



# **Ontario Police Arbitration and Adjudication Commission**

## **Business Plan**

Fiscal Years  
2025-26 through 2027-28

# Ontario Police Arbitration and Adjudication Commission

## Business Plan

Fiscal Years 2025-26 through 2027-28

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## Executive Summary

The Ontario Police Arbitration and Adjudication Commission (the Commission) is a non-board governed regulatory agency under the Agencies and Appointments Directive (AAD). When the *Community Safety and Policing Act, 2019* (CSPA) came into force on April 1, 2024, the Commission was renamed the Ontario Police Arbitration and Adjudication Commission (OPAAC) and took on an expanded mandate. The Commission's expanded mandate includes the appointment of adjudicators with jurisdiction over individual discipline adjudications related to municipal police services, the Ontario Provincial Police (OPP) and First Nations police services (for those opted in to the CSPA pursuant to s. 32). Additionally, responsibilities include conciliation and arbitration services for First Nations police services (for those opted in to the CSPA s. 32) and municipal budget dispute resolution between police service boards and municipalities.

The Commission fulfils its mandate by ensuring service delivery is timely, professional, effective, accountable, and aligned with the CSPA and the goals of the Ministry of the Solicitor General. In accordance with Part IX of the CSPA, the Commission selects members and maintains a list of conciliators, a register of arbitrators and a roster of adjudicators for appointment by the Commission Chair (the Chair). The conciliators and arbitrators assist Ontario police associations and police service boards with resolving outstanding labour disputes and collective bargaining contract renewals and first contract disputes. The Chair also appoints adjudicators to hold police officer discipline adjudication. The Commission is a neutral, administrative body and does not become involved in the issues between the parties and does not influence conciliation, arbitration, and adjudication proceedings, or decisions.

The Business Plan is updated each year and used to create a focused three-year strategic overview. For the 2025-26 to 2027-28 planning period, the Commission's strategic objectives are to:

- Ensure effective and timely delivery of professional conciliation, arbitration, and adjudication services,
- Inform the Deputy Solicitor General and Solicitor General about important emerging labour relations and discipline issues in policing or within the Commission,
- Continue to implement the strategy to foster harmonious policing labour relations, with the agreement of the Ontario Association of Police Service Boards (OAPSB), the Police Association of Ontario (PAO) and the Ontario Association of Chiefs of Police (OACP), and
- Continue to review the list of conciliators, register of arbitrators and roster of adjudicators as required in accordance with the CSPA.

The Ministry of the Solicitor General provides financial, human resources, legal, information technology, procurement, and other advisory services to the Commission to ensure it has the capacity to meet its legislative obligations and implement strategic directions. For more detail,

refer to the Financial Report for fiscal year 2024-25 in the Financial Budget and Staffing Section.

## Mandate

### Legislative Authority

The legislative authority of the Commission is set out in Part IX of the CSPA. The statutory responsibilities are set out specifically in subsection 147 (4) of the CSPA as follows:

The Arbitration and Adjudication Commission has the following responsibilities:

1. Selecting the members of and maintaining a register or registers of arbitrators who are available for appointment to conduct an arbitration under Part XIII.
2. Selecting the members of and maintaining a roster of adjudicators who are available for appointment to hold hearings under this Act.
3. Assisting arbitrators and adjudicators appointed by the Commission Chair by making administrative arrangements in connection with arbitrations and adjudication hearings, including setting dates for hearings.
4. Fixing the fees of arbitrators appointed by the Commission Chair under section 229.
5. Sponsoring the publication and distribution of information about agreements, arbitrations, and awards under this Act.
6. Maintaining records of agreements, decisions and awards made under Parts XII and XIII.
7. Any other prescribed responsibilities. 2019, c. 1, Sched. 1, s. 147 (4).

The Arbitration Commission is also subject to the following:

- *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*
- *Occupational Health and Safety Act, 1990 (OHSA)*
- *Freedom of Information and Protection of Privacy Act, 1990 (FIPPA)*
- *Public Service of Ontario Act, 2006 (PSOA)*
- Ontario's *Human Rights Code*
- All other applicable laws as well as Ontario government policies and directives including the Agencies and Appointments Directive (AAD).

