



## STAFF REPORT

### Review of Paid Duty Officers' Traffic Control Assignment - Referral

<b>Date:</b>	November 23, 2011
<b>To:</b>	City Council
<b>From:</b>	Gary Welsh, General Manager, Transportation Services
<b>Wards:</b>	All
<b>Reference Number:</b>	P:\2011\Cluster B\TRA\TMC\ Pw2011005.tmc.doc

#### SUMMARY

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This report summarizes the review of paid duty officer expenditures by Transportation Services resulting from road emergency situations. The report recommends that control of traffic at these events be controlled by means other than paid duty officers.

#### RECOMMENDATIONS

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It is recommended that:

1) The General Manager of Transportation Services and the Chief of the Toronto Police Service be directed to delete Clause 4 of Appendix A - Memorandum of Understanding: Guidelines for Road Occupancy and Traffic Control, of the General Manager of Transportation Staff Report of October 11, 2011, titled "Review of Paid Duty Officers' Traffic Control Assignments" in Clause PW9.7 of the Public Works and Infrastructure Committee Report # 9, and replace it with the following:

- 4) a) Where a road emergency has occurred which, through its circumstances and conditions requires that the ensuing traffic control be provided by a police officer, this traffic control shall be provided by an on-duty officer until the emergency has passed.

b) If the emergency resolution will be lengthy and on-duty officers are required for other service duties, then staff of Toronto Transportation, Toronto Police and the associated contractor will collectively determine which subsequent traffic control can be provided by means other than an on-duty police officer.

## **Financial Impact**

Elimination of paid duty officer attendance at road emergency events would result in a savings of \$52,000.00 per year.

## **DECISION HISTORY**

The Public Works and Infrastructure Committee, at its November 3, 2011 meeting, approved as amended the report "Review of Paid Duty Officers' Traffic Control Assignments". The Committee referred Item 4 in Appendix A of the report to the General Manager, Transportation Services, for further consideration of the logistical and cost effectiveness of the 3-hour guidelines for attendance of paid duty officers at an emergency location and asked for a report to City Council on November 29, 2011.

## **ISSUE BACKGROUND**

A Memorandum of Understanding (MOU): Guidelines for Road Occupancy and Traffic Control with the Toronto Police Service outlining the guidelines for paid duty officers was created in 1995 and last revised in Appendix A to the report title " Review of Paid Duty Officers' Traffic Control Assignments" dated October 11, 2011 and presented to the Public Works and Infrastructure Committee at its November 3, 2011 meeting. The MOU reflects provincial legislative requirements as well as long-standing procedures and protocols that in some cases were transferred from former municipalities. The MOU contains clauses for the use of on-duty and paid duty officers in the event of a road emergency service (for example, a traffic signal failure or a water main break).

## **COMMENTS**

The Public Works and Infrastructure Committee referred Item 4 in Appendix A (the MOU) for further consideration of the logistical and cost effectiveness of the three-hour guidelines for attendance of paid duty officers at an emergency location.

The two relevant clauses from Appendix A are:

3. At any **EMERGENCY** work site, a representative of the affected work must respond to the site as soon as possible to assess the situation, determine the necessary repairs and establish the time frames required to complete these repairs. Police Officers will document any instance where a representative of the affected work fails to attend the location within 1.5 hours of the call being received by the Service and forward this information to the Unit Commander of Traffic Services.

This clause requires City staff to attend the road emergency as soon as possible, to ensure the conditions that led to the emergency can be corrected and the road is reinstated to a safe state of repair and the safety of its users is maintained. To address this requirement, the electrical traffic control maintenance and repair contracts include clauses that specify a minimum of 90 minutes for attendance at the location from the moment a response call is dispatched.

The second relevant clause is:

4. In circumstances where the required work can be completed **within 3 hours** of the Police Service receiving a request to attend an emergency location, a **regular on-duty** police officer will protect the site, subject to exigencies of the Service. A large scale emergency may preclude the attendance of an on-duty officer. If the emergency repair is anticipated to take **more than 3 hours**, a **paid duty police officer** shall be ordered immediately and the regular **on-duty officer shall stay on site until the arrival of the paid duty officer**.

This clause requires that the police officer that attends the road emergency as a first responder remain at the location for the first three hours, if the exigencies of other Police Services permit. If the resolution of the road emergency cannot be achieved in the first three hours, then the Memorandum of Understanding specifies that a paid duty officer will be called to maintain traffic control at the road emergency location.

Concern was expressed at the Public Works and Infrastructure Committee that Clause 4 of the Memorandum of Understanding might result in excessive calls and requirements for paid duty officers.

Transportation Services staff reviewed the paid duty officer expenditures for the Division and found that the largest proportion of expenditures relate to requirements which are connected to electrical traffic control devices and their installation, maintenance, and repair. The paid duty officer charge for these activities in 2009 was \$1.5M out of a total expenditure of \$2.5M.

The overwhelming majority of the \$1.5M expenditures are related to planned electrical traffic control device work. This relates to the installation of new signals, upgrade of current signal systems, replacement of older devices with more modern ones, etc. Each of these activities requires that signals at an existing location be turned off or that signals or devices at new locations are turned on for the first time. These activities all require that traffic control be provided by a police officer.

A review of requested paid duty officer attendance at road emergency events in 2010 indicates the following:

Total Number of Priority 1 (Emergency) Events:	9,609
Total Number of Priority 1 (Emergency) Events Greater than 3 Hours:	512
Total Number of Priority 1 (Emergency) Events where a paid duty officer was requested: (See Note 1)	161
Average Number of paid duty officer hours per event:	3.50
<b>Total Cost for Priority 1 (Emergency) Paid Duty Officer Attendance:</b>	<b>\$52,750</b>

*Note 1:* 18 of the 161 events required more than one Paid Duty Officer on site.

The review notes that 512 (5.3%) of 9609 events in 2010, were recorded as Priority 1 (Emergency) events lasting more than three hours, where the electrical contractor had to respond to attend to failing traffic control equipment.

Of the total 9609 Priority 1 (Emergency) events in 2010, only 161 (1.7%) resulted in a call for paid duty officers to assist with traffic control at the road emergency.

The total of \$52,750.00 paid to paid duty officers who were requested to attend road emergency events, represents approximately 2.1% of the estimated \$2.5 M spent by Transportation Services annually.

## **CONCLUSION**

Paid duty officers are called to road emergency locations after three hours have elapsed or, in a small number of cases, where the first on-duty police responder is required to attend other emergencies.

The number of events in which paid duty officers were requested for road emergencies in 2010 is 161, or 1.7% of the total and the dollar amount, \$52,750.00, expended in this activity is approximately 2.1% of the total expenditures of Transportation Services for paid duty officers.

The review of the current protocols for paid duty officers to control traffic at road emergency events indicates that the goal of preserving public safety and using resources efficiently has been maintained.

However, given the concerns expressed at the Public Works and Infrastructure Committee and the low number of extended road emergency events that require the presence of paid duty officers, consideration is given to decrease the use of paid duty officers for traffic control in these situations.

## **CONTACT**

Roberto Stopnicki, Director  
Traffic Management Centre  
Transportation Services Division  
Phone: 416-392-5372  
Fax: 416-397-5011  
E-mail: [rstopnic@toronto.ca](mailto:rstopnic@toronto.ca)

## **SIGNATURE**

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Gary Welsh, P.Eng.  
General Manager, Transportation Services

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