at the New 51 Division to Delmar Construction Inc in the amount of \$545,635.35, inclusive of all taxes, plus an additional 5% to cover any unforeseen expenses.

Background :

The Toronto Police Services Board, as part of the approval process for the 2001 to 2005 Capital Budget, approved funding to construct a new 51 Division at 296 Front Street.

On April 10, 2002, at the request of the Toronto Police Service, Purchasing Support Services, the City of Toronto, Management Services, Purchasing and Materials Supply Division issued a "Request for Quotation" (RFQ 3904-02-5079) for aluminium entrances, windows & skylights. The tender closed on May 8, 2002. Thirty-seven (37) firms were invited to bid and one (1) quotation was received.

Delmar Construction Inc., being the sole bidder, was found to be in compliance with the supply and installation of aluminium entrances, windows & skylights tender documents.

The Chief Administrative Officer, Corporate Support Command, has certified to the availability of funds in the TPS Capital Program to complete this part of the project. Therefore, it is recommended that the Board approve the award of the aluminium entrances, windows & skylights work for the new 51 Division to Delmar Construction Inc.

Following this award, the Contractor will start work immediately. The planned completion is June 2003. Mr. Frank Chen, Chief Administrative Officer, will be available at the meeting to answer any questions.

Mr. Angelo Cristofaro, Director, Finance and Administration, was in attendance and responded to questions by the Board about the reasons for awarding the contract to the sole bidder.

Mr. Cristofaro advised that of the 37 firms that were invited to bid, seven firms provided responses. Only one of those firms, Delmar Construction Inc., actually submitted a quotation. The quotation of \$545,635.35 was considered reasonable given that the Service had estimated the total costs for aluminium entrances, windows and skylights to be approximately \$575,000.00.

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON AUGUST 20, 2002**

**#P225. PILOT PROJECT TO EVALUATE THE BUSINESS WATCH
INTERNATIONAL (BWI) AUTOMATED PAWN REPORTING SYSTEM**

The Board was in receipt of the following report AUGUST 7, 2002 from Julian Fantino, Chief of Police:

Subject: Pilot Project to evaluate the Business Watch International (BWI) automated pawn reporting system.

Recommendation:

It is recommended that: The Board receive the following report.

Background:

At the Command meeting of July 18, 2002, I and the other Command Officers were in receipt of a report prepared by Special Investigation Services – Pawn Unit recommending the Service enter into a pilot project, for a period of one year, in order to evaluate new technology in the area of automated pawn and second hand store police reporting systems. Superintendent Ed Hoey of Detective Services and Detective Brent Lake of Special Investigation Services attended the meeting to present the report and answer related questions. We unanimously endorsed support for this project and Special Investigative Services will establish a timetable for the implementation of a one-year pilot project.

The pawn and second-hand industry can provide an easy opportunity for criminals to dispose of stolen goods. This is supported by the fact that pawnbrokers, governed by the Pawnbrokers Act and second hand stores, governed by Municipal By-laws, are required to record the details of property transactions into a police report commonly referred to as a pawn sheet.

Since 1990, the Service has been manually compiling information from pawn sheets into a computer database (Mainframe Pawn System) accessible for investigative and analytical purposes. The system, which was leading edge in 1990, is scheduled for decommission in 2003.

In Toronto there are currently twenty-one (21) licensed pawnbrokers and over five hundred (500+) businesses licensed for trade in second-hand goods and salvage material. This growth from a handful of stores located along Church Street in the 1950's has placed an unmanageable demand on Service resources required to police the industry. The established practise of manually collecting pawn and second hand registers so that clerical support staff can manually enter information into a police database for later analysis is no longer cost effective or efficient.

This situation combined with the fact that the current Mainframe Pawn System is scheduled for decommission in 2003 means that if the Service is to continue maintaining a pawn database for intelligence and investigative purposes an alternative system is essential.

A solution lies in the forging of new partnerships with the business community that will allow for electronic data entry at the source of the activity. It is anticipated that implementation of this new technology will offer mutual benefits to the City of Toronto, the Service and all legitimate businesses participating in the project.