### Memorandum of Understanding

The Memorandum of Understanding (MOU) between the Solicitor General and the Chair of the Commission governs the operational, administrative, and reporting relationships between the Solicitor General and the Chair on behalf of the Commission.

Key responsibilities include:

- Promoting harmonious labour relations in the policing community,
- Administering the mediation/arbitration process for police contract bargaining disputes and rights grievances,
- Administering conciliation services prior to arbitration,
- Administering adjudication services,
- Assisting parties in negotiating a voluntary collective agreement, and
- Addressing budget disputes for police service boards by appointing conciliation officers and arbitrators to facilitate resolution, and
- Sponsoring the publication and distribution of information about agreements, arbitrations, and awards under this Act.

### **Mission Statement**

The Commission is a provincial agency whose mission is to provide for the neutral administration of responsibilities set out in Part IX of the CSPA in an effective and timely manner.

### **Accountability and Reporting Requirements**

The Commission has the responsibility to comply with the following key accountability requirements under the AAD.

### **Memorandum of Understanding**

The MOU is reviewed and signed by the Chair and the Solicitor General. The MOU is also acknowledged and signed by the Deputy Solicitor General - Community Safety. The MOU sets out the respective roles and responsibilities of the Solicitor General, Deputy Solicitor General, the Chair, Vice-Chair(s), Commission Committee Members and Senior Manager.

### **Business Plan**

The Commission submits an annual three-year Business Plan to the Solicitor General for approval. The Business Plan sets out the Commission's strategic plan and budget to achieve its mandate and strategic/administrative goals and objectives over three years.

### **Annual Report**

The Commission submits an Annual Report to the Solicitor General for approval. The Annual Report provides a retrospective look at the past fiscal year and documents how the agency fulfilled its mandate during that time. The Annual Report includes the outcomes and outputs that show how the Commission met its performance targets, notable accomplishments, and financial objectives.

## Compliance Attestation

Annually, the Chair must provide a letter to the Solicitor General confirming compliance with all applicable legislation, regulations, directives, and policies.

## Risk Assessment Evaluation

The Commission reports all projected risks to the Ministry of the Solicitor General for risk assessment evaluation on a quarterly basis. The risk reporting includes a description of the risk, identifies the severity of the risks and reasons for the severity, and risk management plan. Based on the ministry's assessment, high risks, if any, are reported to Treasury Board Secretariat.

Risk Title	Risk Statement	Mitigation Strategy
Uncertainty in Case Volume  (Risk Rating = Low)	<p>The recent expansion of the Commission's mandate introduces an operational risk due to the lack of historical data and forecasting models to predict case volumes arising out of the expanded mandate.</p> <p>This uncertainty hampers the agency's ability to accurately predict the volume of future cases/applications and may lead to resource allocation challenges and operational inefficiencies.</p>	<p>To address the uncertainty in case volume due to the expanded mandate, the Commission will continuously monitor operational impacts and adjust as needed.</p> <p>Ongoing engagement with stakeholders will help understand potential impacts, and regular reviews will allow for timely adjustments to strategies.</p> <p>This proactive approach aims to ensure the Commission can effectively manage the expanded mandate and maintain operational efficiency.</p>
Adjudicator Recruitment and Retention Challenges  (Risk Rating = Low)	<p>The Commission may face challenges in maintaining enough qualified adjudicators to support the expanded mandate.</p> <p>This risk is due to a limited pool of professionals who may not possess the necessary expertise, skill, and knowledge required to fulfill mandatory, legislated obligations.</p> <p>O. Reg. 403/23: Ontario Police Arbitration and Adjudication Commission restricts eligibility after the first 18 months of the Act coming into force, affecting current, or former personnel whose employment is/was with a police service. Such individuals, after 18 months from April 1, 2024, will no longer be eligible to be adjudicators.</p>	<p>The Commission currently maintains a roster of 31 adjudicators, which is adequate for current case volumes.</p> <p>To address potential increases in caseload, the Commission will implement ongoing monitoring of operational impacts and proactively engage in continuous recruitment efforts.</p> <p>This strategy aims to ensure that enough qualified adjudicators are available to manage future case volumes.</p>

## **Public Posting**

The MOU, Business Plan, Annual Report, and expense information for appointees are posted on the Commission's website in accordance with the AAD.

