



## **HAMILTON POLICE SERVICES BOARD**

**NOTICE OF MEETING  
PUBLIC AGENDA**  
November 15, 2010  
4:00 o'clock p.m.  
3<sup>rd</sup> Floor Board Room  
Hamilton Central Station

Lois Morin  
Administrator

### **AGENDA**

1. **Call to Order**
2. **Presentation**
  - a) **Recognition from Astronauts to Hamilton Police Service Pipe Band**
  - b) **Cheque Presentation – Franz Pruegger, Westover Area Supervisor, Enbridge (See PSB 10-106 – Item 10 (a))**
  - c) **Member for Month for September 2010**
  - d) **PRIDE Award**
3. **Declarations of Interest**
4. **Adoption of Minutes – October 18, 2010**
5. **2011 Police Services Board Meeting Schedule (PSB 10-120)**
6. **Aftermarket Parts Tender Award (PSB 10-114)**
7. **Hamilton Police Service Monthly Report (PSB 10-109)**
8. **Reward for Information – Unsolved Homicide – Elham Dashtirahmatabadi (PSB 10-121; see also PSB 09-052)**
9. **City Clerk's Division: Council Follow-up Notice with respect to the Investigation of best enforcement practices for "wrong way parking" (Report 10-020 of the Economic Development and Planning Committee)**
10. **Information Items**
  - (a) **Enbridge Community Safety Program Grant (PSB 10-106)**
  - (b) **Janitorial Tender Award (PSB 10-113)**

- (c) Correspondence from Bruce Watson, Director, Customer Service and Government Compliance, Mac's Convenience Stores Inc. with respect to PSB 10-101 – Theft of Gas Drive-Offs.
- (d) Correspondence from Dave Bryans, President, Ontario Convenience Stores Association with respect to PSB 10-101 – Theft of Gas Drive-Offs.
- (e) Correspondence from Eric A. Bristow, Director Government & Stakeholder Relations, Canadian Petroleum Products Institute – Ontario Division with respect to PSB 10-101 – Theft of Gas Drive-Offs.
- (f) Correspondence from Reverend Todd Bender, Founder and Executive Director, City Kidz expressing thanks for support of their first “City Kidz Police Day”.
- (g) Correspondence from Ira Rosen, First Vice-President – Police Liaison, Ainslie Wood / Westdale Community Association of Resident Homeowners Inc. expressing thanks to the representatives of the Hamilton Police Service who participated in this year’s annual general meeting.
- (h) Correspondence from Andrea Buttars, Special Events Coordinator, Wesley Urban Ministries expressing appreciation for support of the 18<sup>th</sup> Annual Wesley Open Charity Golf Tournament.
- (i) Correspondence from Cathy Wellwood, Chief Development Officer, Good Shepherd expressing thanks to Chief Glenn DeCaire for participating in the 12<sup>th</sup> Annual Harvest Dinner.
- (j) Correspondence from Ontario Police Health and Safety Committee, Labour and Management Co-Chairs with respect to Update of Occupational Health and Safety Guidance Note #9: Violence and Harassment Prevention at Police Facilities.

**11. Other Business**

**12. Adjournment**

**THE POLICE SERVICES BOARD WILL ADJOURN THE PUBLIC PORTION OF THE MEETING AND RECONVENE IN CAMERA FOR CONSIDERATION OF PRIVATE AND CONFIDENTIAL MATTERS.**

**MINUTES OF THE HAMILTON  
POLICE SERVICES BOARD**

**4.**

Monday, October 18, 2010  
4:00pm  
Board Room  
Hamilton Central Station

The Police Services Board met.

There were present:           Bruce Pearson, Chair  
                                      Nancy DiGregorio, Vice Chair  
                                      Bernie Morelli  
                                      Irene Stayshyn

Absent                            Fred Eisenberger  
                                      Terry Whitehead

Also Present:                 Chief Glenn DeCaire  
                                      Deputy Chief Eric Girt  
                                      Deputy Chief Ken Leendertse  
                                      Superintendent Ken Bond  
                                      Superintendent Debbie Clark  
                                      Superintendent Paul Morrison  
                                      Superintendent John Petz  
                                      Superintendent Mike Shea  
                                      Inspector Jamie Anderson  
                                      Inspector Dan Kinsella  
                                      Inspector Scott Rastin  
                                      Marco Visentini, Legal Counsel  
                                      Rosemarie Auld, Manager, Human Resources  
                                      Sergeant Terri-lynn Collings  
                                      Sergeant Trina Lay  
                                      Dan Bowman, Manager Fleet and Facilities  
                                      Rita Lee Irvine, Manager, Corporate Planning  
                                      Catherine Martin, Corporate Communicator  
                                      Ted Mason, Chief Accountant  
                                      Lois Morin, Administrator

Chair Pearson called the meeting to order.

**Presentation**

**a) PRIDE AWARD**

One of the values of the Hamilton Police Service is, "Providing Quality Service". This commitment to service excellence is an important part of an organizations journey towards being recognized by our community as one of the Best Police Services in this nation.

There are occasions when members of this Service go above and beyond the normal expectations of our citizens. These are not acts of courage in the face of extreme danger, but they are special acts of compassion, support and quality service that are worthy of recognition.

Chief DeCaire presented the P.R.I.D.E. ("People Really Interested in Delivering Excellence") Award to Hamilton Police Services Facilities Staff Members Superintendent Mike Shea, Manager Dan Bowman, Bob Wrobel, Wayne Ferguson, Joe Hnatshyn, Simon Jas, Pawel Kasprzyk, John Rayner and Martin Schiabe, were recognized for their work in renovating the Community Child Abuse Council (CCAC) of Canada, Hamilton Chapter building. They served this organization with PRIDE.

**b) Presentation-Theft of Gas Drive-Offs (PSB 10-101 – see item 5 below)**

Deputy Chief Leendertse and Sergeant Trina Lay provided a presentation with respect to PSB 10-101 - Theft of Gas Drive-Offs.

After discussion the Board approved the recommendation as amended. (see below item 5)

**(Item 2)**

**Declarations of Interest**

Member Morelli noted that he declared an interest with respect to a Civil Matter at the in camera meeting of September 27, 2010

**(Item 3)**

**Adoption of Minutes – September 27, 2010**

Moved by: Member Stayshyn  
Seconded by: Member DiGregorio

The minutes of the meeting held Monday, September 27, 2010, were adopted as printed.

**Carried.**

**(Item 4)**

**Theft of Gas Drive-Offs**

As recommended by Chief DeCaire in Report PSB 10-101 dated October 18, 2010, the Board **considered** the following:

**PSB 10-101**

That the Board request the City of Hamilton develop and enact a Public Safety By-law requiring the pre-payment of gas, 24-hours a day, at all service stations throughout the City of Hamilton.

After discussion, the Board **approved** the following recommendation as amended:

Moved by: Member Morelli  
Seconded by: Vice Chair DiGregorio

That the Board fully endorses the development and enactment of a Public Safety By-law requiring the pre-payment of gas, 24 hours a day, at all service stations throughout the City of Hamilton, and

That the Board request the City of Hamilton to *consider developing and enacting* a Public Safety By-law requiring the pre-payment of gas, 24-hours a day, at all service stations throughout the City of Hamilton.

**Carried.**

**(Item 5)**

**Pre-Budget Approval  
2011 Vehicles**

**PSB 10-099**

**(See also PSB 02-052)**

As recommended by Chief DeCaire in Report PSB 10-099 dated October 18, 2010, the Board approved the following:

Moved by: Member Morelli  
Seconded by: Vice Chair DiGregorio

- a) That the Board pre-approve the expenditure of \$700,000.00 for the purchase of twenty (20), 2011 police cruisers.
- b) That the Board pre-approve the expenditure of \$90,000.00 for the purchase of Two (2) 2011 4x4 police cruisers.
- c) That the Board pre-approve the expenditure of \$335,000.00 for the purchase of twelve (12) used plain door vehicles.
- d) That the Board pre-approve the expenditure of \$60,000.00 for the purchase of two (2) 2011 full size Cab and Chassis for Prisoner Transport Refit.
- e) That the Board pre-approve the expenditure of \$80,000.00 for the purchase of four (4) used mini vans.
- f) That the Board pre-approve the expenditure of \$100,000.00 for the purchase of four (4) 2011 Police Motorcycles.
- g) That Fleet staff be authorized to participate in the Provincial Co-Operative Purchasing for the above-mentioned cruisers.
- h) That Fleet staff be authorized to purchase used plain door vehicles, as outlined in *PSB 02-052 - Used Vehicle Purchases*.
- i) That the Board pre-approve the expenditure of \$179,500.00 for the upfitting of the above-referenced vehicles.
- j) That the Board pre-approve an expenditure up to \$100,000.00 for the repowering of Marine 1-Hike, including two (2) replacement diesel engines and drives.
- k) That the funds for the acquisition of the new vehicles be taken from the Vehicle Replacement Account #53415, funds for the upfitting of the equipment be taken from Fleet Supplies Account #53039 and that the funds for the replacement of the marine engines be taken from the Fleet Repairs Account #55135.

**Carried.**

**(Item 6)**

**Hamilton Police  
Service Monthly  
Report**

As recommended by Chief DeCaire in Report PSB 10-102 dated October 18, 2010, the Board approved the following:

Moved by: Member Morelli  
Seconded by: Vice Chair DiGregorio

**PSB 10-102**

That the Board direct the Administrator of the board to refer this report, in its entirety, to the City of Hamilton, for information.

**Carried.**

**(Item 7)**

**Information Items**

The Board approved the following recommendation:

Moved by: Member Stayshyn  
Seconded by: Member Morelli

The Board receive the reports / correspondence as circulated.

- (a) Budget Variance Report as at August 31, 2010 (PSB 10-095)
- (b) City Clerk's Division – Council Follow-Up Notice – City Council Meeting – September 15, 2010.
- (c) Correspondence from Paul Burroughs, President, City Holdings Corp. with respect to the ACTION programme.
- (d) E-mail from Jennifer Lanzon, Executive Director, Canadian Association of Police Boards with respect to Cyber Security Strategy – Bulletin 115.
- (e) Correspondence from Kelly Greve, President, Hamilton Police Female Choir expressing thanks for support to the 1<sup>st</sup> Annual Golf Tournament Fundraiser.
- (f) Thank you card from the organizers of the Travelling Flag Day Event Dedicated to All Soldiers, Remembrance of our Fallen and in Support of Allan's Angels Camp.
- (g) St. Joseph's Healthcare Foundation's: The Future of Hope: Annual Check Up, 2010, report to the community – page 7, Cops, Cats and Caring Students.