Service Provider:

SaskTel, a Crown Corporation of the Province of Saskatchewan, owns BWI. The BWI automated pawn reporting system has been developed with input from several major Canadian city police services. BWI holds an annual National Police Advisory Group meeting with its users to ensure the needs of the users are addressed. Currently, there are 102 stores reporting from four provinces on the BWI system. In the five locations where BWI and the local police service have signed agreements BWI has been declared a sole source provider. When compared to other products it is BWI that offers our Service the largest Canadian property database and cross jurisdictional search features.

The Service will proceed with the implementation of a voluntary pilot project with BWI and as yet to be identified companies in the pawn and second hand industry in order to evaluate the BWI Automated Reporting System, for a period of one year.

Therefore I recommend that the Board receive this report, and the accompanying Business Case for a detailed overview of the rationale in support of a BWI pilot project.

Deputy Chief Michael Boyd, Policing Support Command will be in attendance to answer any questions relating to this matter.

Detective Brent Lake, Special Investigation Services – Pawn Section, was in attendance and discussed the proposed pilot project with the report with the Board.

The Board received the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON AUGUST 20, 2002**

**#P226. SEMI-ANNUAL REPORT: JANUARY – JUNE 2002: FEES FOR LABOUR
RELATIONS COUNSEL AND LEGAL INDEMNIFICATION**

The Board was in receipt of the following report JULY 25, 2002 from Julian Fantino, Chief of Police:

Subject: SEMI-ANNUAL REPORT ON FEES FOR LABOUR RELATIONS COUNSEL AND
LEGAL INDEMNIFICATION

Recommendation:

It is recommended that: the Board receive the following report for information purposes.

Background:

At its meeting on January 25, 2001, the Board approved a Policy Governing Payment of Legal Accounts which provides for a semi-annual report relating to payment of all accounts for labour relations counsel, legal indemnification claims and accounts relating to inquests which were approved by the Director, Human Resources and the Manager, Labour Relations (Board Minute No. P5/01 refers).

During the period of January 1, 2002 to June 30, 2002, 4 accounts from Hicks Morley for labour relations counsel totalling \$121,852.19 were approved for payment by the Director, Human Resources and the Manager, Labour Relations.

During the same period, 14 accounts relating to legal indemnification were paid totalling \$116,334.48 and 2 accounts relating to inquests were paid totalling \$84,075.25.

Therefore, during the period January 1, 2002 to June 30, 2002, a total of \$322,261.92 was paid in settlement of the above accounts.

Mr. William Gibson, Director, Human Resources, will be in attendance to respond to any questions the Board may have in regard to this matter.

The Board received the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON AUGUST 20, 2002**

**#P227. QUARTERLY REPORT: APRIL – JUNE 2002: STATUS OF THE SPECIAL
FUND**

The Board was in receipt of the following report JULY 8, 2002 from Julian Fantino, Chief of Police:

Subject: TORONTO POLICE SERVICES BOARD'S SPECIAL FUND STATEMENT FOR
THE PERIOD 2002 APRIL 01 TO 2002 JUNE 30

Recommendation:

It is recommended that: the Board receive the report on the Toronto Police Services Board's Special Fund statement for their information.

Background:

Enclosed is the statement of receipts and disbursements with respect to the Toronto Police Services Board's Special Fund for the period 2002 April 01 to 2002 June 30.

As at 2002 June 30, the balance in the Special Fund was \$307,446. During the quarter, the Special Fund recorded receipts of \$199,807 and disbursements of \$28,861.

Mr. Frank Chen, Chief Administrative Officer, Corporate Support Command, will be in attendance to answer any questions the Board may have.

The Board received the foregoing.

