



NIAGARA REGIONAL POLICE SERVICE Police Services Board Report

PUBLIC AGENDA

Subject: Special Duty Billable Rate Schedule – Effective December 1, 2020
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2020-11-10



Recommendation(s)

That the Niagara Police Services Board approve the revised Special/Paid Duty Rates schedule on By-Law 370-2017 effective for December 1, 2020; and direct staff to ensure that all documentation be revised accordingly.

Key Facts

- The purpose of this report is to update By-Law 370-2017 Special/Paid Duty Rates schedule effective December 1, 2020, based on the recently arbitrated Niagara Regional Police Association Burkett wage settlement for Uniform and Civilian positions.
- Special/Paid Duty billable rate schedules are established with the object of recovering the cost of providing the service.
- Special Duties are defined in the Niagara Region Police Association (NRPA) and Senior Officer Association (SOA) Collective agreements as *"duties assigned to members apart from their regular duties, resulting from the request of individuals, corporations or organizations for special services....Such duty is to be paid for at the rate fixed by the Niagara Regional Police Board..."*
- Special/Paid Duty billable rate schedule for By-Law 370-2017 as outlined in Appendix 1 has been updated with the recent December 1, 2020, arbitrated Burkett award for NRPA Uniform and Civilian wages.

Financial Considerations

The billable rate fees for Special/Paid Duties are established with the objective of recovering the cost of providing the service. The current published billable rates are based on salary rates as per the 2016-2019 Niagara Region Police Association (NRPA) Collective Agreement. By approving the recommendation to update the Special/Paid Duty billable rates to the recently arbitrated NRPA 2020 Burkett award will ensure the Service continues to recover the cost of providing the service.

Analysis

Special Duties are defined in the Collective Agreement as “...duties assigned to members apart from their regular duties, resulting from the request of individuals, corporations or organizations for special services... Such duty is to be paid for at the rate fixed by the Niagara Regional Police Board...” The rate applicable to a Special Duty Officer is specified as “... the overtime rate for a First Class Constable.”

The Performance Allowance provisions of the Collective Agreement stipulate that it is to be included in the calculation of Special Duty Pay. The payroll system is configured to capture a single rate of pay for each category of Special Duty participant. Consequently, the rate of pay with full Performance Allowance has been implemented (i.e. rate for 23 years of service). Also, an administrative fee equal to twenty percent of the total amount charged for officers has been included in the final fee. This is consistent with the methodology of establishing previous Special Duty fees and is intended to cover costs such as benefits, vehicle operations and administrative functions.

Appendix 1 outlines the Special/Paid Duty billable rate based on the contract rate of pay as at December 1, 2020, for Constables and Sergeants.

At this time, with the Senior Officers’ collective agreement still outstanding, Inspector Special/Paid Duty rates remain based on the rate of pay effective January 1, 2019. A separate report to follow soon after the outstanding contract is settled.

Alternatives Reviewed

No alternatives are proposed.

Relationship to Police Service/Board Strategic Priorities

The Board determines the appropriate user fees in respect of certain services provided by the Niagara Regional Police Service.


Relevant Policy Considerations

- Financial Reporting, Control and Procurement of Goods and Services in the Niagara Regional Police Service By-Law 384-2019.
- By-Law 370-2017- Special/Paid Duty Rates 2017/2018/2019.
- By-Law 371-2017 User Fees and Charges for Services Provided by the NRPS - 371-2017.
- Niagara Regional Police Association Collective Agreement January 1, 2020 to December 31, 2020.

Other Pertinent Reports

- None

This report was prepared by Finance Manager, Laura Rullo, and recommended by Bill Fordy, Deputy Chief of Police, Support Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Appendix 1 Special Duty Billable Rate Table – Effective December 1, 2020



BY-LAW NO. 388-2020

**A BY-LAW TO AMEND CERTAIN CHARGES FOR POLICE SERVICES
SPECIAL/PAID DUTY RATES 2019/2020**

1. PREAMBLE

- 1.1 WHEREAS the Regional Municipality of Niagara Police Services Board is responsible for the provision of police services and for law enforcement and crime prevention in the Regional Municipality;
- 1.2 AND whereas the Board has determined that it is appropriate to charge user fees in respect of certain service provided to any person;
- 1.3 AND whereas section 391 of the *Municipal Act, 2001, S.O., c.25*, and amendments thereto, provides that a local board may pass by-laws imposing fees or charges on any class of persons for, inter alia, services or activities provided or done by or on behalf of it;
- 1.4 AND whereas section 396(1)(b) of the *Municipal Act, 2001, S.O., c.25*, and amendments thereto, provides that discounts and other benefits for early payment of fees and charges may be given;
- 1.5 AND whereas section 396(1)(c) of the *Municipal Act, 2001, S.O., c.25*, and amendments thereto, provides that variable fees are considered appropriate by the Board may be charged in respect of such services;
- 1.6 AND whereas the said section 397 of the *Municipal Act, 2001, S.O., c.25*, and amendments thereto, requires that the Regional Municipality must pass a resolution approving the said by-law before it comes into force.

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD ENACTS AS FOLLOWS:

2. DEFINITIONS

- 2.1 “Board” means the Regional Municipality of Niagara Police Services Board;
- 2.2 “Member” means a Member of the Niagara Regional Police Service;

- 2.3 "Person" means any member of the public and includes an individual, sole proprietorship, partnership, corporation, any other police service, and any other government body or agency;
- 2.4 "Police Service" means the Niagara Regional Police Service;
- 2.5 "Regional Municipality" means the Regional Municipality of Niagara.

