



**Presentation to the Standing Committee on  
Justice Policy by the  
Police Association of Ontario**

**Bill 56, An Act to amend  
the Emergency Management Act,  
the Employment Standards Act, 2000  
and  
the Workplace Safety and Insurance Act, 1997**

**May 15, 2006**

My name is Bruce Miller and I am the Chief Administrative Officer for the Police Association of Ontario (PAO). I was also a front-line police officer for over twenty years prior to taking on my current responsibilities.

The Police Association of Ontario is a professional organization representing 30,000 police and civilian members from every municipal police association and the Ontario Provincial Police Association. The PAO is committed to promoting the interests of front-line police personnel, to upholding the honour of the police profession, and to elevating the standards of Ontario's police services. We have included further information on our organization in our brief.

We appreciate the opportunity to provide input into this important process. We would like to focus our attention on the importance of these proposed legislative changes to community safety.

As you know the government's current emergency response powers and responsibilities are set out in the Emergency Management Act, but that Act is designed primarily to ensure that appropriate municipal and provincial infrastructures are in place to deal with a local or provincial emergency. It helps to ensure that communities and provincial ministries have emergency programs and plans in place and that they are tested and updated regularly.

The primary purpose of Bill 56 is to provide emergency powers to the Lieutenant Governor in Council and to the Premier to deal with emergencies in a timely and effective manner. The bill will amend the Emergency Management Act and we believe that it will further improve the province's ability to respond to all types of emergencies. The bill will also help clarify under what conditions the province can declare an emergency.

More importantly, from the perspective of front-line police personnel, the legislation clarifies the powers available to our members in an emergency and it will allow them to act quickly and in the best interests of community safety.

In an ideal world, there wouldn't be a need for this legislation but, unfortunately, as everyone knows all too well, the world as we know it is now far from perfect. The tragic events of September 11<sup>th</sup>, as well as SARS and the electricity blackout in 2003, clearly showed that a review of the provincial emergency powers legislation was needed. We need this bill because we must be prepared for emergencies.

As you are aware the legislation would authorize the use of some far ranging powers that include:

- Restricting travel or ordering evacuations.
- Establishing facilities for the care, welfare, safety and shelter of people, including emergency shelters and hospitals.

- Closing any place, public or private, including any business, office, school, hospital or other establishment or institution.
- Putting into effect other measures deemed necessary to prevent, respond to, or reduce the emergency.

The argument is always put forward by some that the powers are too broad and open to abuse. However, all of us can think of unique situations where these powers would be of great value in the event of a provincial emergency.

It is our understanding that there have only been two provincial emergencies in the history of the province. The declaration of an emergency is something that is needed only in the most extraordinary circumstances. We believe that the legislation contains more than adequate safeguards.

Elected members are rightly put in positions of great trust by the public in a democratic society, and you must have the power to act quickly in times of emergency in order to safeguard our communities.

Police personnel also need to act quickly and decisively to protect Ontarians. Some have argued that current common law provisions and other legislation can be used to meet the same goals. Our members should not be expected to be “creative” or to “explore other avenues” during a crisis.

The legislation must be clear and transparent so that police personnel and other emergency responders can react quickly to both limit and end the emergency. The legislation must be clear and transparent to members of the community as well.

We would like to take the opportunity to highlight one area that pertains to safety equipment. It may be outside of the scope of this legislation but relates closely to it.

I think that many, if not most of us, tend to think of the need for very elaborate equipment to deal with emergencies. Certainly there is a requirement for this, and we believe that it is in place. However, the same cannot be said of very basic protective equipment for police personnel in some jurisdictions.

In November 2000 the then Ministry of the Solicitor General issued a Communicable Disease Policing Standard. This Standard or Guideline was developed by the policing stakeholders, Ministry staff and other experts in the field. The Standard, which is copied for your information, also contained a Ministry Designated Equipment List.

Many police services were quick to follow the guideline. Unfortunately, some other police services ignored it. Our members have been actively involved in responding to suspected incidents of bio-terrorism since September 11<sup>th</sup>.