THE TORONTO POLICE SERVICES BOARD SPECIAL FUND
2002 First and Second Quarter Results with Adjusted Projections

PARTICULARS	2002							2001	COMMENTS
	INITIAL	ADJUSTED	JAN 01 TO	APR 01 TO	JUL 01 TO	OCT 01 TO	JAN 01 TO		
	PROJ.	PROJ.	MAR 31/02	JUN 30/02	SEPT 30/02	DEC 31/02	TOTALS		
BALANCE FORWARD	109,485	109,485	109,485	136,500	0	0	109,485	90,651	2002 projected figures based on 2001 actuals for revenue. Expenses as approved by PSB on April 25, 2002.
REVENUE									
PROCEEDS FROM AUCTIONS	208,000	104,318	24,187	27,972	0	0	52,159	207,949	
LESS OVERHEAD COST	(48,000)	(23,993)	(5,563)	(5,828)	0	0	(11,391)	(47,828)	Commission of 19% and 23% of the gross auction proceeds were paid for in the first and second quarter of the current year.
LESS RETURNED AUCTION PURCHASE	0	0	0	0	0	0	0	0	
UNCLAIMED MONEY	33,000	149,778	4,530	126,134	0	0	130,664	33,285	
LESS RETURN OF UNCLAIMED MONEY	(100)	(1,154)	(683)	(471)	0	0	(1,154)	(44)	
EVIDENCE AND HELD MONEY	7,900	7,900	0	0	0	0	0	7,850	
INTEREST	3,900	3,044	605	917	0	0	1,522	3,843	
LESS ACTIVITY FEE	(100)	0	0	0	0	0	0	(32)	
LESS CHEQUE ORDER	0	0	0	0	0	0	0	0	
SEIZED LIQUOR CONTAINERS	1,800	1,800	0	1,082	0	0	1,082	1,737	
OTHER	0	58,351	8,351	50,000	0	0	58,351	0	

PARTICULARS	2002							2001	COMMENTS
	INITIAL	ADJUSTED	JAN 01 TO	APR 01 TO	JUL 01 TO	OCT 01 TO	JAN 01 TO DEC 31/02		
	PROJ.	PROJ.	MAR 31/02	JUN 30/02	SEPT 30/02	DEC 31/02	TOTALS	ACTUAL	
TOTAL REVENUE	206,400	300,044	31,427	199,807	0	0	231,234	206,762	
BALANCE FORWARD BEFORE EXPENSES	315,885	409,529	140,912	336,307	0	0	340,719	297,413	
DISBURSEMENTS									
SPONSORSHIP									
SERVICE									
VARIOUS SPORTS	0	0	0	0	0	0	0	7,057	
CPLC & COMMUNITY OUTREACH ASSISTANCE	24,000	2,400	0	0	0	0	0	25,000	
UNITED WAY	7,500	7,500	0	7,500	0		7,500	0	
OTHER	0	0	0	0	0	0	0	0	
COMMUNITY									
JUNIOR BLUES HOCKEY	0	0	0	0	0	0	0	3,599	
YOUTH BASKETBALL LEAGUE	0	0	0	0	0	0	0	3,000	
BLACK HISTORY MONTH	0	0	0	0	0	0	0	4,000	
VARIOUS ORGANIZATIONS	0	0	0	0	0	0	0	0	
RECOGNITION OF SERVICE MEMBERS									
AWARDS	100,000	100,000	0	13,481	0	0	13,481	98,338	In order to honor long time employees, the Board is committed to several award functions during the year.
CATERING	40,000	40,000	4,287	1,871	0	0	6,158	29,631	
RECOGNITION OF CIVILIANS									
AWARDS	10,000	10,000	0	0	0	0	0	6,587	
CATERING	2,000	2,000	0	0	0	0	0	2,407	

