



the Service Star

The Official Newsletter of the British Columbia Mounted Police Professional Association

Volume Eleven

Issue Two

Fall-Winter 2005

Provincial Lobby Day October 17-18, 2005 Victoria, BC

by Pat Mehain

On October 17th and 18th, together with representatives from the BC Federation of Police, and the Vancouver Police Union I traveled to Victoria for the first provincial lobby day. Some of you may recall that this legislative exercise was attempted last year but due to the government proroguing for the fall session it had to be cancelled. We made four presentations to over fifty (50) MLA's and all were received positively.

Blood Legislation Currently there are no laws or legislation that allow the taking of a sample of blood from someone to test for HIV or Hep C. A presentation was made to the Government that included legislation already in place in Nova Scotia. This legislation would allow a medical practitioner to take a blood sample to test for these diseases. The legislation would protect police, fire and ambulance workers along with good Samaritans that had been exposed. We did not receive a single negative response to this legislation and have verbal assurance from both Liberal and NDP MLA's that this issue would become a priority.

Ticket revenue In early 2004 the Liberal Government agreed to return 100% of all traffic ticket revenue back to the municipalities. Their only stipulation was the money was to be used for police and public safety initiatives. It has been learned the municipalities have not used the money as they were directed and the large majority use the money for general revenue. In the case of West Vancouver, the current city council cut the police budget by 1million dollars. They then gave the 1 million dollars in ticket revenue to the police budget to bring it back up to its previous levels. When this issue was looked at closer it was found that several cities had done the exact same thing. It was agreed by all the MLA's that this was a problem. The Liberal MLA's advised they would look at drafting some sort of wording to encourage the municipalities to put the money where it was suppose to go. The NDP MLA's wanted to have safe guards included in any further transfers. Both sides agreed to look at this issue closer.

Drivers License Current ICBC/Motor Vehicle Act regulations don't allow for anyone to have a work address instead of a home address on their drivers licenses. A presentation was made to have a regulatory change made to amend this issue to allow police, politicians, and judicial personal be allowed to use work place addresses on their licenses and insurance papers. There was no opposition to this issue and a change is expected forthwith.

Regionalization For the past several years there has been talk of a new Regional or Provincial police force. The Liberal government at the time appeared to be ready to regionalize the lower Island and the Lower Mainland. Neither happened. The BCFED has again presented this issue to

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BCMPPA EXECUTIVE:

President: Patrick Mehain
Vice President: Rob Creasser
Treasurer: Gregg Howmann
Secretary: Yvonne Everson
Directors: Brendan McKenna
Al Roy
Dan Sandhar

BCMPPA CONTACTS:

#216-20465 Douglas Crescent
Langley, B.C. V3A 4B6
Phone: (604) 460-6402
Toll Free: 1-866-530-4720
Fax: (604) 460-6403
Toll Free Fax: 1-866-530-4738

website:
www.bcmppa.com

Our Mission

The B.C. Mounted Police Professional Association is comprised of regular and civilian members of the Royal Canadian Mounted Police.

We provide a forum to identify, debate and reach consensus on professional and employment concerns.

We seek the right to engage in free collective bargaining with our employer, a right enjoyed by all police officers in Canada, except the RCMP. **We do not seek or support the right to strike.**

We strive for excellence in our conduct and obligations. We provide leadership, in affiliation with the Canadian Police Association, on justice issues which affect the quality of life of all Canadians.

Profile

The B.C. Mounted Police Professional Association used to be known as the "E" Division Members' Association.

We are a professional association looking out for the interests of employees of the Royal Canadian Mounted Police stationed in British Columbia ("E" Division).

President's Corner

by Pat Mebain

Before I tackle the brief update on the Association's business in this article I would first like to introduce myself. This year I entered my ninth year of service in the RCMP. My first posting was a five year general duty stint in Surrey. From Surrey I went to CACPP (Canadian Air Carrier Protective Program) and as of July of this year I have transferred to IMPACT (Auto Theft Task Force).

I currently live in Coquitlam with my wife and four (4) children. I got involved with the Association at a very early stage of my career as I have always been a strong believer and advocate of an independent labour relations system. Since Dan Petre's departure from the Association, I have been the acting president. At our Annual General Meeting held on October 1st in Kamloops I was officially elected to the position. There were a couple of other minor Executive changes. Rob Creasser had stepped into the position of Vice-President. Dan Sandhar had stepped down as the Treasurer but remains on the Board as a Director. The Treasurer position is now occupied by Gregg Howmann. I can report to the membership that the Association is holding a steady course with no other major issues aside from the legal challenge to the current labour system and the pension grab. We are still in a stable financial position in spite of the fact that this past fiscal year we did not retain a surplus because of major expenses surrounding the upcoming legal challenge.

Unfortunately, at this time I cannot provide you with further updates regarding the legal challenge. We have recently sought financial help from the CPPA but have been refused due to our large surplus. If this changes the CPPA will revisit the issue and are willing to help us out financially. The expert evidence and the affidavits are slowly being put together. The new date that we have been given from

our counsel is now January 2006. I can only hope that this will be the case.