**Carried.**

**(Item 8)**

**Other Business**

**None**

**(Item 9)**

**Adjournment**

Moved by: Member Morelli  
Seconded by: Vice Chair DiGregorio

The public portion of the meeting then adjourned at 4:43pm.

**Carried.**

**(Item 10)**

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The Board then met in camera to discuss matters of a private and confidential nature.

Taken as read and approved

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Lois Morin  
Administrator

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Bruce Pearson, Chair  
Police Services Board

October 18, 2010  
lem:

**HAMILTON POLICE SERVICES BOARD****- RECOMMENDATION -**

**DATE:** 15 November, 2010  
**REPORT TO:** Chairman and Members  
Hamilton Police Services Board  
**FROM:** Lois Morin  
Administrator  
**SUBJECT:** *2011 Police Services Board Meeting Schedule*  
*(PSB 10-120)*

**RECOMMENDATION:**

That the Board consider the following meeting schedule which provides for the regular meetings of the Board to be held at 4:00 p.m. on the third Monday of each month for 2011 (February, July, and August excepted).

Monday, January 17, 2011  
Tuesday, February 22, 2011  
Monday, March 21, 2011  
Monday, April 18, 2011  
Monday, May 16, 2011  
Monday, June 20, 2011  
Monday, July 25, 2011  
Monday, September 19, 2011  
Monday, October 17, 2011  
Monday, November 21, 2011  
Monday, December 19, 2011



Lois Morin  
Administrator

***FINANCIAL / STAFFING / LEGAL IMPLICATIONS:***

***FINANCIAL*** – n\a

***STAFFING*** – n\a

***LEGAL*** – n\a

***BACKGROUND:***

Section 3.2 of the board's procedural by-law provides for the Board, at each meeting, to determine the date and time of the next regular meeting or to schedule the meetings in advance.

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**HAMILTON POLICE SERVICES BOARD****- RECOMMENDATION -**

**DATE:** 2010 November 15  
**REPORT TO:** Chair and Members  
Hamilton Police Services Board  
**FROM:** Glenn De Caire  
Chief of Police  
**SUBJECT:** *Aftermarket Parts Tender Award*  
*(PSB 10-114)*

**RECOMMENDATIONS:**

- a) That the Board approve the award of Tender of C9-02-10 for the supply and delivery of automotive aftermarket parts for police service vehicles, for a period of five (5) years.
- b) That the Chair and Administrator of the Police Services Board be authorized and directed to execute the necessary purchase agreements with Mountainwide Auto Parts and Barton Auto Parts, in a form satisfactory to Legal Services.
- c) The payments will be made from Account #55135-376622.



Glenn De Caire  
Chief of Police

**FINANCIAL / STAFFING / LEGAL IMPLICATIONS:**

**FINANCIAL** – The estimated value of this contract over the next five (5) years is \$1.5 million. The lowest bids, based on unit pricing, offered by Mountainwide Auto Parts and Barton Auto Parts, has been recommended. Funding for this Service is included in the 2011 Fleet Budget, Account 376622-55135. Pricing for the core products purchased (the most commonly purchased and most expensive purchases) formed the basis for the tender award.

**STAFFING** – n/a

**LEGAL** – n/a

**BACKGROUND:**

Tender C9-02-10 closed August 10, 2010. This tender outlined the requirements for the supply and delivery of automotive, after-market parts for police service vehicles. A total of four (4) bids were received, however only one (1) of the bids was completed correctly and the three (3) remaining bids could not be considered. The tender specified that the award would be made to two (2) vendors. In consultation with the Director of Purchasing, a decision was made to award the tender to the successful bidder, Barton Auto Parts, and that the tender would be re-released to qualify a second bidder, as required in the original form of tender.

The closing date of the second release was October 27. A total of four (4) bids were received and the lowest bid offered by Mountainwide Auto Parts Limited, is being recommended.

This tender is a five-year tender and is based on unit pricing. The 20 most expensive and the 20 highest volume items used over the previous 12-month period formed the basis of the tender award. The vendor also provided a fixed discount off list price for items not included in the initial comparison.

The awarding of this tender to two (2) vendors allows staff to take advantage of the lowest prices offered by both vendors while avoiding the premium prices for some items offered. Items not priced or included in the tender will be compared, with the vendors discount offered, between the two (2) vendors prior to ordering, thus guaranteeing the best possible price.

It is estimated that the net savings attributed to having two (2) vendors supply parts will be approximately 20% or \$250,000.00 over the life of the contract.

GD/D. Bowman


cc: Deputy Chief Eric Girt, Field Support  
Superintendent Michael Shea, Corporate Services  
Doris Ciardullo, City of Hamilton, Purchasing  
Ted Mason, Chief Accountant

**HAMILTON POLICE SERVICES BOARD****- RECOMMENDATION -**

**DATE:** 2010 November 15  
**REPORT TO:** Chair and Members  
Hamilton Police Services Board  
**FROM:** Glenn De Caire  
Chief of Police  
**SUBJECT:** *Hamilton Police Service Monthly Report  
(PSB 10-109)*

**RECOMMENDATION:**

That the Board direct the Administrator of the Board to refer this report, in its entirety, to the City of Hamilton, for information.



Glenn De Caire  
Chief of Police

**FINANCIAL / STAFFING / LEGAL IMPLICATIONS:**

**FINANCIAL** – n/a

**STAFFING** – n/a

**LEGAL** – n/a

## **BACKGROUND:**

### **ACTION Analysis**

An important component of the ACTION strategy is ongoing analysis. Currently, the Corporate Planning Branch is undertaking an analysis that includes a review of Calls for Service from May 10 to September 30, for the time period of 2006 – 2010. This analysis is in keeping with the recommendations from the 'An Overview of Violence-Prone Areas in Hamilton', (March 23, 2010, Updated April 16, 2010). Attached is a copy of the October 25, 2010, issue of ACTION Weekly.

### **Annual Volunteer Banquet**

The Hamilton Police Service is fortunate to have over 400 volunteers who donate their valuable time, talent and support. Over 200 Service volunteers were in attendance at our annual Volunteer Banquet, held on November 9, 2010. At the event, we recognized long-service in our volunteer ranks and over 50 certificates acknowledging 5, 10, 15 and 20 years service were presented. The Service's volunteer ranks are as follows:

#### **Auxiliary**

The Service has 60 members in its Auxiliary ranks. The Hamilton Police Service Auxiliary members are civilian volunteers who help police constables in the course of their duties. Auxiliary members serve in uniform and are called upon to perform such tasks as community-based crime prevention, ground search teams for missing persons, canine training and involvement in community events like parades and fairs. The unit has been in place since 1962.

#### **Community Policing Centres (CPC)**

Over 250 volunteers work within the community on crime prevention initiatives through the Service's 11 Centres. They are involved in Speed Watch radar, have conducted over 1,000 car seat installations, lead 9-1-1 presentations at elementary schools, participate in Graffiti Awareness and Red Light Runner programs. They also take part in Earn-A-Bike, Police Week, and Cop Camp.

#### **Victim Services**

The Victim Services Branch volunteers provide a vital role to the Police Service, but more importantly, to the citizens of the City of Hamilton.

The Victim Services Branch provides 24/7 coverage to assist police officers in responding to all victims of crime and trauma.

Victim Services has an average of 80 volunteers who respond to calls of sudden death (suicide, natural causes, homicide, fatalities), assaults, robbery, and break and enter to name a few. Volunteers provide on scene crisis intervention that may include practical assistance, emotional support, information and resources.

### **HPS Retirees Banquet**

In 2010, over 35 people will retire from the Hamilton Police Service. On November 12, 2010, over 500 members and guests gathered at the Hamilton Police Association's Retirement Dinner. This event is organized by the Hamilton Police Association, with the support of the Hamilton Police Services Board and the Hamilton Police Service.

### **Hamilton Police Support Operation Yellow Ribbon**

On October 21, 2010, Hamilton Police held its Operation Yellow Ribbon Barbecue, a fundraiser in support of the Military Family Resource Centre. Organized by D/Cst. Andrew Ottay, hundreds gathered at Central Police Station, including the RHLI and two (2) grade eight classes from nearby Dr. J. Edgar Davey School. **The total amount raised was \$1,425.00** during this two-hour event. This money will be donated to the Military Family Resource Centre.

### **Off-Duty Officer Rescues Vehicle Collision Victim**

The following is an exact transcript of a Letter to the Editor that appeared in the *Niagara Advance* newspaper, about the efforts of Mike MacSween. A three-year member of the Service, Officer MacSween is assigned to Division Three Patrol. Officer MacSween was off-duty at the time of the incident described below:

*Early Sunday morning (Oct. 24) our father was in a serious single car accident on Niagara Stone Road that left him trapped in a burning vehicle. We would like to acknowledge and thank Mike MacSween for stopping when so many others didn't.*

*That morning the roads were wet and slippery and our father lost control of the vehicle, crossed oncoming traffic flipped the vehicle a number of times, missed a hydro pole, missed the culvert and ended up sideways in the ditch, the car on fire and unable to get out.*

*There was no one else involved in the accident.*

*About seven or eight cars went by before anyone stopped and it was Mike MacSween who finally stopped to help.*

*The brand new SUV was demolished, windows smashed, mirrors broken, the items from the back in the front. The air bags didn't go off and amazingly all our father has is a small cut on his finger and a red mark on his shoulder. He walked from the SUV to the ambulance and called to ask if someone else at home could pick up our sister Elizabeth from a friend's house. He was worried that she would be late for work at Zee's (they gave her the day off).*

*Regardless of the fact that the car was on fire, Mike rushed to our father's side and climbed onto the overturned vehicle to reach our dad. He helped support his weight so that the seat belt could be undone and then he pulled our dad out to safety, staying with him until help could arrive.*

*While we were saddened by the fact that people could see such a crash and continue on their way, we are happy to know that there are some people like Mike MacSween in our community willing to help a stranger in need.*

*Mike MacSween is a hero and words cannot express how grateful we are for this help on that morning.*

*On Oct. 30 our father will celebrate his 60<sup>th</sup> birthday.*

***Catherine, David and Elisabeth Butler.***

GD/C. Martin

Attachment: *October 25, 2010 Issue of ACTION Weekly*

# **THE ACTION**

Addressing **C**rime **T**rends **I**n **O**ur **N**eighbourhoods

## **WEEKLY**

October 25, 2010

### **ACTION Team arrests three in downtown and seizes illegal drugs from the streets**



On Monday, October 18<sup>th</sup>, 2010, at approximately 12:00 p.m., ACTION Officers were walking in the area of Main St. and Emerald St. in downtown Hamilton when they saw two youths smoking marihuana as they walked through an alley. The youths were arrested and found to be in possession of a small amount of marihuana and breaching court ordered bail conditions. One of the youths called his older brother to advise him of his arrest. The older brother quickly attended the area and confronted the

officers, swearing and slamming his fist on the cruiser hood. The brother was arrested for breach of the peace and began to fight with the officers. Once arrested, officers found an ounce of cocaine and 5 grams of marihuana on this male, along with \$2,500.00 cash. All three males are now facing charges and appeared in court for bail hearings.