PARTICULARS	2002							2001	COMMENTS
	INITIAL	ADJUSTED	JAN 01 TO	APR 01 TO	JUL 01 TO	OCT 01 TO	JAN 01 TO		
	PROJ.	PROJ.	MAR 31/02	JUN 30/02	SEPT 30/02	DEC 31/02	DEC 31/02		
RECOGNITION OF BOARD MEMBERS									
AWARDS	200	200	0	0	0	0	0	112	
CATERING	2,000	2,000	0	0	0	0	0	0	
CONFERENCES									
BOARD									
COMMUNITY POLICE LIAISONS COMMITTEE	6,000	6,000	0	6,000	0	0	6,000	6,500	
OTHER	0	0	0	0	0	0	0	0	
DONATIONS									
IN MEMORIAM	14,000	14,000	100	0	0	0	100	50	
OTHER	0	0	0	0	0	0	0	0	
DINNER TICKETS (RETIREMENTS/OTHERS)	0	0	0	0	0	0	0	3,120	
OTHER	0	100	25	9	0	0	34	21	
GST REBATE	(1,500)	0	0	0	0	0	0	(1,495)	
TOTAL DISBURSEMENTS	204,200	184,200	4,412	28,861	0	0	33,273	187,927	
SPECIAL FUND BALANCE	111,685	225,329	136,500	307,446	0	0	307,446	109,486	

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON AUGUST 20, 2002**

**#P228. RESPONSES – FROM THE ATTORNEY GENERAL AND MINISTER OF
PUBLIC SAFETY & SECURITY WITH REGARD TO THE ONTARIO
PUBLIC SERVICE EMPLOYEES UNION (OPSEU) LABOUR STRIKE**

The Board was in receipt of correspondence, dated JULY 15, 2002, from Julian Fantino, Chief of Police, which contained copies of the responses of the Attorney General and Minister of Public Safety and Security to the Chief's concerns about costs incurred by the Toronto Police Service during the Ontario Public Service Employees Union (OPSEU) labour strike.

A copy of the correspondence is appended to this Minute for information.

The Board received the foregoing.

July 15, 2002

Chairman Gardner:

Re: OPSEU Strike

Please find appended copies of correspondence sent to me by Attorney General David Young and Minister Robert Runciman which I am forwarding to you for your information.

JF:ko

Attachment



Julian Fantino
Chief of Police

Attorney General
Minister Responsible for Native Affairs

The Hon. David S. Young

Procureur général
ministre délégué aux Affaires autochtones

L'hon. David S. Young



Ministry of the Attorney General
11th Floor
720 Bay Street
Toronto ON M5G 2K1
Telephone: (416) 326-4000
Facsimile: (416) 326-4016

Ministère du Procureur général
11^e étage
720, rue Bay
Toronto ON M5G 2K1
Téléphone : (416) 326-4000
Télécopieur : (416) 326-4016

95:11 01 700 20.

JUN 28 2002

Our Reference #: M02-03590

Mr. Julian Fantino
Chief of Police
Toronto Police Service
40 College Street
Toronto, ON
M5G 2J3

TORONTO POLICE SERVICE	
OFFICE OF THE CHIEF OF POLICE	
REGISTERED	2019/2002
PROCESSED	MJY
DATE	2002-07-11


Dear Mr. ^{Julian}Fantino:

Thank you for your letter dated May 27, 2002, regarding expenses incurred during the OPSEU Strike

I appreciate your bringing this information to my attention. I note that you have also appropriately copied your letter to the Honourable Robert Runciman, Minister of Public Safety and Security. I understand that Minister Runciman will be responding to you shortly.

Thank you again for writing.

Sincerely,


David Young
Attorney General
Minister Responsible for Native Affairs

c: The Honourable Robert Runciman, Minister of Public Safety and Security

Copy to P.S.B. ✓
J. Fantino
02/07/14.

Ministry of Public Safety
and Security

Office of the Minister

25 Grosvenor Street
18th Floor
Toronto ON M7A 1Y6
Tel: 416-325-0408
Fax: 416-325-6067

Ministère de la Sûreté
et de la Sécurité publique

Bureau du ministre

25, rue Grosvenor
18^e étage
Toronto ON M7A 1Y6
Tél.: 416-325-0408
Télééc.: 416-325-6067



CM02-02662

JUL 03 2002

Mr. Julian Fantino
Chief of Police
Toronto Police Service
40 College Street
Toronto ON M5G 2J3

TORONTO POLICE SERVICE
OFFICE OF THE CHIEF OF POLICE
REGISTER # 2018/2002
PROCESSED BY # [Signature]
DATE 2002-07-11

25:11 01 JUL 20.

