



TRANSIT POLICE

LIABILITY PROTECTION PROGRAM

Effective Date: September 12, 2005

Revised Date: June 21, 2013

Reviewed Date:

Review Frequency: As Required

Office of Primary Responsibility: Senior Labour Relations Advisor

POLICY

Definitions

Chief Officer – The Transit Police Chief Officer or delegate.

Designated Constables – The Transit Police police officers appointed by the Police Board.

Member – A Transit Police police officer appointed by the Police Board.

Police Act – The BC *Police Act*, RSBC 1996, c. 367, and the regulations thereto, including the Transit Police Operations Regulation, all as amended from time to time.

Police Board – The South Coast British Columbia Transportation Authority Police Board.

Transit Police – The South Coast British Columbia Transportation Authority Police Service.

Transit Police Personnel – Sworn police officers and civilians who work for the Transit Police.

TSML – The TransLink Security Management Limited, a subsidiary of the South Coast British Columbia Transportation Authority and legal entity/employer for the Transit Police.

Authority

1. The Transit Police is a Designated Policing Unit in British Columbia established pursuant to s. 4.1 of the *Police Act* upon application made by the SCBCTA. Pursuant to the application approval, the Transit Police is a part of the TSML and all Transit Police Personnel are employees of the TSML. The Transit Police is governed by the Police Board.

General

2. Designated Constables (exempt and union) are protected and indemnified by the TSML/Transit Police from civil actions, criminal prosecution, or conduct complaints arising from the good faith performance or attempted performance of their duties, to

the extent and subject to the limitations provided in the *Police Act*, the Collective Agreement, and applicable insurance policies.

3. Transit Police Personnel will be provided information on the TSML's liability protection program (or that of the SCBCTA where it applies) for employees, if any, through the TSML.

Liability and Indemnification of Police Officers

4. Designated Constables (exempt and union) will familiarize themselves with the indemnification provisions contained in the *Police Act* – s. 20 (*liability for torts*) and s. 21 (*personal liability*).
5. Designated Constables will refer to their Collective Agreement and/or terms of employment for indemnification provisions and procedures, including the time limitation for notifying the employer.

Civilian Personnel

6. Civilian personnel may apply for indemnification arising from performance of their duties upon written request through their Supervisor to the Chief Officer, or such process as otherwise directed in the TSML and Transit Police policies, terms of employment or the Collective Agreement, as applicable.
7. Indemnification will be considered and granted in accordance with the TSML and Transit Police policies, terms of employment and Collective Agreement, as applicable.

[See also: AA110 – Legal Services, Collective Agreement]

Key References

BC Police Act [RSBC 1996, Chapter 367]

Collective Agreement