

# THE REGIONAL MUNICIPALITY OF YORK POLICE SERVICE BOARD

## BYLAW NO. 12-24

### A BYLAW TO ESTABLISH A BARGAINING COMMITTEE

**WHEREAS** section 42 of Ontario's *Community Safety and Policing Act, S. O. 2019 c. 1, Sched. 1*, provides that a police service board may establish a committee and delegate any of the Board's powers under the Act to the committee; and

**WHEREAS** the Board wishes to establish a Bargaining Committee to engage in discussions with the police association(s) to establish terms and conditions of one or more collective agreements;

**NOW** therefore The Regional Municipality of York Police Service Board enacts as follows:

#### 1 DEFINITIONS

##### 1.1 In this Bylaw:

- a) "Act" means the *Community Safety and Policing Act, S.O. 2019 c.1, Sched. 1*;
- b) "Association" means, whether plural or singular, the police associations that represent those employees of the Board who are members of a police association;
- c) "Board" means The Regional Municipality of York Police Service Board, acting in its capacity as a board under the *Community Safety and Policing Act, S.O, 2019*;
- d) "Board Member" means a duly appointed member of the current Board in good standing;
- e) "Committee" means the Bargaining Committee established under this bylaw;
- f) "Member" means an employee of the Board under the direction of the Chief of Police;
- g) "Police Service" means York Regional Police;

- h) “Spokesperson” means the person(s) appointed by the Board for the purpose of leading the discussions between the Board and the Association;
- i) “Staff” means an employee of the Board who is not a Member; and
- j) “York Region” means The Regional Municipality of York, the area for which the Board has policing responsibility.

## **2 PURPOSE**

- 2.1 The purpose of the Committee is to provide information, advice and direct support to the Board throughout the collective bargaining process, from pre-bargaining discussions to post-ratification and subsequent implementation of a mutually agreed and executed collective agreement.

## **3 ACTION AND AUTHORITY**

- 3.1 The Committee shall bargain in good faith and make every reasonable effort to come to an agreement addressing, *inter alia*, remuneration, pensions, sick leave credit gratuities and grievance procedures of police service members and, subject to section 231 of the Act, their working conditions.
- 3.2 Exercising the Board’s authority as set out in the Act, the Committee shall have the authority to:
  - a) conduct a review of existing collective agreement(s) between the Board and the Associations;
  - b) respond to requests for information from the Associations;
  - c) establish the bargaining schedule in consultation with the Associations;
  - d) draft and submit to the Board, for its approval, proposed terms and conditions for any collective agreements;
  - e) engage in discussions with the Associations regarding the proposed terms and conditions of any collective agreement;
  - f) ensure the Board is provided with timely progress updates; and
  - g) submit to the Board, for its approval, a mutually acceptable proposed collective agreement.

## **4 COMPOSITION**

- 4.1 In accordance s. 42(4) of the Act, the committee shall be composed of:
- a) at least one member of the Board;
  - b) at least one member of Staff;
  - c) the Board's legal counsel; and
  - d) the Board's spokesperson.
- 4.2 The Board shall have the authority to approve the bargaining committee and determine its composition in accordance with s. 42(4) above.
- 4.3 The Board Chair shall be an ex-officio member of the Committee and shall be counted for quorum purposes and entitled to vote.
- 4.4 Any additional member of the Committee that is not a member of the Board must meet the eligibility criteria established in s. 42(5) and set out in s.33 of the Act.
- 4.5 Notwithstanding s. 4.4 above, for the purpose of collective bargaining, the Board may add, to the Committee, any positions from the Police Service, that may effectively support the Board throughout the bargaining process, from among the Members, provided they are not members of the Associations.
- 4.6 The Committee may invite members of the Police Service or other external persons to provide subject matter expertise that may ensure the Committee is able to make informed decisions in the execution of its duties.

## **5 SPOKESPERSON**

- 5.1 Prior to engaging in bargaining discussions and following receipt of the bargaining mandate, the Board shall appoint a spokesperson, at its sole discretion, to support discussions with the Association in such manner as the Board determines to be appropriate in the circumstances.
- 5.2 The spokesperson shall:
- a) Meet the eligibility criteria established in s. 42(5) and set out in s.33 of the Act;
  - b) Only represent and report to the Board and the Committee;
  - c) Not be a member of any Association of the Police Service.

## 6 QUORUM

- 6.1 Quorum shall be a majority of the members on the Committee present at the meeting. This majority must include at least one Board Member. If no Board Member is present, there is no quorum.

## 7 REPORTING REQUIREMENTS

- 7.1 In January of the final year of a collective agreement, the Executive Director of the Board shall bring forward a request to the Board to establish a Bargaining Committee under this bylaw.
- 7.2 The Committee shall provide updates to the Board with respect to any preparations, document reviews, financial implications and other matters related to collective bargaining.
- 7.3 During the bargaining process the Committee shall immediately report to the Board any matter requiring the Board's approval.
- 7.4 The Committee may make recommendations and advice to the Board with respect to the Board's budget, as it pertains to supporting the bargaining process and its outcomes.
- 7.5 In accordance with s. 224(4) of the Act, the Committee shall ensure a copy of any collective agreement is promptly filed with the Ontario Police Arbitration and Adjudication Commission.
- 7.6 If a bargaining proposal involves pensions under a pension plan established or to be established under the *Municipal Act, 2001*, in accordance with s. 224(6) of the Act, the Committee shall ensure the Minister of Municipal Affairs and Housing shall also be given a copy of the proposal who may determine the maximum pension benefits that may be included in any agreement or award with respect to the pension plan.

This Bylaw shall come into effect on the day it is enacted by the Board.

Enacted and Passed on September 16, 2024.



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**Board Chair**  
**Wayne Emmerson**



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**Executive Director**  
**Anitra Basant Sisavang**