The vast majority of these calls were anthrax related. Front-line police personnel were also actively involved in the SARS crisis and many were quarantined as a result.

The Ministry circulated bulletins on both anthrax and SARS advising the policing community that the disposable masks and suits contained in the Designated Equipment List were adequate equipment to prevent them from exposure.

Unfortunately some police services had failed to provide this inexpensive equipment. Both the mask and the suit, which an officer might need only once in a career, cost less than ten dollars each. However, both items could save his or her life.

Our members responded to the calls whether they had the equipment or not. That is the nature of their professionalism. However, we believe that this equipment needs to be in place and that this should be enshrined as a regulation, as are many of the other Standards, to ensure compliance and officer safety across the province.

In closing we would like to thank the government for their continued support for community safety. The Police Association of Ontario hopes, as do you, that this legislation is never needed. However, in the event of a significant emergency the government must be able to act in a timely and effective manner. We believe that Bill 56 will enhance this ability and would urge its speedy passage.

We would like to thank the members of the Standing Committee for the opportunity to appear before you once again and for your continued support for safer communities. We would be pleased to answer any questions that you may have.



## **Mandate of the Association**

The Police Association of Ontario (PAO) was founded in 1933 and is the official voice and representative body for Ontario's front-line police personnel. Our membership consists of 30,000 police and civilian members from every municipal police association and the Ontario Provincial Police Association (see attached for a complete listing of member associations).

The Police Association of Ontario promotes the mutual interests of Ontario's front-line police personnel in order to uphold the honour of the police profession and elevate the standards of police services.

The core objectives of our Association are to:

- Provide progressive and effective leadership and representation on policing issues;
- Deliver flexible and innovative services providing resource and support to our member associations;
- Deliver training and educational programs to foster enhanced association leadership; and,
- Encourage cooperation and unity within our membership.

## **Community Service**

The Police Association of Ontario and its affiliates across this province have a long history of community support and involvement. Whether through the work of our individual members or through the efforts of a local association, many charities, minor sports programs and assistance programs for people of all ages, have benefited from our efforts.

The PAO believes that our "Kids and Cops and Canadian Tire Fishing Days" is another example of this community spirit. We have partnered with Fishing Forever, a non-profit organization, whose principal focus is recreational fisheries conservation and securing the future of fishing in Ontario. The PAO has committed over one hundred and fifty thousand dollars to this program over the last several years and to date have taken several thousand young people fishing for the day with police personnel. The PAO was honoured last year with the Rick Amsbury Memorial Award for its contribution to fishing and youth in Ontario.



### **Sharing Our Expertise**

Our unified voice has always been a key resource to government on all matters related to policing. Building on our shared goal of making Ontario communities safer, we have worked with successive governments on a number of important policy files sharing our experience and expertise.

Notable amongst our past achievements is the revitalized Police Services Act. Our Association worked along side other police stakeholders including representatives of Ontario's Chiefs of Police, Police Service Boards and municipalities to forge a consensus on how best to transform Ontario's police services. Working with elected members on all sides of the Legislature on this important initiative was particularly rewarding.

In recent years, our Association has been advocating for a number of new initiatives that would improve community safety and protect police personnel including:

- ❑ Measures to address the escalating problem of violence in our communities posed by gangs, drugs and guns in particular;
- ❑ Implementation plans for the 1,000 new officers;
- ❑ Revitalizing the Ontario Municipal Employees Retirement System (OMERS) to better reflect the contribution of police and fire fighter personnel.
- ❑ Passage of the "pull to the left" law that requires vehicles to slow and pull to the left when approaching a stopped emergency vehicle.

### **Moving Forward: Developing The Work Plan**

While proud of our past accomplishments, we understand that police services are constantly in transition. By responding to changing public expectations, we can ensure that Ontario's police services remain responsive, effective and accountable. At present, we are anxious to work with government on a number of important policy matters including:

- ❑ Maintaining Ontario's strong system of civilian oversight.
- ❑ Improve pension portability for police personnel through a divestment agreement with the Ontario Pension Board and OMERS.
- ❑ Standardizing Ontario's usage of private security personnel.
- ❑ Improving Bill 105 regulations (The Blood Samples Act) to ensure officer and community safety.



