

DRAFT



Comment: Why isn't this document an accessible PDF and why is the document not out for public consultation as the Region of York plan is? Why can't those of us with disabilities access and comment on this document? There should have been an announcement in the local papers that the document was available for comments and discussion...and what the deadline for submitting comments was.

Subsidized Transportation Program Guidelines 2013

Table of Contents

Comments: Why isn't this a properly generated table of contents from Word? Why is the TOC in a table? This is not IASR compliant as per the WCAG 2.0 standards. And why was this document not an accessible Pdf in the first place?

Table of Contents	2
Introduction	3
Principles	3
Definitions	4-9
Eligibility	9
Registrations	9
Bookings	10
Trip Cancellations	11
Customer Responsibility	11
Administration of "No Shows"	12
Suspension From Service	13
Service Area/Hours	13
Service Guidelines	14-16
Driver Code of Conduct	17
Accessible Training	18
Links	18
Legislation Requirements	19

INTRODUCTION

General Statement

The policies and procedures set out in this document reflect the unique characteristics defining the Subsidized Transportation Program (STP).

The policies and procedures intend to balance the transportation needs of the individual Customer, the collective transportation needs of all Customers, the demand for service expansion (trips) and the current economic realities, including the constraint on public funding.

Comment: As has been evidenced by research articles provided to the County and various committees, and by reports on specialized transportation in both urban and rural municipalities from around the world, and from the OHRC consultation document on specialized transportation service, and by research and reports on the aging population and the issues that face any public transportation service, there is nothing “unique” about the issues related to specialized transportation in the County.

If anything is “unique” it is the rebranding of an internationally recognized public service transportation structure for people with disabilities that has standards, legislation and regulations governing it to a “subsidized program” which does not have to follow any of the standards, legislation, or regulations to protect those of us with disabilities when using the program.

If there is anything additionally “unique” about the “subsidized program” it is that the ensuing discriminatory statements and attitudes toward people with disabilities resulting from a lack of budget and oversight/management of the existing specialized transportation service (which according to its contract is designated a public transportation service and would therefore have to comply with standards, legislation and regulations).

The policies and procedures are submitted to change (additions, deletions and amendments) from time to time as consider appropriate by the County of Brant in consultation with the Accessibility Advisory Committee.

Overview

The County of Brant STP is a pre-booked, shared ride, accessible door to accessible door transportation service for person that has permanent or temporary physical disability, intellectually challenged and such others as may be determined on application.

Comment: As has repeatedly been evidenced and supported with legislation throughout this entire process (about 1 year now), by this very description and the description of the original staff recommendation, this is, by Ontario Regulation 191/11 a “specialized transportation service” for people with disabilities. At the July 17 and 31 2012 Ad Hoc Specialized Transportation Service Committee meeting, staff and elected officials came up with the “subsidized scheme to avoid implementing the transportation standards in the Integrated Accessibility Standards Regulations and to vacate all contracts relating to the public transportation of people with disabilities.

From the IASR, Part IV- Transportation, and one more time:

“Specialized transportation service provider” means a designated public sector transportation organization described in paragraph 5 of Schedule 1 that provides specialized transportation services that operate solely within the Province of Ontario; (“fournisseur de services de transport adapté”)

“Specialized transportation services” means public passenger transportation services that,

Schedule 1, 5 of the IASR further defines a specialized transportation service:

5. Every public transportation organization in Ontario, including any municipally operated transportation services for persons with disabilities, that provides services for which a fare is charged for transporting the public by vehicles that are operated,
- i. by, for or on behalf of the Government of Ontario, a municipality, a local board of a municipality or a transit or transportation commission or authority,
 - ii. under an agreement between the Government of Ontario and a person, firm, corporation, or transit or transportation commission or authority, or
 - iii. under an agreement between a municipality and a person, firm, corporation or transit or transportation commission or authority.

The County of Brant in consultation with the Accessibility Advisory Committee has final approval on all matters relating to the provision of the STP including service levels, budget expenditure/revenue, the terms and conditions upon which the service is to be operated and the eligibility criteria for the customers of the service.

Comment: The IASR sets out the standards and regulations for eligibility criteria including permanent, conditional and temporary disabilities, implements an appeals process with criteria and criteria for compassionate access to specialized transportation service or Para transit. Since the Accessibility Advisory Committee (AAC) is in place to support the Ontarians with Disabilities Act, the Accessible Ontarians with Disabilities Act, the Customer Service Standards and the Integrated Accessibility Standards Regulations (for Information and Communication, Employment and Transportation in addition to the Open Spaces and Built-Environment regulations, what educational programs or resources are provided to the AAC to ensure that they are working with copies of these standards/legislation and regulations? If the previous statement were true, the AAC would not stand for the rebranding of a globally recognized specialized transportation structure with a “subsidized program” that has no recognized standards, legislative criteria or regulations. An AAC would not put the lives of people with disabilities in danger nor would it allow a program that lends itself to human rights complaints and legal action.

The STP will be administered by a third party via a Request for Proposal process every year as upon approved budget allocation.

Comments: Wouldn't it make more sense to plan an incremental budget for each year of a three or four year contract? If the RFP process is to be done every year, and it has taken us one year to get to this point, and this draft still does not meet the standards, legislation and regulations governing specialized transportation service, we should have started planning and establishing the budget and RFP call for 2014 now. We are already behind schedule in putting out the RFP for 2014. Since the budget is not set until September, and there is no commitment by the County to support specialized transportation at all, this paragraph is more like a "get out of jail free card" in that it gives the County "permission" to do what it has tried to do within the past year...eliminate specialized transportation service and imprison people with disabilities in their own homes.

PRINCIPLES (as per County of Brant POLICY NUMBER: AAC-001)

1. Reasonable efforts will be made to ensure the following:
 - That service be provided in a manner that respects the dignity and independence of persons with disabilities.
 - The provision of services to persons with disabilities, and others, will be integrated unless an alternate measure is necessary, whether temporarily or permanently, to enable a person with a disability to obtain, use or benefit from the services.

Comments: What does this mean? Integrated with what? What alternate measures would be necessary? This statement makes no sense without examples or clarification as to what this means.

- Persons with disabilities will be given an opportunity - equal to that given to others to obtain, use and benefit from the services.

Comments: So this will truly be a subsidized transportation program open to those of low income? This means that there should not be a medical form for all participants in the program? That a person can make a decision as to whether they want to participate in the subsidized program as a person of low income or as a person with a disability? What are the income based criteria? How many extra staff will be required to establish and manage the applications for the low income participants?

- Communication will be considered, in a manner that takes into consideration a person's disability.

Comment: Is this following the IASR or is this part of the legislation that the County is choosing to water down or not follow?
Content/communication must be accessible and if a person with a disability requires an alternate format, this is to be provided. Inaccessible communication is not to be the “default.” Information and Communication must be accessible at its core.

- Staff will receive appropriate training.

Comment: Is this another of the provincial laws that has been watered down or circumvented? We have customer Service Standards that are provincial law and there is a provision in the IASR Part IV Transportation that requires Accessibility Training. What is “appropriate training” and why are the standards for Customer Service and transportation Accessibility Training not specifically mentioned as the standard and benchmark of service for the County? Is this yet another attempt by the County to avoid the provincial law by claiming that as a subsidized transportation program, provincial law does not apply? If not, why not cite the specific standards required by law?