### **Horses at Hess on Weekends**

Patrolling the City's entertainment district is an important part of the Hamilton Police Mounted Unit mandate. The unit has been patrolling Hess Village Friday and Saturday nights for the past month and will continue. The goal? Patron and neighbour safety.



## Talking ACTION....with Sgt. Will Mason, ACTION Co-ordinator

*Q: There's been some very positive feedback about ACTION. Merchants, business owners and citizens have really noticed a difference in downtown. But you have your detractors. Some are saying that while the core is safer, all you've really done is move the crime a few blocks away.*

**A:** When we set up the program, we recognized that displacement of crime was something we had to look at.

Part of ACTION is ongoing crime analysis. We are actively tracking crime and can quickly deploy officers to areas of concern.

When you target a high-crime area, there is a risk that you might be just moving it. But that doesn't mean we won't address it; we have to take action, protect citizens. And we are.

We have a visible presence downtown, and that presence alone has meant that some criminals have moved out of downtown. Some of the arrests we're making are people who are not from Hamilton.

When you push violent criminals out of a familiar area to a non-familiar area, they are not as comfortable. We are here to protect citizens. When criminals are displaced, it is much easier for our patrol officers to apprehend. ACTION also patrols specifically to address any displacement in outlying areas.

*Q: The ACTION Team is focused on downtown, how much longer can we expect the Team to be there?*

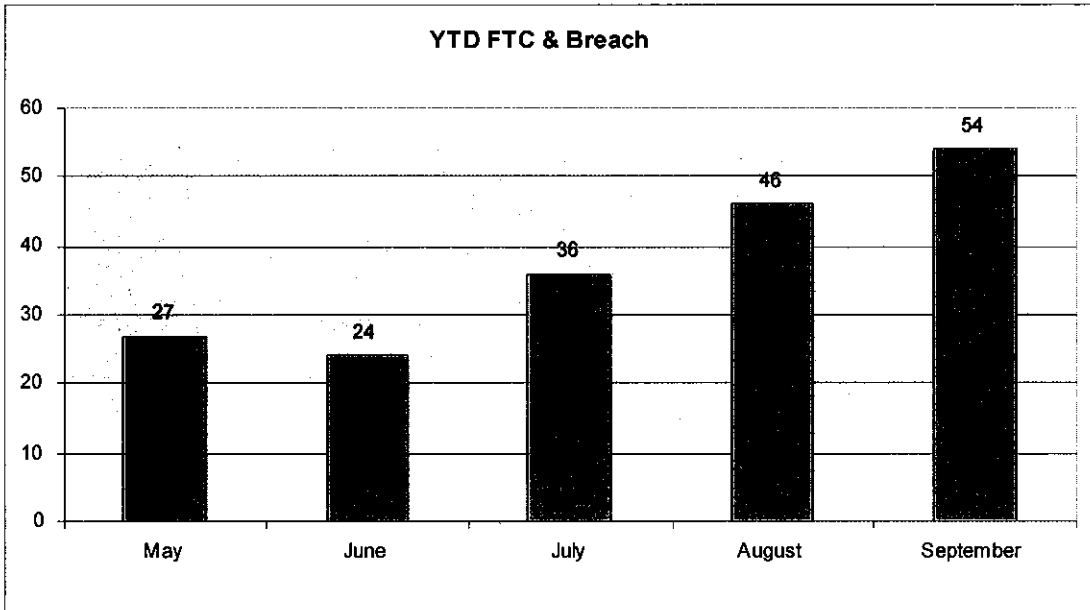
**A:** There's no definite date. As I said, crime analysis is part of our strategy and that will guide us. We already know we have made some very positive progress.

ACTION goes to other areas in the City but we don't want to lose any of the forward momentum we have created in the core. Once we get the downtown to a positive level of safety, the volume of officers will be adjusted. Hamilton Police will always have a presence downtown, but the same number of officers may not be required.

The more effective we are, and the more the community takes back their neighbourhood, the safer downtown gets and the more the ACTION Team will move to other areas.



## FTC: Fail to Comply



When someone is arrested and charged, they may be released with bail conditions. If they do not comply with those conditions they can be re-arrested. What this graph shows is the arrests being made by the ACTION Team, specifically the number that relate to not complying with bail conditions.

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To read comments on ACTION or to submit your own, please go to the Hamilton Police Website at [www.hamiltonpolice.on.ca](http://www.hamiltonpolice.on.ca) or click below.

[www.hamiltonpolice.on.ca/HPS/Action/](http://www.hamiltonpolice.on.ca/HPS/Action/)



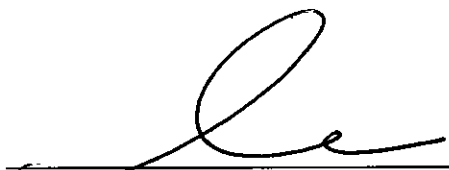
***The ACTION Team (Addressing Crime Trends In Our Neighbourhoods) is a part of the Hamilton Police Neighbourhood Safety Project. ACTION is a Ministry of Community Safety and Correctional Services provincially funded initiative dedicated to reducing violence and disorder in our neighbourhoods, increasing safety in the community and improving the quality of life for all citizens of Hamilton.***

**HAMILTON POLICE SERVICES BOARD****- RECOMMENDATION -**

**DATE:** 2010 November 15  
**REPORT TO:** Chair and Members  
Hamilton Police Services Board  
**FROM:** Glenn De Caire  
Chief of Police  
**SUBJECT:** *Reward for Information - Unsolved Homicide - Elham  
Dashtirahmatabadi  
(PSB 10-121 ; see also PSB 09-052)*

**RECOMMENDATIONS:**

- a) That the Board authorize the posting of a Reward, in the amount of \$25,000.00, for information leading to the arrest and conviction of person(s) unknown, responsible for the death of Elham Dashtirahmatabadi.
- b) That the offered Reward money be taken from Police Reward Reserve Account.



Glenn De Caire  
Chief of Police

**FINANCIAL / STAFFING / LEGAL IMPLICATIONS:**

**FINANCIAL** – See Recommendations above.

**STAFFING** – n/a

**LEGAL** – n/a

**BACKGROUND:**

On May 25, 2010, at approximately 2:10 p.m., Hamilton Police were approached by citizens concerning a store that was open, but unoccupied at 187 King Street East. Upon entering the High Times Books and Gifts store, police located the store owner, 32-year old Elham Dashtirahmatabadi.

It was evident that Mrs. Dashtirahmatabadi was the victim of a violent assault. She was transported to the Hamilton General Hospital where she succumbed to her injuries two (2) days later.

The victim co-owned the High Times Books and Gifts store with her husband, Mohammed Dashti, and was the mother of a 6-year old girl. At the time of this brutal attack the victim was five (5) weeks pregnant.

Hamilton Police homicide investigators have conducted numerous interviews and reviewed countless hours of video surveillance footage. As a result of investigation, it was learned the victim's green army style bag containing her identification and credit cards is missing from the store. Several persons of interest have been developed with many being eliminated. One (1) significant male of interest was captured by CCTV cameras entering the store and then walking from the area of the store with property that is believed to belong to Mrs. Dashtirahmatabadi, minutes prior to the discovery of the victim. This person has yet to be identified despite the release of this CCTV image to the media.

The CCTV images of this individual are not of the best quality; however the male of interest appears to have a darker complexion, slender, possibly athletic build, is 5'6" to 5'10" in height, and is wearing a blue t-shirt with a distinctive insignia on the left chest, dark pants, a white baseball cap, and white shoes.

The investigative team intends to again release the CCTV image of this unidentified male to the media along with additional information in conjunction with the Reward announcement.

This homicide occurred in the middle of the day, on a busy downtown street, with heavy pedestrian traffic.

It is believed that a Reward for information regarding this unsolved crime will lead to the identification of this male and a subsequent successful conclusion.

As per the previous Board Policy (*see PSB 09-052*), it is recommended that only 20% of the total Public Reward be held in the Police Reward Reserve Account.

