

TORONTO TRANSIT COMMISSION REPORT NO.

MEETING DATE: January 21, 2009

SUBJECT: AMENDMENT TO THE TERMS OF REFERENCE FOR THE
ADVISORY COMMITTEE ON ACCESSIBLE TRANSPORTATION

ACTION ITEM

RECOMMENDATION

It is recommended that the Commission approve two (2) revisions to the ACAT Terms of Reference. The revisions address the attendance of Committee members at monthly meetings and the reapplying for membership at the end of a term.

BACKGROUND

The Advisory Committee on Accessible Transportation (ACAT) was established in 1992 to provide a mechanism for ongoing public participation on accessible transportation. In accordance with the ACAT Terms of Reference, any amendment to the Terms of Reference may be made by submission in writing to the Chair by any member of the Advisory Committee and only recommendations approved by the majority of the Advisory Committee shall be forwarded to the Commission for consideration.

DISCUSSION

During the past year, ACAT members requested that the Executive and TTC Staff review the process for regular attendance at meetings and filling vacancies in the event that a member leaves.

In 2008, several members did not attend meetings on a regular basis and, as a result, the Executive and TTC Staff were asked to establish a fair and equitable process to deal with attendance at meetings. Currently, there is no process for replacing members who do not attend meetings on a regular basis. In order to address the many issues impacting accessible transportation, full member participation at scheduled meetings is important.

The current Terms of Reference states that a retired member may reapply after a one (1) year absence from the Advisory Committee. In 2008, two (2) members resigned before the completion of their third year creating vacancies that needed to be filled. The ACAT Pool (reserve) members who were asked to fill these vacancies initially declined because they did not want to have to serve the mandatory period of absence, given that they would be acting as members for a period of only two (2) months.

At the December 11, 2008 meeting, ACAT approved a motion requesting the Commission amend the Terms of Reference to include the following:

1. A member will be removed and a vacancy declared when three (3) meetings are missed during a calendar year without that member providing reasonable cause. All members have the right to appeal the decision.
2. Any member serving a term of twelve (12) months or less can reapply for a full term without serving a one (1) year absence from the Advisory Committee.

These proposed amendments are included in the attached revised Terms of Reference and are supported by ACAT and Commission staff alike, and will help to clarify the importance of attendance at Committee meetings as well as ensuring that vacancies get filled promptly.

JUSTIFICATION

Revisions to the ACAT Terms of Reference will promote a fair and equitable process to address the attendance at meetings and replacement of members.

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January 9, 2008
18-58-58
Attachment: ACAT Terms of Reference with Revisions



**Toronto Transit
Commission**

**ADVISORY COMMITTEE
ON
ACCESSIBLE TRANSPORTATION**

TERMS OF REFERENCE

JANUARY 2009



ADVISORY COMMITTEE ON ACCESSIBLE TRANSPORTATION TERMS OF REFERENCE

Reporting to the Toronto Transit Commission, the Advisory Committee on Accessible Transportation shall be established as an advisory committee of the Commission to provide a mechanism for ongoing public participation in accessible transportation in the City of Toronto on a voluntary basis.

1. COMMITTEE ROLE

- 1.1 Represent the needs and concerns of persons with disabilities and seniors who use Commission services.
- 1.2 Provide guidance to the Commission on the provision of accessible public transportation.
- 1.3 Advise the Commission on policy issues for services pertaining to the interests of persons with disabilities and seniors.
- 1.4 Aid Commission staff in providing consultation, education, and advice related to persons with disabilities, seniors, and the community-at-large.

2. MEMBERSHIP

- 2.1 Membership shall be open to interested residents of City of Toronto who use Commission services (occasional, frequent, or regular customers) and shall represent the following:
 - a. Disability type: representation from a broad spectrum of persons with disabilities; i.e. physical, sensory, communication.
 - b. A minimum of two (2) seniors.
 - c. A maximum of two (2) other persons exclusive of (a) and (b).
- 2.2 The Advisory Committee shall be composed of fifteen (15) members, exclusive of the Ex-Officio member(s) identified in (3) below.
- 2.3 Ex-Officio members of the Advisory Committee are as follows:
 - a. A member of the Toronto Transit Commission, appointed by the Commission, shall serve as an Ex-Officio member of the Advisory Committee.

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- b. Past Chair Proviso - Should the Chair be scheduled to leave the Committee, this individual shall serve in an ex-officio capacity for one-year prior to retiring.
- c. In the event the position of Ex-Officio (Past Chair Proviso) becomes vacant, a retired ACAT executive member may be appointed.

2.4 Members shall be appointed for a three (3) year term, with 1/3 of the Advisory Committee members retired and replaced each year.

2.5 Retired members may reapply after a one (1) year absence from the Advisory Committee; this includes the Ex-Officio member.