Persons with disabilities accompanied by a guide dog or service animal will be permitted in those areas of the premises owned or operated by the County of Brant that are open to the public.

Comments: What does this have to do with a specialized transportation service? It appears to have been thrown into this document to divert attention from the topic. Why not include information here about handicap parking? It would make about as much sense. What if someone with a service animal has a meeting in someone’s office? Is this considered part of the public space? If you take away the person’s service animal is the County prepared to accept the legal liabilities for any injury to the person or the service animal as a result? Does this mean the County cannot hire anyone who uses a service animal as they cannot use the service animal at work? Is this a further example of discrimination against people with disabilities using service animals or mobility aids?

- Persons with disabilities, accompanied by a support person, will be permitted to be accompanied by that support person in premises open to the public.

Comments: Again, does this mean the County will not hire anyone who requires an attendant as that attendant will have to accompany them to offices and non-public areas? Is the County accepting legal liability for separating the person with a disability from their attendant? Is the County going to pay to have their own attendant available for an employee with a disability who requires an attendant? And what does this have to do with Para transit or specialized transportation service? This is yet another example of how the rebranding of a globally recognized transportation structure for people with disabilities opens the door for further exclusion and discrimination based on disability. This type of text or policy cannot simply be plunked into a document with no clarification or reason for why it has been plunked into a document.

- Notice will be provided when facilities or services that people with disabilities rely on to access County of Brant services are temporarily disrupted.

Comments: Again, what does this have to do with specialized transportation services? This is more related to snow removal, recreational activities in the County or garbage pick-up. It is another County policy plunked into this draft of an RFP that is supposed to be specific to specialized transportation services that makes no sense just plunked into this document.

- The County of Brant will establish a feedback process to allow people to provide feedback on how we are providing services to persons with disabilities.

Comments: Again, this is not specific to specialized transportation service and is yet another example of how implementing a rebranded transportation service that is not a globally recognized specialized transportation service facilitate a catch-all of anything the County wants to put into this draft to make it sound like provincial law is being followed without really following the provincial law. The IASR Part IV Transportation states that there must be an appeals process and provides some standards and deadlines to work with in terms of establishing an appeals process. Any feedback or complaints about conventional or specialized transportation are not part of a general complaint or feedback process and must be established by both the service provider/contractor and the County. For example, the first point of contact for feedback, appeals (as per the initial statement in this draft that the contractor will administer the “subsidized” program), or complaints should be the service provider/contractor. They should be the ones that are the starting point in the process. Information related to appeals, feedback and complaints should be sent to the County on a monthly bases along with the documentation for resolution. That is not what this bullet point says.

- The County of Brant will allow persons with disabilities to use their own personal assistive devices to obtain, use or benefit from the services offered by the County of Brant.

Comments: “Allow?” We have the right, under the Ontario Human Rights Code to use our mobility aids, service animals and attendants. Again, what is this clause doing in an RFP for specialized transportation service? If the intent is, by rebranding to a “subsidized” transportation service to restrict the use of service animals, mobility aids and attendants by people with disabilities, this is a further example of exclusionary and discriminatory practices that violate basic and protected human rights. If, on the other hand, this is an attempt to let a potential service provider/contractor know what is expected of them, this needs to be an appendix and the content reworded to reflect what this means for a specialized transportation service. We’ve spent an entire year floundering in this issue, we need to consider the structure of an RFP carefully and not “throw text together from several documents and hope no one reads it.” Did anyone actually read this or read it out loud to make sure this document made sense?

DEFINITIONS

Ambulatory Customer

An Ambulatory Customer is a registrant of the service who may use a mobility aid such as a walker or cane by does not necessarily require the use of a lift-equipped vehicle for transportation.

Comments: A person with a physical disability may require a wheelchair one day, a walker the next but, due to their disability, may not require such aids. For example, someone with MS deals with mobility and mobility aids on a day to day basis. While it is good to have some definitions, having definitions for the sake of filling pages is not productive. Earlier in this document, it was hinted that the “subsidized transportation program” was also income based...where is the definition of this population of eligible participants? If this RFP is for a transportation service that is only for people with disabilities, by provincial law it is a specialized transportation service and must use those definitions, standards, legislation and regulations.

Assistive Devices *(as per County of Brant POLICY NUMBER: AAC-001)*

1. The County of Brant will allow persons with disabilities to use their own personal assistive devices to obtain, use or benefit from the services offered by the County of Brant.
2. Should a person with a disability be unable to access the County's services through the use of their own personal assistive device, the County of Brant will ensure the following measures:
 - Determine if service or facility is inaccessible, based upon individual requirements.
 - Review service delivery and potential service options to meet the needs of the individual.
 - Notify the person with disability of alternative service and how they can access the service, temporarily or on a permanent basis.

Comments: again, text thrown into this document that relates more to arenas, recreational facilities and so forth and not a specialized transportation service. Why is this in a draft RFP for a specialized transportation service? If this is an attempt to deny those of us with disabilities from using our own mobility aids and service animals under a “subsidized transportation program” this would violate basic human rights. This type of statement plunked into the RFP makes no sense.

Cancelled Trip

Any trip that has been pre-booked (subscription, reservation or demand trip) that has been cancelled by the Customer will not be charged. Customers are encouraged to cancel a booked trip as they are aware it will not be required.

Comments: Perhaps the wording should be ““when they are aware that the trip will not be required.” Remember, this is the text that will be used by both the County and the service provider/contractor for website information and generally available information to all participants. The likelihood that these types of rules and policies will be copied and pasted to ensure accuracy means that the language has to be clear and understandable by the general public.

Customer

Defined to include eligible registrants of the service, accompanying attendant and/or Companion and/or visitor-

Companions and Children

1. Every STP provider shall allow companions to travel with persons with disabilities if space is available and will not result in the denial of service to other persons with disabilities.
2. Every STP provider shall allow dependants to travel with a person with a disability who is the parent or guardian of the dependant if appropriate child restraint securement systems and equipment are, if required, available.

Comments: This section seems to be a direct quote from the IASR. Why is this not quoted directly from the IASR to ensure that the service provider/contractor and participants in the “subsidized transportation program” know what the law is? Or is this reworded to allow for low income participants as hinted to earlier in this document? Or, again, is the rebranding of specialized transportation service to a “subsidized program” an attempt to water down and avoid the provincial law, allowing the removal or noncompliance to the law making this an Option not a legal requirement?

On Demand Trip

A demand trip is any non-subscription trip booked on the same day as required.

Comments: Again, attention to typos and language. “An on-demand trip...” If a person with a disability does not want to take part in the “subsidized transportation program” or even a specialized transportation program that, in the case of the County is taxi-based, as per IASR section 79, accessible taxis must be available on-demand. This means that a person calling a taxi company, any taxi company, whether they are participating in the “subsidized transportation program” or a specialized transportation service, MUST have an on-demand taxi available during hours of operation/service. The IASR has standards to move specialized transportation services in Ontario toward on-demand rather than days or weeks ahead bookings, but section 79 of the IASR states that the municipality must ensure that there are on-demand taxis available to persons with disabilities outside of a specialized transportation service. Section 79 is under the “Responsibilities of Municipalities” under the Transportation Standards and has been separated from the standards for conventional and specialized transportation services. Is the rebranding of specialized transportation to a “subsidized transportation program” an attempt to circumvent this part of the provincial law?

