

TORONTO TRANSIT COMMISSION REPORT NO.

MEETING DATE: December 14, 2011

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

ACTION ITEM

RECOMMENDATION

It is recommended that the Commission approve revisions to the ACAT Terms of Reference. The revisions address a change to the Committee's name, the appeal process for any member removed from the Committee, the elimination of an ex-officio, the role of "Pool" members, election process for the Executive, the process for accepting a public deputation, and support for members at meetings.

FUNDING

There are no funding implications in this report.

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 clarify:

1. The process whereby a member can appeal their removal from ACAT for excessive absenteeism;
2. The selection process and role of reserve pool members, specifically as it relates to replacing members who are no longer able to fulfill their term;
3. The general meeting that the Executive is to be elected, the process for voting for the Executive, and when a member is eligible to run for the Executive;

4. The role of an ex-officio member and whether it is required; and
5. The fact that attendant support will be provided to ACAT and members of the public at all meetings.

At a Special Meeting held on October 27, 2011, ACAT approved a motion requesting the Commission to amend the Terms of Reference to include/exclude the following:

1. Changing the name of the Committee to the *Advisory Committee on Accessible Transit*, from the current Advisory Committee on Accessible Transportation;
2. The specific steps that a member must follow should they wish to appeal their removal from the Committee due to excessive absenteeism. As well, the process for hearing the appeal and the result stemming from the appeal;
3. A reserve pool member will be selected for a period of one (1) year and may be called on by TTC staff to fill a vacancy during that year;
4. The Executive will be voted for and elected in the month of January at the second meeting held in that month;
5. The role of an ex-officio committee member will cease to exist; and
6. TTC Staff will provide attendant care to assist ACAT members as well as the public at all meetings.

These proposed amendments are included in the attached revised Terms of Reference and are supported by ACAT and Commission staff alike.

JUSTIFICATION

Revisions to the ACAT Terms of Reference will help to better define the process of appeal for members being removed for excessive absenteeism, clarify the selection process for the Executive, and detail the role of the reserve pool members.

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November 16, 2011
18-58-58

Attachment: Appendix A - Revised ACAT Terms of Reference
Appendix B – ACAT Terms of Reference Marked Up Copy

“APPENDIX A”

ADVISORY COMMITTEE ON ACCESSIBLE TRANSIT TERMS OF REFERENCE

The Advisory Committee on Accessible Transit (ACAT), includes Toronto citizens who, advise the members of the Toronto Transit Commission (TTC) on difficulties faced by people with disabilities and seniors, and recommends the elimination of barriers to accessible public transit in the City of Toronto.

1. ADVISORY COMMITTEE’S ROLE

Members of this volunteer Committee shall:

- 1.1 Represent the needs and concerns of persons with disabilities and seniors who use public transit services provided by the Commission.
- 1.2 Provide advice to the Commission for the provision of accessible public transit.
- 1.3 Advise the Commission on necessary policy issues for services which pertains to the interests of persons with disabilities and seniors.
- 1.4 Support Commission staff in providing consultation, education, and advice to persons with disabilities, seniors, and the community at large.

2. ACAT MEMBERSHIP

Membership in ACAT shall be open to interested residents of the City of Toronto who use TTC services — occasionally, frequently or regularly.

The Advisory Committee shall be composed of fifteen (15) members including:

- a. Persons with physical, sensory or communication disabilities.
 - b. A minimum of two (2) shall be seniors.
 - c. A maximum of two (2) other persons exclusive of those identified in (2a).
- 2.1 Members of the Advisory Committee shall be appointed for up to a three-year (3) term and one-third of the membership shall be replaced each year.
 - 2.2 Retired members may reapply for a subsequent term following a one-year absence from ACAT.

