

Item No. 10.2.2 (ii)
Board of Police Commissioners
October 5, 2022

STAFF REPORT - HALIFAX RCMP TO BOARD OF POLICE COMMISSIONERS

TO: Halifax Board of Police Commissioners
FROM: Acting Officer in Charge Halifax District RCMP – Inspector J.J.R. Landry
SUBJECT: Extra duty and off duty employment
DATE: September 26, 2022

BRIEFING ITEM

September 7, 2022 the Board of Police Commissioners passed the following motion:

THAT the Board of Police Commissioners direct the Chief of Halifax Regional Police and Halifax District Royal Canadian Mounted Police to;

1. **Present to the Board written policies respecting extra-duty employment and off-duty employment by members of the Halifax Regional Police and Royal Canadian Mounted Police for review;**
2. **Review section 56(1) of the Police Act that requires that the Board establish a written policy for extra-duty employment and off-duty employment by police officers, and ensure the Board is adhering to our legislative duties;**
3. **Make current policies available to the public as referenced in the Halifax Board of Police Commissioners Policy Manual.**

DETAILS:

The Board of Police Commissioners, as a result of information received regarding extra and off duty deployment of police officers on a fee for service basis, are seeking clarity on the topic from both policing partners to inform rigor of their legislated responsibility to manage same.

Item 1 of the motion will be responded to further in this report.

Item 2 of the motion will not be responded to as it rests with the Board.

Item 3 of the motion will not be responded to as it rests with the Board.

ITEM 1:

The language of what is being requested in item 1 is challenging in meaning from the lens of the RCMP. The ask is for information on two points, extra duty employment and off duty employment.

Extra duty employment in the RCMP lens is essentially time worked over and above a police officer's set schedule, in order to meet the contracted obligation to provide effective and efficient police service. This is normal course of business.

The Nova Scotia Provincial Police Service Agreement is between The Minister of Justice (or Minister responsible for police services) and Public Safety Canada. Article 17 stipulates the billing process on a quarterly basis. In Article 20, the RCMP can only provide services to Provincial/Territorial or Municipal governments, no third-party agreements or billing is permitted.

Off duty employment is referred to in the RCMP as secondary employment, governed by the Regular Member and Reservists Collective Agreement, and stringent Administration Manual conflict of interest policy, regarding outside employment and activities.

RCMP Regular Members and Reservists Collective Agreement (available online).

Article 20: restriction on outside employment:

- Article 20.01 Member of the bargaining Unit must obtain permission of the Employer prior to accepting outside employment.
- Article 20.02 Members of the bargaining unit are restricted from entering into or continuing in outside employment where such outside employment raises a conflict of interest, real or perceived.
- Article 20.03 Where a Member of the bargaining unit has commenced employment and subsequently such employment now raises a potential conflict of interest, real or perceived, such Member of the bargaining unit must advise the Employer of the potential conflict of interest as soon as practicable.

RCMP Administration Manual Chapter XVII.12 – Outside Employment and Activities.

The RCMP recognizes participation in outside employment and activities can be in an employee's and the public's interest, however, it is not permitted if it:

- Creates an actual, apparent, or potential conflict of interest, such as the appearance of interference with the objective performance of the employee's duties.

Accordingly, a process is in place to request approval of outside employment and activities. Employees are required to complete a written request outlining the nature of the employment or activity. Each request is reviewed by the Employee's supervisor and forwarded to their Line Officer for Authoritative Approval. This step is support or non-support for the request. The final decision rests with the Designated Manager for Human Resources in each Division. For "H" Division this authority rests with the Division Administration & Personnel Officer.

From 2012 to 2022 there has been 16 secondary employment/outside activity requests supported for Halifax District employees. Requests include the following activities:

- Canadian Armed Forces Support.
- Airport VIP Transport.
- Health and Wellness.
- Radio Station Support.
- Business Analyst.
- Funeral Home Hearse Driver.
- Law School Instructor.
- Executive Coaching and Consulting.
- Security Manager – Health Canada.
- Network Integrity Consultant.
- Police Association Support.
- Book Publishing.

Respectfully submitted for your review and consideration.

Prepared by: Inspector M. O’Flynn – Management and Admin Services Officer Halifax District

Reviewed by: Inspector J. Landry – Acting Officer in Charge Halifax District RCMP

Approved by: Inspector J. Landry – Acting Officer in Charge Halifax District RCMP