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## 2010 BUDGET BRIEFING NOTE

### Toronto Police Service – Premium Pay Budgets

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#### **Issue:**

The City’s Budget Committee has requested a briefing note from the Toronto Police Service on the subject of premium pay, with respect to the level of funding in the 2010 budget and an analysis of trends over the last five years.

#### **Background:**

Toronto Police Service (TPS) members work a scheduled shift, normally consisting of seven, eight or ten hours. Standard shifts are noted in the collective agreement, and can vary by unit. This scheduled shift is referred to as “tour of duty.” If the member works outside of this tour of duty, they are entitled to be compensated in accordance with the Uniform Collective Agreement. Premium pay is the collective term applied to four categories of this compensation: overtime, callback, court and lieu-time. Premium pay is calculated at time-and-a-half of regular pay.

#### **(a) Overtime**

Overtime premium pay hours are incurred when an Association member is required to extend their regular tour-of-duty. Examples of when this may occur include:

- During the course of their duties, members become involved in activities that require them to stay on duty beyond the end of their shift (e.g., the member is in the midst of a call for service, or must conclude an ongoing investigation).
- A member is scheduled to attend court while on duty, and the duration of the member’s requirement to attend court extends beyond the end of their regular “tour of duty.”
- A member is required to complete a task with very short deadlines, and must work beyond their tour of duty to ensure that the specified deadline is met.

The member has the option to elect cash or time off in lieu of the overtime worked. If cash is elected, the expense becomes an “overtime” cost. If time off is elected, the overtime hours worked are entered into the member’s lieu-time bank.

(b) Callback

Callback premium pay hours are incurred when a member is required to return to work on a regularly scheduled day (after the member has reported off duty) or on a regularly scheduled day off. The member receives a minimum of three hours of pay or time off in lieu. Examples of when this may occur include:

- Situations arise specific to a member's caseload, where the member is required to return to work on a day off (e.g., they are in the midst of a specialized investigation, they must execute a search warrant, they are required to appear under subpoena at specified hearings, etc.)
- Special Projects (e.g., Toronto Anti-Violence Intervention Strategy (TAVIS), Reduce Impaired Driving Everywhere (RIDE) programs). Members are offered callbacks (usually four to five hours) on their days off, to conduct target enforcement initiatives in strategically identified areas.

The member has the option to elect cash or time off in lieu of the callback worked. If cash is elected, the expense becomes a "callback" cost.

(c) Court

Court premium pay hours are incurred when a member is required to attend court when off duty (court attendance includes criminal, traffic, liquor, liquor tribunal, Bylaw, Workers' Compensation, Civil court, etc.). In 2006, the Service and the City embarked on an initiative whereby officers required to attend Provincial Offences Act (POA) court are scheduled to do so off duty. This ensures that officers are available when required to attend court (i.e., this avoids those situations where an officer cannot attend scheduled court because they are in the midst of a call for service or an investigation).

The member has the option to elect cash or time off in lieu of the court time. If cash is elected, the expense becomes a "court" cost.

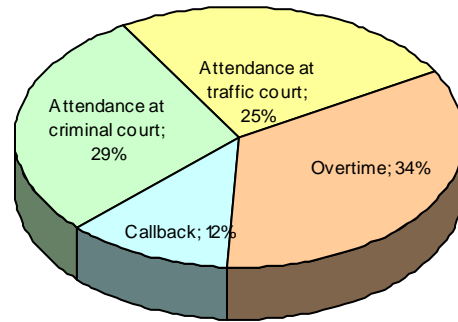
(d) Lieu-time

Lieu-time premium pay hours are recorded in a member's bank when time off is elected for overtime, callback or court. In addition, members working the Compressed Work Week schedule receive lieu-time hours for statutory holidays.

Unused lieu-time is paid out four times a year, in accordance with the collective agreement. In addition, unused lieu-time at the end of the year must be accounted for as a liability to the Service. These payouts and year-end liability are recorded as a lieu-time expense.

