

*Bill 163, Supporting Ontario's  
First Responders Act (Post-  
Traumatic Stress Disorder),  
2016*

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Submission to the Standing Committee on Social Policy

March 7, 2016

Thank you, for providing the Association of Municipalities of Ontario (AMO) with the opportunity to contribute to your deliberations.

I will begin my comments at the obvious starting point – Ontario’s first responders do challenging and vital emergency services work in our communities. Municipal governments, as both their employers and as the elected representatives of each community, recognize that the health, safety, and well-being of our first responders are essential to them, their families and to the communities they serve.

As employers, we do provide PTSD support to firefighters, police officers, and paramedics. Many of the best practices for PTSD prevention, treatment and return to work programs are already in our police stations, fire halls and EMS bays across the province.

We applauded the Province when they announced the prevention strategy in February. It reflects the advice that AMO and municipal employers provided at the 2015 Minister’s Summit on Work-Related Traumatic Mental Stress and afterward. Additional best practices, resources for municipal employers, and further scientific research to help prevent and reduce PTSD in the workplace will be helpful.

We also support creating resources that are suitable and scalable for smaller municipal governments. We understand that these prevention resources will be available soon.

We have heard that the Ministry may require that municipalities submit PTSD plans to the Ministry so that the Ministry can make them public. Municipal government is already open and the plans will be public locally. Creating additional and somewhat paternalistic control mechanisms would be an unnecessary and inefficient over-reach by the Province. Simply expressing the expectation that these plans are public plans would be more than sufficient.

We recognize that the government in drafting this Bill was seeking a fair and balanced approach for the implementation of this presumptive approach, and one that is informed by research.

In Bill 163, the Province is requiring that:

- a PTSD diagnosis is made by a psychologist or psychiatrist, and that
- there is a transition period of 24 months from the time the legislation comes into force.

AMO sees both requirements as prudent and practical.

We support the requirement for a PTSD diagnosis to be made by a psychologist or psychiatrist. One concern is whether these health professionals are readily available to rural and northern Ontario. We have been assured by the Province that these health services are available for our first responders throughout the province.

Nevertheless, we recommend that the Ministry monitor access against service benchmarks to ensure that expectations are met and that the health care system delivers timely access. If this part of the PTSD response is not there, the very foundation of this Bill falters.

We realize that the length of the transition period may not satisfy all, however, we do understand that it is supported by evidence. Different studies have shown different times for the onset of PTSD after exposure to the traumatic event. However, all the available evidence indicates that delayed PTSD symptoms appear to occur within the first year of the exposure. In providing a two-year window in this proposed legislation, the government's approach is both careful and fair.

In our view these elements are a rational and reasonable way to balance the needs of our first responders and their families.

If the proposed legislation is passed, there will be some immediate unfunded financial impacts on municipal employers as well as the provincial government for their employees such as the OPP.

It is always tough to talk about financial impacts when it comes to the health and safety of our employees, but it is part of the equation.

The Province, if very serious about improving support for workers with PTSD, should be backing this legislation up with transitional funding to help municipal governments manage the unfunded costs that this legislation will create for its employers. There is no disagreement that there will be cost impacts.

As with the other fire services presumptive legislation already in place, we will see increased WSIB rates for Schedule 1 municipal governments. Schedule 2 municipal employers will pay for the actual presumptive PTSD claim costs as well as the very substantial WSIB administrative fees. Already we have heard that some Schedule 2 municipal governments are considering becoming a Schedule 1 employer due to the ever increasing financial exposure of presumptive policy.

Across Ontario, there are 324 OPP contracts for municipal policing services – mostly in rural and northern Ontario. We are awaiting an affirmative answer from the Ministry of Community Safety and Correctional Services that the Province will manage any associated presumptive PTSD costs for its OPP employees. Many of these smaller communities are already delaying capital projects simply to pay for their OPP bills. They cannot be further burdened with PTSD related costs.

Municipal governments do have the majority of the first responder employers covered under this Bill – through police, fire, and paramedic services and you need to understand how this unfunded mandate will occur within the municipal fiscal environment.

As you are aware, emergency service costs broadly have been increasing at three times the rate of inflation annually since 2002. For example, annual policing costs are likely to exceed

\$5 billion this year – which is two and half times the value of the human services upload agreement we have with the Province.

Fire service is similarly growing. Salaries are a major driver to these cost increases.

Salary bands for emergency services already reflect the risk of their work – as is appropriate. But the public is struggling to understand why the cost of living adjustments are higher for this group of employees than all other municipal employees. Our other employees also want us to be fair and balanced.

We hope that you would have seen this concern prominently expressed in AMO's 2016 Provincial Budget Submission. However, we know that many people saw it expressed on the front page of the Globe and Mail a couple of weeks ago.

Our research has revealed that if interest arbitration had produced the kind of wage settlements that collective bargaining achieved for other municipal employees, police and fire costs would be almost half a billion dollars less than they were between 2010 and 2014 – and the results would have been more fair to the rest of our employees. Ontario's interest arbitration system is creating unjust imbalances, and indefensible costs in emergency services.

Main Street Ontario has woken up to a reality that this building is ignoring: across Ontario, communities large and small, are already concerned about the affordability of emergency services, and the proportion of municipal spending that they are capturing.

AMO's position is clear: all communities in Ontario need to have access to emergency services that are safe, effective, and affordable.

With respect to PTSD, AMO's position is clear: municipal employers care about injured workers and they will support injured workers.

What isn't clear at all is this: What is the government of Ontario doing to ensure that all communities in Ontario have access to emergency services that are safe, effective and affordable?

At some point, this building is going to have to come to terms with the urgent need to manage Ontario's emergency service costs.

We are already paying the highest per capita policing costs in Canada – and every editorial in every newspaper in every Ontario town and city already understands that emergency service costs are eating away at the capacity of municipal governments to provide all the other programs and services that make our communities viable, prosperous and safe.

AMO, on behalf of our members, continues to call on the provincial government to help control the rising cost of emergency services so that municipalities don't struggle to support first responders when they need it the most. The Province, and I think it is fair to say that everyone in this building, should be taking a hard look at what the Ontario government can

and will do to make sure that all Ontario communities feature emergency services that we can be proud of, and that we can afford without reducing other activities that the public need and want at risk.

So I will end where I began – the health, safety, and well-being of our first responders is vitally important. It is critical to them, their families, and to the communities they serve.

Bill 163 takes a fair and balanced approach to make sure that first responders who are suffering from PTSD receive prompt diagnosis and treatment so that they can return to work and their lives as soon as possible. We are supportive of the PTSD preventative strategy that this Bill sits within.

We also implore this Committee, and Ontario's Legislature, to support policy changes that address the dire need to ensure that all Ontario communities have access to emergency services that are safe, effective, and affordable. To do that, this building must also consider the value and importance of all the other municipal investments, programs, and services that Ontario's municipal governments provide to keep people safe and whether we can keep doing it simply through property taxes.

Thank you.