In my short time as the President, I have been working closely with the BC Federation of Police ("BC Fed") and the Vancouver Police Union. I have attended the Provincial Lobby Day on behalf of the Association and we are planning on sending delegates to their other meetings. As an Association we are looking forward to having a closer working relationship with the BC Fed. We expect to join the ranks of the BC Fed as an associate member in the New Year. This relationship will give us access to some of their resources (i.e. Media Spokesperson) and speak with one voice for hundreds of RCMP and Municipal police members.

Nationally the three Associations are planning on establishing a common website. This effort is spearheaded by former BCMPPA President Mike Funicelli and we hope that this will be finalized also sometime in the New Year. We have not given up on our efforts to establish a national magazine.

As you can see there is lots of activity "behind the scenes". Myself as well as the Executive are open to your suggestions and comments (negative or positive).

Continued from page 1: LOBBY DAY

the current government. The majority of MLA's we spoke with are very supportive of this initiative. It appeared to me to be very clear that the regionalization of the Lower Island will happen sooner than later. This is an issue we all better take note of. Our labour reps and managers have failed to inform us of ANY of these talks. If the RCMP wish to remain as the provincial police force or even in the Lower Mainland, they need to address the critical shortage of manpower and resources. A Band-Aid solution will not fix this problem.

Like always we will keep you informed on any developments on any of those issues



"I can report to the membership that the Association is holding a steady course with no other major issues aside from the legal challenge to the current labour system and the pension grab."

Pension Update

No trial. No settlement.

As we reported in previous issues of the newsletter the counsel for the federal government and the counsel representing the unions including the RCMP Associations had agreed on a number of documents and evidence to be admitted at trial which was supposed to go ahead in October. In a surprising move the Federal Government had opted not to go to trial due to the admissibility of some of the evidence. Lawyers for the government are trying to block written evidence that would seriously weaken their case and to cause seri-

ous delays in our lawsuit that is already into its sixth year. During this phase of the trial, government lawyers asked the judge not to admit as evidence the 128 government documents we are submitting to the court, even though they concede to the authenticity of these documents. Instead, in an apparent effort to drag out the case for years, they want us to call the authors of all the 128 documents as witnesses during the trial. They also tried to muddy the issue by claiming the funds in the pension accounts were “notional” or “imaginary” and that words in the documents are “terms of art,” meaning that the word “fund,” for example, may mean two contradictory things between two government officials or experts. This phase of the trial ended on Friday, Nov. 17, and it is expected that the judge will take several weeks to decide whether to admit the plaintiffs’ documents as evidence and to determine their purpose. It is also expected that the judge will schedule the continuation of the trial for spring of 2006.

Rest assured unlike some of the rumours circulating within the Force we can confirm that no settlement has been reached with the government. A settlement would have entailed the RCMP Associations counsel as well as the counsel representing the other parties (Armed Forces Pensioners & Annuitants Association, Public Service Alliance of Canada, Professional Institute of Public Service Canada, Canadian Merchant Service Guild and another thirteen (13) associations representing federal employees to be involved in these talks. This has not happened.

The speculation is that this move is purely political. Back in the late 1990s when the Liberal federal government wiped out the deficit with the pension surplus of 30 billion dollars Mr. Martin was the Finance Minister. With the pending federal election one wonders what kind of evidence would have been revealed if the trial were to go ahead in October? We will have to wait a little bit longer to find out.

From the Mailbox

RCMP Management Denies Request for ERT at Armed Standoff in Chase.

The following transcript is from a radio news story aired by Mr. Jim Harrison of CHNL Radio in Kamloops on August 22, 2005.

The BC Mounted Police Professional Association is furious at the handling of the decision making during an armed standoff in Chase a week ago.

Regional Chair Constable Rob Creasser he’s learned an early request by Chase Mounties for the RCMP’s Emergency Response Team was initially denied. Creasser says it appears the RCMP has some “operationally challenged Executives” who need to get in touch with what is going on at the street level, before more officers get hurt.

The Chase standoff lead to attempted murder charges against 67 year old Ronald Brown, and the shooting death of neighbour Melvin Pugsley.

The BC Mounted Police Professional Association says it appears the RCMP hasn’t learned anything from past incidents. Regional Chair Rob Creasser says a request for an Emergency Response Team at last weeks armed Chase standoff was first denied, and only sent after a shot was fired at a police officer. Creasser says that there are people at higher rank making decisions that are putting RCMP members at greater risk than they need to be. Creasser says some of the people making the decisions in the RCMP are out of touch...and says they’d better learn quickly or “we’ll be going to more funerals”.