## **Mandate Review**

The Commission's mandate sets out the parameters within which it fulfills its responsibilities, including service delivery standards. Ministries must complete mandate reviews at least once every six years.

## **Strategic Direction**

The Commission administers professional conciliation, arbitration and adjudication services to police associations, police service boards and police services across the province. The Commission's projected strategies for the next three years are to:

### **Ensure effective and timely delivery of professional conciliation, arbitration, and adjudication services:**

Effective and timely service delivery is a top priority for the Commission and its staff who assist conciliators, arbitrators, and adjudicators with administrative arrangements related to hearings, which includes setting dates for hearings based on the schedules of the disputing parties. Historically, while operating as the Ontario Police Arbitration Commission, the Commission has consistently met, or exceeded, required performance measures. Responses to application requests are completed within the required two-day performance standard. Hearing dates are set at the parties' earliest convenience within the timing constraints prescribed in law. The Commission currently uses a list of three conciliators, a register of 16 arbitrators and a roster of 31 adjudicators to ensure professionals are available to attend hearings on dates requested by the parties.

### **Inform the Deputy Solicitor General and Solicitor General about important emerging labour relations and discipline issues in policing or within the Commission:**

The Commission will continue to monitor and identify trends in labour-related and police discipline issues. The Chair will inform and update the Solicitor General and Deputy Solicitor General about new initiatives, strategic directions, and application statistics.

### **Continue to implement the strategy to foster harmonious policing labour relations, with the agreement of the OAPSB, the PAO and the OACP:**

The Commission will, within the scope of its authority, promote harmonious labour relations and attempt to consensually mitigate conflict in Ontario police services. The Commission will provide facilitated assistance with the agreement of specific police service boards, chiefs of police, and presidents of associations. Before assisting identified Ontario police services and police associations, the Commission will first discuss the concerns and proposed action with the Commission's Arbitration Committee Members who represent police boards and associations. Once discussions are completed, and where there is

agreement, the Commission Chair will proactively facilitate consensual discussions with the identified parties. The objective is to identify problems and find mutually agreeable solutions to mitigate relationship deterioration and unwarranted labour relations disputes. Individual grievances will never be discussed.

**Continue to review conciliator, arbitrator and adjudicator lists, registers, and rosters as required in accordance with the CSPA:**

The Commission's list, register and roster of professional conciliators, arbitrators, and adjudicators, respectively, has and will continue to experience retirements over the next several years. This loss of competent professionals could result in potential service delivery disruption. To ensure continuity of timely, high-quality service to Ontario police services, the need for recruitment of additional conciliators, arbitrators and adjudicators will continue to be monitored.

## **Overview of Programs and Activities**

### **Conciliation Services**

Conciliation is a process by which police associations, individual police employees, or police service boards may apply to the Commission for the appointment of a conciliator to assist in resolving rights, interest or municipal budget disputes and complaints into an inquiry or alleged contravention of Part IX of the CSPA. While conciliated settlements are never imposed on the parties. Conciliation is mandatory as prescribed by the CSPA and attendant regulations. The Commission currently has a list of three conciliators.

### **Arbitration Services**

A police association, an individual police employee, or a police service board may apply to the Commission for the appointment of an arbitrator in cases where the parties are unable to resolve differences through conciliation and cannot mutually agree on the appointment of an arbitrator. Additionally, when a request is made, arbitrators will be appointed to handle the following disputes: duty of fair representation, severance pay, municipal and OPP detachment board budget disputes, reprisal, membership and status as defined by the CSPA, and requests for interest bargaining (contract renewal or new agreements). An arbitrator appointed by the Commission's Chair may mediate a settlement with the consent of the parties or impose a legally binding resolution.