Dear Chief Fantino:

Thank you for your letter of May 27, 2002, seeking reimbursement for costs incurred beyond regular operating expenditures as a result of the recent labour disruption by members of the Ontario Public Service Employees Union (OPSEU). I am pleased to respond.

I recognize the financial impact the OPSEU strike had on the operations of the Toronto Police Service. I commend the extraordinary efforts of your officers and civilian staff during this time, especially in dealing with issues related to offender transportation and labour liaison. However, I regret to advise you that there is no mechanism for the ministry to assist any police service that has had to absorb additional strike-related costs, whether in the public or private sector.

I realize that the OPSEU disruption could not have been forecast during your budget discussions with your local police services board and with local council. As the ministry has no provision for the funding of police services in this situation, you may wish to consider seeking assistance from the police services board and municipal council.

I regret that the ministry is unable to assist you. Thank you again for writing.

Sincerely,

Robert W. Runciman, MPP
Leeds-Grenville
Minister

Copy to P.S.B. ✓
[Signature]
02/07/14.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON AUGUST 20, 2002**

**#P229. RESPONSE TO THE BOARD'S CONCERNS REGARDING THE
*DOMESTIC VIOLENCE PROTECTION ACT***

The Board was in receipt of the attached correspondence JULY 16, 2002 from The Honourable David Young, Attorney General, in response to the Board's concerns regarding the *Domestic Violence Protection Act*.

The Board received the foregoing.

**Attorney General
Minister Responsible for Native Affairs**

The Hon. David S. Young

**Procureur général
ministre délégué aux Affaires autochtones**

L'hon. David S. Young



Ministry of the Attorney General
11th Floor
720 Bay Street
Toronto ON M5G 2K1
Telephone: (416) 326-4000
Facsimile: (416) 326-4016

Ministère du Procureur général
11^e étage
720, rue Bay
Toronto ON M5G 2K1
Téléphone : (416) 326-4000
Télécopieur : (416) 326-4016

Our Reference #: M02-02665

JUL 16 2002

Mr. Bas Balkissoon
Acting Chair
Toronto Police Services Board
40 College Street
Toronto, ON
M5G 2J3

Dear Mr. Balkissoon:

Thank you for your letter dated March 21, 2002, on behalf of the Toronto Police Services Board. I apologize for the delay in my response.

In your letter you express concerns about the *Domestic Violence Protection Act* and ask that the government defer proclamation until these concerns are clarified. I want to assure you that I have taken the concerns of the chiefs of police and police services boards very seriously. As you may know, I met with Chief Fantino on March 4, 2002, and I have been working closely with my colleague, the Honourable Bob Runciman, Minister of Public Safety and Security, to discuss potential solutions.

I have not yet set a date for proclamation. Our first responsibility is to ensure that we build the supports necessary to make sure this bill makes a real difference in protecting victims of domestic violence.

I hope we can work together to achieve this goal.

Sincerely,

A handwritten signature in black ink, appearing to read "David Young".

David Young
Attorney General
Minister Responsible for Native Affairs

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON AUGUST 20, 2002**

**#P230. REQUEST FOR EXTENSION OF TIME TO SUBMIT REPORT: SEMI-
ANNUAL REPORT ON CONSULTING EXPENDITURES**

The Board was in receipt of the following report AUGUST 6, 2002 from Julian Fantino, Chief of Police.

Subject: SEMI-ANNUAL REPORT OF ALL CONSULTING EXPENDITURES -
REQUEST FOR EXTENSION

Recommendation:

It is recommended that: the Board grant a one month extension and receive the semi-annual report at the Board meeting scheduled for September 26, 2002.

Background:

At its meeting of March 27, 2002 (BM #P80 refers), the Board approved a motion that the Service report on a semi-annual basis on all consulting expenditures. The total expenditure figure is available, however, it is not by project categories, as required. The project categories have to be sorted manually which will take 2 to 3 weeks to complete.

I recommend that the Board grant a one month extension to allow staff to prepare the report by project category.

Mr. Frank Chen, Chief Administrative Officer, will be available to answer any questions.

