



Ontario Police Arbitration Commission
 25 Grosvenor Street, 15th Floor
 Toronto ON M7A 1Y6
 Tel: (416) 314-3520 Fax: (416) 314-3522

www.policearbitration.on.ca

INTEREST DISPUTE ARBITRATOR
 Request for Appointment of
 Arbitrator under Section 122
 of the Police Services Act
 as amended

Conciliation is mandatory.

Have you received the Minister's letter advising conciliation was unsuccessful?
 If your answer is no, please contact the Ontario Police Arbitration Commission office at the above phone number.

1. Applicant

Organization Name:

Address:

Town/City:

Postal Code:

Name of Representative:

Title:

Phone No.:

Fax No.

E-mail

Address if Different from Above:

2. Other Party

Organization Name:

Address:

Town/City:

Postal Code:

Name of Representative:

Title:

Phone No.:

Fax No.:

E-mail

Address if Different from Above:

3. Number of Members in the Police Force

Uniform

Civilian

Other

4. Contract Bargaining

Uniform

Civilian

Year(s)

Other

5. Bargaining Sessions

Number of days spent

or Number of Meetings

6. Have the parties attempted to agree on an arbitrator?

IF THE COMPOSITION OF THE BOARD CANNOT BE AGREED UPON OR SHOULD A TRI-PARTITE BOARD BE CHOSEN BUT ONE OF THE PARTIES FAILS TO APPOINT A REPRESENTATIVE THE ARBITRATION BOARD WILL CONSIST OF ONE PERSON. FAILURE TO AGREE UPON THE JOINT APPOINTMENT OF A CHAIR, FOR A ONE PERSON BOARD OR A THREE PERSON BOARD, WILL RESULT IN THE APPOINTMENT OF THE CHAIR BY CHAIR OF ONTARIO POLICE ARBITRATION COMMISSION [SECTION 122(2)] POLICE SERVICES ACT AS AMENDED.

7. Have the parties agreed to a one-person board or a three-person board?

Association Representatives

Board Representative

Name:

Name:

Address:

Address:

Phone No.:

Phone No.:

Fax No.:

Fax No.:

E-mail

E-mail

8. Please itemize matters remaining in dispute after conciliation.

9. Signature of Representative

Date

- Note:
1. A copy of this request must be forwarded forthwith to the other parties.
 2. Please forward the Notice of Desire to Bargain under section 119(1) of the Police Services Act to the Ontario Police Arbitration Commission with this request.
 3. A copy of the current collective agreement must be forwarded to the Ontario Police Arbitration Commission with this request.

**Excerpts from the
Police Services Act as Amended**

- Arbitration 122** (1) If matters remain in dispute after bargaining under section 119 and conciliation, under section 121, a party may give the Chair of the Ontario Police Arbitration Commission (OPAC) and the other party a written notice referring the matters to arbitration.
- (2) The following rules apply to the composition of the arbitration board.
1. The parties shall determine whether it shall consist of one person or of three persons. If they are unable to agree on this matter, or if they agree that the arbitration board shall consist of three persons but one of the parties then fails to appoint a person in accordance with the agreement, the arbitration board shall consist of one person.
 2. If the board is to consist of one person, the parties shall appoint him or her jointly. If they are unable to agree on a joint appointment, the person shall be appointed by the chair of the OPAC.
 3. If the arbitration board is to consist of three persons, the parties shall each appoint one person and shall jointly appoint a chair. If they are unable to agree on a joint appointment, the chair shall be appointed by the chair of the OPAC.
 4. If the board consists of one person who is appointed by the chair of the OPAC or if the arbitration consists of three persons and the chair was appointed by the chair of the OPAC, the chair of the OPAC shall select the method of arbitration and shall advise the arbitration board of the selection. The method selected shall be mediation-arbitration unless the chair of the OPAC is of the view that another method is more appropriate. The method selected shall not be final-offer selection without mediation and it shall not be mediation-final offer selection unless the chair of the OPAC in his or her sole discretion selects that method because he or she is of the view that it is the most appropriate method having regard to the nature of the dispute. If the method selected is mediation-final offer selection, the chair of the arbitration board shall be the mediator or, if the arbitration board consists of one person, that person shall be the mediator.
- Remuneration and Expenses** (3.7) The remuneration and expenses of the members of an arbitration board shall be paid as follows:
1. A party shall pay the remuneration and expenses of a member appointed by or on behalf of the party.
 2. Each party shall pay one-half of the chair's remuneration and expenses or, if the arbitration board consists of one person, one-half of that person's remuneration and expenses.
 3. The parties shall share equally the costs and expenses for matters shared in common, including the fees of any person whom they jointly appoint to the arbitration board.

**Please ensure a copy of this application and supporting documentation is sent via email to
OPAC.Applications@ontario.ca**