3. CHARGES FOR SERVICE

- 3.1 Subsection 2.1 of By-law 178-1999, By-law 251-2001, By-law 266-2004, By-law 280-2006, By-law 303-2010, and subsection 3.1 of By-law 337-2013, By-law 339-2013, By-law 349-2014, By-law 351-2014, By-law 368-2017, and By-law 370-2017 are hereby amended by deleting the previously listed regular, overtime and holiday rates, and inserting the attached special duty rates for the ranks of Constable, Sergeant and Inspector.

4. REPEAL OF FORMER BY-LAW

- 4.1 The provisions of By-law No. 370-2017 and other By-laws, sections of By-laws and certain charges for special duty rates of the Police Service inconsistent with the provisions of this By-law are hereby repealed and replaced by this by-law.

5 ENACTMENT

- 5.1 This By-law shall come into force December 1, 2020, subject to approval by Council of the Regional Municipality of Niagara.

ENACTED AND PASSED this 26th day of November, 2020.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

Chairperson _____

Executive Director _____

Attachments (2)

**NIAGARA REGIONAL POLICE SERVICE
SPECIAL DUTY RATES EFFECTIVE DECEMBER 1, 2020**

HOURS	CONSTABLE		SERGEANT	
	REGULAR RATE	HOLIDAY RATE	REGULAR RATE	HOLIDAY RATE
	CHARGE PER OFFICER	CHARGE PER OFFICER	CHARGE PER OFFICER	CHARGE PER OFFICER
3	\$291	\$388	\$329	\$438
3 1/4	\$316	\$421	\$356	\$475
3 1/2	\$340	\$453	\$383	\$511
3 3/4	\$364	\$485	\$411	\$548
4	\$388	\$518	\$438	\$584
4 1/4	\$413	\$550	\$466	\$621
4 1/2	\$437	\$582	\$493	\$657
4 3/4	\$461	\$615	\$520	\$694
5	\$485	\$647	\$548	\$730
5 1/4	\$510	\$680	\$575	\$767
5 1/2	\$534	\$712	\$603	\$803
5 3/4	\$558	\$744	\$630	\$840
6	\$582	\$777	\$657	\$876
6 1/4	\$607	\$809	\$685	\$913
6 1/2	\$631	\$841	\$712	\$949
6 3/4	\$655	\$874	\$739	\$986
7	\$680	\$906	\$767	\$1,022
7 1/4	\$704	\$938	\$794	\$1,059
7 1/2	\$728	\$971	\$822	\$1,095
7 3/4	\$752	\$1,003	\$849	\$1,132
8	\$777	\$1,036	\$876	\$1,169
8 1/4	\$801	\$1,068	\$904	\$1,205
8 1/2	\$825	\$1,100	\$931	\$1,242
8 3/4	\$849	\$1,133	\$959	\$1,278
9	\$874	\$1,165	\$986	\$1,315
9 1/4	\$898	\$1,197	\$1,013	\$1,351
9 1/2	\$922	\$1,230	\$1,041	\$1,388
9 3/4	\$947	\$1,262	\$1,068	\$1,424
10	\$971	\$1,294	\$1,095	\$1,461
10 1/4	\$995	\$1,327	\$1,123	\$1,497
10 1/2	\$1,019	\$1,359	\$1,150	\$1,534
10 3/4	\$1,044	\$1,391	\$1,178	\$1,570
11	\$1,068	\$1,424	\$1,205	\$1,607
11 1/4	\$1,092	\$1,456	\$1,232	\$1,643
11 1/2	\$1,116	\$1,489	\$1,260	\$1,680
11 3/4	\$1,141	\$1,521	\$1,287	\$1,716
12	\$1,165	\$1,553	\$1,315	\$1,753

**NIAGARA REGIONAL POLICE SERVICE
SPECIAL DUTY RATES - JANUARY 1, 2019**

			INSPECTOR	
			REGULAR RATE	HOLIDAY RATE
HOURS	OFFICER RECEIVES	SERVICE FEE	CHARGE PER OFFICER	CHARGE PER OFFICER
2	289.36	57.87	\$347	\$347
2 1/4	289.36	57.87	\$347	\$391
2 1/2	289.36	57.87	\$347	\$434
2 3/4	298.40	59.68	\$358	\$477
3	325.53	65.11	\$391	\$521
3 1/4	352.65	70.53	\$423	\$564
3 1/2	379.78	75.96	\$456	\$608
3 3/4	406.91	81.38	\$488	\$651
4	434.04	86.81	\$521	\$694
4 1/4	461.16	92.23	\$553	\$738
4 1/2	488.29	97.66	\$586	\$781
4 3/4	515.42	103.08	\$619	\$825
5	542.55	108.51	\$651	\$868
5 1/4	569.67	113.93	\$684	\$911
5 1/2	596.80	119.36	\$716	\$955
5 3/4	623.93	124.79	\$749	\$998
6	651.05	130.21	\$781	\$1,042
6 1/4	678.18	135.64	\$814	\$1,085
6 1/2	705.31	141.06	\$846	\$1,128
6 3/4	732.44	146.49	\$879	\$1,172
7	759.56	151.91	\$911	\$1,215
7 1/4	786.69	157.34	\$944	\$1,259
7 1/2	813.82	162.76	\$977	\$1,302
7 3/4	840.95	168.19	\$1,009	\$1,346
8	868.07	173.61	\$1,042	\$1,389