

CHAPTER 4: HUMAN RESOURCES

4.1 Employer

- 4.1.1 The Board is the legal employer of all sworn and civilian employees in the Vancouver Police Department, pursuant to s. 26(3) of the *Police Act*. Employees are paid the remuneration the Board determines, pursuant to s. 26(3)(c) of the *Act*.
- 4.1.2 The Board and Department shall strive to be frank, fair and honest with employees and respectful of their rights, and shall work to achieve respect in the working relationship.

4.2 Appointment of Chief Constable and Authority

- 4.2.1 The Chief Constable is an employee of the Board pursuant to s. 26(3) of the *Police Act*.
- 4.2.2 The Board has the authority to determine the executive search process to be utilized, to select and appoint the Chief Constable, and to determine the remuneration.
- 4.2.3 The Chief Constable shall be on contract with the Board.
- 4.2.4 The Chief Constable reports to, and takes policy direction from the Police Board in accordance with applicable legislation. (Refer to the Chief Constable Terms of Reference and s. 1.6 of the *Board Policy and Procedure Manual* for additional information.)
- 4.2.5 The Board delegates to the Chief Constable the authority to appoint sworn and civilian employees of the Police Department, with the exception of the Chief Constable and Board Office Staff.

4.3 Interim Chief Constable

- 4.3.1 In the event that the services of the Chief Constable are not available due to an emergency or extraordinary circumstances, the Board shall appoint an interim Chief Constable.

4.4 Appointment of Deputy Chief Constables

- 4.4.1 The Board shall, with the Chief Constable, establish a fair and transparent process for the selection and appointment of Deputy Chief Constables, Superintendents and equivalent ranks. Prior to commencement, the Board shall approve the process. The Board may choose to be involved in the interview and selection process or simply ratify the decision of the Chief Constable.
- 4.4.2 Deputy Chief Constables and Superintendents shall be on contract with the Board, unless otherwise determined by the Board.

4.5 Appointment of Bylaw Enforcement Officers

- 4.5.1 Pursuant to s. 36 of the *Police Act*, the Board may appoint bylaw enforcement officers for the Department. The bylaw enforcement officer must be paid the remuneration and is appointed for the term that the Board determine. A bylaw enforcement officer must, under the direction of the Chief Constable, perform the functions and duties, and has the powers, privileges and responsibilities respecting the enforcement of municipal bylaws, that the Board specifies in the appointment.
- 4.5.2 The Chief Constable shall submit to the Board a written report containing the request for appointment of a person(s) as a bylaw enforcement officer in the Department.

4.6 Appointment of Special Municipal Constables

- 4.6.1 Pursuant to s. 35 of the *Police Act*, after consultation with the Chief Constable, the Board may appoint persons considered suitable as special municipal constables in the Department. A special municipal constable must assist the Department in the performance of its duties. Subject to a collective agreement as defined in the *Labour Relations Code*, a special municipal constable may be paid the remuneration and is appointed for the term the Board determines. Subject to the restrictions the Board specifies in the appointment, a special municipal constable has, while carrying out the duties of his or her appointment, the powers, duties and immunities of a municipal constable. Members of the VPD Traffic Authority are special municipal constables.
- 4.6.2 The Chief Constable shall submit to the Board a written report containing the request for appointment of a person(s) as special municipal constables in the Department.

4.7 Relationship to City of Vancouver Human Resources

- 4.7.1 The Board requires the Chief Constable to have a working protocol with the City of Vancouver Human Resources Department as the VPD utilizes a number of human resources services of the City, while the Board remains the legal employer. While a degree of consistency between terms and conditions of employment for City and Vancouver Police Department employees may be desirable, all employment issues must be dealt with by the Board.

4.8 Collective Bargaining

- 4.8.1 Following receipt of notice to commence collective bargaining, the Board shall appoint a bargaining committee for the employer. Board Members shall not be members of the Bargaining Committee
- 4.8.2 The Board shall endorse the Bargaining Committee's mandate prior to bargaining commencing. Direction, instruction and decisions during the bargaining process are via the Bargaining Committee, unless otherwise instructed by the Board.

- 4.8.3 The Board utilizes the services of the Greater Vancouver Regional District (GVRD) Labour Relations in collective bargaining with bargaining units of employees of the Board, unless otherwise determined by the Board.
- 4.8.4 The GVRD Labour Relations assigns a negotiator to each Bargaining Committee and the GVRD Labour Relations negotiator shall work on a day-to-day basis through the VPD Human Resources Section and senior executive of the VPD.
- 4.8.5 The Bargaining Committee shall keep the Chair of the Board's Human Resources and Compensation Standing Committee updated during the bargaining process, and issues shall be brought before the HRCC or Board as needed during the process.
- 4.8.6 The Board shall be briefed at the conclusion of bargaining or when an arbitration award is issued.
- 4.8.7 If acceptable, the Board shall ratify the negotiated collective agreement and then forward it for the reference of Vancouver City Council.