**PAO Member Associations**

Amherstburg Aylmer Barrie Belleville Brantford Brockville Chatham-Kent Cobourg Cornwall Deep River Dryden Durham Regional Elliot Lake Espanola Essex Gananoque Guelph Halton Regional Hamilton Hanover Kenora	Kingston Kirkland Lake LaSalle Leamington Lindsay London Michipicoten Twp. Midland Niagara Parks Niagara Region North Bay Ontario Provincial Police Orangeville Orillia Ottawa Owen Sound Oxford Community Peel Regional Pembroke Perth Peterborough-Lakefield Port Hope	Sarnia Saugeen Shores Sault Ste. Marie Shelburne Smiths Falls South Simcoe St. Thomas Stratford Strathroy Stirling-Rawdon Sudbury Temiskaming Shores Thunder Bay Timmins Toronto Waterloo Regional West Grey West Nipissing Windsor Wingham York Regional
---	---	---

**Contact Person**

Bob Baltin, President

Bruce Miller, Chief Administrative Officer

Bus: (905) 670-9770

Fax: (905) 670-9755

Email [pao@pao.on.ca](mailto:pao@pao.on.ca)



## The Police Association of Ontario – a Resource for Government

The PAO has a history of working with government to ensure safe communities. Our unified voice has always been a key resource to government on all matters related to policing. The PAO web site is located at [www.pao.on.ca](http://www.pao.on.ca). It contains all of our media releases, position papers and other information on policing and community safety. We would also encourage you to contact our office should you need any further information.

Some of the material includes:

- ❑ PAO position paper on mandatory retirement.
- ❑ Pre-budget briefs.
- ❑ Presentation to the Standing Committee on Finance and Economic Affairs on Bill 40, The Emergency Service Provider's Insurance Protection Act.
- ❑ PAO position paper on the need to reform Bill 105 (the Blood Samples Act).
- ❑ Public opinion polling information on community safety issues.
- ❑ Presentation to the Standing Committee on Bill 96, An Act to Amend the Liquor Licence Act, 2004.
- ❑ Presentation to the Standing Committee on Justice Policy by the Police Association of Ontario on the Review of the Emergency Management Statutes.
- ❑ Presentation to the Beverage Alcohol Review Panel.
- ❑ Presentation to the Standing Committee on the Legislative Assembly on Bill 132, An Act to amend the Dog Owners' Liability Act to increase public safety in relation to dogs, including pit bulls, and to make related amendments to the Animals for Research Act.
- ❑ Submissions to the Honourable Patrick LeSage, Q.C., The Police Complaints Review.
- ❑ Presentation to the Standing Committee on Justice Policy on Bill 110, An Act to require the disclosure of information to police respecting persons being treated for gunshot wounds.
- ❑ Presentation to the Standing Committee on Justice Policy, Bill 128, Law Enforcement and Forfeited Property Management Statute Law Amendment Act, 2005.
- ❑ Presentation to the Standing Committee on Justice Policy Bill on Bill 159, An Act to revise the Private Investigators and Security Guards Act and to make a consequential amendment to the Licence Appeal Tribunal Act, 1999.
- ❑ Presentations to the Standing Committee on General Government on Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act

## Policing Standards Manual, Ministry of Community Safety and Correctional Services

### AI-004

#### Legislative/Regulatory Requirements

The *Occupational Health and Safety Act* sets out the responsibilities of employers, supervisors and workers for workplace safety. Among other obligations the Act requires employers to “take every precaution reasonable in the circumstances for the protection of a worker” and to “acquaint a worker or a person in authority over a worker with any hazard in the workplace and in the handling, storage, use, disposal and transport” of biological agents.