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON AUGUST 20, 2002**

**#P231. REQUEST FOR FUNDS - PURCHASE OF AN ADVERTISEMENT -
JOHN BROOKS COMMUNITY FOUNDATION AWARDS DINNER
PROGRAM**

The Board was in receipt of the following report AUGUST 14, 2002 from Norman Gardner, Chairman.

Subject: REQUEST FOR FUNDS - PURCHASE OF AN ADVERTISEMENT - JOHN
BROOKS COMMUNITY FOUNDATION AWARDS DINNER PROGRAM

Recommendation:

It is recommended that:

- (1) the Board approve the purchase of a quarter-page advertisement in the 2002 John Brooks Community Foundation Awards Dinner Program at a cost of \$175.00 and that the expenditure be made from the Board's Special Fund; and
- (2) the Board request the Chief of Police to develop an appropriate advertisement illustrating employment recruitment initiatives or police and youth projects on behalf of the Board subject to final approval by the Chairman.

Background:

I am in receipt of correspondence (July 16, 2002, copy attached) from Angela Simms inviting the Board to participate in the 21st Annual John Brooks Community Foundation and Scholarship Fund Presentation of Awards Ceremony which will be held on Saturday, October 26, 2002.

The Toronto Police Services Board has worked closely with Dr. John Brooks since the early 1990's and supported many of his activities which raise funds to award scholarships to young people who have achieved academic excellence in school. The award recipients are exceptional young men and women, from grade seven to OAC, who have also achieved personal development by working on a volunteer basis in various community service projects. One of the Foundation's primary objectives is to encourage young people to pursue post-secondary education.

I believe that the Board should continue to take advantage of any opportunities to assist community programs which encourage our youth to lead positive rewarding lives and recommend that we support the John Brooks Foundation by purchasing an advertisement in the 2002 awards dinner program. The advertisement could illustrate the current employment recruitment initiatives by the Toronto Police Service or any of the Service's on-going programs which bring youth and police together.

The Board approved the foregoing and the following Motion:

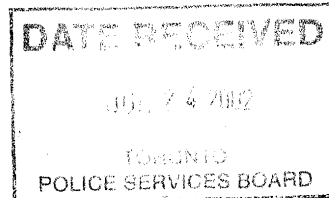
THAT the Board provide the Chairman with standing authority to approve expenditures, up to a maximum of \$500.00, from the Special Fund specifically for the purpose of purchasing advertisements in community materials, such as magazines, awards programs or brochures, and upon the basis that they are related to community events.



THE JOHN BROOKS COMMUNITY FOUNDATION
AND SCHOLARSHIP FUND

July 16, 2002

Ms. Deidre Williams
Police Services Board
40 College Street
Toronto, Ontario
M5G 2J3



Dear Ms. Williams:

Re: John Brooks Community Foundation
and Scholarship Fund annual Awards Presentation

The John Brooks Community Foundation and Scholarship fund is delighted to extend to the Police Services Board this letter of invitation to its 21st annual awards presentation and banquet to be held on October 26, 2002 at the Toronto Colony Hotel, 89 Chestnut Street (at Dundas) at 7:00p.m.

Our Foundation has shared a special relationship with your organization over these years and has grown accustomed to your support. However, due to funding cutbacks it was not possible to have representation from your Board last year and do hope that we can enjoy your presence this year.

As you are aware the Foundation is a recognized charitable organization, is volunteer-based and assists in the development and support of young people. Its aim is to motivate students to achieve academic excellence and to give them an awareness of their importance in society. Through the bursary and scholarship program students from grades 7 to OAC receive financial assistance in furthering their endeavours. A pamphlet outlining some of our achievements over the years and a copy of last year's program is attached for your perusal.