For Your Information

1. Toronto Police Association Begins Job Action

Negotiations between the Toronto Police Association and the Police Services Board reached a deadlock earlier this month after the board tabled an offer which included significant takeaways to the compressed work week, retention pay and insured benefits. The Board was seeking a 4-year agreement with a wage increase of 12.75% (3.75% in the first year and 3% in each of the remaining 3 years). The compressed work week change the employer sought would require police officers in Toronto to work an extra 42 hours per year without any additional remuneration. The employer wanted to slash "retention pay" which was introduced back in 2002 to keep officers from leaving the Toronto Police Service. The final employer takeaway involved, among other things, an 80/20 co-insurance provision in respect of brand name drugs.

On October 11, 2005 Toronto Police Association members voted to proceed with a force-wide job action. Until negotiations resume, police officers will be wearing different hats and will be using discretion when providing services.

2. New Important Government Initiatives to Help Victims of Crime

On October 20, the federal government announced details of new important initiatives to support victims of crime: Financial assistance will now be available for victims of crime who wish to attend the National Parole Board hearings of the offender who harmed them. A new National Office for Victims has also been established to provide information and support.

3. New Ontario law on mandatory reporting of gun wounds

On September 1, 2005 the Ontario government proclaimed a new legislation which now requires hospitals to report to police when they treat a person for a gunshot wound. The *Mandatory Gunshot Wounds Reporting Act* is the first of its kind in Canada. It specifically requires that:

- Hospitals report the name of the patient, if known, directly to the local police service;
- The facility inform the police of its location in the municipality, and
- Reporting be done as soon as practical without disrupting normal hospital operations.

Statistics for 2002-03 reveal that of the 196 cases admitted to Ontario acute-care public hospitals for injuries resulting from firearms, 96 were the result of assault, 69 were accidental and 31 were self-inflicted.

4. Police Sector Council to look at police resource challenges

The Police Sector Council (PSC) is a national initiative to identify common human resource challenges and to find innovative solutions to urgent human resource issues in the policing community.

It is led by a 35-member Board of Directors and co-chaired by Commissioner Gwen Boniface of the Ontario Provincial Police and Dale Kinnear, Director of Labour Services for the Canadian Professional Police Association.

The Council has been formed in the light of growing national concerns about:

- a shrinking pool of potential recruits for policing

Financial assistance will now be available for victims of crime who wish to attend the National Parole Board hearings of the offender who harmed them. A new National Office for Victims has also been established to provide information and support.

FOR YOUR INFORMATION

- a growing number of applicants without the skills and abilities to meet future demands
- a disturbing trend where more and more good candidates are lured away by other organizations or attracted by other careers
- shifting demographics that have created vacancies in executive positions at rates rarely seen in Canada, and
- a shortage of training and leadership development opportunities for the next generation of senior police leaders.

With federal funding through the Sector Council Program of the Department of Human Resources and Skills Development Canada (HRSDC), the PSC has the mandate to find solutions - sharing best practices, conducting leading-edge research, and building an inventory of practical tools and resources. It is the first council to focus on the public sector.

5. Latest Crime Statistics

Statistics Canada recently published a report on the crime statistics for 2004. Among the key highlights are:

- Overall, the national crime rate decreased by 1% in 2004.
- After reaching a 36-year low in 2003, the homicide rate increased by 12% in 2004: Police reported 622 victims of homicide in 2004, 73 more than the previous year.
- In 2003, police reported a large drop in cannabis incidents as a result of a climate of uncertainty within the law enforcement community given the introduction of legislation to decriminalize possession of small amounts of cannabis. In 2004, however the rate of cannabis incidents resumed its upward trend with a 10% increase. Cannabis possession comprised 7 in 10 cannabis offences.

(Extract from Juristat, Statistics Canada, catalogue no.85-002-XPE, vol. 25, no. 5)

6. Isolation Pay ends for Yukon Federal Employees including RCMP

According to an on line CBC article, the Yukon is no longer considered an isolated posting for federal government employees. The Public Service Alliance of Canada's northern vice-president, Jean Francois Des Lauriers, said the cuts will amount to \$200 to \$300 per paycheque, or \$5,000 a year for each employee. The union representing the PSAC members is planning on challenging this decision. This move will affect approximately 700 federal employees in the territory including RCMP and Park Canada.

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CPPA Update

Updates provided by Mrs. Sophie Roux CPPA Communication Officer

The CPPA held its Annual General Meeting in Winnipeg from September 1-3, 2005. More than 150 delegates participated to this 3-day meeting. The BC MPPA was represented at this meeting by Brendan Mckenna. The following three priorities have been chosen as priority items for the year to come by CPPA delegates and board of directors.