#### **Appointment of Arbitrators**

Subsection 147 (4) para. 1 of the CSPA requires the Commission to establish and maintain a register of arbitrators. The Commission meets this requirement by using the services of arbitrators. Potential new prospective arbitrators are brought to the Commission's Arbitration Committee Members for their vote. The Chair continuously reviews the performance of arbitrators. Before any arbitrator is appointed to, or removed from the register of arbitrators, a majority of the Arbitration Committee Members must vote in favour of such action.



## **Adjudication Services**

The Solicitor General (with the approval of the Lieutenant Governor in Council), police service boards, chiefs of police, police commissioners, police officers or a first nation board (who has opted in under the CSPA) may apply to the Commission for the appointment of an adjudicator to hear and determine differences arising out of disciplinary action, demotion/termination, suspension without pay and to prevent the expungement of disciplinary records. This process ensures fair and impartial hearings, with the Commission managing the administrative aspects and maintaining a roster of adjudicators. The goal is to uphold justice and integrity within Ontario's police services through a structured and transparent adjudication process.

### **Appointment of Adjudicators**

Subsection 147 (4) para 2 of the CSPA requires the Commission to establish and maintain a roster of adjudicators. The Commission meets this requirement by using the services of adjudicators. New adjudicator applications are screened for appointment to the roster by the Commission Chair and Vice Chair and brought forward to the Commission's Adjudication Committee Members for a vote. Before any adjudicator is appointed to the roster of adjudicators, a majority of the Adjudication Commission Members must vote in favour of such action. Should there be a tied vote by the Committee Members, the Chair, or Vice-Chair if delegated by the Chair, will vote to break the tie.

## **Distribution of Labour Relations Information, Research Materials and Decisions**

The Commission provides service information to stakeholders and the public in a transparent and accessible manner. The Commission's website ([www.policearbitration.gov.on.ca](http://www.policearbitration.gov.on.ca)) provides access to a database of arbitration awards and adjudication disciplinary decisions for police services in Ontario. The Commission also maintains an archive of collective agreements between police associations and police service boards. The Commission is currently examining more effective ways to organize, analyze and share labour relations information.

## **Human Resources**

Ministry staff supporting the Commission consist of a Senior Manager, Program Manager, Lead, Issues Management Advisor, Senior Program and Research Advisor, Business and Finance Analyst and six Conciliation Services Assistants. Management will continue to work with staff on succession planning, professional development, and improving skill sets to ensure adequate support can be provided to the Commission.

## **Performance Measures**

The following performance measures outline the Commission's business objectives and key strategies. Results are reported each year in the Commission's Annual Report.

## 1. Core Business Function: Conciliation

### Strategy/Objective

- Ensure timely delivery of professional services by qualified conciliators.

### Outcome Statement

- Efficient delivery of conciliation services.

### Output Measure

- Number of days to respond to an applicant from receipt of application to first contact.
- Number of applications received, including the types of conciliation requests made.
- Average number of days to respond to an applicant from receipt of application to first contact.

### Outcome Measure

- At or below the previous five-year average number of days to respond to an applicant from receipt of application to first contact – **one business day**.

## 2. Core Business Function: Mediation - Arbitration

### Strategy/Objective

- Ensure timely delivery of professional services by qualified arbitrators.

### Outcome Statement

- Efficient delivery of arbitration services.

### Output Measure

- Number of days to respond to an applicant from receipt of application to first contact.
- Number of applications received, including the types of arbitration requests made.
- Average number of days to respond to an applicant from receipt of application to first contact.

### Outcome Measure

- At or below the previous five-year average number of days to respond to an applicant from receipt of application to first contact – **one business day**.

## 3. Core Business Function: Adjudication

### Strategy/Objective

- Ensure timely delivery of professional services by qualified adjudicators.

### Outcome Statement

- Efficient delivery of adjudication services.

### Output Measure

- Number of days to respond to an applicant from receipt of application to first contact.
- Number of applications received, including the types of adjudication requests made.
- Average number of days to respond to an applicant from receipt of application to first contact.

