



## TRANSIT POLICE

# ACTING RANKS & WHILE SO EMPLOYED

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Office of Primary Responsibility: Deputy Chief Officer Administrative Services

## POLICY

[Refer also to Transit Police policy chapters [AA040 – Supervision](#), [AB150 – Promotion](#), and [AB200 – Specialized Assignments](#)]

### Definitions

Acting Sergeant Assignment – An assignment requiring a Member to act in the Sergeant rank on a temporary basis. This includes assignments for a short period of time (i.e. days or weeks) as well as longer term assignments on a “While So Employed” basis.

Acting Sergeant Program – Those Members who have completed the requirements to be in the Acting Sergeant Program as set out in Transit Police policy chapter AB150 – Promotion.

Chief Officer – The Transit Police Chief Officer or delegate.

Member – Designated Constable (all ranks), the Chief Officer or a Deputy Chief Officer of the Transit Police.

NCO – A Non-Commissioned Officer, which is a term being used in this policy to collectively identify police supervisors at the rank of Sergeant and Staff Sergeant.

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

Metro Vancouver Transit Police (“Transit Police”) – The South Coast British Columbia Transportation Authority Police Service Designated Policing Unit.

Sergeant Eligibility List (“Eligibility List”) – The list for Members eligible for a promotion to a Sergeant position, when a position becomes available.

Transit Police Executive – Term used in this policy to collectively identify the Transit Police Deputy Chief Officers and Chief Officer.

While So Employed Assignment (“WSE”) – An assignment requiring a Member to act in a higher rank position on an extended basis, generally six months or more.

## Authority

1. Transit Police appointment of Members in acting ranks will be as permitted by the *Police Act*, the collective agreement and any terms of employment with the legal employer of the Transit Police, and Transit Police policy chapter AB150 – Promotion.

## General

2. A Member authorized to undertake the duties of a rank senior to their own, will exercise all of the authority and responsibilities vested in that rank.
  - (1) Upon occasion, a Chief Officer or Deputy Chief Officer may restrict certain authorities of a Member acting in a temporary assignment and/or While So Employed (“WSE”) in a rank and the acting Member will comply with any such issued restrictions (e.g., limiting financial expenditure authorization).
  - (2) Some authorities within a rank or WSE assignment may require written delegation to be placed on file (and potentially filed with an external party), including but not limited to:
    - a. delegation of Discipline Authority function;
    - b. signing authority for major financial expenditure;
    - c. approval of out of country travel;
    - d. access to informant/source information; and
    - e. access to personnel files.
3. When temporary vacancies occur in the NCO or Officer Ranks, the Chief Officer has the authority to appoint temporary replacements. While respecting the intent of the protocols outlined in this policy, to satisfy the needs of the organization, the Chief Officer still retains the right of final Member appointment to a temporary vacancy or WSE position.
4. The Chief Officer or a Deputy Chief Officer may choose not to fill a temporary NCO or Officer vacancy.
5. A Member, who has been appointed to temporarily perform the duties of a rank higher than the Member’s confirmed rank, will be paid and appointed to the higher rank on an acting basis, in accordance with the collective agreement and legal employer policy, where applicable.
6. If the appointment of the Member is for six months or longer, the temporary appointment will be deemed to be on a WSE basis.
7. The Transit Police recognizes the need to transfer Members within their rank; however, there may be occasions when as a result of a need for a special skill, lack of available Members within the rank, or extraordinary circumstances, a Member of lower rank may be transferred to a higher ranked position on a WSE basis to satisfy police service needs. [*See the collective agreement for applicable provisions on appointments over four months in length.*]
8. The qualifications for a temporary assignment or WSE position will be as already determined for the existing position or, for any new temporary or WSE assignments, as otherwise determined by the Chief Officer and included in the posting notice.