- **Reforming Canada's Sentencing, Corrections and Parole Systems –**
Last AGM in Saint John, New Brunswick, Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness Anne McLellan promised to carry out a review of Canada's Sentencing, Corrections and Parole Systems. In our view, this has not been addressed yet. This fall, the CPPA intends to meet and discuss with Minister McLellan her game plan to address our concerns.
- **A National Drug Strategy –**
The CPPA will continue to oppose the decriminalization of marijuana and to call for tougher minimum sentences for those involved in grow operations. The CPPA will also advocate for the swift passage of a new drug impaired driving legislation which will provide the tools and training to the police community in order to better protect Canadians from drug impaired drivers.
- **Police Officers' Bill of Rights –**
The CPPA contends that in order to sustain high standards in policing, it is paramount that police personnel are treated with the same dignity and respect for their human rights as is expected of them in dealing with others. The CPPA is finalizing a Police Officers' Bill of Rights and will subsequently review it with competent and credible legal counsel. Ultimately the Police Officers' Bill of Rights will be advanced at the national, provincial and local levels of government.

Return of the House of Commons

The House of Commons resumed on September 26 after a 3-month summer break.

Here is the House of Commons fall schedule, with a glimpse at the Standing Committee on Justice, Human Rights and Emergency Preparedness' priorities. During the months ahead, the following bills will be on the CPPA's watch:

C-46: An Act to amend the Corrections and Conditional Release Act and the Criminal Code

- Introduced 3 times in the House of Commons, this bill is the government's response to a Canada-wide consultation process reviewing the Corrections and Conditional Release Act.
- Proposes increased resources and support for victims of crime

CURRENT STATUS / CPPA ACTION

- Passed First Reading on April 20, 2005.
- CPPA supportive of the bill BUT waiting upon the government to conduct a comprehensive review of Canada's Corrections and Parole systems.

C-17: An Act to amend the Contraventions Act and the Controlled Drugs and Substances Act and to make consequential amendments to other Acts

- Introduces the notion of issuing a ticketing offence for any marijuana possession charge under 30 grams; bring in a new scheme of penalties for marijuana grow operations.

CURRENT STATUS / CPPA ACTION

- Passed 2nd reading on November 4, 2004.
- CPPA to continue to oppose the legislation.
- Presentation at Justice Committee in due time.

... it is paramount that police personnel are treated with the same dignity and respect for their human rights as is expected of them in dealing with others. The CPPA is finalizing a Police Officers' Bill of Rights and will subsequently review it with competent and credible legal counsel.

FOR YOUR INFORMATION

C-16: An Act to amend the Criminal Code (impaired driving) and to make consequential amendments to other Acts

- Gives police officers access to the best available tools that currently exist to enforce drug-impaired driving laws and to protect Canadians against dangerous drunk drivers.

CURRENT STATUS / CPPA ACTION

- Last hearing on Justice Committee's agenda during the week of October 17, 2005.
- Article by article reading during the week of October 24, 2005.
- CPPA to continue lobby for the swift passage of this legislation.

S -23: An Act to amend the Royal Canadian Mounted Police Act (modernization of employment and labour relations)

- Designed to allow RCMP members to unionize. Currently the bill is still at second reading debate.

CURRENT STATUS / CPPA ACTION

- Passed 1st reading in the Senate on February 1, 2005.
- Referred to Senate Committee.
- CPPA to continue to lobby Senators for the passage of this bill.
- Presentation at Senate Committee in due time.

C-53: An Act to amend the Criminal Code (proceeds of crime) and the Controlled Drugs and Substances Act and to make consequential amendments to another Act

- Amends the *Criminal Code* to provide a reverse onus of proof in proceeds of crime applications involving offenders who have been convicted of a criminal organization offence or certain offences under the *Controlled Drugs and Substances Act*.

CURRENT STATUS / CPPA ACTION

- Passed 1st reading on May 30, 2005.
- Referred to Justice Committee before 2nd reading on September 28, 2005.
- First hearing at Justice Committee on October 6, 2005.
- CPPA to continue to lobby Members of Parliament for the passage of this bill.

- Presentation at Justice Committee in due time.

C-215: An Act to amend the Criminal Code (consecutive sentence for use of firearm in commission of offence)

- Calls for an additional sentence to be served consecutively to the other sentence for serious offences where a firearm is used.

CURRENT STATUS / CPPA ACTION

- Passed 1st reading on October 18, 2004.
- First hearing at Justice Committee on October 18, 2005 – MP Daryl Kramp to be accompanied by CPPA President to present this Bill.

5-Year Review of the DNA Identification Act

- Review of the DNA Identification Act.

CURRENT STATUS / CPPA ACTION

- CPPA to participate in consultation process.

Proceeds of Crime Legislation Fast Tracked?

On October 6, lawyers from the Department of Justice presented Bill C53 before the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness. They argued for the legitimacy of reversing the onus of proof in proceeds of crime applications involving offenders who have been convicted of a criminal organization offence or certain offences under the Controlled Drugs and Substances Act.

The CPPA attended the committee hearing. Most committee members, except NDP representatives, seem inclined to forego broader consultation and to “fast track” the enactment of this bill. The CPPA is supportive of this approach and will continue to monitor the situation very closely.