Eligibility Criteria

Any County of Brant resident who is permanently or temporary physically disabled, or who are intellectually challenged is eligible for the STP.

Verification of these conditions must be provided by a competent member of the medical profession as determined by the County of Brant. In addition such other persons who are approved on application to the County of Brant will be considered eligible.

Comments: Why isn't the County using the eligibility criteria and processes established within the IASR transportation Standards? This would include Conditional Disability. The definitions are set out as are the standards and process for appeals, access to specialized transportation on compassionate grounds and eligibility for visitors who may not know a person with a disability in the County. This appears to be yet another attempt to avoid the provincial law that established standards for a globally recognized specialized transportation service structure for people with disabilities in an attempt to restrict access to accessible and affordable transportation by people with disabilities living in the County.

Feedback Process *(as per County of Brant POLICY NUMBER: AAC-001)*

1. The County of Brant shall establish a process for receiving and responding to feedback about the manner in which it provides services to persons with disabilities and shall make information about the process readily available to the public.
2. This policy will allow persons to provide their feedback in person, by telephone, in writing, or delivering an electronic text by e-mail or on diskette or otherwise.
3. This feedback process must specify the actions that the County of Brant is required to take if a complaint is received.

Comments: again, the language of this section needs to be specific to a specialized transportation service, clearly lay out what the process is and how the information is going to be accessible and in an accessible format for people with disabilities. This should be a clearly defined process so that once the RFP/contract is signed, the contractor/service provider knows exactly what has to be implemented. Saying “we are going to do this” leaves the door open for continued lack of oversight for the contract. This document is about 19 pages but appears to have sections just added because they may sound good but “we “don’t really have to think about them now...we can do that later.” The intent of this RFP is to reissue it every year according to this draft. A service provider/contractor needs to know what the process is so that it can be implemented immediately in order to avoid the micro management of the current service provider and to ensure that both the service provider and the participants in the specialized transportation service know their options for complaints and feedback as well as appeals. Or is this another attempt, through rebranding to a “subsidized transportation program, to put in place mechanisms that will lead to the elimination of Para transit in the County?

Group Trip

A group trip occurs when a group of 4 or more Customers book a trip where the pickup time and drop off locations are the same. The trip is often booked by 1 member for the group for the entire group.

Comments: At this point in the definition it should be made clear whether this type of trip will be a single fare trip or whether each person will be required to pay the fare for a specialized transportation service. It should also be made clear whether someone from a nursing home or the parents/caregivers of people with disabilities can make this type of booking. For example, is this definition usable if the administrator of a group home makes the booking?

Many to One Trip

A many to one trip occurs when many trips are booked to go to the same location. Each trip is booked by the individual registrant and then groups by the County of Brant.

Comment: What does this mean? If, as previously stated in this draft, the administration of the “subsidized transportation program” will be administered by the service provider/contractor, what is the County “grouping?” As per section 72 of the IASR, there can be no trip restrictions. Having a policy or operational procedure that mandates the County reviewing and grouping trips for specialized transportation service would appear to violate that part of the provincial law...or is the use of the wording “subsidized transportation program” a way to violate this part of the law since there is no regulation or law governing “subsidized transportation programs?”

Non-Accommodated Trip

A trip request not booked given the original time requested is not available, or the original trip request is not available and alternate time is taken.

Comments: As per section 72 of the IASR wouldn't this qualify as a trip restriction? Given that section 71 of the IASR deals with hours of service with a minimum hours of service being set as the same as a “conventional” transportation service, and given that the County has repeatedly stated that it has no conventional transportation service, why is there this policy of trip restrictions? The provincial law states the same hours of operation as those of conventional transportation as being the MINIMUM which means that the hours can be 24 x 7. Why is the County restricting access to the specialized transportation service? If there is not a vehicle available, then the municipality as per sections 79 and 80 of the IASR needs to ensure that there are enough vehicles available. Those of us with disabilities should not have an “un-accommodated trip” due to school runs or other contractual obligations by a service provider. If the vehicles used for the specialized transportation service are going used for other specialized transportation service trips, then there would be a delay in service as there would be if one had to wait for a regular taxi...but there should not be any trip restrictions or ‘un-accommodated trips unless the rebranding of the specialized transportation service to a “subsidized transportation service is an attempt to violate the IASR.

Non-Ambulatory Customer

A Non-Ambulatory Customer is a registrant of the service who uses a mobility device (wheelchair or scooter) requiring the use of a lift-equipped vehicle for transportation.

Comment: “Non-ambulatory?” But they are ambulatory because they are using a wheelchair or scooter. Why is the County segregating people with disabilities into mobility aid categories? Is there a definition for someone using a white cane, a cane with a reflective tape around it, a walker without a seat, a walker with a seat, a scooter with a basket, a scooter with three wheels as opposed to four...why are people with disabilities being discriminated against based on their mobility aid? Again, the County is not being careful on the language it is using to describe people with disabilities. Why is there a difference between those who use the lift on a public transit service/specialized transportation service and those who don't? Is this another attempt through rebranding the specialized transportation service as a “subsidized transportation program to violate the basic human rights of people with disabilities and the provincial laws for specialized transportation service?”

No-Show

A "no-show" occurs when a Customer does not show up at a pickup point at the scheduled time noting an allowance of 5 minutes or when there is a trip cancellation made with less than one half hour notice.

One to one trip

A trip where one Customer is traveling from one destination to another, can't exceed more than one hour, and must be within reason as determined by the Accessibility Coordinator.

Comment: What is the criteria to be used to determine whether this type of trip will be “approved” or not? What qualifies an Accessibility Coordinator to make these types of decisions? Shouldn’t the County be hiring someone with public transit experience to oversee the public transit system/specialized transportation service? Or is the rebranding of the specialized transportation service as a “subsidized transportation program” a way for the County to arbitrarily make decisions on the trips over 1 hour and not adhere to any provincial laws or standards. Am not necessarily disagreeing with this as a policy given the geographical area of the County, am pointing out that as a blanket statement with no criteria or mechanism described for approval of trips over 1 hour, this seems to be a trip restriction. What is the County doing to ensure that this will not be necessary in the future? This type of planning should be in the revision of the Transportation Master Plan for the County and the accessibility Plan under the Transportation section.

Oxygen User

An Oxygen user is a registrant on the service who requires the use of oxygen while traveling.

Registrant

A registrant is a Customer of the service who has met the service eligibility criteria as set out in the registration process.

Reservation Trip

A reservation trip is any non-subscription trip booked 1 day in advance

Service Animals (as per County of Brant POLICY NUMBER: AAC-001)

Comment: Why is this repeated? A better use of this space would be to provide the missing details of the service and perhaps the criteria for the low income registrants that the beginning of this draft seems to indicate will be included in the “subsidized transportation program.” Based on the wording of some of this draft, a person with low income may have a valid human rights complaint if denied access to the travel subsidy.

1. For the purpose of this policy, a 'service animal' is defined as either:
 - A "guide dog," as defined in section 1 of the *Blind Persons Rights' Act*; or
 - A "service animal" for a person with a disability. For the purpose of this policy, an animal is a service animal for a person with a disability,

If it is readily apparent that the animal is used by the person for the reasons relating to his or her disability; or if the person provides a letter from a physician or nurse or authorized agency confirming that the person requires the animal for reasons relating to the disability.

2. If a service animal is excluded by law from the premises, the provider of services shall ensure that other measures are available to enable the person with a disability to obtain, use or benefit from the provider's services.