## PROCEDURES

### NCO Call Outs

9. The NCO call out process will be as so determined by the Chief Officer, taking into account the collective agreement and policy chapter AB150 – Promotion, as applicable. Members are to refer to the Standard Operating Procedures for details concerning the NCO call out process.

### Inspector Rank

#### Temporary Acting Inspector

10. In selecting a Staff Sergeant to assume the rank of Acting Inspector (exempt position) for a temporary assignment, consideration will be given to those Members with necessary qualifications and skills for the specific assignment, in the following order:
  - (1) Substantive Staff Sergeants;
  - (2) Members currently on the Staff Sergeant promotional list;
  - (3) Members currently in the Staff Sergeant promotional process; or
  - (4) Substantive Sergeants.
11. The Member's willingness and ability to perform the necessary administrative tasks may also be taken into consideration. All Inspector acting appointments are voluntary for union members.
12. Given the administrative duties required of an Inspector, it is preferable that all Supervisors filling temporary Inspector vacancies work a regular five-day week or schedule determined by the Chief Officer.
13. In recognition of the impact of changing from a rotating shift that includes working weekends to a standard five-day work week, those Staff Sergeants moving from such a work schedule will be permitted to work a 10 or 11 hour four-day week, as the case may be, depending on the current assignment.
14. When the acting assignment is for a period beyond two weeks, the Staff Sergeant filling the Inspector vacancy will revert to a regular five-day week, irrespective of a rotating shift assignment, or schedule determined by the Chief Officer.

#### While So Employed Inspector

15. Whenever practicable, all long term Inspector vacancies (six months or longer in duration) will be filled with a Staff Sergeant in the same manner as set forth in this policy for Temporary Acting Inspector positions.

16. Whenever the Chief Officer deems it necessary to satisfy the needs of the Transit Police for a special skill or extraordinary circumstances, the Chief Officer may determine to not follow the selection protocol and appoint a Staff Sergeant who meets the required criteria for the long term acting Inspector position on a WSE basis.
17. When a Member has been fulfilling the assignment of an Acting Inspector for six months or longer in duration, the Member is considered a WSE Inspector.

### **Staff Sergeant Rank**

#### Temporary Acting Staff Sergeant

18. Appointment of Acting Staff Sergeants to temporary assignments will be in accordance with the collective agreement and policy chapter AB150 – Promotion, as applicable. The primary consideration for selecting an Acting Staff Sergeant for operations will be the ability of the Member to perform the duties of the Staff Sergeant in the given assignment in an operationally accountable, safe and effective manner.
19. When selecting a Member to assume an Acting Staff Sergeant role, priority will be given to Members with necessary qualifications and skills for the specific assignment, in the following order:
  - (1) Substantive Sergeants currently on the Staff Sergeant promotional list who are on the squad/shift where the vacancy exists;
  - (2) Substantive Sergeants currently on the Staff Sergeant promotional list who are not on the squad/shift where the vacancy exists;
  - (3) Substantive Sergeants currently in the Staff Sergeant promotional process who are on the squad/shift where the vacancy exists;
  - (4) Substantive Sergeants currently in the Staff Sergeant promotional process who are not on the squad/shift where the vacancy exists; or
  - (5) Substantive Sergeants.
20. The Member's willingness and ability to perform the necessary administrative tasks may also be taken into consideration.
21. There may be occasions when, as the result of a need for a special skill or extraordinary circumstances (e.g., Speciality Unit), a Member may be selected out of priority order for appointment to the temporary vacancy.

#### While So Employed Staff Sergeant

22. Whenever practicable, all long term acting Staff Sergeant vacancies will be filled with Members from the Staff Sergeant promotional list in effect at the time the vacancy became "long term" (six months or longer in duration).