Pot Legislation on the Back Burner

With a spring election looming and the tight political dealings between political parties under a minority government, it appears that members of the Justice Committee tacitly agreed to work on bills that have some likelihood of passage before the end of this year. When reading through the lines, this could also be inter-

FOR YOUR INFORMATION

preted as an agreement to prioritize pieces of legislation that are less controversial and more likely to yield results in the House of Commons!

As a consequence, Marijuana Bill (Bill C 17) does not appear on the committee's agenda before the adjournment of the House of Commons for the Christmas Season.

The CPPA is obviously pleased to see that the pot legislation has been put on the back burner. We cannot help but think that our sustained advocacy work against the decriminalization of marijuana combined with the intrinsic political complications of this minority government have worked in our favor so far!

CPPA Challenges Justice Minister cotler to Introduce Mandatory Minimum Sentences for Gun Crimes

On October 18, CPPA President Tony Cannavino accompanied Conservative MP Daryl Kramp before the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness to present Kramp's Private Members' Bill C-215. This Bill calls for an additional sentence to be served consecutively to the other sentences for serious offences where a firearm is used.

The CPPA is supportive of Mr. Kramp's legislative initiative and argued that tougher minimum sentences would send a strong deterrent message against gun violence, and help keep violent offenders off our streets. Other representatives from the police community (Canadian Association of Chiefs of Police, Toronto Police Service and City of Montréal Police Service) were also before the Justice Committee with the CPPA and Mr. Kramp, and all carried the same message.

Unfortunately our appeal for introducing mandatory minimum sentences for gun crime doesn't seem to receive unanimity among

committee members. Despite the realism of Bill C-215, its survival is questionable since Justice Minister Cotler, and Liberal and Bloc members of the Justice Committee have clearly expressed their reluctance to support this legislation.

Justice Committee members will decide in the days ahead whether more witnesses will be called to further discuss this Bill or if they will immediately proceed with the clause by clause reading of Bill C-215.



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Off Duty Sick.

What are my rights?

By Al Roy

PTSD, GERD, diverticulitis, psoriasis, lower back pain, panic attacks and sleep apnea, among other conditions, are stress related and are fairly common among police officers.

This new section of the Service Star is intended to keep our membership informed of their rights when dealing with a medical condition. This first publication elaborates on stress leaves.

I myself, in the past few years, have been affected by a myriad of medical conditions. I have often found that the RCMP has a tendency to often lack objectivity. There is often a lack of balance between the needs of the members and the organizational needs of the RCMP.

PTSD, GERD, DIVERTICULITIS, PSORIASIS, LOWER BACK PAIN, PANIC ATTACKS and SLEEP APNEA, among other conditions, are stress related and are fairly common among police officers.

What are the Force's obligations?

Often times these diseases will cause members to be ODS on "stress leave" for extended periods of time. Ultimately, HSO (Regional Psychologist) will request that an IME be performed. At this point, I would strongly encourage that members familiarize themselves with the provisions of HSM.

HSM III.1 D.1 clearly states that: *The focus of the Regional psychologist (The Force), should be balanced between the psychological needs of the members and the organizational needs of the RCMP. Care must be taken to ensure that members and the administration of the RCMP perceive this balance.*

HSM III.1.D.2 further states that : *A regional psychologist must be objective, rigorous and impartial when fulfilling all functions as it would be counterproductive to be viewed as an advocate for either the individual member or the RCMP.*

Prior to requesting an IME the force has the duty to comply with these provisions.

Employment Equity Act INTERPRETATION

Definitions

3. In this Act, "persons with disabilities"

"persons with disabilities" means persons who have a long-term or recurring physical, mental, sensory, psychiatric or learning impairment and who

- (a) consider themselves to be disadvantaged in employment by reason of that impairment, or
- (b) believe that a employer or potential employer is likely to consider them to be disadvantaged in employment by reason of that impairment,

and includes persons whose functional limitations owing to their impairment have been accommodated in their current job or workplace;

Under the Canadian Human Rights Act, it is against the law for any employer or provider of a service that falls within federal jurisdiction to discriminate on the basis of:

Race	National or ethnic origin
Colour	Religion
Age	Sexual Orientation
Marital status	Family status
Sex (including pregnancy and childbearing)	
Physical or mental disability (including dependence on alcohol or drugs)	
Pardoned criminal conviction	

For the purpose of a grievance, you would thereby classify as a "persons with disabilities".

OFF DUTY SICK

(1995), 24 C.H.R.R. D/506 (B.C.C.H.R.). – Cameron and Fletcher Challenge Canada Ltd. The B.C. Human Rights Tribunal held that an affliction of panic attacks could constitute a mental disability for the purpose of human rights legislation.

Can I refuse or grieve an IME request?

Certainly, you can grieve on the basis that you feel that the request is lacking objectivity and that it may be unbalanced between the psychological needs of the members and the organizational needs of the RCMP. You could also grieve on the basis that the RCMP has failed to accommodate or that your right under HRC or EEA have been violated.

You could also refuse to be subjected to an IME, but in some rare cases you could be ordered. A grievance will most certainly delay the IME and will give you an opportunity to possibly recover from your condition or at the very least, get better to the point that you will not be medical out.

