



**Resolution Passed
at the 75th Annual General Meeting of the
Ontario Association of Chiefs of Police
June 3, 2026**

PREAMBLE

In 2016, Bill 163, Supporting Ontario’s First Responders Act (Posttraumatic Stress Disorder), 2016 came into law. Bill 163 amended the Workplace Safety and Insurance Act, 1997 to create a statutory presumption whereby Post-Traumatic Stress Disorder (PTSD) diagnosed in first responders is presumed to be work-related, unless the contrary is shown. This presumption was meant to facilitate access to workers’ insurance benefits and treatment.

The legislation included the following employees of a police service:

- Police Officers
- Members of an Emergency Response Team
- 911 Dispatchers
- Special Constables
- Members of a police service other than those described in paragraph 5, who
- perform in a forensic identification unit or a Violent Crime Linkage Analysis
- System Unit.

It has been ten (10) years post-implementation of Bill 163. During this time, the police sector and municipal stakeholders have been able to fully analyze the impacts of the legislation.

Police leaders make the health and well-being of their service members a priority. OACP members believe that the mental health of all police professionals is a fundamental ingredient in effective police organizations and healthy workplaces. We will always strongly advocate for treatment and supports that have as key goals the return of members to the workplace whenever possible and support for those unable to return to their positions. However, the WSIB’s track record of success in delivering these on these goals remains unclear or mixed at best. The net results impacts staffing levels for police services, placing further mental hardships on staff in the workplace, while the WSIB process is navigated with little or no transparency or progress.

The current challenges facing the WSIB and its processes when it comes to police members requires a strong commitment from government and policing groups to work collaboratively to address these on-going challenges.

WHEREAS Ontario’s WSIB framework, as it applies to police personnel, must always strive to reflect the unique physical, psychological, and operational realities of policing, and

WHEREAS current processes are often seen by employees and employers alike as complex, slow, and insufficiently responsive to the cumulative impacts of trauma and occupational stress injuries, thus posing serious challenges to placing member wellness at the centre of the system, streamlining access to benefits, and creating a more transparent, timely, and

supportive user experience while addressing the challenges posed by the framework for police organizations, and

WHEREAS collective agreements between police employer and associations have attempted to address the inequities in the Loss of Earnings (LOE) framework, collective agreements cannot override legislation, and employers have no recourse when net LOE earnings exceed actively at work earnings, and

WHEREAS the cost of maintaining the current WSIB framework continues to present significant budgetary challenges for police employers while subjecting employees to unnecessary stress and delayed return to work, and

WHEREAS the current framework may be compromising the mental health of individuals at work, and

WHEREAS the current LOE framework may contravene the Ontario Human Rights Code, in that employees with a disability other than an Occupational Stress Injury (OSI) may receive lower net compensation over time compared to an individual within the same rank, class and classification on a OSI (presumptive absence).

THEREFORE, BE IT RESOLVED that the Ontario Association of Chiefs of Police (OACP) calls on the Ministry of the Solicitor General and the Ministry of Labour to jointly create a Provincial Task Force specifically with the aim of recommending legislative amendments to the Workplace Safety and Insurance Act and/or WSIB policy documents and processes.

BE IT FURTHER RESOLVED THAT this review and any subsequent recommendations at a minimum include:

- Review of the current case management system to include mandatory RTW services and Occupational Therapy in every case. Establish clear metrics and objective milestones that provides clarity and forward motion in the claims management progress, where the eventual goal is the health of the member at a RTW pre-injury capacity, recognizing that alternative and/or modified work may be required.
- Establish a formal process that asserts that the employer is a willing participant in the individual's recovery and return to work readiness, and should from the onset, be able to contribute to make summary submissions in the case management process. This may include support to member, an objection, presumptive rebuttal among others.
- Alignment of payment of WSIB LOE benefits with industry standards for long-term disability plans for case management and duration.
- Establish a framework that aligns with OMERS benefits so that an employee who reaches eligibility for a full unreduced pension, will no longer be eligible for LOE benefits.
- Establish a framework so that an individual's eligibility to receive WSIB LOE benefits does not survive the employment relationship at the cost of the employer.

- Discontinue the deferred LRI compensation framework given that a member's OMERS pension plan is unaffected, and re-invest those dollars in treatment, return to work and other ancillary services.
- Ensure that individuals who return to modified and/or alternative work post final review, report said income and adjustments made to the LOE framework, so that said individuals are not receiving "two" salaries (full income replacement from previous role, plus earnings from current role). Establish that only the differential between both occupations (if one exists) should be paid.