BJM/D. Kinsella

cc: Deputy Chief Ken Leendertse, Community Policing

Ted Mason, Chief Accountant



**HAMILTON POLICE SERVICES BOARD  
RECOMMENDATION**

**10.**

**DATE:** November 15, 2010

**REPORT TO:** Chairman and Members, Hamilton Police Services Board

**FROM:** Lois Morin, Administrator

**SUBJECT:** Information Items

**RECOMMENDATION:**

That the following reports / correspondence, be received:

- (a) Enbridge Community Safety Program Grant (PSB 10-106)
- (b) Janitorial Tender Award (PSB 10-113)
- (c) Correspondence from Bruce Watson, Director, Customer Service and Government Compliance, Mac's convenience Stores Inc. with respect to PSB 10-101 – theft of Gas Drive-Offs.
- (d) Correspondence from Dave Bryans, President, Ontario Convenience Stores Association with respect to PSB 10-101 – theft of Gas Drive-Offs.
- (e) Correspondence from Eric A. Bristow, Director Government & Stakeholder Relations, Canadian Petroleum Products Institute – Ontario Division with respect to PSB 10-101 – theft of Gas Drive-Offs.
- (f) Correspondence from Reverend Todd Bender, Founder and Executive Director, City Kidz expressing thanks for support of their first "City Kidz Police Day".
- (g) Correspondence from Ira Rosen, First vice-President – Police Liaison, Ainslie Wood / Westdale Community Association of Resident Homeowners Inc. expressing thanks to the representatives of the Hamilton Police Service who participated in this year's annual general meeting.
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- (i) Correspondence from Cathy Wellwood, Chief Development Officer, Good Shepherd expressing thanks to Chief Glenn DeCaire for participating in the 12<sup>th</sup> Annual Harvest Dinner.
- (j) Correspondence from Ontario Police Health and Safety Committee, Labour and management Co-Chairs with respect to Update of Occupational Health and Safety Guidance Note #9: Violence and Harassment Prevention at Police Facilities.

**HAMILTON POLICE SERVICES BOARD****- INFORMATION -**

**DATE:** 2010 November 15  
**REPORT TO:** Chair and Members  
Hamilton Police Services Board  
**FROM:** Glenn De Caire  
Chief of Police  
**SUBJECT:** *Enbridge Community Safety Program Grant  
(PSB 10-106)*

**BACKGROUND:**

Enbridge builds and operates pipelines and one of its top priorities is ensuring the safety of employees, contractors and the public. In keeping with their vision and values, in particular "Social Responsibility", in 2008 the company launched Enbridge's Safe Community Program, providing financial support to hundreds of first response agencies across the continent.

"Safe Community" provides financial support to emergency response organizations so that they can acquire new safety equipment, obtain professional training or deliver educational programs. The program benefits police, fire departments, emergency medical services and other emergency health care providers.

In 2009, more than \$800,000.00 was contributed to over 150 first responder organizations in right-of-way communities in Canada and the United States.

The Hamilton Police Service has a Ground Search and Rescue (GSAR) Unit. The mission and mandate of the GSAR Unit is to save lives by responding to incidents involving missing people, locate the people or evidence expeditiously and in best condition, as possible. In 2009, the Service responded to 2,688 calls for service regarding missing people (totaling 450.78 hrs) and conducted six (6) ground search operations. The GSAR are comprised of approximately 25 people consisting of Sworn Officers and volunteers who respond on a call-out basis.

Technology is an essential tool used to assist the GSAR, while locating missing people. The Unit relies heavily on GPS technology and computer tracking to analyze search data and develop deployment strategies to locate missing people effectively. The current technology that the Hamilton GSAR uses needs to be replaced with more current technology.

To improve the effectiveness of the Hamilton Police Service GSAR Unit, a Grant Application was submitted to Enbridge's Safe Community Program. In October 2010, the Hamilton Police Service was awarded \$9,500.00 to purchase the following items:

- 10 Garmin Oregon 450T GPS units
- 1 Laptop computer suitable for mapping functions
- Wireless PowerPoint Projector
- Interactive SMART tablet and pen

These new items will be instrumental in improving the capabilities of the GSAR Unit members when involved in ground search operations. The Garmin 450T GPS units have three (3) dimensional topographic maps pre-loaded to allow officers to navigate more effectively, identify hazardous terrain, and pinpoint their locations when evidence or missing persons are located.

The laptop computer will be used to run Tourtech Search Management software that incorporates mapping and records management tools in one (1) program. Tourtech has become the provincial standard in the last two (2) years. The projector will allow Search Managers to deliver briefings to large groups of ground searchers. The SMART tablet will allow Search Managers to conduct map segmentation and record search areas and their corresponding deployments directly into the database, improving both efficiency and documentation quality.



Glenn De Caire  
Chief of Police

GD/E. Girt

cc: Superintendent Ken Bond, Support Services

## HAMILTON POLICE SERVICES BOARD

### - INFORMATION -

**DATE:** 2010 November 15

**REPORT TO:** Chair and Members  
Hamilton Police Services Board

**FROM:** Glenn De Caire  
Chief of Police

**SUBJECT:** *Janitorial Tender Award*  
*(PSB 10-113)*

#### **BACKGROUND:**

Hamilton Police Service participated in the corporate tender for Janitorial services for almost all City of Hamilton municipal facilities. Tender C12-01-10 was issued June 24, 2010 and closed August 17, 2010. A total of 17 vendors picked up the tender package and 12 submitted bids.

This tender is a five-year tender for janitorial services at Stations 10, 20 and 30, the Marine Unit and five (5) Community Policing Centres. A total of 12 vendors submitted bids on the police facilities and in every case, the lowest bid was accepted. A single vendor had the lowest bids for all the police facilities and this vendor, Omni Facility Services, is currently servicing these facilities. All submissions are within the budget allocations for each facility.

The cost summary is as follows:

**Table 1**

#### **Base Unit Cost**

<b>Station 10</b>	<b>\$85,226.88</b>	<b>\$86,931.48</b>	<b>\$86,670.04</b>	<b>\$90,433.52</b>	<b>\$92,252.40</b>
<b>Station 20</b>	<b>\$31,430.88</b>	<b>\$32,059.44</b>	<b>\$32,700.72</b>	<b>\$33,354.72</b>	<b>\$34,021.80</b>
<b>Station 30</b>	<b>\$29,795.28</b>	<b>\$30,391.20</b>	<b>\$30,999.00</b>	<b>\$31,619.04</b>	<b>\$32,251.44</b>
<b>Marine</b>	<b>\$ 1,926.24</b>	<b>\$ 1,964.76</b>	<b>\$ 2,004.00</b>	<b>\$ 2,044.08</b>	<b>\$ 2,085.00</b>
<b>CPC (Unit Cost)</b>	<b>\$ 1,926.24</b>	<b>\$ 1,964.76</b>	<b>\$ 2,004.00</b>	<b>\$ 2,044.08</b>	<b>\$ 2,085.00</b>

In addition to the above base contract price, the following unit costing will form part of the contract for unscheduled or directed works:

Carpet cleaning per sq. meter	\$ 1.00
Strip and Wax Floor per sq. meter	\$ 2.00
Wall cleaning per sq. meter	\$ 0.05
Diffuser Cleaning (each)	\$ 3.00
Light fixture and lens cleaning (each)	\$ 4.50
Indoor Window Cleaning per hour	\$18.00
Extra Cleaning (unscheduled)	\$16.00
Holding Room	\$16.00
Weekend Pick Up and Cleaning	\$65.00

The results and recommendations of Janitorial Tender C12-01-10 were approved by City Council on September 29, 2010, as item 12 under the Audit and Administration Committee Report 10-010. As required, the Board is being made aware of this tender award. This is a corporate tender and is approved by City Council.

The vendor has passed a detailed "Intelligence" background check conducted by this department which was a requirement of the tender.

The start date for this tender will be January, 2011.



Glenn De Caire  
Chief of Police

GD/D. Bowman

cc: Deputy Chief Eric Girt, Field Support

Superintendent Michael Shea, Corporate Services

Ted Mason, Chief Accountant

Iris Tesch, City of Hamilton, Purchasing

Mac's Convenience Stores Inc.  
A Couche-Tard company  
305 Milner Avenue, Suite 400  
Toronto, Ontario M1B 3V4

Tel: (416) 291-4441  
Fax: (416) 291-4947

10.(c)



October 20, 2010

Mr. Bruce Pearson,  
Chair, Hamilton Police Services Board,  
155 King William Street,  
P.O. Box 1060 LCD 1,  
Hamilton, Ontario,  
L8N 4C1

RECEIVED  
OCT 20 2010  
HAMILTON POLICE SERVICES BOARD

Dear Mr. Pearson,

Recently, it has come to our attention that the City of Hamilton's Police Services Board is recommending a new by-law for consideration by the City Council this fall.

These proposed changes will negatively impact the business of petroleum outlets and we wish to bring this fact to your attention, requesting that all stakeholders be properly and thoroughly consulted prior to rushing this by-law into place.

As an example in the case of a similar proposal in Ottawa, we were invited by Chief White, to provide input on the City of Ottawa's consideration of implementing 24-hours gasoline Pre-Pay as both a voluntary measure, and in the future as a component of the city's licensing by-law.

Although there is a survey mentioned in the news article as the basis for the recommended by-law, we never received such, and question the validity and the framing of questions along with the quoted response rate of 42% of the 89 surveys sent.

Less than half the retailers responded, and not all received the document in the first place, this demonstrates and underscores the urgent need for proper stakeholder consultation and input from all parties affected.

Mac's Convenience Stores Inc. and the Ontario Convenience Stores Association have grave reservations about the proposed initiatives, and cannot support a mandatory 24-hour Pre-Pay for retail fuel sales in the City of Hamilton in any form.

Mac's operates almost 600 stores across Ontario of which 70 are fuel sites.

The O.C.S.A. represents approximately 8,700 convenience stores in Ontario. Members, range from national chains such as Mac's, Petro-Canada, 7-11, and neighbourhood owned corner stores. The convenience industry is currently under tremendous economic pressure from the recession and from the scourge of contraband tobacco, resulting in 1,248 Ontario stores closing during 2008.

The safety of employees is one of the prime concerns of Mac's and other O.C.S.A. members. We have robbery prevention programs, policies and training that are designed to ensure the safety of employees in all cases of theft or robbery, including gasoline "drive offs".

With safety top of mind, all employees are instructed to ensure their own welfare first, recognizing that criminal investigation must be left for law enforcement professionals, they are trained on a quarterly basis to never interfere or attempt to stop a crime in progress where there is risk of injury to themselves.

All fuel retailers should be allowed to use their own initiative to put in place drive off prevention programs including Pre-Pay requirements. These programs are often tailored to individual locations where incidents of theft are more common.

However, losses due to fuel theft represent only a fraction of 1 percent of overall transactions and we believe mandatory laws are an overreaction and needless expense for a small problem.

All retailers experience theft and shoplifting; it is part and parcel of doing business, but imposing a pre-pay requirement for anyone entering the local grocery or drug store would be seen as ridiculous. Both customer and retailer would find this unacceptable and unwarranted for the relatively small losses the real criminals create.