23. Members will be selected from the promotional list in order; however, there may be occasions when, as the result of a need for a special skill or extraordinary circumstances (e.g., Speciality Unit), a Member may be selected from the promotional list, out of order.
24. Whenever the Transit Police Executive deems it necessary to satisfy the needs of the Transit Police, a Member, who may or may not be on the promotional list, may be appointed to a “long term” Acting Staff Sergeant position on a WSE basis.
  - (1) The Transit Police Executive must, however, first give considerations to the points identified in ss. 19 to 21 of this policy before a Member not on the promotional list is appointed a position as a WSE Staff Sergeant.
25. When a Member has been fulfilling the assignment of a Staff Sergeant for six months or longer in duration, the Member is considered a WSE Staff Sergeant.

## **Sergeant Rank**

### Temporary Acting Sergeant Assignment

26. Appointment to Acting Sergeant Assignments will be in accordance with the collective agreement and Transit Police policy chapter AB150 – Promotion. The primary consideration for selecting an Acting Sergeant in operational teams will be the ability of the Member to perform the duties of Sergeant in the given assignment in an accountable, operationally safe and effective manner.
27. When selecting a Member to assume an Acting Sergeant role, priority will be given to Members with necessary qualifications and skills for the specific assignment, in the following order:
  - (1) Members currently on the Sergeant Eligibility List who are on the squad/shift or unit where the vacancy exists;
  - (2) Members currently in the Acting Sergeant Program who are on the squad/shift or unit where the vacancy exists;
  - (3) Members currently on the Sergeant Eligibility List who are not on the squad/shift or unit where the vacancy exists;
  - (4) Members currently in the Acting Sergeant Program who are not on the squad/shift or unit where the vacancy exists; or
  - (5) Member (1<sup>st</sup> Class Constable) who is most qualified to perform the tasks required.
28. The Member’s willingness and ability to perform the necessary administrative tasks may also be taken into consideration.
29. There may be occasions when, as the result of a need for a special skill or extraordinary circumstances (e.g., Speciality Unit), a Member may be selected out of priority order for appointment to the temporary vacancy.

### While So Employed Sergeant

30. Whenever practicable, all long-term Acting Sergeant Assignment WSE vacancies will be filled with Members from the Eligibility List in effect at the time the vacancy became “long term” (six months or longer in duration).
31. There may be occasions when, as the result of a need for a special skill or extraordinary circumstances (e.g., Speciality Unit), a Member may be selected from the Acting Sergeant Program in order to fill a “long term” Acting Sergeant Assignment on a WSE basis.
32. Whenever the Transit Police Executive deems it necessary to satisfy the needs of the Transit Police, a Member, who may or may not be on either the Eligibility or in the Acting Sergeant Program, may be appointed to a “long term” Acting Sergeant Assignment on a WSE basis.
  - (1) The Transit Police Executive must, however, first give consideration to the points identified in ss. 27 to 29 of this policy before a Member not on the Eligibility or in the Acting Sergeant Program is appointed to an Acting Sergeant Assignment on a WSE basis.
33. When a Member has been fulfilling the assignment of a Sergeant for six months or longer in duration, the Member is considered a WSE Sergeant.

### **Uniforms & Equipment**

34. Members acting in the rank of Sergeant, Staff Sergeant, or Inspector will wear epaulette slip-ons, bearing the appropriate rank, on both shirts and jackets of the Duty Uniform. Members will not display an acting rank on the Dress Uniform.
35. For WSE assignments at Sergeant, Staff Sergeant and Inspector ranks, the WSE Member may be issued and wear the uniform(s) and equipment (where qualified) applicable to that rank. This determination will be made on a case-by-case basis by the respective Deputy Chief Officer, taking into account, but not limited to: the length of the assignment, position function and financial stewardship.
36. The Member will return all “acting rank” issued equipment upon completion of the temporary or WSE assignment.

### **Records**

37. A record will be made for each appointment to a temporary assignment or WSE position and retained by the Transit Police Human Resources Section.

### **Key References:**

BC *Police Act* [RSBC 1996, Chapter 367]

Collective Agreement with Transit Police Professional Association

TSML Policy No. 30 – Compensation Exempt Employees