#### Sample Board Policy

Board Policy # \_\_\_\_\_

It is the policy of the \_\_\_\_\_ Police Services Board with respect to communicable diseases that the Chief of Police will:

- a) develop and maintain procedures that are consistent with the most recent edition of the Ministry of Health and Long-Term Care's *Preventing and Assessing Occupational Exposures to Selected Communicable Diseases – An Information Manual for Designated Officers*;
- b) designate and train one or more members as a Communicable Disease Coordinator(s);
- c) ensure that each Communicable Disease Coordinator is provided with a copy of the most recent edition of the Ministry of Health and Long-Term Care's *Preventing and Assessing Occupational Exposures to Selected Communicable Diseases – An Information Manual for Designated Officers*; and
- d) work, where possible, with the local medical officer of health, to develop a post-exposure plan that addresses roles and responsibilities, reporting protocols, medical evaluation, intervention, confidentiality, access to treatments and follow-up support for workers who have suffered a high-risk occupational exposure to a communicable disease.

#### Police Service Guidelines

- Coordination**
1. Every Chief of Police should designate and train one or more members as a Communicable Disease Coordinator(s) who would be responsible for:
    - a) receiving reports from members who believe they may have been exposed to a communicable disease;
    - b) assessing, given the situation and circumstances, whether an exposure could have occurred;

- c) if an exposure could have occurred, liaising with the local medical officer of health; and
  - d) following liaison with the local medical officer of health, providing information and advice to the member about the possible exposure.
2. Every Chief of Police should ensure that each Communicable Disease Coordinator is provided with a copy of the most recent edition of the Ministry of Health and Long-Term Care's *Preventing and Assessing Occupational Exposures to Selected Communicable Diseases – An Information Manual for Designated Officers*.
  3. Every Chief of Police should work, where possible, with the local medical officer of health, to develop a post-exposure plan that addresses roles and responsibilities, reporting protocols, medical evaluation, intervention, confidentiality, access to treatments and follow-up support for workers who have suffered a high-risk occupational exposure to a communicable disease.

**Procedures**

4. Every police service's procedures should:
  - a) be consistent with the most recent edition of the Ministry of Health and Long-Term Care's *Preventing and Assessing Occupational Exposures to Selected Communicable Diseases – An Information Manual for Designated Officers*;
  - b) set out procedures to be followed by a member who believes that he or she may have been exposed to a communicable disease.
  - c) require that all police officers and civilian members who may be exposed to blood/bodily fluids in the workplace are offered a voluntary Hepatitis B vaccination at no cost to the worker;
  - d) set out the workplace controls for minimizing and preventing the risk of occupational exposure, including:
    - i) the handling and storage of contaminated forensic exhibits, in accordance with the police service's procedures on the collection, preservation and control of evidence and property;
    - ii) undertaking search of persons or premises;
    - iii) the custody and transportation of prisoners, in accordance with the police service's procedures on prisoner care and control and prisoner transportation, including the implementation of special precautions for dealing with prisoners with a known or suspected communicable disease;
    - iv) the handling of sharps, including syringes; and
    - v) practices around blood/bodily fluid;
  - e) set out the workplace procedures and controls for post-exposure management, including the requirement that:
    - i) potential exposures are managed promptly, in collaboration with the local medical officer of health;
    - ii) the appropriate first aid measures are delivered immediately;

- iii) the role of supervisors in managing exposure incidents is clearly defined and communicated to all workers;
- iv) the role of the Communicable Disease Coordinator(s) is clearly defined and communicated to all workers;
- v) the established protocol for assessing and reporting a possible exposure is followed;
- vi) follow-up planning is undertaken for each individual who has experienced a potential exposure, based on a reasonable assessment of their needs; and
- vii) a record keeping procedure is established for the following purposes:
  - training;
  - maintaining confidential records for affected workers; and
  - problem identification, resolution and evaluation; and
- f) set out the workplace procedures and controls that address general infection control, including:
  - i) the cleaning of unprotected skin;
  - ii) hand washing procedures;
  - iii) the removal and disposal of anti-microbial gloves;
  - iv) handling contaminated work clothing;
  - v) disinfection methods for surfaces and police vehicles, both interior and exterior;
  - vi) disinfection of holding facilities;
  - vii) handling and disinfection of non-disposable equipment; and
  - viii) handling and disposal of biological waste and non-reusable equipment.