Treating every customer as if they may be a potential criminal should not be necessary in Canada.

We believe a mandatory 24-hour Pre-Pay treats all stores the same and is an unnecessary and extreme reaction to the problem of gasoline drive offs. Statistics from O.C.S.A. members and industry experience have demonstrated that in jurisdictions where mandatory 24-hour Pre-Pay has been implemented, the loss of non gasoline sales has been far larger than any recovery of possible drive off losses.

As noted above, our industry already faces huge challenges from many fronts, such as Contraband Tobacco as one example and thousands of jobs and taxes have been lost due to store closures.

What of the many smaller sites with older equipment (such as the independent owner quoted in the Hamilton Spectator article), how will they afford to update to meet this proposed new requirement?

They will surely be forced to close, destroying livelihoods, tax revenues and competition.

Mandatory Pre-Pay reduces the convenience of purchasing all products sold by the average convenience store which includes a gas bar. Pre-pay removes a large portion of the transaction advantage convenience stores currently enjoy over competitors, and in turn increases the amount of time an average consumer spends to complete their transaction (in

the case of having to conduct two payments, one for store items, and one for gasoline). This loss in time translates into loss of sales. Mandatory 24 hour Pre-Pay reduces the likelihood of an in store secondary purchase by 50%, according to statistics from our industry partners.

We are concerned that by-law changes may be set in motion by the current council before the upcoming election and ask that any further steps be delayed until after proper consultation through meetings has been achieved.

We believe that by working together with Mac's and other retailers, it will be possible to set up a process which is mutually beneficial to both the Hamilton Police Service and the convenience store industry in Hamilton and other Cities of Ontario in addressing concerns about gasoline drive-offs and respectfully request the opportunity to do so.

Sincerely,



Bruce Watson  
Director

Customer Service and Government Compliance  
Mac's Convenience Stores Inc.  
305 Milner Avenue, Suite 300  
Scarborough, Ontario  
Tel : 416-291-4444 Ext. 7178  
Fax : 416-609-7179

CC: Chief Glenn De Caire - Hamilton Chief of Police  
Ms. Treena Ley - Deputy Chief Executive Officer  
Ms. Lois Morin - Administrator,



October 20, 2010

Mr. Bruce Pearson –Chair of HPS Board  
155 King William Street  
P.O. Box 1060, LCD 1  
Hamilton, Ontario  
L8N 4C1

RECEIVED  
OCT 29 2010  
HAMILTON POLICE SERVICES BOARD

Dear Mr. Pearson

Recently, it has come to our attention that the Hamilton Police Serves Board has been asked to make significant changes to the business licensing bylaw, possibly without consultation with a wide range of affected stakeholders. These changes will negatively impact the businesses of hundreds of our members across Hamilton, and we want to bring them to your attention.

We found out about the proposed Gas drive offs – PSB 10 -101 via an article in the Hamilton Spectator and by listening to local area talk shows and we have not been asked to provide input on the City of Hamilton's issue of implementing 24-hours gasoline Pre-Pay as a component of the city's licensing by-law. This letters' purpose is to inform you that the Ontario Convenience Stores Association (OCSA) has grave reservations about the proposed initiatives, and cannot support a mandatory 24-hour Pre-Pay for retail fuel sales in the City of Hamilton in any form.

The OCSA represents approximately 8,700 convenience stores in Ontario. Our members, range from national chains such as Petro-Canada, Pioneer Petroleum, 7-11, Cango Gas and many family run neighbourhood owned corner stores. The convenience industry is currently under tremendous economic pressure from the recession and from the scourge of contraband tobacco. 1,248 stores closed in Ontario during 200.

It is important to note that safety of employees is one of the prime concerns of the members of the OCSA. Members each have robbery prevention programs that are tailored to their own specific operations and all are designed to ensure the safety of employees in all cases of theft or robbery. With safety top of mind, all employees are instructed to ensure their own safety first recognizing that criminal investigation must be left for law enforcement professionals.





Retailers through their own initiatives routinely put in place their own drive off prevention programs including Pre-Pay requirements. These programs are often tailored to individual locations where incidents of theft are more common. We believe a mandatory 24-hour Pre-Pay treats all stores the same and is an unnecessary extreme reaction to the problem of gasoline drive offs. Statistics from our members have shown that in jurisdictions where mandatory 24-hour Pre-Pay has been implemented, the loss of non gasoline sales has been far larger than any recovery of possible drive off losses.

Mandatory Pre-Pay reduces the convenience of purchasing all products sold by the average convenience store which includes a gas bar. Pre-pay removes a large portion of the transaction advantage convenience stores currently enjoy over competitors, and in turn increases the amount of time an average consumer spends to complete their transaction (in the case of having to conduct two payments, one for store items, and one for gasoline). This loss in time translates into loss of sales. Mandatory 24 hour Pre-Pay reduces the likelihood of an in store secondary purchase by 50%, according to statistics from our industry partners.

We are concerned that the Hamilton Police Services has not consulted with a wider and more informed level of gas operators in a disciplined fashion, nor attempted to enter into any type of dialogue to set up a process which is mutually beneficial to both the Hamilton Police Service and the convenience store industry in Hamilton in addressing concerns about gasoline drive-offs. We ask the Board rescind the motion until such time a proper due diligence has been performed on this issue with a wider range of stakeholders. These types of decisions can be very damaging to the C Store industry without proper consultation.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Bryans", is written over a white background.

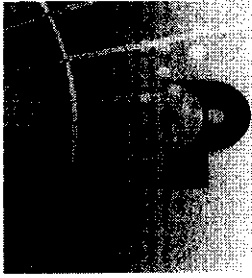
Dave Bryans  
President



A Division of the Canadian Convenience Stores Association



Age-Verification Program



Canadian	Institut
Petroleum	canadien
Products	des produits
Institute	pétroliers

November 10, 2010

Mr. Bruce Pearson –Chair of HPS Board  
 155 King William Street  
 P.O. Box 1060, LCD 1  
 Hamilton, Ontario  
 L8N 4C1

Dear Mr. Pearson

It has recently been brought to the attention of the Canadian Petroleum Products Institute (CPPI) via media reports that the Hamilton Police Services is proposing to recommend to Hamilton Council a proposal to implement 24-hours gasoline Pre-Pay as a component of the city's licensing by-law.

For your understanding, CPPI is the national association representing the interests of the downstream petroleum industry for all aspects of petroleum refining, distribution, transportation and marketing of petroleum products. CPPI members with retail fuel stations in Ontario include: Husky, Imperial Oil (Esso); Shell Canada; Suncor (Petro-Canada) and Ultramar. On behalf of its members, CPPI works with governments and others to create responsible standards, laws and regulations to safeguard the community, workplace and environment.

The purpose of this letter is to inform you that CPPI does not support a mandatory 24-hour Pre-Pay for retail fuel sales. While I understand that there was some consultation conducted by the Hamilton Police Service on this proposal, CPPI member companies have indicated that they were not consulted on this significant policy proposal.

All CPPI member companies conduct their business in a manner that protects the safety of employees, customers and the general public. This is a top priority.

CPPI members have in place several aspects to protect the safety of staff, related to store thefts and drive-off gasoline thefts:

- Procedures, job expectations and training, all clearly outline and reinforce that staff is not to take any actions to intervene or try and stop a theft, including drive-off thefts. The expectation is to observe and subsequently report the occurrence.
- To help prevent such occurrences, pump islands have high intensity lighting and surveillance systems.
- In some higher-risk sites:
  - Outer lanes are dedicated to credit/debit card payments-only.
  - Selective pre-payment has been implemented in for overnight hours (e.g. 10 p.m. and 6 a.m.)

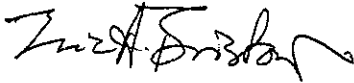
CPPI does not view that requiring all customers to pre-pay their fuel purchase is the best solution; nor does our experience from other jurisdictions such as British Columbia where pre-pay systems currently exist, suggest that such a system improves retailer safety, or provides an environment that is conducive to the exemplary level of customer service that we strive for.

- Member sites have in place standards and facilities to help protect the safety of staff.
- Pre-pay would inconvenience and therefore penalize many customers due to the actions of a small segment of the population
- Pre-pay only in one specific market could result in customer confusion, especially for customers from other municipalities.
- Different by-laws between neighbouring municipalities, creates an unlevel competitive environment.
- Different By-law requirements by municipalities create operational challenges and are administratively awkward and onerous to administer.

In conclusion, while we understand your concerns, we wish to work with you to explore other alternatives rather than a mandatory pre-payment requirement, which CPPI is opposed to.

I look forward to an opportunity to discuss this further with you and your staff.

Sincerely,



Eric A. Bristow  
Director Government & Stakeholder Relations  
Canadian Petroleum Products Institute - Ontario Division  
20 Adelaide St E. Ste 901  
Toronto, On M5C 2T6  
Tel 416-492-5677 ext 34 [fax 2514]  
E-Mail [ [ericbristow@cpqi.ca](mailto:ericbristow@cpqi.ca) ]

Cc  
Faith Goodman, Vice-President Ontario Division, CPPI

From: [REDACTED] todd@citykidz.ca  
Todd Bender <todd@citykidz.ca>  
Subject: Thank you from City Kidz! // Police Day  
To: [REDACTED] **Glenn De Caire**

Tuesday, October 12, 2010 5:20:52 PM

Dear Chief Glen De Caire

I trust you had a happy Thanksgiving!

On behalf of all the children and team here at City Kidz, thank you for your support with our first City Kidz Police Day! "Police Day" was a great success! Nearly 1000 children were able to interact with officers through-out the day. As well, to have the mounted units visit with us was a special thrill for so many kids!

The officers were both professional and respectful, but also approachable for the kids. It was a proud moment for us to speak to the children about how police officers were our protectors, and that it was there responsibility to keep us safe. I truly believe many children went home that Saturday with an added sense of security and safety.

We would also like to say a big thank you to Officer Lynda Sohal for her support and efforts organizing the event. Officer Brad Lawrie who serves on our board of directors as well as volunteers when he's off duty, was such a positive influence and stayed through-out the entire day to serve. As well, I must say Staff Sgt. Steve Hahn was absolutely wonderful! He participated on the stage and gave a positive message to all the kids to always make good choices and choose to do the right thing.