### Outcome Measure

- At or below number of days to respond to an applicant from receipt of application to first contact – **one business day**.

## 4. Core Business Function: Maintain and Publish Information

### Strategy/Objective

- Ensure stakeholder accessibility to Commission awards and decisions.

### Outcome Statement

- Publish 100 per cent of new award and decision summaries on the Commission's website.

### Output Measure

- Number of days for new awards and decisions to be published on the Commission's website from receipt of new award and decision summaries.
- Number of new award and decision summaries received.
- Average number of days for new awards to be published on the Commission's website from receipt of new award and decision summaries.

### Outcome Measure

- At or below the previous five-year average number of days for new award and decision summaries to be published on the Commission's website – **one business day**.

## Financial Budget and Staffing

The majority of the Commission's budget is allocated to providing conciliation, arbitration, and adjudication services to policing throughout Ontario. The budget includes conciliator, arbitrator and adjudicator per diems, travel costs and meeting space for meetings, and hearings. The remainder of the budget supports ministry staff salaries and benefits, member appointees' remuneration and other direct operating expenses. The Commission's expenditures are based on its legislated mandate, and the primary cost driver is variation in service level demand which is beyond the Commission's control.

## Financial Report

The Commission's budget for fiscal year 2024-25 is \$6,719,400. The Commission is forecasting to operate under budget in 2024-25. The cost underrun is due to the introduction of the expanded mandate on April 1, 2024, and the timeline required for initial adjudication applications to be received by the Commission. It is anticipated that application numbers will significantly rise in the following months and years.

The detailed financial outlook and three-year estimates are provided in the *Budget Estimates by Fiscal Year* and *Other Direct Operating Expenses Breakdown* sections.

## Financial Outlook

The Commission's expenditures are influenced by the volume of applications received and the costs of supporting conciliation, arbitration, and adjudication services.

Fiscal year 2024-25 marks the first year the Commission supports adjudication applications and cases, with the number of applications expected to steadily increase over the next three years. O. Reg. 415/23: Cost of Adjudication Hearings provides that OPAAC shall recover adjudicator fees and may recover certain hearing costs from municipal police service boards. The impact of cost recoveries related to adjudication hearings as set out in O. Reg. 415/23 of the CSPA will be reported in the 2024-25 Annual Report.

The Commission will continue to monitor its expenditures and submit updated forecasts to the ministry. The Commission Chair will proactively facilitate meetings with police services to mitigate relationship issues between police associations, police service boards and chiefs of police. Reducing conflicts may lead to fewer applications for conciliation, arbitration, and adjudication, potentially lowering the Commission's expenditures.

## Budget Estimates by Fiscal Year

Financial Categories	2024-25 (Forecast as of March 24, 2025)	2025-26 (Budget)	2026-27 (Budget)	2027-28 (Budget)
Salaries & Wages	\$711,271	\$983,200	\$983,200	\$983,200
Benefits	\$102,213	\$147,900	\$147,900	\$147,900
Other Direct Operating Expenses (ODOE)	\$1,163,338	\$5,588,300	\$5,588,300	\$5,588,300
<b>Total Proposed Budget</b>	<b>\$1,976,822</b>	<b>\$6,719,400</b>	<b>\$6,719,400</b>	<b>\$6,719,400</b>

**Other Direct Operating Expenses Breakdown:**

<b>Financial Categories</b>	<b>2024-25 (Forecast as of March 24, 2025)</b>	<b>2025-26 (Budget)</b>	<b>2026-27 (Budget)</b>	<b>2027-28 (Budget)</b>
<b>Transportation &amp; Communication</b>	<b>\$15,288</b>	<b>\$40,000</b>	<b>\$40,000</b>	<b>\$40,000</b>
General Office	\$9,338	\$10,000	\$10,000	\$10,000
Conciliation	\$2,060	\$2,000	\$2,000	\$2,000
Arbitration	\$765	\$3,000	\$3,000	\$3,000
Adjudication	\$3,125	\$25,000	\$25,000	\$25,000
<b>Services</b>	<b>\$1,139,881</b>	<b>\$5,534,300</b>	<b>\$5,534,300</b>	<b>\$5,534,300</b>
General Office	\$730,888	\$3,500,000	\$3,500,000	\$3,500,000
Conciliation	\$68,517	\$150,000	\$150,000	\$150,000
Arbitration	\$139,556	\$300,000	\$300,000	\$300,000
Adjudication	\$200,920	\$1,584,300	\$1,584,300	\$1,584,300
<b>Supplies &amp; Equipment</b>	<b>\$8,169</b>	<b>\$14,000</b>	<b>\$14,000</b>	<b>\$14,000</b>
<b>Total ODOE</b>	<b>\$1,163,338</b>	<b>\$5,588,300</b>	<b>\$5,588,300</b>	<b>\$5,588,300</b>