Service Area

The service area is within which all trips origins and destination must be located. The current service area includes the municipalities of the County of Brant and City of Brantford. Trips can not exceed more than one hour and must be within reason. If too exceed an hour written approval of the County of Brant Accessibility Coordinator is required.

Comments: What is “within reason?” Is this yet another attempt to restrict trips under a “subsidized transportation program” that would not be restricted under a globally recognized specialized transportation service structure? What are examples of “within reason? The “within 1 hour seems to be clear enough.

Service Disruption (as per County of Brant POLICY NUMBER: AAC-001)

1. If, in order to obtain, use or benefit from County of Brant services, persons with disabilities usually use particular facilities or services of the County of Brant and if there is a temporary disruption in those facilities or services in whole or in part, the County of Brant shall give notice of the disruption to the public.
2. Notice of the disruption must include information about the reason for the disruption, its anticipated duration and a description of alternative facilities or services, if any, that are available.

Comments: Given that the IASR part IV transportation has standards for equipment failures, service disruptions and delays for specialized transportation and conventional transportation services, why is this section, which seems to relate more to recreational facilities such as arenas or events in this draft for an RFP? This appears to be an issue separate from a specialized transportation service. Why not just say that the County will adhere to the provincial law/standards for these items and quote them? Or is the rebranding of the specialized transportation service to a “subsidized transportation program” a way to violate the IASR and put those of us with disabilities at risk?

Service Description

The service is described as a shared ride "accessible door to door" service. The driver must see that the Customer is safely inside outermost door at destination The Customer is responsible for ensuring there is an attendant available at the destination if required.

Service Provider

A Service Provider is a contractor who provides the vehicle and driver for the service

Shared Ride

A trip taken in which other Customers will be picked up and dropped off during the same time period.

Subscription Booking

A subscription booking is any trip request that is consistently required on a weekly basis (for the same day or days, same time and same destination) and can be automatically scheduled each week.

Support Person *(as per County of Brant POLICY NUMBER: AAC-001)*

Any person, in relation to a person with a disability, another person who accompanies him or her in order to help with communication, mobility, personal care or medical needs or with access to services.

1. The County of Brant will allow people with disabilities to be accompanied by a support person in all County owned or leased buildings and properties.
2. The County of Brant reserves the right to request that a person with a

disability be accompanied by the support person when on the premises, but only if the support person is necessary to protect the health or safety of the person with a disability or the health or safety of other persons on the premises.

Comments: In an effort to be inclusive, the wording should be something other than “allow” or permit.” By using this terminology, the language of the county becomes and implies that those of us with disabilities are somehow permitted vicariously to live and participate in our own community...and is a throwback to the “we don’t have to do this, we are doing it as a gift, out of the goodness of our hearts...and we can take it away any time we want” attitude that fosters discrimination. Perhaps wording such as “the County of Brant supports the rights of people with disabilities to....” This is a more positive and inclusive wording and doesn’t imply that at any moment we might be taken to the County line and expelled or shunned on the whim of the County.

Support Person Fares

1. No conventional transportation service provider and no STP provider shall charge a fare to a support person who is accompanying a person with a disability where the person with a disability has a need for a support person.
2. It is the responsibility of a person with a disability to demonstrate to a transportation service provider described in subsection (1) their need for a support person to accompany them on the conventional or STP and to ensure that the appropriate designation for a support person is in place.

Comments: Why aren’t these sections of the IASR included? Again, the perception is one of permission. Text such as “The County of Brant supports the IASR in implementing the following transportation standards:” and then providing the section and sub-section references. Why hide the fact that these are provincial standards/laws...unless by rebranding the specialized transportation service as a “subsidized transportation program” the County is going to remove these standards once the RFP is up for renewal and is not committed to supporting people with disabilities in the community.

Visitor

A Visitor is a non-resident of the County, visiting the County for a short period of time and wishes to access the service. Visitor registration is done through the Accessibility Coordinator.

Comment: This seems to contradict both the IASR and statements in this draft. The application form and criteria for a visitor accessing specialized transportation services should be clearly visible on the County website. How is a visitor supposed to know that they are to contact the accessibility Coordinator? Wouldn't it save time to have the eligibility process for visitors on the County website so that the application just needs to be approved? And what happens if a visitor wants to access specialized transportation services during the hours when the Accessibility Coordinator is not in the office? This seems to be a trip restriction under section 72 of the IASR. This is also why we need mechanisms in place to handle specialized transportation service administration out of the office hours of the County (outside of the 9AM to 5 PM weekdays and no ability to contact anyone during the weekend.) What is the protocol for these situations? This is the type of detail missing from this draft.

Additionally, at one point in this draft, the wording implies that visitors can only access the "subsidized transportation program" if they are with a person already registered with the program...again, a violation of the IASR. And the question is still standing: is the rebranding of the specialized transportation service to a "subsidized transportation program" an attempt to avoid the standards, legislation and laws governing Para transit for people with disabilities as was put forward during the July 2012 Ad Hoc Specialized transportation Service Committee meetings by staff and elected officials?

ELIGIBILITY

General Statement

The service is available to all residents of the County of Brant who meet the eligibility criteria.

Exceptions

Exceptions to the general statement may be granted, subject to the review of the County of Brant. The exceptions are intended to keep with the spirit of the general statement.

Comments: This appears to be a throwback to the discussions during the July 2012 meetings of the Ad Hoc Specialized transportation Service Committee where the rebranding of the specialized transportation service took place. The “spirit” or “essence” of the provincial laws was stated to be “enough” by both staff and elected officials but rejected by members of the committee from the community. The intent at those meetings, as stated by staff and elected officials, was to avoid complying with the provincial laws (which were stated not to be real laws) with the rebranding and vacating of all contracts associated with the specialized transportation service.

The IASR has standards for eligibility criteria, eligibility on compassionate grounds, standards for an appeals process and provides a protocol for documentation. This sections again sounds like at the whim of the County, people with disabilities can be refused eligibility for no documented or proven reason. This too was discussed at the July 2012 Ad Hoc Specialized transportation Service Committee meetings where staff stated that they did “not believe that all people with disabilities using the current specialized transportation service had “real” disabilities” and that with the “subsidized transportation program” staff would have “better control” over who is eligible/approved and who is not.”

REGISTRATIONS

Overview

The Accessibility Advisory Committee does not approve registrations for the program; this is approved by the County of Brant via the Accessibility Coordinator. All records related to registration are held with the County as per privacy legislation. The Committee can act in an advisory capacity on program guidelines.

Comment: So how is the service provider/contractor going to know who is eligible and when they are eligible? I’m not disagreeing with the intake and processing being done by the County, but there needs to be a protocol and system for conveying that information in a timely manner to the service provider/Contractor. Additionally, someone who is eligible must identify their need at the time of booking so that the dispatcher knows what type of vehicle to send and how long it will take to get there.

Pre-Registration

All Customers must be pre-registered with the County of Brant. It will be the responsibility of the County of Brant to implement the necessary procedures to administer the registration process.

Comment: Which is what? This needs to be detailed or it will end up vague for years to come...this is why we are in the embarrassing mess we are in now...no attention to details, process and protocol. These details need to be in the RFP as an Appendix or as part of the core responsibilities to ensure privacy and service.

Attend Requirement

A registrant may be required, as determined through the registration process, to have person traveling with them at all times. The person traveling with the registrant is referred to as an attendant.