Members can use banked lieu-time hours to take time off. Taking time off reduces the lieutime payout requirements, and the Service attempts to accommodate member requests for time off within the exigencies of policing.

Figure 1 provides a breakdown of premium pay category by type of expenditure (lieutime has been allocated to the court, overtime and callback categories):



**Figure 1 – Premium Pay by Reason for Expenditure**

### **Initiatives to Reduce Premium Pay:**

The Service has taken several measures to control or reduce premium pay costs, including:

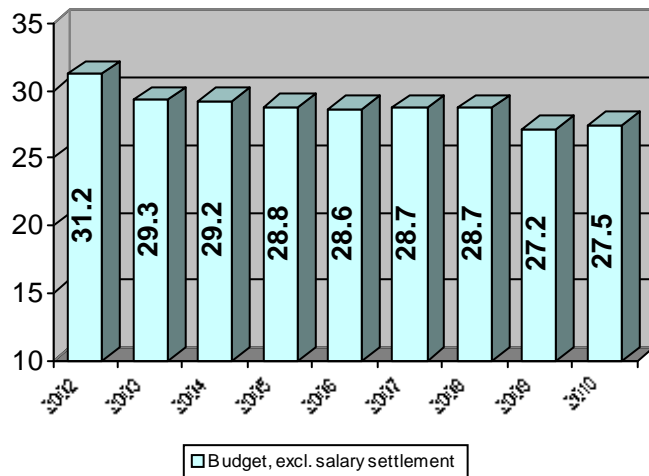
- Planning:
  - Improved planning for special events
  - Modified shift schedules, where possible, to reduce costs
- Approvals:
  - All overtime (where possible) must be approved by a supervisor before it is worked;
  - All overtime is required to be reported daily
- Business Process Enhancements:
  - Working with the Crown to reduce the number of witnesses required for court (e.g., the Service has assigned Detective Sergeants at court locations to assist the Crown Attorney in the vetting of witnesses, and reduce the need for the officer-in-charge of a case to attend Judicial Pre-Trials);
  - Enhancements to court scheduling, to compress frequency of court attendance
- Monitoring / Reporting:
  - Premium pay expenditures are provided to senior management on a regular basis
  - Monthly variance reports, that include premium pay, are sent to each unit
  - Biweekly variance reports comparing spending to budget are provided to Divisional Policing and Specialized Operations Commands
  - Management access to financial management system (SAP) and Time Resource Management System (TRMS) to view current status of premium pay for their respective areas

In addition to the above measures, the Chief has communicated his expectations with respect to premium pay expenditures to all Unit Commanders. Overtime is to be authorized based on activities for:

- Protection of life (i.e. Where persons are at risk)
- Protection of property
- Processing of arrested persons
- Priority calls for service (i.e. when an officer attends an emergency call where it would be inappropriate to wait for the relieving shift) – NOTE: Supervisors will ensure prompt relief of officers on overtime emergency calls
- Case preparation (where overtime is required to ensure court documentation is completed within required time limits).

**Conclusion:**

The 2010 premium pay budget, including the impact of salary settlements and \$5.4M in funding for off-duty court attendance, is \$42.8M. As Figure 2 shows, the premium pay budget (excluding the impact of salary increases, and specifically funded initiatives POA off-duty court initiative and TAVIS) has remained relatively constant since 2002.



**Figure 2 – Historical Premium Pay Budget (excl. salary settlement)**

The uniform strength has increased by more than 250 officers since 2002 (due to provincial grants) and, unlike many other organizations, an increase in police staff results in more premium pay. This is generally due to more enforcement, resulting in more court attendance. However, the Service has been able to keep premium pay at a constant level and absorb the pressure of additional staff due to management controls, scheduling and working with the province. An increase of 250 staff would typically increase premium pay by approximately \$1.25M, and the Service has avoided this cost.

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