**ADVISORY COMMITTEE ON ACCESSIBLE TRANSIT
TERMS OF REFERENCE**

COMMITTEE VACANCY

A vacancy may be declared at such time that:

- a. An ACAT member submits a letter of resignation or is otherwise unable to complete his/her term,
- b. An ACAT member has been removed having missed three (3) ACAT General or Special meetings within a year without providing reasonable cause acceptable to TTC staff and the ACAT Executive. Reasonable cause will include, but is not limited to, illness or injury, specialist appointments that cannot be rescheduled, deaths in the family, breakdown of a member's mobility device.
- c. An ACAT member is found to be in violation of the ACAT Terms of Reference.

REMOVAL PROCESS

The member will meet with the Chair or his/her designate, and Wheel-Trans staff person and is given the opportunity to resign or he/she will be removed.

APPEAL PROCESS

If the member wishes to appeal his/her removal from ACAT, a meeting will be arranged between the member, the Executive, and a Wheel-Trans staff representative prior to the next ACAT General meeting. The decision may:

- a. Be reversed; or
- b. Be upheld and the member removed;
- c. Reinstate the member with the condition that subsequent transgressions will result in the permanent removal of the member from ACAT, or
- d. Reinstate the member and advise him/her that subsequent missed meetings, without reasonable cause, will result in the permanent removal of the member from ACAT.

The member will be advised of the decision, in writing, and signed by the members of the appeal panel.

MEMBER VACANCIES

Vacancies on ACAT shall be filled as soon as possible, and the new member shall serve for the balance of the term of the member being replaced.

**ADVISORY COMMITTEE ON ACCESSIBLE TRANSIT
TERMS OF REFERENCE**

EXECUTIVE VACANCY

Executive vacancies occur as a result of resignation, death, or removal. The following process will be followed to fill the vacancy:

- a. *Chair*: One of the two Vice Chairs will become Chair, based on discussion between the two Vice Chairs and TTC staff. The decision as to who becomes ACAT Chair will be based on the individual's length of service, available time, and accompanying skills, as agreed by all three parties. Vice Chairs may agree to co-chair should that best serve the needs of ACAT.
- b. *Vice-Chairs*: To ensure continuity and to allow for members to gain experience on the ACAT Executive, if one or both of the positions of Vice Chair become vacant, a replacement will be elected (from the membership) by ACAT.

3. SELECTION AND APPOINTMENT PROCESS

3.1 The membership selection process shall be undertaken with a membership solicitation to the public through advertisement in local newspapers and/or other forms of communication available to the Toronto Transit Commission.

- a. Persons with disabilities, seniors, and those who have knowledge of and interest in accessible transit issues, and who are willing to make a commitment (of time) to attend and participate in the Advisory Committee and Subcommittee meetings, and other related activities, shall submit a completed application form outlining their qualifications (and interest in joining ACAT) after attending an advertised information session.
- b. Selected applicants shall be interviewed and evaluated by a 3-member committee, including a staff representative from the Commission, personnel from the City of Toronto, and the ACAT's Chair or Vice Chair.

The selection committee shall make its recommendations to the Toronto Transit Commission whose members shall make the final decision and appointments to ACAT.

- c. In addition to those applicants appointed to the ACAT membership, other qualified individuals will be identified as Pool members and appointed to the Pool for that year. Anyone of whom may be called on by TTC staff to fill a vacancy in the course of a year.

A member from the Pool who fills a vacancy for less than twelve (12) months may reapply without serving the one (1) year absence from the ACAT membership requirement.

3.2 Individuals who are recommended for an appointment to ACAT will be invited to submit a brief biography for inclusion in information packages.

**ADVISORY COMMITTEE ON ACCESSIBLE TRANSIT
TERMS OF REFERENCE**

AGREEMENT

Individuals appointed to membership in ACAT or its Pool agree to the following:

- a. Adhere to and respect Toronto Transit Commission personnel, its policies, and regulations.
- b. Respect for ACAT colleagues.
- c. Adhere to ACAT's Terms of Reference and its procedures for Committee and Subcommittee meetings.
- d. Follow ACAT Member Guidelines.