### **Training**

5. Every Chief of Police should ensure that police officers and civilian members who may be at risk of exposure to communicable diseases receive training on communicable diseases and their prevention, including information on:
  - a) bloodborne diseases, including, at minimum, Hepatitis B (HBV), Hepatitis C (HCV) and HIV/Aids, including:
    - i) overview, incidence and prevalence of disease in the population;
    - ii) sero-conversion rates for HBV, HCV and HIV;
    - iii) modes of transmission and incubation period;
    - iv) the risk of infection when exposed to infected blood/bodily fluids;
    - v) assessing and reducing the risks;
    - vi) identification and symptoms; and
    - vii) post-exposure management; and
  - b) airborne infections, including, at minimum, Meningitis, Tuberculosis (TB) including:
    - i) overview, incidence and prevalence of disease in the population;
    - ii) modes of transmission and incubation period;
    - iii) risk of acquiring the disease;
    - iv) differentiation between what is TB infection versus the disease;

- v) reducing the risks;
- vi) identification and symptoms; and
- vii) post-exposure management.

6. Every Chief of Police should ensure that all police officers and civilian members who may be at risk of exposure to communicable diseases are provided with current information, including information on emerging trends.

7. Every Chief of Police, in cooperation with the local medical officer of health, should ensure that there is a mechanism to share information on a regular basis and to ensure that the staff training being provided is current, accurate and sufficient.

***Monitoring  
and***

***Evaluation***

8. Every Chief of Police should periodically monitor and evaluate the effectiveness of the police service's procedures on communicable diseases.

***Equipment***

9. Every Chief of Police should ensure that every police officer and civilian members who may be at risk of exposure to communicable diseases have available to them the personal protective equipment set out in the Ministry's designated equipment list on communicable diseases.

10. Every Chief of Police should also ensure that police officers and civilian members who may be at risk of exposure to communicable diseases are trained on the use of the personal protective equipment set out in the Ministry's designated equipment list on communicable diseases, and where appropriate, are properly fitted and sized for the protective equipment.

## **MINISTRY'S DESIGNATED EQUIPMENT LIST**

### ***Communicable Diseases – Equipment and Facilities List***

**The following minimum equipment should be contained in biohazard kits that are made available to police officers and appropriate civilian members of a police service.**

<b>PERSONAL ISSUE</b>
<ul style="list-style-type: none"><li>• disposable medical grade non-sterile examination gloves, preferably non-latex, usually nitrile, to avoid the problem of latex sensitivity</li><li>• waterless antiseptic hand wipes</li><li>• a disposable one-way air valve for cardio-pulmonary resuscitation</li><li>• a device to secure the items to the officer's person</li></ul>
<b>MOBILE KITS</b>
<ul style="list-style-type: none"><li>• goggles</li><li>• disposable moisture-resistant cone masks (NIOSH approved N95 respirator) for tuberculosis protection, and has boomerang nose sealing</li><li>• heavy gauge gloves</li><li>• moisture-resistant disposable clothing</li><li>• biohazardous waste disposal products</li><li>• spatulas</li><li>• evidence tubes</li><li>• biohazard labels</li><li>• biohazard bags</li><li>• antiseptic hand wipes</li><li>• waterless antiseptic hand cleaner</li><li>• to be in a container designed to hold such items</li></ul>
<b>STATIONARY KITS</b>
<ul style="list-style-type: none"><li>• disposable medical grade non-sterile examination gloves, preferably non-latex, usually nitrile, to avoid the problem of latex sensitivity</li><li>• biohazard waste disposal products</li><li>• heavy gauge gloves</li><li>• moisture-resistant disposable protective clothing</li><li>• spatulas</li><li>• biohazard bags</li><li>• germicidal cleaner</li><li>• sharps containers</li><li>• waterless antiseptic hand cleaner</li><li>• to be in a container designed to hold such items</li></ul>