Comments: Did no one proofread this document? It appears that most of it has been horridly thrown together with no spell check or proofreading.

How is the determination of the need for an attendant going to be made? Again, not disagreeing with this process for someone with a behavior problem or who is severely developmentally disabled and requires someone to travel with them. The question is how is this going to be determined? The Accessibility Coordinator is not a professional psychotherapist or occupational therapist. If there is an issue that has been raised with someone who is eligible for specialized transportation service, there needs to be documentation from an independent third party to support the County claim that the person requires an attendant. This information (the fact that there can be a determination of attendant required) needs to be clearly written on the County website under the specialized transportation service process and protocols pages. It should not come as a surprise to the person who is eligible or their parents/caregivers. The service provider/contractor should also have clear processes and protocols for bringing this issue for review. For example, if someone is known to have Turret's as well as other disabilities, why would this person require an attendant? As a blanket statement, this provision is vague and lacks the understanding of the community of people with disabilities.

Or is this yet another attempt to avoid basic human rights and the AODA including the IASR to give the County the arbitrary ability to pick and choose which people with disabilities are "eligible" and "acceptable" for the "subsidized transportation service as discussed by staff and elected officials during the Ad Hoc Specialized Transportation Service Committee meetings of July 2012?

Notice of Ineligibility

Applicants considered ineligible will be advised accordingly. A decision of ineligibility may be appealed to the County of Brant, noting the Council of the County of Brant will be the final arbiter on questions of eligibility.

Comments: Is this the standards set for the appeals process set out by the transportation standards in the IASR? Is this yet another attempt to arbitrarily pick and choose which people with disabilities are “eligible? Are other municipalities involving Council in the appeals process for a public transportation service/specialized transportation service? If not, why not adopt a strategy and protocol that is being implemented and proven to support the rights of both sides instead of brining this to Council.

With statements throughout the past year such as “if they can’t afford a taxi, call an ambulance;” “Many Counsellors don’t see the need for this and want it eliminated;” “if you don’t accept the staff recommendation, the service will stop;” and “if a human rights complaint is filed, we can stop the service immediately” why would a municipality whose staff and elected officials openly discriminate against people with disabilities and attempt to avoid provincial law by rebranding a specialized transportation service as a “subsidized transportation program” be accountable for making this type of decision? And how does the right to privacy come into this if Council has access to this information?

Renewal of Every 2 years

Permanent registration must be renewed every 2 years. A renewal application will be forwarded before the expiry date proved the Customer has advised of changes in address.

Comments: If a disability is permanent, it is permanent. If the intent of this provision is to keep the records of the County up to date with contact information for those with a permanent disability, then the person with a disability should only have to update a contact card and not have to pay for a medical signature to reiterate that the disability is permanent. This makes no sense. Contact updating does, but paying a medical professional to confirm again that a disability IS permanent doesn’t. Again, proofreading and maybe proofreading out loud may have led to the rewording of this so that it is more accurate in ints intent.

Review of Registrations

All registrations are subject to review from time to time, in addition to the 2-year renewal process. Registrants may be requested to submit an additional medical

form if it is found that a registrant is no longer eligible for STP, they will then be advised accordingly. The registrant may appeal to the County of Brant.

Comments: How is this going “to be found” Is the County going to hire investigators to spy on people with disabilities? Given the range of disabilities and the fact that someone can need a walker or wheelchair one day and not the next, what is the criteria for these investigations? What is the protocol and policy to start one of these investigations? This, as with other statements in this document, continues the unwritten policy that seems to be operating for people with disabilities and any services that the County might put in place: that people with disabilities inherently lie about their disability, don’t have “real” disabilities and are trying to cheat the County out of funding. This attitude was prevalent during the Ad Hoc Specialized Transportation Service Committee meetings of July 2012.

Companions Allowed

Subject to vehicle capacity, registrant may have people travel with them on the service. The people are referred to as Companions. The registrant will have to indicate at the time of booking the trip how many Companions are traveling. Companion travel is restricted based on vehicle capacity. All Companions must pay the prevailing fare.

Comments: Why are we rewriting the IASR? Why not just quote the section of the IASR with a link to the entire provincial law? Unless this is an attempt to water down the law and eventually vacate this provision all together? What is described in this document IS a specialized transportation service and therefore should proudly claim the standards of quality and equality for people with disabilities. Why not quote the provincial law here?

Visitor Registration

A visitor is a non-resident of the County, visiting the County for short periods of time wishing to access the service. Visitor registration is done through the Accessibility Coordinator.

Comments: How? If the Accessibility Coordinator is only available Monday through Friday from 9AM to 5PM how is a visitor going to apply for access in off hours? Where will visitors find this information? No mention of a website with all of the information and applications has been identified in this document? One of the issues with the current protocol and process is that County Service is treated as this huge secret that no one can talk about. We need a central location on the Simply Brant website with all the information about the specialized transportation service/para transit and how to access it, appeal, provide feedback and complain about it...24 hours a day, 7 days a week. It may also be asked how the Accessibility Coordinator is going to coordinate the AODA and its standards throughout the County when the entire time and duties of the position are being taken with Para transit/specialized transportation services. Perhaps we need a couple of transit clerks to manage the service. None of this has been considered. Once again, the attitude is that any crumb of service for people with disabilities is ill deserved and we should be grateful and not point out the human rights violations and isolationist policies of the County.

BOOKINGS

Every Subsidized Transportation Provider shall,

Require reservations,

Provide same day service to the extent that it is available; and

Where same day service is not available, accept booking requests up to three hours before the published end of the service period on the day before the intended day of travel.

Comments: So we are going back to multiple service providers? I thought the beginning of this draft stated that there would be one contract? Again, why are we quoting the IASR without providing the specific reference to it? Again this goes back to the discussions by staff and elected officials of July 2012 when it was stated that the County could rebrand the specialized transportation service as a subsidized program and in effect rewrite the provincial law to suit the desire of the County to restrict the mobility of people with disabilities. In this section, a summary paragraph stating that the goal of the specialized transportation service is to have on-demand service because the specialized transportation service is taxi-based. Other options are to make reservations or “subscription” bookings. Then the IASR sections that apply should be fully quoted.

Subscription Bookings

A permanent booking arrangement for service registrants who travel on a regular pre determined basis to and/or from a destination such as work or post-secondary school or certain medical purposes that can be automatically scheduled each week. In addition includes one personal subscription booking

Comment: What the heck does this mean: in addition includes one personal subscription booking?” This violates section 72 of the IASR where there are no trip restrictions. This is a policy or operational procedure that restricts access for people with disabilities to the specialized transportation service. If someone with a disability wants to book every Friday at 10 AM to go grocery shopping or every Tuesday to go to the show, or every second Wednesday of each month to do something, that is their rights. Subscription bookings cannot be restricted to work or medical or educational. If someone is taking advantage of a recreational activity such as walking at the Syl Apps or going to a fitness activity, this can be a subscription booking. Or is the rebranding of the specialized transportation service to a “subsidized transportation program” by the County, an attempt to violate the IASR and AODA as discussed in the Ad Hoc Specialized Transportation Service committee meetings of July 2012 and November 2012?