Once again, thank you for taking the time out from your busy schedule and responsibilities to help make this event a big success.

Sincerely,

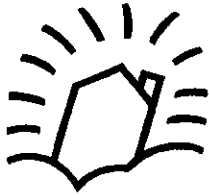
Rev. Todd Bender  
Founder and Executive Director  
City Kidz

**RECEIVED**

OCT 13 2010

**CHIEF'S OFFICE**  
HAMILTON POLICE SERVICE

PSB (NOV.)  
INFO



**Ainslie Wood/Westdale Community Association**  
***Of Resident Homeowners Inc.***  
1063 King Street West  
Suite 221  
Hamilton, Ontario L8S 4H2  
awwca.ca

October 7, 2010

Attn: Chief Glenn De Caire  
Inspector Scott Rastin  
Sergeant Sabrina Feser

Dear Chief De Caire:

On behalf of the board of directors, as well as members of the AWWCA, I would like to thank all of the representatives of the Hamilton Police Service who participated in this year's annual general meeting.

We have been fortunate in getting to know Inspector Scott Rastin over the years, and we are always glad to have him as a guest. This year's AGM was the first time that our members were able to hear from our new Crime Manager, Sergeant Sabrina Feser. The comments we have heard on her very detailed report were that it was outstanding. This was also the first time we had an opportunity to hear from a representative of the Auxiliary Police, and again we received very positive feedback on the Safe Guard program.

We look forward to an ongoing positive relationship with the Hamilton Police Service. It is because of your efforts and dedication that our members feel as though positive steps have been made.

Thank you.

Ira Rosen  
First Vice-President - Police Liaison  
Ainslie Wood /Westdale Community Association of Resident Homeowners Inc.

RSB Info. (Nov.)  
mu



**WESLEY  
URBAN MINISTRIES**

September 2010

**RECEIVED**

Chief Glenn De Caire  
Hamilton Police Services  
155 King William Street  
Box 1060, LCD1  
Hamilton, ON L8N 4C1

OCT 07 2010

CHIEF'S OFFICE  
HAMILTON POLICE SERVICES



Dear Chief De Caire:

**Thank You for Helping Vulnerable  
Children & Youth in our Community!**

Golf Tournament  
Organizing  
Committee

Brian Mullen  
ArcelorMittal,  
Retired

Rob Hind  
ArcelorMittal

Don Bridgman  
Assante Wealth  
Management

Rick Nelson  
The Gerald  
Flaherty Agency

John MacDonald  
Taylor Steel Inc.

Randy Smith  
Taylor Steel Inc.

John  
Mathioudakis  
Westbrooke of  
Ancaster

Bob Lawrie  
Dan Lawrie  
Insurance  
Brokers

On behalf of the vulnerable children and youth who come to Wesley's programs and our Golf Tournament Organizing Committee, I wish to extend our sincerest appreciation to you for your support of the 18th Annual Wesley Open Charity Golf Tournament.

In the above picture, children from our after-school program presented the golfers with a home-made 'Thank You' banner. Paul Johnson, our Executive Director, thanked them for coming and had them share tips from their afternoon golf lesson.

With your help, we raised over \$64,000 this year for our many child and youth programs that help to break the cycle of poverty. This was a remarkable increase from last year, when we raised \$60,000. All sponsorship and proceeds are directly used for over ten programs for children and youth in Hamilton. Thank you for joining over 300 corporations, community agencies and individuals who sponsored, donated, and/or golfed in support of our programs.

For more information on our programs please visit our website at [www.wesleyurbanministries.ca](http://www.wesleyurbanministries.ca). If you have any questions about how you can support these programs further, please contact me at 905.528.5629, Ext. 248.

**MARK YOUR CALENDARS!** Next year's event is scheduled for Monday, September 12<sup>th</sup> and I hope you will renew your support of the 19<sup>th</sup> Annual Wesley Open Charity Golf Tournament. Thank you again for your tremendous contributions.

Sincerely,

*Andrea Buttars*

Andrea Buttars  
Special Events Coordinator  
Encl.

*Thank-you  
for your support  
Brian Mullen*

*R.B. Inc. (Nov)  
m*

# 18th Annual Wesley Open

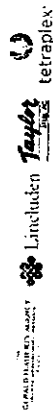
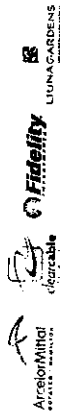
## Charity Golf Tournament

Monday, September 13th 2010

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Silver Sponsors



Bronze Sponsor Friends of Wesley

Dinner Sponsors

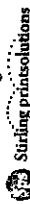


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Decreasing Barriers... Increasing Opportunities  
www.wesleyurbanministries.co

### Thank You!

Golf Organizing Committee Members  
Brian Muller, ArcelorMittal Dofasco, Retired  
Robert Hind, ArcelorMittal Dofasco  
Don Bridgman, Assante Wealth Management  
Bob Lawrie, Don Lawrie Insurance Brokers Ltd.  
Rick Nelson, The Gerald Fishery Agency  
John McDonald, Taylor Steel Inc.  
Randy Smith, Taylor Steel Inc.  
John Michaudakis, Westbrooke of Ancaster

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Economic Insurance Group  
Franklin Templeton Investments  
Fraser Financial Consultants  
Good Shepherd Centres  
Hail Construction Inc.  
Hamilton Cab  
Hamilton Port Authority  
Harrison Mailing  
John Maloyke Architects  
Mohawk College  
Postward Protection  
PriceWaterhouseCoopers  
Pro Sight

GSI Windows  
K. Cronish GC & Associates  
Richard Lapinski Electric  
Stewenson & Lebecki, Accountants  
Sullivan Eastings LLP  
TD Commercial Banking

Casual Gourmet  
Chadwick & Hock's  
The Cleaning House  
Cooch and Lantern  
Corktown Pub  
Cormack Lubricants  
Costco  
Cytex Canada Inc.  
Don Grant  
Diamond Wines  
Discount Rent a Car, Main St  
East Dell Estates  
Eckles Auto Service  
Emma's Back Patch  
Empire Jackson Square & Cinasas  
Everwood Wellness Retreat & Spa  
Fit It In  
Fox & Fiddle Restaurant  
Frank Cowan Co.  
Genivar  
Glendale Golf & Country Club  
Golf Committee  
Golfers Den  
Goodness Me  
Hamilton Chamber of Commerce  
Hamilton Police Service  
Hamilton Store Fixtures  
Hamilton Yachting  
Hamilton Video & Sound  
Hamilton Waterfront Trust  
Horizon Utilities  
Hotz Ferrous Inc.  
Hydro One  
Jack Astors, Eastgate Mall  
Justin's Mixed Martial Arts  
J. Fryke Tax Services  
Kelsey's, Centennial Parkway  
La Cantina  
La Jardiniere Flower Market  
Lamy & Kim Scott  
Locke Smead Bakery  
Maccheroni Cucina Al Fresco  
Maple Lodge Farms  
Miami Martin  
Marriott Hotels  
Mayor Eisenberg's Office (City of Hamilton)  
Manarch Laser & Wellness Centre  
Nature Day Spa  
Ontario Place  
Ontario Science Centre  
Outelec Auburn  
Parent Books  
The Players' Guild of Hamilton  
Pato McCallum  
Rick Gillespie, Investors Group  
Sancy Russell  
Scraper Contracting  
Scholastic Canada Books  
Sealed Air  
Service Master of Hamilton  
Shavers Flowers  
Spencer's on the Waterfront  
Strecker Brothers  
TD Insurance Meloche Monnex  
Toronto Zoo  
Toronto Blue Jays  
Weeks Home Hardware  
Westbrooke of Ancaster  
White Flame Candle Company

Steve Azarian  
Acclamation Bar & Grill  
Aladdin Oriental Rugs  
ArcelorMittal Dofasco  
Arlene Swenor  
Assante Wealth Management  
Beverly Hills Home Improvement  
Booth Furniture  
Casablanca Winery Inc  
Coppley Apparel Group  
Dr. J. Sheehy  
Flamborough Patio Furniture  
The Framing Warehouse  
PK Systems  
Grand and Toy  
Hamilton Philharmonic Orchestra  
Hamilton Tiger Cats  
HECFI  
Hotz Ferrous  
John McDonald  
Keg Restaurants  
Ken Lamont (Lamont Office Systems)  
McMaster University, Roger Trail  
Rona, Rydal Road  
Shaw Festival  
Sliding Print Solutions  
The Store  
Theatre Aquarius  
Tiki Loft  
Tim Horvath  
Toronto Raptors  
Toronto Symphony Orchestra  
Westbrooke of Ancaster

Prize Donors  
24 Karat Jewellery  
Action Sanitation Supply  
Advanced Office Solutions (Xerox)  
Al Beck's Key Shop  
Alarm Force  
Albert Snow Hair Design  
Andrea Soos Yoga Studio  
Apple Auto Glass  
Applegate & James  
Art Gallery of Hamilton  
Assante  
Bank of Montreal, Bay Street  
Bank of Montreal, Grimsby  
Barbers Restaurant Equipment Repairs  
Baycoast Ltd.  
Beane's Basics  
Bell Arts Camera  
Big Al's Aquarium Services  
Bird Kingdom  
Blue Line Taxi  
Boston Pizzeria - Upper Centennial  
Branford Twin Valley Zoo  
Bruno's School of Hair Design  
Burlington Art Centre  
Caledonia Transportation  
Canadian Tire - Centre Mall  
Canadian Warplane Heritage  
Candlelight Inn  
Carlisle Chiropractic  
Carluke Orchards  
Carmen's Dinner Theatre  
CAS Compact Solutions



For those we have missed due to printing deadlines, Thank You!

10.(i)g

RECEIVED Good Shepherd  
Faith in people.

OCT 29 2010

HAMILTON POLICE SERVICE



October 22, 2010

Glenn

Attn: Police Chief Brian De Caire  
Hamilton Police Services  
155 King William St  
PO Box 1060  
Hamilton, ON L8N 4C1

Dear Police Chief De Caire:

I'm so pleased you have decided to participate in our 12<sup>th</sup> Annual Harvest Dinner!