What are my rights if an IME is requested?

HSM III.M.1 clearly states that with respect to Special Psychological Assessment – Obtain consent from the member to conduct the assessment.

HSM II.1.L.1.a: A standardized approach in establishing a diagnosis will ensure that a member who has a mental condition of a certain degree of severity in one part of the country will have the same career consequence as a member with the same condition and severity in another part of the country. Standardization assures that career consequences of a diagnosis are consistent, fair and clearly related to the tasks of employment so that they are fully defensible if challenged in court.

The independent doctor will often report back to the RCMP and advise that you are no longer suitable for employment. For a period of time following, the RCMP will have a duty to accommodate.

Failure to accommodate

As of June 30, 1998 the Canadian Human Rights Act requires employers to provide accommodation to a person with a disability, short of undue hardship. “Undue hardship” is judged based on factors of health, safety and cost (CHRA, s.15(2)).

Several precedent-setting cases have been heard by the Canadian Human Rights Tribunal, most recently *Koepfel v. Department of National Defence* (June 4, 1997) and *Green v. Public Service Commission of Canada, Treasury Board and Human Resources Development Canada* (June 26, 1998). In both cases, the tribunal found sufficient evidence of discrimination by failure to accommodate based on disability, and awarded compensation for lost wages and emotional hardship. In *Green*, the tribunal further ordered that, within a set amount of time, the respondents conduct a substantial review of their policies relating to people with disabilities.

Undue hardship

The Canadian Human Rights Act states in section 15(2) that questions of undue hardship should be resolved “considering health, safety and cost”.

An employer can establish a mechanism for dealing with questions of undue hardship by referring to what the law says and how the Tribunal and courts have interpreted undue hardship in case law.

In the case of government departments and agencies, it is highly unlikely that the test for

Standardization assures that career consequences of a diagnosis are consistent, fair and clearly related to the tasks of employment so that they are fully defensible if challenged in court.

RCMP Association Concerned with Local Staffing Levels

The following media release was distributed through our colleagues at the BC Federation of Police Officers at the end of October. President Mehain was interviewed by CKNW 980 and Shaw Cable. Kamloops Daily News also covered this news release.

The BCMPPA, which represents 600 members of the RCMP in British Columbia, is concerned about the critical level of staffing in British Columbia. The BCMPPA is concerned about public safety and the ability of RCMP members to provide the service levels that the public has come to expect. In a year where 6 RCMP officers have died in the line of duty the BCMPPA also questions the safety of its members due to this lack of resources.

Staffing levels in British Columbia are drastically below the Canadian average and RCMP

detachments in BC are far below the BC average. This situation is only going to get worse as 40%-50% of the officers in BC have enough service that they could leave the Force today with a pension.

According to 2004 statistics from Statistics Canada RCMP staffing levels in British Columbia lag far behind the Canadian and BC averages.

POLICE PER 100,000 POPULATION

Canada	188	Maple Ridge	95
BC	171	Poco	80
Surrey	106	Vancouver	209
Burnaby	116	New Westminster	178
Coquitlam	86	Victoria	203

It is these obvious shortfalls that cause concern for the BCMPPA. The ability of its members to provide safe communities is hampered by the levels of staffing that are being provided. The safety of the public and police officers is of the utmost importance and a change in the way the RCMP deploys resources to BC must be initiated.

This can only be done with the help of the public. The BCMPPA would encourage the concerned public to contact their elected officials and request that they put pressure on the RCMP to provide adequate resources to this province.

For further information or comment:

Pat Mehain
President, BCMPPA 778-838-5508
Rob Creasser
Vice President, BCMPPA 250 371-1071

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undue hardship will be met solely by demonstrating that an individual agency does not have adequate funds to provide accommodation. Actions may need to be taken to identify additional funds from within government as a whole.

Physical or Mental Disability

Section 25 of the Canadian Human Rights Act defines disability as being either:

- physical or mental;
- previous or existing; and
- including dependence on alcohol or a drug.

A disability can be either permanent (e.g., a visual or mobility impairment), or temporary (e.g., a treatable illness or temporary impairment which is the result of an accident). In determining whether a temporary illness would be considered a disability under the Act, it is important to consider the effects the illness is alleged to have had on the complainant's employment or ability to obtain a service, not only the nature of the illness itself.

Amendments in 1998 to the Canadian Human Rights Act require employers and service providers to accommodate special needs short of undue hardship, including those of people with disabilities. While the duty to accommodate has long been recognized by the courts, specific reference to accommodation in the Act clarifies both the rights of employees and the obligations of employers.

Applications under the Professional Development Fund will be considered for attendance at this conference.