Booking Changes

Any bookings, modifications or cancellations of trips may be made by anyone representing a registrant based on the understanding that all such bookings, modifications or cancellations are the sole responsibility of the registrant

TRIP CANCELLATIONS

Given the high demand for the service, it is critical for Customers to call and cancel any trips they do not require. Customers are encouraged to cancel a trip as soon as they are aware it will not be required.

Scheduled trips not cancelled at least 30 minutes before the scheduled pick up time will be recorded as a "no-show". Excessive "no-shows" will result in suspension of an individual's registration.

All subscriptions bookings that fall on a Statutory Holiday will be considered cancelled unless otherwise notified by the Customer. The Statutory Holidays include New Years Day, Good Friday, Victoria Day, Canada Day, Civic Holiday, Labour Day, Thanksgiving Day, Christmas Day and Boxing Day. Note: Easter Monday is not included in the above list.

CUSTOMER RESPONSIBILITY

Customer Behaviour

Subsidized Transportation Service is a pre booked shared ride transportation service; accordingly all Customers are expected to conduct themselves in a manner respectful of other customers, the driver and the safe delivery of service.

Comments: Does this mean that the County is imposing further trip restrictions in that we cannot use the service unless several of us are travelling at once? Does this mean that if we want to go to X at Y time, we are "not allowed" to do that and have to wait until a group of people with disabilities are going in roughly the same direction so that there is a shared ride? If so, this violates the IASR, section 72, trip restrictions. If this is not the intent of this statement, then the words, "whenever possible" should be added when referring to the concept of a shared ride. Otherwise this may open the door for an Ontario Human Rights Complaint as will several other statements in this document.

Customer behaviour that is disruptive to the delivery of the service and/or other Customers will not be tolerated; this includes but is not limited to vandalism, inappropriate language, general rowdiness and/or persons interference with other Customers and/or the driver.

Customers are required to adhere to all policies, procedures and/or rules governing the provision of service. For clarification and without limiting the generality of the foregoing, the following will apply with respect to Customer behaviour.

- Customers are to remain seated while vehicle is in motion;

- Customers are to present the proper fare to the driver. Drivers will retrieve fares that are attached to mobility devices provided they are readily accessible. Drivers are not required to obtain the fare from the Customer's person.
- Customers are to adhere to driver instructions regarding boarding and deboarding vehicle.
- Customers requiring attendants, as confirmed by the service provider

Comments: I thought the Accessibility Coordinator was the determining factor as to who must have an attendant? Now it is the service provider? Again, this statement seems to indicate that little thought and preparation has gone into this document/draft and it is an attempt to throw text together in an effort to confuse the issue that this "subsidized transportation program" still violates the IASR and is an attempt to restrict access to public transportation by the County by people with disabilities.

- must ensure the attendant is present for all trips on the service.
- Smoking in the vehicle is prohibited.
- The number of parcels, luggage etc. is limited to that which can be accommodated by the Customer without assistance.
- Customers are prohibited from interfering with the operation of the vehicle

Comments: It would be better to have a weight limit on parcels as many taxi drivers do assist customers with parcels and grocery bags in exchange for a gratuity or the hopes thereof. A person in a wheelchair or using a walker may be able to move their groceries to the back or side of a taxi but not lift them into the taxi. This again denotes a lack of understanding of disability and the needs of people with disabilities.

- including all ancillary equipment attached to the vehicle, e.g. radio, lift equipment etc.
- Customers will not distribute literature, or other such items, on the vehicles.
- All Customers must be appropriately attired when using the service.

Comments: What does this mean? There needs to be some examples. And again, the needs of people with disabilities must be taken into consideration.

Customer conduct/behaviour that is contrary to these policies will not be tolerated and could result in the Customer being suspended from the service.

Incidents that are contrary to the above are to be brought to the attention of the County of Brant who will be responsible for the investigation of the incident and for taking the appropriate action.

Comments: What is the process? What is the protocol? Where can we find the forms? Who do we contact? Just saying that behavior will be reported is not enough. The County has to come up with a protocol and process for the reporting, decision making and appeals process.

ADMINISTRATION OF "NO-SHOWS"

No-Shows - Maximum

The following will apply with respect to no-shows:

- At time of no-show, driver must make his/her presence known (knocking, buzzing) or make sure the vehicle is parked in a place visible by the entrance of the pick up location
- The driver will indicate on the driver's sheet each no-show that occurred for the respective customer
- Warning - first notice

Any customer with at least three recorded "no-shows" within any two month period will be sent a letter advising that continued

"no-shows" is considered to be an abuse of the STP and that the Customer's record must improve. Customers are invited to respond to a first notice.

- Warning - Second Notice

Should any Customer's record of "no-show" continue a second letter will sent advising that any further record of "no-show" will effect a review by the County of Brant for the purpose of considering the suspension of the Customer's registration. Customers are invited to respond to a second notice.

Comments: What is the policy and protocol if someone is on the train or will be running late? If the customer calls to let the service provider/contractor know that they will be late and as in the case of VIA train delays, may call several times to update the service provider in the progress of the train toward Brantford, is this acknowledged in this draft? There should be a policy and protocol statement according emergency situations and working with the service provider/contractor to resolve the emergency pick-up changes.

SUSPENSION FROM SERVICE

Unless specified elsewhere in the documents, after a warning should any Customer not abide by the policies as set out in this document, the service provider will give consideration to the suspension of the Customer's registration.

Comments: Documents? Then document? Is there one document or are there several documents for this RFP and if there are several, why aren't they publically available for comments?

The following outlines the four stage process for suspension of the Customer's registration.

- I. Letter of warning
- II. 1 week suspension
- III 2 week suspension
- . IV 1 month suspension
- .

Comments: Along with the bullet points above should be the number of no-shows assigned to the suspension. For example “Letter of warning after three no-show bookings; 1 week suspension after letter of warning and three additional no-show bookings and so forth.” This provides a detailed process and protocol that customers can refer to with no surprises. This information should be included on the website for the specialized transportation service.

Customers that have had their registration suspended will have the right of appeal of the suspension (request in writing 10 days of receipt of the notice of the suspension) to the County of Brant.

Comments: But I thought the Accessibility Coordinator was administering the “subsidized transportation program?” Shouldn’t appeals go through the person administering the program rather than just to “the County” where it can get lost, reassigned, or as in the case of the process for revising the specialized transportation service, rules get rewritten on a whim and at a moment’s notice? Again, more thought needs to go into the process and protocol for this in a specialized transportation service. There may already be processes that the County can refer to in best practices for specialized transportation services that do not exist for the rebranded structure of a “subsidized transportation program.” Or is this one of the reasons for the rebranding...the County can “make it up as it goes>”

SERVICE AREA

The service area is within which all trips origins and destination must be located (the trip must originate from one municipality or the others). The current service area includes the municipalities of the County of Brant and City of Brantford.

SERVICE HOURS

Weekday Service - 7:00 a.m. to 12:00 pm

Weekend End Service - 8:00 a.m. to 11:00 pm

Comments: This is a direct violation of section 72 as it restricts trips and section 72 of the IASR states that there can be no policy or operational procedure that identifies trip restrictions. In Section 70 of the IASR which covers hours of service, the “minimum” is the same hours as that of a conventional transportation service. As the County has stated repeatedly, there is no conventional transportation service in the County. Since the specialized transportation service IS taxi-based, the hours should be the same as those of a taxi. Further, starting the service at 7AM does not give people with disabilities who use the VIA train service the ability to use the specialized transportation service to get to the train station as the first train is at 7:18AM. Once again, the needs of people with disabilities are not being considered or met and neither are the standards in the IASR. The rebranding of the specialized transportation service appears to be an attempt by the County to rewrite, water down or neglect the elements of the IASR that are inclusive in favour of ensuring an community that excludes and discriminates against people with disabilities.