"Sharing the Harvest" is the theme of this year's dinner; and how appropriate is that?  
Sharing is what we all strive to accomplish, not just today, but every day!

At the Harvest Dinner, we come together to share in the joy of good food and good company  
and to recognize how blessed we are. At the same time, we come together to share our  
blessings with people who look to Good Shepherd for physical and spiritual nourishment.

I'm not sure you realize how important your ongoing support of this event is! You make our  
mission of sharing possible. You mean so much to us and to the vulnerable people we  
serve.

So, to you, I offer a huge harvest bouquet of *THANKS* for having faith in us!

On behalf of the Brothers of the Good Shepherd, thank you and God bless.

Sincerely,

Cathy Wellwood  
Chief Development Officer

15B-Info (Nav)



## Memorandum

To: All Chiefs of Police and Commissioner Chris D. Lewis

From: Ontario Police Health and Safety Committee,  
Labour and Management Co-Chairs

Re: Update of Occupational Health and Safety Guidance Note #9:  
Violence and Harassment Prevention at Police Facilities

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The Ontario Police Health and Safety Committee (OPHSC) is appointed by the Minister of Labour under Section 21 of the *Occupational Health and Safety Act* for the purpose of advising the Minister and making recommendations on occupational health and safety issues that affect police personnel across Ontario.

As you know, police personnel face unique occupational health and safety hazards that may not specifically be addressed in *Ontario's Police Services Act*, its regulations, or in supporting policing guidelines.

The work of the OPHSC involves labour and management discussion of the policing guidelines that support the *Police Services Act* and its regulations, and the requirements of the *Occupational Health and Safety Act*, and its regulations, as they apply to police services across the province.

Amendments to the *Occupational Health and Safety Act* respecting workplace violence and harassment went into effect on June 15, 2010. The attached guidance note has been recently reviewed and updated by the OPHSC with a focus on the protection of police personnel working at police facilities.

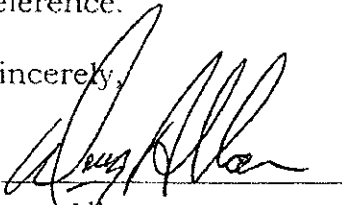
The following Ministry of Labour website provides additional information and resources for the prevention of workplace violence and harassment to assist the workplace parties:

<http://www.labour.gov.on.ca/english/hs/topics/workplaceviolence.php>

The OPHSC is seeking your continued support in ensuring that Guidance Note #9 is distributed to police personnel at all levels within the policing community.

The Terms of Reference for the OPHSC is also attached for your reference.

Sincerely,



Doug Allan  
Labour Co-Chair  
Police Association of Ontario



Christine Bortkiewicz  
Management Co-Chair  
Toronto Police Service



# Ontario Police Health and Safety Committee

## Guidance Note #9

### Violence and Harassment Prevention at Police Facilities

#### Introduction

The focus of this guidance note is to reinforce the requirements of the *Occupational Health and Safety Act* (OHSA) that apply specifically to the protection of workers from violence and to address harassment of workers at police facilities. This includes violence or harassment that police personnel could experience as a result of interactions with the public, between workers or from persons who have a personal relationship with workers.

**At the same time, employers are reminded that they are required to protect all police personnel, including those who work outside police facilities, from the risks of workplace violence due to the nature of the workplace, the type of work and the conditions of work, and to address workplace harassment. Under the OHSA, a workplace means any land, premises, location or thing at, upon, in or near which a worker works. Police personnel work in many diverse environments and under a variety of conditions. Employers are required under the OHSA to protect police personnel from workplace violence and to address workplace harassment in all police workplaces beyond police facilities.**

#### Workplace Violence

The OHSA defines workplace violence as the actual or attempted exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker. It includes a statement or behaviour that would be reasonable for a worker to interpret as a threat to exercise physical force against the worker. Examples of workplace violence would be:

- verbally threatening to attack a worker
- leaving threatening notes at or sending threatening e-mails to a workplace
- shaking a fist in a worker's face
- wielding a weapon at work
- hitting or trying to hit a worker
- throwing an object at a worker
- sexual violence against a worker

- kicking an object the worker is standing on such as a ladder
- trying to run down a worker using a vehicle or equipment

Under the OHSA, employers are required to assess the risks of workplace violence that may arise from:

- the nature of the workplace
- the type of work, or
- the conditions of work

The nature of the workplace refers to the physical aspects of the workplace and may include workplace lighting, lines of sight, depth of counters, entrances, exits and objects that could be used to physically injure workers. The type of work refers to the activities workers perform and the people with whom workers interact. In police work this includes assisting members of the public or handling suspects. The conditions of work refer to other aspects such as the time of work (e.g., late night hours), the surrounding neighbourhood and whether workers move from location to location, work alone or in isolation.

In carrying out the assessment, employers must consider:

- circumstances common to similar workplaces
- circumstances specific to the workplace

At police headquarters and other police facilities, this could include an assessment of the risks of workplace violence associated with:

- interactions with members of the public being served at the workplace, including those with a known history of violence
- workplace equipment and materials that may be used by a member of the public to physically injure a worker e.g., objects, office furniture
- work protocols and procedures inherent to the work of police personnel and specific to the workplace
- current measures and procedures that are in place to protect workers from workplace violence and workplace harassment
- physical aspects of the workplace in general e.g., lighting, layout, access, security, parking lot location, etc.
- conditions of work such as shift work, working alone, random acts of violence that may arise due to a surrounding high crime neighbourhood, etc.
- known risks at police facilities based on previous workplace incidents
- known risks at police facilities identified by the policing community in general

The employer is not expected to proactively assess the risks of individual worker to worker violence or domestic violence that may occur in the workplace.

A reassessment of the risks of workplace violence is required as often as necessary to ensure that the workplace violence policy and program continues to protect workers. The employer is also required to advise the Joint Health and Safety Committee (JHSC) or a Health and Safety Representative, if any, of the results of both an initial assessment and a

reassessment of workplace violence, and to provide a copy if it is in writing. If there is no JHSC or Health and Safety Representative, the employer is required to advise the workers of the results, and if the assessment or reassessment is in writing, provide copies on request.

The employer is also required to prepare a written policy with respect to workplace violence and post it in a conspicuous place in the workplace. A posted and written workplace violence policy is not required for workplaces where the number of regularly employed workers is five or fewer, unless a Ministry of Labour inspector orders otherwise. The employer is required to review the policy at least annually or as often as necessary and must implement the policy by developing and maintaining a program that includes the following elements:

- measures and procedures to control the risks identified in the assessment
- measures and procedures to summon immediate assistance
- measures and procedures for workers to report incidents to the employer or supervisor
- how the employer will investigate and deal with incidents or complaints

Other key requirements of the OHS Act that would apply to workplace violence include:

- Providing workers with appropriate information and instruction on the contents of the policy and program
- Providing workers with information, including personal information, related to a risk of workplace violence from a person with a history of violent behaviour if the worker can be expected to encounter the violent person in the course of his or her work and the risk of workplace violence is likely to expose the worker to physical injury. In a police facility, where it may not be practical to provide specific information on each and every person who may have a history of violent behaviour, it may be appropriate to provide general information about groups of people with similar risks of violence and the measures and procedures in place for the protection of police personnel.
- Setting up criteria to limit disclosure of personal information to that which is reasonably necessary for the protection of a worker from physical injury
- Maintaining all security equipment, materials and protective devices in good condition
- Reporting incidents involving workplace violence where a person is killed, critically injured or disabled from doing his or her usual work to the JHSC or health and safety representative and to the police association
- Ensuring that the specific measures and procedures that are part of the workplace violence program continue to control new risks of violence identified at the workplace as a result of workplace incidents, worker concerns or changes made to the work or workplace

Some specific measures and procedures that employers may wish to consider as part of a workplace violence prevention program in policing include:

- Restricting areas that clients have access to
- Screening clients who enter the workplace

- Installing physical barriers such as extra wide service counters, plexi-glass, secured entries, etc.
- Removing or securing items that can be picked up and thrown
- Ensuring that security, both inside and outside the workplace, is a regular part of workplace inspections
- Improving communication systems, e.g., video cameras, signals, panic buttons, direct dial telephone buttons, etc.
- Implementing emergency procedures for escape routes, calls for back-up and physical restraint
- Ensuring adequate visibility e.g., lighting, clear lines of sight by installing mirrors, removing obstructions, etc.
- Tracking incidents of harassment or other signs of strain or pressure that could escalate to property damage, verbal abuse or threats of physical violence
- Having specific reporting mechanisms to deal with domestic violence that may occur in the workplace and worker to worker concerns/threats including circumstances that may involve command relationships
- Providing information and instruction on the recognition and handling of threatening or hostile situations unique to the job
- Promoting staff awareness and an understanding of the protocols on response to incidents of workplace violence and workplace harassment in policing (Note: Some incidents may be considered violations of the *Police Services Act* and/or Canada's *Criminal Code* and must be treated appropriately).

## **Domestic Violence**

Domestic violence is considered workplace violence when a person who has a personal relationship with a worker, such as a spouse or former spouse, current or former intimate partner or a family member, may physically injure, or attempt or threaten to physically injure, a worker in the workplace.

Under the OHSA, an employer must take every precaution reasonable in the circumstances for the protection of workers when they become aware, or ought reasonably to be aware, that domestic violence may occur in the workplace and that it would likely expose a worker, or other workers, to physical injury. The measures and procedures in the employer's workplace violence program or an individual safety plan for the worker while he or she is at the workplace may support the development of reasonable precautions for the protection of workers.

## **Workplace Harassment**

The OHSA defines workplace harassment as a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome. The definition of workplace harassment is broad enough to include harassment prohibited under Ontario's *Human Rights Code*. Reasonable action or

conduct by an employer, manager or supervisor that is part of his or her normal work function would not normally be considered workplace harassment, e.g., changes in work assignments, scheduling, job assessment and evaluation, workplace inspections, implementation of dress codes and disciplinary action.

At police facilities, workplace harassment could result from interactions with members of the public or from other workers. Unlike workplace violence, the OHSA does not require an assessment of the risks of workplace harassment.