NEW MEMBER ORIENTATION

Individuals, who are appointed by the Commission, will attend an orientation on the roles and responsibilities of the Committee. They will be provided with current information on subcommittees and will be given the Terms of Reference, Subcommittee Guidelines, Meeting Protocols, and other pertinent documents.

4. EXECUTIVE

- 4.1 The Officers shall consist of a Chair and two (2) Vice Chairs. Officers shall be elected by the ACAT Committee membership at its January meeting of the calendar year. For each officer's position, the member with the most votes on a single secret ballot is declared elected.

In the event there is a tie, a second vote will take place. If there is still a tie, then the Chair will be determined by drawing straws (longer straw wins).

- 4.2 Given the complexity of the Chair position and that appointments to ACAT are for a three (3)-year term, and that the Chair is voted annually, the Chair shall 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 ACAT General and Special meetings, attend Commission meetings, and represent the Committee at public functions. The Vice Chairs shall serve in the absence of the Chair.
- 4.4 The Vice Chair(s) will accompany the Chair when he/she meets with the Chair of the Toronto Transit Commission.

**ADVISORY COMMITTEE ON ACCESSIBLE TRANSIT
TERMS OF REFERENCE**

5. QUORUM AND VOTING

- a. Eight (8) of the eligible Committee Members constitute a quorum for every ACAT General or Special meeting of members.
- b. Each member is entitled to one vote on each motion.

5.1 MEETINGS

- a. General Committee meetings shall be held monthly or at the call of the Chair. The exception will be in the month of January where two (2) meetings will be held to facilitate the election of the Executive.
- b. The Committee will entertain deputations from the public, with respect to issues pertaining to accessible transit for persons with disabilities and seniors. Each deputation shall not exceed five (5) minutes in length.

A deputant must make the request for a deputation ten (10) days prior to the upcoming ACAT meeting, and must provide a brief written overview of the topic/s to be addressed.

6. COMMISSION STAFFING

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

Support will be provided at all ACAT General and Subcommittee meetings, as required and requested (including, but not limited to, personal support workers), to assist with the accommodation of the ACAT members and the public.

**ADVISORY COMMITTEE ON ACCESSIBLE TRANSIT
TERMS OF REFERENCE**

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.

7.1 GOVERNANCE PROCEDURES

ACAT and its Subcommittees meetings are governed for process and procedures by ACAT Meeting Protocols, Guidelines, and these Terms of Reference.

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"APPENDIX B"

ADVISORY COMMITTEE ON ACCESSIBLE TRANSPORTATION-TRANSIT 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.~~

The Advisory Committee on Accessible Transit (ACAT), includes Toronto citizens who, advise the members of the Toronto Transit Commission (TTC) on difficulties faced by people with disabilities and seniors, and recommends the elimination of barriers to accessible public transit in the City of Toronto.

1. ADVISORY COMMITTEE'S ROLE

Members of this volunteer Committee shall:

1.1 Represent the needs and concerns of persons with disabilities and seniors who use *public transit services provided by the Commission services.*

1.2 Provide *advice guidance* to the Commission on the provision of accessible public ~~transportation transit.~~

1.3 Advise the Commission on *necessary* policy issues for services *which pertains* pertaining to the interests of persons with disabilities and seniors.

1.4 ~~Aid Support~~ Commission staff in providing consultation, education, and advice related to persons with disabilities, seniors, and the community-at-large.

2. ACAT MEMBERSHIP

~~2.1~~ Membership shall be open to interested residents of City of Toronto who use ~~Commission TTC services - occasional, frequent, or regularly. customers) and shall represent the following:~~

The Advisory Committee shall be composed of fifteen (15) members including:

a. ~~Disability type: representation from a broad spectrum of persons with disabilities; i.e. physical, sensory, communication. Persons with physical, sensory or commnication disabilities.~~

b. A minimum of two (2) *shall be* seniors.

c. A maximum of two (2) other persons exclusive of ~~(a) and (b) those identified in (2a).~~