Taxi Companies must meet the criteria for "on-demand" service as per the Municipal Taxi By-Law.

Comments: The section of the IASR which governs on-demand taxi service is outside of any contract for specialized transportation service that is contracted for. This is also confusing: does this mean that although there is a statement that restricts hours of service and implements trip restrictions that the County wants to “get around this” by incorporating on-demand service with the specialized transportation service? Then why not just quote the standards related to hours of service and trip restrictions and provide a summary paragraph about the service being available 24 hours a day, 7 days a week? Or is this yet another attempt through rebranding of the specialized transportations service to a “subsidized transportation program” to violate the IASR as discussed by staff and elected officials in the Ad Hoc Specialized Transportation Service Committee meetings of July and November 2012

Section 68 of the IASR which governs origin to destination trips provides for the flexibility of service for people with disabilities to meet their needs. It could be argued that the combined standards provided for in the IASR which is a provincial law, of sections that apply to specialized transportation services are intended to provide optimal flexibility and inclusion for people with disabilities and provide for the same level of transit service that people without disabilities experience. This includes being able to travel during “school runs” and times of other contract obligations. Specialized transportation services should have vehicles dedicated to the service and the priority is the transit needs of people with disabilities in the County. This has not been addressed in this draft.

As with other elements of this draft, it appears that there is language similar to that of the IASR but in rebranding the specialized transportation service as a “subsidized transportation service” the underlying intent appears to be to avoid implementing the provincial law and avoid creating an inclusive community that does include people with disabilities being independent and able to move freely within their community.

SERVICE GUIDELINES

Trip Restrictions

No STP provider shall limit the availability of service to persons with disabilities by,

Restricting the number of trips a person with a disability is able to request;
or

Implementing any policy or operational practice that unreasonably limits the availability of STPs.

Comments: Again, why not quote directly from the IASR? This part of the draft seems to directly contradict the hours of service restrictions that were stated previously in this draft. As a taxi-based specialized transportation service, there is no rationale for restricting the access to the specialized transportation service to minimum hours of service. Restricting the hours of service restricts trips by policy and operational procedure. It does not provide for the ability of people with disabilities to visit friends, use the specialized transportation service in the event of an emergency that does not require an ambulance, or provide for the ability of people with disabilities to determine when they travel. Having the hours of service restrictions as stated previously in this document is the same as telling those of us with disabilities that we have a curfew and “aren’t allowed out” between certain hours of the day. Again, we are talking about a taxi-based specialized transportation service not one that is bus-based and therefore the specialized transportation service for the County can truly meet the needs of people with disabilities and meet or exceed provincial laws...or is the rebranding of specialized transportation service to a “subsidized transportation program” an attempt to isolate and exclude those of us with disabilities from our community?

Delays in Service

Every STP provider, where the STPs require reservations, shall provide information on the duration of service delays to affected passengers by a method agreed to by the STP provider and passenger.

Comments: Again, why not quote directly from the IASR? The standards seem pretty clear. Also, we are back to multiple service providers/contractors? Given that only one taxi company in the County has accessible vehicles, how is the funding going to be distributed and will the other taxi company be required to purchase accessible vehicles in order to participate in the “program.” It should also be noted that one taxi company owner stated before the Community Services Committee on October 1, 2012 that “my drivers don’t want to push those people around, loading them and unloading them.” This statement was not challenged or in any way identified as discriminatory by any staff or elected official present at the meeting. How can a service provider with this attitude participate in any contract for specialized transportation service in the County? It is not good enough to state that “well, then they won’t be used as people with disabilities find this out.” Finding out that there is no accessible vehicle or that the service provider contracted by the County has no respect for people with disabilities, does not treat us with dignity and would prefer not to have anything to do with us, may leave the County liable for any issues that result in the approving of this type of discrimination as part of any transportation service, conventional, specialized or “subsidized.” The County has an obligation to provide a service that is of quality, does not discriminate and meets the needs of people with disabilities.

For the purposes of this section, a service delay is a delay of 30 minutes or more after the scheduled pick-up time.

This section does not apply in respect of delays in service that arise during the trip.

Time of Pick Up

The driver will knock or buzz when they arrive at a residence unless otherwise requested by the Customer. Customers are encouraged to board vehicles as soon as possible once it has arrived so that the service can be as efficient and flexible as possible

Earliest pick up time: service provider shall be allowed to arrive at a pick-up point up to 15 minutes before the schedule pick-up time.

Waiting time: No Customer is required to wait more than thirty minutes beyond the time requested and confirmed pick-up time. If a Customer does not wish to

wait any longer than 30 minutes, they are asked to call and inform the service provider.

Leaving pick-up point: When a Customer is not at the designated pick-up area, drivers shall not leave a pick-up point prior to five minutes past the pick-up time unless the Customer has boarded.

1 Hour on Vehicle Limit

It is intended that a Customer will not be scheduled to be in a vehicle more than (1) hour for a one-way trip. If too exceed an hour written approval of the County of Brant Accessibility Coordinator is required

Comments: I would add that this time in the taxi does not include time taken to load, secure, unsecure and unload passengers. The intent is that this is the total trip time. There also needs to be an identification of the criteria and process to be used to determine approval for travel outside of the 1 hour limit. Also, does the 1 hour limit include stops for traffic? It would be better to identify a kilometer amount so that these small issues in service area are dealt with. This section needs to clearly identify what is meant by “1 hour.”

Driver Assistance

Accessible Door to Accessible Door

Drivers shall assist Customers from "accessible door to accessible door". Drivers must see that Customer is safely inside door at destination.

Comments: Again, why not quote the IASR section on this/ Given the statements by some taxi company owners about people with disabilities and not wanting to transport them, quoting the IASR would eliminate any questions or objections raised by taxi company owners or driver who don't want to transport people with disabilities. It would also facilitate compliance with the provincial law. Or is this another attempt through the rebranding of the specialized transportation service to a “subsidized transportation program” to water down and eventually eliminate any “spirit” or “essence” of the provincial law as discussed in the Ad Hoc Specialized Transportation Service Committee meetings of July and November 2012?

Assistance (Steps and Ramps)

Driver assistance will be provided, upon request, if the assistance can be provided in a safe and effective manner for both the Customer and the driver.

Responsibility for Operation of the Vehicle

The driver "at all time" is responsible for the safe and effective operation of the vehicle. This includes operating speeds and routing (consistent with driver schedule) passenger safety, health, comfort and securement.

Customer Request - "In Service"

Drivers may, upon request, operate a lift at Customer's residence.

Entering the Customer's Residence

Drivers are not to enter a Customer's residence; however the driver will help the Customer from "accessible door to accessible door"

Comments: If a person is trying to navigate an "inaccessible door" using a cane or walker, why would policy dictate that the driver would not attempt to assist by holding the door open for the customer? Why have the designation "accessible door?" " Even if the person is using a wheelchair or scooter, the door may not be an automatic accessible door and may require some assistance in holding the door open. Isn't this just common sense?

Packages-Assistance

The drivers are not required to assist with groceries or similar packages. Arrangements are to be made for someone else to assist an individual or that individual must be able to independently carry on packages.