The cost of the ticket is \$50 each and can be confirmed by calling the office at 416-653-2627 or Hurvy Purrier, Chair-Fundraising Committee at (905) 819-9991. In keeping with the hotel requirements we ask that you book your tickets early to reserve good seats. Should you wish to place an advertisement in our magazine as you have so kindly done in the past, the cost is as follows:

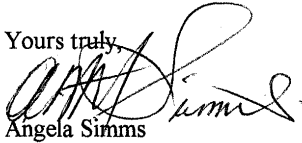
Full page	-	\$700
Half page	-	\$350
Quarter page	-	\$175

.../2

Ms. Deidre Williams
Page 2

On behalf of the Foundation I would like to thank your organization for its generous support over the years and trust that your response will be favourable. I can be reached at (905) 859-6771 should you need to discuss any other relevant matter regarding the foregoing.

Yours truly,

A handwritten signature in black ink, appearing to read 'Angela Simms', written over the typed name.

Angela Simms

For and on behalf of The John Brooks Community Foundation
and Scholarship Fund

enclosures

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON AUGUST 20, 2002**

#P232. ACTING CHAIRMAN: MR. ALLAN LEACH

Chairman Gardner advised the Board that he and Vice Chair Gloria Lindsay Luby will not be available to sign legal contracts or other correspondence during the period between Wednesday, August 21, 2002 and Sunday, August 25, 2002 inclusive as they will be attending the Canadian Association of Police Boards Annual Conference in Ottawa. He recommended that Mr. Allan Leach be appointed to act as Chairman during this period.

The Board approved the following Motion:

THAT, in the absence of the Chairman and Vice Chair of the Toronto Police Services Board, during the period between Wednesday, August 21, 2002 and Sunday, August 25, 2002 inclusive, the Board appoint Mr. Allan Leach to act as Chairman for the purposes of execution of all documents, including contracts, on behalf of the Board.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON AUGUST 20, 2002**

#P233. UNAUTHORIZED USE OF TORONTO POLICE SERVICE CREST

The Board was in receipt of the following report AUGUST 2, 2002 from Albert Cohen, Director, Litigation, City of Toronto Legal Division:

Subject: UNAUTHORIZED USE OF TORONTO POLICE SERVICE CREST

Recommendation:

It is recommended that this report be received for information.

Background:

At its meeting held on June 1, 2000, the Board considered my report dealing with the unauthorized use of the police crest and other police related images (Minute No. P239/2000 refers).

The Board adopted the recommendations contained in that report which, among other things, authorized the City Solicitor, with the approval of the Board Chair, to undertake action to restrain the unauthorized use of crests, logos or images of the Service and the Board and directed the City Solicitor to report to the next scheduled Board meeting on any such action taken.

Discussion:

By letter dated May 8, 2002, Inspector George Cowley of Police Legal Services contacted staff in the City Legal Division regarding toy replica police cars displaying the Toronto Police Service crest and decals. The toy cars appear to be manufactured in China and are imported and sold by Wal-Mart Canada Corp.

Staff in the Legal Division requested approval from the Board Chair to contact Wal-Mart for the purpose of requesting that Wal-Mart cease importing and selling the offending vehicles. Approval was granted and, in accordance with the authority outlined in Board Minute No. P239/2000, the City Solicitor sent correspondence to Wal-Mart Canada Corp., a copy of which is attached as Appendix "A" to this report. The letter advised that the Service crest is protected under the federal *Trademark Act*, and as such, permission from the Board is required for its use. The letter requested that Wal-Mart cease importing and selling the replica toy cars bearing the crest of the Toronto Police Service without Board permission.

As of the date of this report, no response has been received from Wal-Mart. I will advise the Board of Wal-Mart's response subsequent to its receipt.

The Board was also in receipt of the following report AUGUST 9, 2002 from Norman Gardner, Chairman:

Subject: UNAUTHORIZED USE OF THE POLICE CREST - RESPONSE BY WAL-MART CANADA CORP.

Recommendation:

It is recommended that the Board receive the following report.

Background :

Mr. Albert H. Cohen, Director, Litigation, City of Toronto Legal Division, has submitted a report that will be considered during the August 20, 2002 confidential meeting with respect to correspondence sent by the City Solicitor requesting Wal-Mart Canada Corp. to cease importing and selling replica toy cars bearing the crest of the Toronto Police Service without the Board's permission.