INTERNATIONAL ASSOCIATION OF WOMEN POLICE

2006 Annual Training Conference "Policing Tomorrow's World"

September 17-21, 2006 Saskatoon, SK Canada
www.iawp2006.com

The Saskatoon Police Service and the Royal Canadian Mounted Police in hosting the International Association of Women Police annual training conference in Saskatoon, September 17 - 21, 2006. This conference will attract over 500 peace officers, both male and female, from around the world. In the 40-year history of the conference, 2006 will be only the sixth time it has been held in Canada.

The conference is open to all persons involved in the law enforcement profession, whether sworn or civilian, including reserve officers, seasonal officers, privately employed security officers, as well as individuals who actively promote the law enforcement profession through training, development or representation.

This year's conference theme is "**Policing Tomorrow's World**" and will offer a four-track lecture format that will provide personnel from all levels of service a varied menu of informative and educational lectures to choose from, addressing topics related to operational issues, forensics, management and leadership strategies, technological advances, human behavior, diversity, education, police governance and more.

For example, **Dr. Emma Lew**, forensic pathologist from Miami Dade County in Florida, will conduct two seminars, one on crime scene management from a forensic perspective and the second on the 1996 ValuJet crash in the Florida Everglades. What has been learned about DNA in the past 10 years? What would be done differently if such a tragedy were to happen today? What does the future hold?

Cst. Phil Fodchuk, Forensic Analyst with the RCMP Technological Crime Unit, will present the latest in tech gadgets and computer crimes. Technology is changing at lightening speed. Laws are changing at snail's pace. How do we manage the differences?

As peace officers or justice practitioners we are constantly communicating with people or with the media. Carol Boothroyd is an expert in both and her light hearted presentations called "Gender Speak" and "Media Wise Relations" are filled with useful and practical tips that can be put to use immediately.

Is there anyone who doesn't wish they could communicate better while testifying in court? Judy Halyk and Catherine Knox, prosecutor and defense attorney, will show "Both Sides of the Courtroom" by using reenactments of trial transcripts, role playing and a question-and-answer format to illustrate common mistakes police officers make while testifying and will provide tips on becoming a better witness.

These are just a few examples of the educational opportunities that will be offered at IAWP 2006.

Our website www.iawp2006.com is a great source for more information on the professional development portfolio of the conference. There is also a sample business case that individuals can use to propose attendance at the conference to their organization.

We look forward to welcoming everyone to the IAWP 2006 conference in Saskatoon, Saskatchewan, CANADA, September 17-21, 2006.

Contact: Shelley Ballard & Susan Grant, Conference Co-Directors
E-mail iawp2006@police.saskatoon.sk.ca
Phone 306-220-IAWP (4297) or 306-260-6453

RCMP understaffed and undertrained, auditor general finds

The following article appeared on the CBC News website on November 26

As a result, the RCMP often had to divert staff from the national force, leaving it unable to fulfill its federal responsibilities such as probes into drug and organized crime networks, Fraser said.

The RCMP are inadequately trained and so understaffed that they can't meet their federal responsibilities such as tackling organized crime, the federal auditor general says in a report.

Auditor General Sheila Fraser found that the Mounties didn't have enough people to adequately supply forces in 192 communities and aboriginal reserves in eight provinces.

"We noted problems with staffing and training that need to be addressed," she told a news conference after her report was tabled on Tuesday in the House of Commons.

As a result, the RCMP often had to divert staff from the national force, leaving it unable to fulfill its federal responsibilities such as probes into drug and organized crime networks, Fraser said.

Force will be short hundreds of officers a year

Fraser said the RCMP would soon be short hundreds of officers because their training fa-

cilities are inadequate and can't produce enough recruits to keep up with the demand.

The centre in Regina can train 1,200 cadets a year, but the force needs at least 1,400 new recruits annually for the next four years, the report says.

She also said the force often doesn't adequately fill in for Mounties who are on long-term absences, overburdening their colleagues and leaving them exposed to dangerous situations without access to backup.

"The peace officers could end up being overloaded in their work schedules, so more attention has to be paid to these areas," Fraser said.

New recruits receive inadequate mentoring, Fraser finds

Fraser also found problems with the training of new officers and retraining of more experienced ones.

Rookie officers are supposed to get six months of on-the-job training with a senior officer. Fraser said that often doesn't happen.

She also found the vast majority of the force hadn't completed recertification requirements.

There are six skill sets in which RCMP officers must recertify, including pistol and baton training, first aid and CPR.

Two years ago, 57 per cent of RCMP officers had completed all six qualifications. A year later, Fraser's audit found the figure had plummeted to 6 per cent.

Fraser pointed out that the Mounties are the primary police force for 20 per cent of Canadians, saying the problem areas identified in her report must be addressed

Your Voice!
BCMPPA

Join Today!

Membership form on the last page

Bursary recipients

Congratulations to the 7th Annual BCMPPA Recipients.

This year only three applications were received. All three applicants qualified for the Association bursary.

Scott Macmillan is the recipient of the \$1000 dependent bursary. Scott has entered his final year at University of Lethbridge where he is working towards his Bachelor of Science degree. Following this he is planning on pursuing a law degree concentrating on securities law. Scott has been active in various university based volunteer programs including Operation Christmas Child, the food bank and raising money to build a well in Ethiopia.