**Information Technology and Electronic Service Delivery**

The Commission is utilizing case management technology to improve and enhance statistical analysis and data collection. The Arbitration Commission has the capability to produce automated focused reports to support trend analysis, financial planning, and risk management.

The Commission's website also provides information to stakeholders and the public on published arbitration awards and adjudication decisions. The website includes the Commission's policies, procedures, and accountability documents. The website is regularly reviewed so improvements can be identified and implemented.

The Commission continuously seeks to streamline administrative processes, data input and the posting of new data to the Commission's website. Currently, the Commission accepts application forms by mail, email, and fax.

## **Artificial Intelligence (AI) Use Cases**

OPAAC is currently reviewing the Ontario Public Service policies, directives, and guidelines on the use of AI. As of the current reporting period, there are no AI use cases to report.

# Organizational Chart

## Organization

### Ministry of the Solicitor General

#### The Solicitor General

**Deputy Solicitor General, Community Safety** (reports to the Solicitor General)

**Assistant Deputy Minister/Chief Administrative Officer (ADM/CAO), Corporate Services Division** (reports to the Deputy Solicitor General, Community Safety)

#### Ministry Staff Reporting to the ADM/CAO, Providing Support to the Commission:

##### Senior Manager

- One Lead
- One Issues Management Advisor
- One Senior Program and Research Advisor
- One Business and Finance Analyst

##### Program Manager (reports to the Senior Manager)

- Six Conciliation Services Assistants

**Commission Chair** (accountable to the Solicitor General)

**Commission Vice Chair** (acts in the place of the Commission Chair if the Commission Chair is absent or unable to act and performs tasks as delegated by the Chair)

**Adjudication Committee: Eight Committee Members** (report to the Chair)

- Three committee members representing police associations
- One committee member representing First Nations police associations
- Three committee members representing chiefs of police
- One committee member representing First Nations chiefs of police

**Arbitration Committee: Eight Committee Members** (report to the Chair)

- Three committee members representing police associations
- One committee member representing First Nations police associations
- Three committee members representing police service boards
- One committee member representing First Nations police service boards

In accordance with section O. Reg. 403/23: Ontario Police Arbitration and Adjudication Commission under the CSPA, the Commission is composed of a Chair, any Commission Vice Chair(s), and the members of the committees referred to in subsection 147 (5) of the CSPA.

The arbitration committee consists of four members appointed by the Solicitor General on the recommendation of a police association or an organization representing police associations, one of whom must represent the First Nations; and four members appointed by the Solicitor General on the recommendation of a police service board or an organization representing police service boards, one of whom must represent the First Nations. The adjudication committee consists of four members appointed by the Solicitor General on the recommendation of a police association or an organization representing police associations, one of whom must represent the First Nations; and four members appointed by the Solicitor General on the recommendation of a chief of police or an organization representing chiefs of police, one of whom must represent the First Nations.

The Solicitor General must consult with, or attempt to consult with, the bargaining agents or employers' organizations prior to a Chair or Vice Chair(s) being appointed to the Commission. The terms of office for appointees are established by the Management Board of Cabinet Agencies and Appointments Directive.



**Ontario Police Arbitration and Adjudication Commission**  
**Business Plan**

Fiscal Years 2025-26 through 2027-28

Contact the **Ontario Police Arbitration and Adjudication Commission** at:

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