4.9 Exempt Employees

- 4.9.1 Compensation for employees who are exempt from union membership will normally follow agreements reached by the City of Vancouver with its exempt staff or as established by individual contracts, or as otherwise determined by the Board.
- 4.9.2 The Board requires the City of Vancouver exempt job classification system to include Police Department benchmarks, thereby recognizing the uniqueness of the VPD police environment and ensuring credibility and validity to the system for Board employees. The VPD Human Resources is to participate with City of Vancouver Human Resources in all reviews and restructuring of VPD exempt positions.
- 4.9.3 The Board shall develop an exempt job classification appeal process recognizing its authority as the employer.
- 4.9.4 The Board shall approve all job classifications for its exempt employees.

4.10 Labour Relations

- 4.10.1 The Board may periodically meet with the union executive on an informal basis to share ideas or concerns.
- 4.10.2 On behalf of the Board, the Department shall strive to keep employees well informed on labour matters affecting them, their jobs and the Department in general.

4.11 Employment Equity

- 4.11.1 The Board is committed to the principle of equal opportunity without regard to race, colour, place of origin, ancestry, gender, age, marital status, family status, sexual orientation, religious beliefs, mental or physical abilities, for employment, promotions,

training and career opportunities for all candidates and employees of the Vancouver Police Board and Police Department.

- 4.11.2 The Board requires the Chief Constable to ensure that appropriate policies and procedures are implemented so that the Department abides by applicable federal and provincial human rights legislation and regulations.

4.12 Suspension

- 4.12.1 Upon being notified that the discipline authority has suspended a police officer with pay under s. 110 of the *Police Act*, the Board shall consider whether it is authorized to discontinue the police officer's pay and allowances and, if so, whether it should discontinue the pay and allowances under the circumstances.

- 4.12.2 In order to make decisions under s. 110, the Board shall have policy and procedures for Discontinuance of Pay and Allowances During Suspension.

4.13 Disciplinary Action and Discharge

- 4.13.1 The Chief Constable shall be responsible for ensuring that the Department has investigation and discipline guidelines in place for civilian employees, and such guidelines shall be consistent with Labour Law principles.

- 4.13.2 Discipline procedures for police officers shall be in accordance with the *Police Act*.

4.14 Board Office Staff

- 4.15.1 The Board appoints a Board Executive Director, who reports to the Chair and Members of the Police Board. The Board may employ other office staff as required. Each position shall have a job description and be subject to an annual performance review. The Board may retain other professional advice or services as necessary.

- 4.15.2 The Chair of the Board Human Resources and Compensation Standing Committee is the Board liaison for all matters regarding the Board staff.

- 4.15.3 The Executive Director assists the Board in administering and co-ordinating its business to ensure efficiency of operation. Executive Director responsibilities include:

- (1) Serves as administrative link between the Board, the Chief, the Board's legal counsel, standing committees of the Board, the media and members of the community.
- (2) Manages and organizes the flow of information and documentation.
- (3) Organizes meetings, creates the agenda in consultation with the Chair and Chief, takes minutes, and writes correspondence to reflect Board decisions, and acts in a similar capacity for standing committees.
- (4) Ensures that an accurate record is kept of all Board proceedings and

correspondence, and provides procedural, historical and policy information to the Board as required.

- (5) Maintains schedule of monitoring and other reports to be received by the Board, and ensures that all Board members are kept fully informed on any developments upon which they may have to act.
 - (6) Reviews correspondence, reports and current legislation in preparation of Board meetings and, as needed, advises the Board with respect to it.
 - (7) Conducts research, analysis and writes reports for, and on behalf of, the Board as required.
 - (8) Prepares and monitors the Board's budget.
 - (9) Liaises with municipal and provincial government officials and with staff from other police boards.
 - (10) Acts as the Board's coordinator for the purposes of FOIPPA access requests and manages Service and Policy Complaints filed with the Board, ensuring legislative requirements are met.
- 4.15.4 Board staff must keep all matters before the Board in strict confidence, limiting discussion to members of the Board and those members of the Police Department and City of Vancouver Administration required for the performance of their duties.
- 4.15.5 Board staff must disclose to the Board Chair any pecuniary interest or conflict of interest in any matter before or likely to come before the Board as soon as is practicable.