Scott Macmillan

Katie Everson is the recipient of the \$500 dependent bursary. Katie is in her second year at University College of the Fraser Valley where she is enrolled in the Theater Diploma Program. She plans on continuing her studies by obtaining her Bachelor of Arts Degree in French and Theater and get her teaching certificate. Katie is involved in a youth run community service group and has been a leader with the Children's International Summer Villages Organization.



Katie Everson

Cst. Karen Sims is the recipient of the \$500 member bursary. Karen is in her final year at Simon Fraser University enrolled in the Bachelor of Arts Program Criminology. Karen is currently posted at EDPS.

RCMP MEMBERS & STAFF

Hi. My name is Wayne Ryan. As a retired Member of the Force, I know all about moving, buying and selling!! I also know how expensive it is to live in the LMD. That's one of the reasons I'm pleased to be able to offer you an exclusive package which will provide full MLS service while saving you lots of money! I work extensively in the N. Delta, Surrey, Langley and Abbotsford areas. However, if you reside outside these areas or would simply prefer to use a more local realtor, give me a call anyway – I may be able to arrange the same package deal for you!

SAVINGS & SERVICE

- Save \$1,000.00 or more when selling your home through me.
- Save \$500.00 or more when buying a home through me.
- Save \$3,000.00 - \$4,000.00 if I list and sell your home.
- Save \$500.00 for family or friends that you refer to me.
- Save \$??? on mortgage interest rates via my brokers.
- Sell your own home and I will assist you with writing the contract and paper work ... free of charge!
- I work with Royal LePage, and am very familiar with the relocation policies of the Force.
- I am currently in the Top 1% of all Fraser Valley Realtors and in the Top 1% in Canada.

GIVE ME A CALL!

This offer is open to all Members, retired Members & Staff. This is NOT a “discount” commission deal ... All rebates offered come out of my commission and will NOT affect the other agent. I've had the privilege of working with literally hundreds of Members in the past several years and can provide several references on request! Please call me anytime ...



WAYNE RYAN

Top 1% in Canada

Cell #: (604) 617-8808
Office #: (604) 597-1664
Fax #: (604) 575-2171





BCMPPA Membership Application/ Amendment Form

Check All Boxes That Apply

- | | |
|---|--|
| <input type="checkbox"/> New Application | <input type="checkbox"/> Renewal (\$108/year) |
| <input type="checkbox"/> Interdivisional Membership (\$15/year) | |
| <input type="checkbox"/> Pre-approved payment request | <input type="checkbox"/> Cheque attached |
| <input type="checkbox"/> Male <input type="checkbox"/> Female | <input type="checkbox"/> Change of address |
| <input type="checkbox"/> Change of posting/duties | <input type="checkbox"/> Change of bank/account |

Referred by _____
(Referring member 3 months no dues)

Regimental # _____

Surname _____

Given Names _____

Address (Street, City, Province, Postal Code) _____

E-mail Address _____

Telephone # _____

Current Posting & Duties _____

PRE-APPROVED PAYMENT REQUEST

This application constitutes authorization for the B.C. Mounted Police Professional Association (BCMPPA) to withdraw the sum of \$9 per month from:

Financial Institution _____

Address _____

Account # _____

Please attach a void/blank cheque to initiate your Pre-approved Payment.

Visa MasterCard (credit card payments through PayPal only)

Card # _____

Expiry _____

The said withdrawal will be debited on the 14th day of each month. These authorized deductions will commence on _____ 20____, and will continue until such time as the undersigned advises the BCMPPA to cease said withdrawals in writing.

Date _____

Signed _____

Mail to: BCMPPA, #216-20465 Douglas Crescent, Langley, BC V3A 4B6
or Fax to: (604) 460-6403 / Toll free fax: 1-866-530-4738

This form is also available on the BCMPPA website: www.bcmppa.com

Contact Numbers for the Association Executive

The following provides contact information for our membership wishing to reach the executive of the BCMPPA. This list was accurate at the time of printing. In the event some of this information becomes dated, up-to-date information can always be obtained from our website at www.bcmppa.com.

President

Pat Mehain 778-838-5508 cell.

Vice President

Rob Creasser 250-371-1071 cell.

Treasurer

Gregg Howmann 250-453-2216 cell.

Secretary

Yvonne Everson 604-644-0282

Directors

BC Interior

Alain Roy 250-545-7141

Dan Sandhar 778-772-9690

BC North

Brendan McKenna 250-638-7400 work

Change of Address

Members with access to the Internet can communicate via e-mail their change of address or any other data pertaining to their membership. Mrs. Linda Bauchman, BCMPPA bookkeeper, is online at the following address: lin@telus.net. Other members can still submit those changes by mail or fax. You will find the details on the inside cover of *The Service Star*, or at the Association's website, www.bcmppa.ca.