I have been provided with a copy of an e-mail message, dated August 8, 2002, from Mr. Robbie Wasserman, General Counsel for Wal-Mart Canada Corp., regarding Wal-Mart's action taken in response to the City Solicitor's correspondence. The content of Mr. Wasserman's message is reprinted below:

Subject: Re: Toronto Police Services Board – Allegation of Unauthorized use of Toronto Police Services Crest – Our File #2971

WITHOUT PREJUDICE

We acknowledge receipt of Ms. Kinastowski's correspondence of August 2, 2002 in relation to the above referenced matter and we are directing our reply to you as requested by that correspondence.

Wal-Mart Canada Corp. respects the intellectual property rights of other parties and would never knowingly infringe upon such rights. Without admission of the validity of any assertions made or positions taken in the aforesaid letter, and specifically reserving our right to dispute any of same, we are able to advise that earlier today we issued instructions to our stores to remove from our sales floors all of the toy cars you have called into question in your letter.

We trust you find this to be satisfactory and in accordance with the above referenced correspondence concludes this matter. Thank you for bringing this matter to our attention. Regards.

A copy of Mr. Wasserman's e-mail response is on file in the Board office.

The foregoing reports were moved from the confidential agenda to the public agenda for consideration (Min. No. C172/02 refers).

The Board received the foregoing reports.

APPENDIX “A”



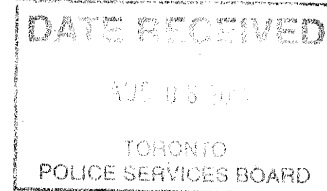
Anna Kinastowski, B.A., LL.B.
City Solicitor
Legal Services
55 John Street
Stn. 1260, 26th Flr., Metro Hall
Toronto ON M5V 3C6
Tel. (416) 392-8047
Fax (416) 397-5624

Reply To: Karl Druckman
Tel: (416) 392-4520
Fax: (416) 397-5624
E-Mail: kdruckma@city.toronto.on.ca

File No.:

August 2, 2002

Mr. Robert Wasserman
Vice-President, General Counsel and Secretary
Wal-Mart Canada Corp.
1940 Argentia Road
Mississauga, Ontario
LSN 1P9



Dear Sir:

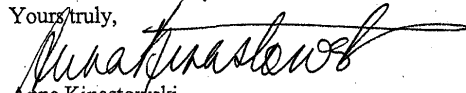
Re: Use of Toronto Police Service Crest

I am writing on behalf of the Toronto Police Services Board (the "Board") in regards to the use of the Toronto Police Service crest on toy cars currently being sold by Wal-Mart Canada Corp. The toy cars appear to be made in China and distributed by Motormax, a company situated in the United Kingdom.

The Toronto Police Service crest appearing on the cars is an official mark of the Board. The crest is registered under the federal *Trademarks Act*, and as a result, is protected by the provisions of that statute. The Board requires that any person who wishes to use the Toronto Police crest obtain permission from the Board to do so. The Board has not granted permission for its crest to be used on the replica police cars currently sold by Wal-Mart.

In light of the above, on behalf of the Board I am requesting that Wal-Mart immediately cease the importation and sale of toy cars bearing the crest of the Toronto Police Service. Failure to cease importing and selling the offending toys may result in further legal action being taken by this division. I would greatly appreciate your prompt acknowledgement of compliance with this notice, upon receipt of which no further action will be taken.

Yours truly,


Anna Kinastowski
City Solicitor

HK:KD:kd

cc. K. Druckman
A.H. Cohen
N. Gardner
D. Williams

O:\write\KDRUCKMA\A60\5000035.02\Cease Letter.doc

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF
THE TORONTO POLICE SERVICES BOARD HELD ON AUGUST 20, 2002**

#P234. CORRESPONDENCE

The Board was in receipt of a summary of the public correspondence received in the Board office between July 16, 2002 and August 2, 2002. A copy of the summary is on file in the Board office.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON AUGUST 20, 2002**

#P235. ADJOURNMENT

Norman Gardner
Chairman