



POSITION PAPER

CONTRACTING POLICE SERVICES AFTER RETIREMENT

The British Columbia Police Association (the “Association”) has noted over the past several years a trend of contracting retired members back to work. Police employers have seen this as a solution to a variety of staffing issues, among other reasons that are less clear. Employers have been increasingly contracting back non-bargaining unit personnel such as Inspectors and Deputy Chiefs, and this is a concern for several reasons which are listed below.

Succession Planning

It is a well recognized “best practice” for organizations to engage in succession planning activities that identify current and future staffing needs including at the leadership level. This includes a need to identify people within the organization that can be developed to meet those needs. Contracting ex-senior officers back into those positions stagnates the organization and fails to provide growth opportunities. Senior officers are not subject to mandatory retirement provisions and, as such, could work well past the normal age of retirement, depending on the provisions of their employment contract.

Promotional opportunity

The Association is further concerned with the practice of contracting back and the negative effect on bargaining unit members’ promotional opportunities. To not identify current serving members as potential leaders fails to address the larger issue of leadership development, tracking, and other related opportunities. This sends the negative message to bargaining unit members that there are no viable leadership candidates within our ranks.

The Association is further concerned that by not filling vacancies from within, promotion opportunities are lost, and this further negatively impacts recruitment.

Pension Plan

Members who are receiving a pension, or who are on contract do not contribute to the pension plan. This is of concern as it has the potential to have a detrimental effect on the financial viability of the plan which is already faced with the challenge of managing more pensions in pay than members actually contributing. Currently, all front line police

bargaining unit members cannot be employed unless they enroll in our pension plan. This contracting back practice could erode this requirement in the future, and could create a mechanism for contracting out bargaining unit positions at all ranks.

Pension Rules

In 2004 the pension plan rules were changed to address the emerging issue of pension plan members applying for pension and then returning to work with the same employer. The current rules stipulate that a plan member is not eligible to collect a pension if he or she has discussed a return to work with the same employer. Members must sign the following declaration:

I declare that I have resigned my employment and that there has been no casual or formal discussion or commitment between me and my employer for me to return to work after retirement. If such an agreement exists, I understand that I will not be eligible to receive a pension from the Municipal Pension Plan at this time. Signed by Retiree

The employer certifies: I declare that there has been no casual or formal discussion or commitment with the retiring plan member for the member to return to work after retirement. Signed by Employer.

This rule clearly prevents any Municipal Pension Plan member from collecting their pension and contracting back with the same employer under some prearranged agreement. The Association supports the strict adherence to this rule for all serving police officers. It is important for the future of the pension plan and to preserve other important member benefits and working conditions; non-compliance to these rules must be vigorously opposed.

Conclusion

Current contract provisions and other rules provide reasonable protection against the practice of contracting out within the bargaining unit; however, this practice of “contracting” in senior officer ranks needs to be monitored to ensure that the health of the entire organization is taken into account.

The Association is of the opinion that the current rules limiting “contracting” of retired police officers, together with mandatory retirement provisions, provides for healthy, sustainable, and efficient policing.