THE CITY OF WINNIPEG

BY-LAW NO. 116/2011

A By-law of THE CITY OF WINNIPEG to amend Schedule A of the Winnipeg Police Service Regulations By-law.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Schedule A of the Winnipeg Police Service Regulations By-law No. 7610/2000 amended

1 *Schedule A of the Winnipeg Police Service Regulations By-law No. 7610/2000 is amended by this By-law.*

Section 19 amended

2(1) *Subsection 19.01 is renumbered as subsection 19.02, and subsection 19.02 is renumbered as subsection 19.03.*

2(2) *The following is added immediately prior to subsection 19.02:*

19.01 Before imposing a penalty for a Minor Service Default, consideration must be given as to whether the matter could appropriately be resolved informally, including by mediation. If the matter is resolved informally, no penalty may be imposed under subsection 19.02 and no record of the informal resolution may be entered upon a Member's Service Record.

Section 23 amended

3 *Subsection 23.01 is renumbered as subsection 23.02 and the following is added immediately prior to it:*

23.01 Before imposing a penalty for a Minor Service Default or a Service Default, consideration must be given as to whether the matter could appropriately be resolved informally, including by mediation. If the matter is resolved informally, no penalty may be imposed under subsection 23.02 and no record of the informal resolution may be entered upon a Member's Service Record.

Section 24 replaced

4 *Section 24 is replaced with the following:*

24. EXPUNGEMENT OF MEMBER'S SERVICE RECORD

24.01 After five years have elapsed since the most recent date that a penalty has been imposed under sections 19 or 21 without any further impositions of discipline under these Regulations, upon application by a Member, the Chief must expunge from the Member's Service Record any records of Minor Service Defaults and Service Defaults.

24.02 Where one or more Minor Service Defaults or Service Defaults have been expunged from a Member's Service Record:

(a) the following records must be removed from the Member's Service Record and stored in a secure location:

(i) any record of expunged Minor Service Defaults or Service Defaults,
(ii) any reference to expunged Minor Service Defaults or Service Defaults,
(iii) any supporting documents associated with expunged Minor Service Defaults or Service Defaults, and
(iv) any Commendations awarded prior to the date of the imposition of a penalty for the most recent expunged Minor Service Default or Service Default.

(b) the expunged records set out in clause (a) must not be referred to in any subsequent proceeding under these Regulations and may not be used for any other purpose.

DONE AND PASSED, this 28th day of September, 2011.

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Mayor

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City Clerk

Approved as to content:

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Chief of the Winnipeg Police Service

Approved as to form:

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For Director of Legal Services/City Solicitor