As with workplace violence, the OHSA requires employers to prepare a written policy with respect to workplace harassment and post it in a conspicuous place in the workplace. A posted and written workplace harassment policy is not required for workplaces where the number of regularly employed workers is five or fewer, unless a Ministry of Labour inspector orders otherwise. The employer is required to review the policy at least annually, or as often as necessary, and must implement the policy by developing and maintaining a program to address workplace harassment. Workers must be provided with information and instruction on the contents of the policy and program with respect to workplace harassment. Workplace violence and workplace harassment policies may be prepared separately, or combined or integrated into the broader workplace health and safety policy that is required under the OHSA.

The OHSA requires that a workplace harassment program contain the following elements:

- measures and procedures for workers to report incidents of workplace harassment
- how the employer will investigate and deal with incidents and complaints

## **The Policing Standards Manual 2000**

- I. Guideline AI-003 Equal Opportunity, Discrimination and Workplace Harassment

### **Additional Resources:**

- **Ministry of Labour Website:**  
<http://www.labour.gov.on.ca/english/hs/topics/workplaceviolence.php>
- **Workplace Violence and Harassment: Understanding the Law:**  
<http://www.labour.gov.on.ca/english/hs/pubs/wpvh/index.php>
- **Developing Workplace Violence and Harassment Policies and Programs: What Employers Need to Know:**  
[http://www.labour.gov.on.ca/english/hs/pdf/wvps\\_guide.pdf](http://www.labour.gov.on.ca/english/hs/pdf/wvps_guide.pdf)

- **Developing Workplace Violence and Harassment Policies and Programs: A Toolbox:** [http://www.labour.gov.on.ca/english/hs/pdf/wvps\\_toolbox.pdf](http://www.labour.gov.on.ca/english/hs/pdf/wvps_toolbox.pdf)
- **Canadian Centre for Occupational Health and Safety:** <http://www.ccohs.ca/oshanswers/>
- **Public Services Health and Safety Association:** <http://pshsa.ca>

This document should be shared with the workplace Joint Health and Safety Committee or Health and Safety Representative, incorporated into the workplace occupational policy and program and posted on the police service's intranet.

For additional information on the requirements under the *Occupational Health and Safety Act* (OHSA), please contact your local Ministry of Labour Office at: [http://www.labour.gov.on.ca/english/about/reg\\_offices.php](http://www.labour.gov.on.ca/english/about/reg_offices.php)

This Guidance Note has been prepared to assist the workplace parties in understanding their obligations under the *Occupational Health and Safety Act* (OHSA) and the regulations. It is not intended to replace the OHSA or the regulations and reference should always be made to the official version of the legislation.

It is the responsibility of the workplace parties to ensure compliance with the legislation. This guidance note does not constitute legal advice and has no legal effect. If you require assistance with respect to the interpretation of the legislation and its potential application in specific circumstances, please contact your legal counsel.

While this Guidance Note will also be available to Ministry of Labour inspectors, they will apply and enforce the OHSA and its regulations based on the facts as they may find them in the workplace. This Guidance Note does not affect their enforcement discretion in any way.

The Public Services Health and Safety Association may be contacted for assistance in the development and implementation of a violence prevention program:  
<http://www.healthandsafetyontario.ca/bundles/pshsa/index.html>

## TERMS OF REFERENCE



### ONTARIO POLICE HEALTH AND SAFETY COMMITTEE UNDER SECTION 21 OF THE OCCUPATIONAL HEALTH AND SAFETY ACT

#### OBJECTIVE

The objective of the Ontario Police Health and Safety Committee (the Committee) is to advise and make recommendations to the Minister of Labour on matters relating to the occupational health and safety of all police personnel in the Province of Ontario.

#### Implementation of Objective

The Committee will achieve this objective by:

1. Reviewing emerging worker health and safety issues associated with policing and policing guidelines developed by the Ministry of Community Safety and Correctional Services which are implemented by policing services in Ontario and making recommendations, as appropriate, to ensure consistency with the requirements of the *Occupational Health and Safety Act* (OHSA).
2. Developing guidance material to be approved by the Minister of Labour for the purpose of clarifying the intent and provisions of the OHSA, and regulations made under the OHSA, as they apply to policing services in Ontario.

#### MEMBERSHIP

The Committee shall be composed of an equal number of representatives from Management and Labour as outlined below. The Committee shall be co-chaired by representatives selected from each side, with assistance being provided to the Committee by the Ministry of Labour. Members shall be confirmed by each association:

For Labour:	Police Association of Ontario	(2)
	Ontario Provincial Police Association	(1)
	Toronto Police Association	(1)
For Management:	Ontario Association of Chiefs of Police	(1)
	Ontario Association of Police Services Boards	(1)
	Toronto Police Service	(1)
	Ontario Provincial Police	(1)

#### OBSERVERS

The Ministry of Labour and the Ministry of Community Safety and Correctional Services have official observer status and the Committee has approved observers from the following associations:

Ontario Police Health and Safety Association  
Ontario Senior Officers' Police Association  
Public Services Health and Safety Association

**PROCESS**

- 1) Decisions will be reached by consensus\* of the members in attendance rather than by voting.
- 2) Matters for which no consensus can be achieved will be fully reported with explanation to the Ministry of Labour through the Director, Occupational Health and Safety Branch.
- 3) The Ministry of Labour will facilitate the functioning of the Committee.
- 4) The Ministry of Community Safety and Correctional Services will provide technical support.
- 5) Non-members may attend meetings at the call of the co-chairs and with the agreement of the Committee.
- 6) Observers on the Committee may attend meetings and provide input but have no voice in the consensus process.
- 7) Alternates will be able to attend on behalf of members and participate in Committee discussions and decision making if any of the represented organizations do not have a single representative present for a scheduled Committee meeting. An alternate from management must be from management and an alternate from labour must be from labour. Co-chairs are to be contacted and advised of the reasons for an alternate being required.
- 8) Committee members, alternates who attend on behalf of members and members of task forces and/or technical committees will be paid reasonable expenses in accordance with the current Management Board of Cabinet Guidelines.
- 9) Agendas will include occupational health and safety matters that are provincial in nature. Matters for inclusion on the agenda will be submitted to the co-chairs one month before a scheduled meeting of the Committee. Either of the co-chairs may include matters on the agenda. The Director of the Occupational Health and Safety Branch may include matters on the agenda.
- 10) Meetings shall be held on a quarterly basis as a minimum with additional meetings as required and decided by the co-chairs.
- 11) The Committee shall appoint any required task force, technical committee and/or sub-committee by way of consensus.
- 12) A minimum quorum for Committee meetings to proceed will be 5 members, or their alternates, with representation from both labour and management and at least one co-chair.

- 13) In order to reach consensus, there must be representation from both management and labour.
- 14) The Committee shall forward all guidance materials that it develops as recommendations to the Minister.
- 15) Once new or updated guidance material has been approved, the Committee will request the assistance of the Ministry of Community Safety and Correctional Services in its distribution through an “All Chiefs Memorandum”.
- 16) Each member will determine the means by which guidance materials developed by the Committee will be made available to their members.
- 17) The Committee will review all guidance materials and make any revisions that are needed on an annual basis.

**\* Definition of Consensus**

Substantial agreement reached by the members of the Committee in attendance; consensus includes an attempt to resolve all objections; it implies much more than the concept of a simple majority, but not necessarily unanimity.



# APPENDIX

## Ontario Police Health and Safety Committee

### Guidance Note #1

#### Application of Police Section 21 Committee Guidance Notes

##### Definition

Guidance notes are intended to assist police service employers, supervisors and joint health and safety committees by clarifying the minimum requirements of the *Occupational Health and Safety Act* and its regulations and promoting “accepted practices” in policing to protect the health and safety of police personnel. The guidance notes are intended to assist the workplace in ensuring a healthy and safe workplace. Reference should always be made directly to the Act and regulations to determine the legal duties of the workplace parties.

Guidance notes are developed by the Ontario Police Health and Safety (Section 21) Advisory Committee and distributed by the Ministry of Labour on behalf of the Committee. The Committee is made up of members from the Ontario Association of Chiefs of Police, Police Association of Ontario, Toronto Police Association, Toronto Police Service, Ontario Provincial Police, Ontario Provincial Police Association and Ontario Association of Police Services Boards.

##### Enforcement

Ministry of Labour inspectors refer to these guidance notes and additional information such as alerts, standards, guidelines, etc. when they carry out their enforcement duties under the *Occupational Health and Safety Act* and its regulations. However, inspectors are not bound by the guidance notes. They may be considered, as one source of information, in determining if reasonable precautions are being taken by employers under section 25(2)(h) or other provisions of the Act to protect the health and safety of police personnel.

**Note:** Police services should incorporate the principles set out in guidance notes into standard operating procedures/guidelines and/or workplace health and safety policies and programs. Those responsible for developing occupational health and safety policies and programs should take into account a police service’s response capabilities. Police personnel should be trained using their own police service’s policies and programs.

## **Additional Information**

Guidance notes may be accompanied by, or make reference to, additional material to give more detailed assistance to the workplace parties for the development of workplace health and safety programs. This may include best practices and standards set by other organizations such as the Ministry of Health and Long-Term Care (e.g. Designated Officer Program), the Canadian Standards Association, the Ministry of Community Safety and Correctional Services (e.g. policing guidelines), etc.

**This document should be shared with the workplace Joint Health and Safety Committee or Health and Safety Representative, incorporated into the workplace occupational policy and program and posted on the police service's intranet.**

**For additional information on the requirements under the *Occupational Health and Safety Act*, (OHSA), please contact your local Ministry of Labour Office.**

**This guidance note is developed for informational purposes only. Reference should always be made to the OHSA and regulations to ascertain one's rights and duties under the law. It is the responsibility of all workplace parties to ensure compliance with the OHSA and regulations, and to seek independent legal advice where questions remain.**

**The Public Services Health & Safety Association (PSHSA) may be contacted for assistance in the development and implementation of an occupational health and safety policy and program: <http://www.healthandsafetyontario.ca/bundles/pshsa/index.html>**

Guidance Note #1 Revision Date: February 5, 2010  
Guidance Note #1 Approved: October 6, 2004

Terms of Reference updated: September 10, 2010

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