Comments: But the language states "not required" which opens the door to permit assistance in removing groceries and small packages from the vehicle. It would be more useful to determine a weight limit similar to that of carry on baggage at an airport and state that "when possible, drivers may assist passengers with groceries or small packages (when the weight of each package does not exceed X kg)."

Multi Access Facilities

For some locations with more than one entrance, the service provider will indicate the location that has been designated for pick up and drop offs.

Notwithstanding the above, special arrangements may be made at the time of booking for an alternate drop-off or pick-up location as long as the alternate location provides for the safety of the Customers and may be used by STP vehicles without violating parking or similar regulations

Where there is no designated pick-up location at a multi access facility, the pickup location should be arranged at the time of booking.

Vehicles Unattended

At no time are the vehicles to be left unattended while Customers are on board unless assisting a Customer to the entrance. The driver must have the vehicle in sight and in close proximity.

Refueling of Vehicles

There will be no refueling of vehicles while the Customers are on

board. **No Smoking Permitted**

NO SMOKING signs will be installed in an appropriate place on each vehicle and the NO SMOKING rule shall be enforced and adhered to by the vehicle operator and Customers

Customers Requiring Oxygen

Persons requiring oxygen while in transit will be considered eligible provided the oxygen system is appropriately secured.

Customers with Scooters

Customers have the option to transfer to regular STP vehicle seats during transit as long as it is physically possible for the Customer to do so with minimal assistance from driver.

Wheelchairs and Other Equipment

Service can be denied to any Customer for the following safety reasons: any wheelchair or similar type vehicle which, in the opinion of the service provider, cannot be accommodated safely on the lift or in the van any such wheelchair or similar type vehicle that cannot be completely controlled by the Customer (there may be circumstances where a driver may help a person if requested); any such wheelchair or similar type vehicle which, if in the opinion of the service provider, is in poor condition, e.g. flat tires.

DRIVER CODE OF CONDUCT

The responsibility for driver behaviour rests exclusively with the service contractor. The contractor agrees to provide and supervise drivers to operate vehicles, including back-up drivers, in accordance with the terms and conditions of the contract including in accordance with all operational rules and/or regulations, as determined by the County of Brant from time to time.

Comments: This sounds like the provision is a “from time to time” provision rather than the County reviewing the provision from time to time. Again, proofreading should have caught this awkward phrasing which I don’t think means what it was intended to mean????

Driver behaviour that is contrary to the safe, effective and efficient delivery of the service will not be tolerated. This includes but is not limited to inappropriate conduct with Customers, unsafe driving practices, unsafe boarding, securement and deboarding of Customers, inappropriate language, and/or general rowdiness.

Drivers are required to adhere to all policies, procedures and/or rules governing the provision of the service. For greater clarification and without limiting the generality of the foregoing, the following will apply with respect to driver behaviour.

- At all times drivers are to conduct themselves as professional transportation providers. This includes, but is not limited to, maintaining a good service attitude, being well-groomed, polite and considerate of the public, and avoiding conflict and/or confrontation with Customers and/or attendants by using effective communication skills.

Comments: And how is this going to be enforced given that one service provider has publically stated (and was not corrected or challenged by Community Service Committee members or staff) that his “drivers don’t want to push those people around, loading and unloading them and that often people with disabilities who are using the current specialized transportation service are yelled at by the other service provider as they use the current service? There does not seem to be any enforcement of even a standard professional code of conduct from non-participants in the current specialized transportation service; what can we expect with a “subsidized transportation program” where no globally accepted standards and common courtesy apply?

- At all times, drivers are to ensure the safety of Customers while vehicle is in service. This includes, but is not limited to, being alert and well rested at all times, making the use of good defensive driving techniques, no illegal drugs or alcohol in their system while on duty, avoiding the use of prescription medications that may impair judgment and/or motor skills, and no use of narcotics or other habit-forming drugs.
- Smoking in the vehicle is prohibited (consistent with County of Brant by-law number L.S.R. 12-215 P.J. 62-474)

Comments: I would include the words “or within X meters of the vehicle as some drivers who smoke do so just outside the taxi. I recognize that passengers may be smokers and there will be some second hand smoke smells in the vehicle, however, there also needs to be clear direction that smoking is not to take place within X meters of the vehicle and that the windows should be rolled up to avoid smoke from entering the vehicle due to wind.

- Drivers will not distribute literature or other such items in the vehicles, without the prior approval of the County of Brant.
- Drivers will be personable with Customers but not personal. This includes, but is not limited to, not asking personal questions or giving personal information about themselves or others, not encouraging or initiating flirtations with Customers, telling or encouraging other to tell jokes with sexual, racial, ethnic or gender connotations, and gossiping or making negative comments about Customers, office staff, management, other drivers, contractors or others.

ACCESSIBILITY TRAINING

STP providers shall conduct employee and volunteer accessibility training.

O. Reg. 191/11, s. 36 (1). In consultation with the County of Brant Accessibility Coordinator.

(2) The accessibility training shall include training on,

- (a) the safe use of accessibility equipment and features;
- (b) acceptable modifications to procedures in situations where temporary barriers exist or accessibility equipment on a vehicle fails; and

(c) emergency preparedness and response procedures that provide for the safety of persons with disabilities. O. Reg. 191/11, s. 36 (2).

(3) STP providers shall keep a record of the training provided under this section, including the dates on which the training is provided and the number of individuals to whom it is provided. O. Reg. 191/11, s. 36 (3).

Links

Customer Service Standard, Ontario Regulation 429/07:

<http://www.elaws.gov.on.ca/html/source/regs/english/2007/elaws>

Accessibility for Ontarians with Disabilities Act, 2005:

<http://www.mcass.gov.on.ca/en/mcass/programs/accessibility/customerService/>

Ministry of Community and Social Services:

<http://www.mcass.gov.on.ca/mcass/english/pillars/accessibilityOntario>

AccessON:

www.accesson.ca

Legislation Requirements

The following are helpful resources in understanding the legislation around human rights and legislation specific to Ontario.

Canadian Charter of Rights and Freedoms

<http://www.pch.gc.ca/pgm/pdp-hrp/canada/frdm-eng.cfm>

Ontario Human Rights Code

http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90h19 e.htm

Ontarian's with Disabilities Act 2001

http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_01o32 e.htm

Accessibility for Ontarians with Disabilities Act 2005

http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_05a11 e.htm

Ontario Regulation 429/07 Accessibility Standards for Customer Service
http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_070429_e.htm

Ontario Regulation 191/11 (Accessible Ontarians with Disabilities Act) Integrated Accessibility Standards (Information Communications, Transportation and Employment) [http://www.e-](http://www.e-laws.gov.on.ca/html/source/regs/english/2011/elaws_src_regs_r11191_e.htm)

[laws.gov.on.ca/html/source/regs/english/2011/elaws_src_regs_r11191_e.htm](http://www.e-laws.gov.on.ca/html/source/regs/english/2011/elaws_src_regs_r11191_e.htm) Accessible

Ontarians with Disabilities Act

Built Environment Standards have not been released as of the date of this plan.
http://www.mcsc.gov.on.ca/en/mcsc/programs/accessibility/other_standards/built_environment/index.aspx (This is the Ministry web site where information on the built environment standards will be posted.)

Comments/Questions on this document can be directed to the Accessibility Coordinator at 519-442-1818