NEW

If a member has served a term of twelve (12) months or less (pool member replacement), they can reapply without serving the one (1) year absence.

2.6 A vacancy may be declared at such time that:

- a. A member submits a letter of resignation or is otherwise unable to complete his/her term, and/or

NEW

- b. ***A member has been removed for missing three (3) meetings within a year without providing reasonable cause acceptable to TTC staff and ACAT Executive. Reasonable cause will include but not be limited to illness or injury for which regards are extended, specialist appointments that can not be rescheduled, deaths in the family, breakdown of a member's mobility device.***

If the member wishes to appeal their removal, a meeting will be arranged between the member, the Executive, and a staff representative prior to the next general meeting. A decision will be made to:

- ***Reinstate the member. Any subsequent missed meetings without reasonable cause will result in the permanent removal of the member.***
- ***Uphold the decision to remove the member.***
- c. A member is found to be in violation with the Terms of Reference and/or protocols of the ACAT.
- d. Any such vacancies shall be filled as soon as possible. The new member shall serve for the balance of the term of the member replaced.



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- e. If a vacancy of any Executive position occurs as a result of resignation, death, and/or removal, the following process will be followed:
 - 1. Chair: One of the two Vice Chairs will move into the Chair position, based on discussion between the two Vice Chairs and TTC staff. A decision will be based on length of service, time availability, and skill base, as agreed upon. Vice Chairs can agree to co-chair if it will best serve the needs of the ACAT.
 - 2. Vice-Chairs: To ensure continuity and to allow for members to gain ACAT Executive experience, if one or both of the positions of Vice Chair become vacant, a replacement will be elected by the ACAT Members.

3. SELECTION PROCESS

- 3.1 The membership selection process shall be undertaken with a membership solicitation through advertisement and direct mailings to the community-at-large.
 - a. Persons with disabilities, seniors, and those who have knowledge of and interest in accessible transportation issues, and who are willing to make a commitment to attend and participate in Advisory Committee meetings and other related activities, shall submit letters of application outlining their qualifications.
 - b. For appointments to the Advisory Committee, applications shall be reviewed and be evaluated by a three (3) member selection committee composed of staff representatives from the Commission, City of Toronto, and the Chair or Vice Chair. The selection committee shall submit recommendations for appointment to the Toronto Transit Commission who shall make the final decisions on all appointments.
- 3.2 a. Individuals that are interviewed for potential appointment to ACAT will be asked to submit the following:
 - 1. A brief biographical sketch for inclusion in information packages; and
 - 2. A list of Subcommittees that they are interested in serving on.
- b. On confirmation of appointment to ACAT, the member agrees to the following:
 - 1. adhere to the policies and regulations of the Toronto Transit Commission



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2. adhere to the Terms of Reference and Meeting Procedures of ACAT
3. acknowledge and commitment of time requirements to be a member of ACAT and to serve on ACAT Subcommittees; and
4. participate in an orientation/training session.

4. EXECUTIVE

- 4.1 The Officers shall consist of a Chair and two (2) Vice Chairs. Officers shall be elected by the Committee membership annually, early in the calendar year. For each officer's position, the member with the most votes on a single ballot is declared elected.
- 4.2 Given the complexity of the Chair position and that appointments to ACAT are for a three-year term, and that the Chair is voted in annually, it is advisable that the Chair be an individual that has served on the current ACAT committee for a minimum of one (1) year.
- 4.3 The Chair shall preside at all Advisory Committee meetings, attend Commission meetings and represents the Committee at public functions. The Vice Chairs shall serve in the absence of the Chair.

5. QUORUM AND VOTING

- a. Fifty percent (50%) of the eligible Committee Members plus one (1) constitutes a quorum for the meetings.
- b. Each member is entitled to one vote on each motion.



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5.1 MEETINGS

- a. General Committee meetings will be held monthly or at the call of the Chair.
- b. The Committee will entertain deputations from the public with respect to issues pertaining to accessible transit for persons with disabilities and seniors.

6. COMMISSION STAFFING

- 6.1 Commission staff shall act as a liaison and resource to the Advisory Committee and all other committees convened by the Advisory Committee. As mutually agreed upon by the Committee and staff to ensure expedient responses to recommendations and areas of concern.
- 6.2 Clerical support shall be assigned for the purpose of recording and distributing Committee minutes, meeting notices, correspondence, etc.
- 6.3 The General Superintendent - Wheel-Trans Operations and appropriate staff will provide ongoing support, liaison, and administration to the Advisory Committee and shall attend all meetings of the Advisory Committee. Other Commission staff will be called upon to also attend as issues warrant.

7. AMENDMENTS

Recommendations for amending the Terms of Reference may be made by submission in writing to the Chair by any member of the Advisory Committee. Only recommendations approved by a majority vote of the Advisory Committee shall be forwarded to the Commission for consideration.