**ADVISORY COMMITTEE ON ACCESSIBLE TRANSIT
TERMS OF REFERENCE**

~~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.~~

~~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 2.1 Members of the Advisory Committee shall be appointed for up to a three (3) year term, with and one-third of the Advisory Committee members retired and membership shall be replaced each year.~~

~~2.3 2.5 2.2 Retired members may reapply after a one (1) year absence from the Advisory Committee; this includes the Ex-Officio member. for a subsequent term following a one-year absence from ACAT.~~

~~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.~~

COMMITTEE VACANCY

~~2.6 A vacancy may be declared at such time that:~~

~~a. An ACAT member submits a letter of resignation or is otherwise unable to complete his/her term, and/or~~

~~b. An ACAT member has been removed for missing three (3) *General or Special* meetings within a year without providing reasonable cause acceptable to TTC staff and ACAT Executive. Reasonable cause will include but *is* not be limited to, illness or injury for which regards are extended, specialist appointments that cannot 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:~~

- ~~• Reinstatement of 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. An ACAT member is found to be in violation with of the Terms of Reference, and/or protocols of the ACAT.~~

**ADVISORY COMMITTEE ON ACCESSIBLE TRANSIT
TERMS OF REFERENCE**

REMOVAL PROCESS

The member will meet with the Chair or his/her designate, and Wheel-Trans staff person and is given the opportunity to resign or he/she will be removed.

APPEAL PROCESS

If the member wishes to appeal his/her removal from ACAT, a meeting will be arranged between the member, the Executive, and a Wheel-Trans staff representative prior to the next ACAT General meeting. The decision may:

- e. Be reversed; or*
- f. Be upheld and the member removed;*
- g. Reinstatement of the member with the condition that subsequent transgressions will result in the permanent removal of the member from ACAT, or*
- h. Reinstatement of the member and advise him/her that subsequent missed meetings, without reasonable cause, will result in the permanent removal of the member from ACAT.*

The member will be advised of the decision, in writing, and signed by the members of the appeal panel.

MEMBER VACANCIES

~~d. Any such~~ Vacancies on ACAT shall be filled as soon as possible, ~~The~~ and the new member shall serve for the balance of the term of the member *being* replaced.

EXECUTIVE VACANCY

~~e. If a vacancy of any Executive position~~ vacancies occurs as a result of resignation, death, and/or removal. ~~†~~The following process will be followed *to fill the vacancy*:

~~1. a. Chair: One of the two Vice Chairs will move into the~~ *become* Chair position, based on discussion between the two Vice Chairs and TTC staff. ~~A~~ *The decision as to who becomes ACAT Chair will be based on the individual's length of service, time availability available time, and accompanying skills base, as agreed upon by all three parties.* Vice Chairs ~~can~~ may agree to co-chair ~~if it will~~ *should that* best serve the needs of ~~the~~ ACAT.

2. Vice-Chairs: To ensure continuity and to allow for members to gain ACAT Executive experience *on the ACAT Executive*, if one or both of the positions of Vice Chair become vacant, a replacement will be elected *(from the membership)* by ~~the~~ ACAT ~~Members~~.

**ADVISORY COMMITTEE ON ACCESSIBLE TRANSIT
TERMS OF REFERENCE**

3. SELECTION AND APPOINTMENT PROCESS

3.1 The membership selection process shall be undertaken with a membership solicitation *to the public* through advertisement and ~~direct mailings to the community at large, in local newspapers and/or other forms of communication available to the Toronto Transit Commission.~~

a. Persons with disabilities, seniors, and those who have knowledge of and interest in accessible ~~transportation~~ *transit* issues, and who are willing to make a commitment (*of time*) to attend and participate in Advisory Committee *and Subcommittee* meetings, and other related activities, shall submit ~~letters of a completed~~ application outlining their qualifications (*and interest in joining ACAT*) *after attending an advertised information session.*

b. ~~For appointments to the Advisory Committee, applications shall be reviewed and be Selected applicants shall be interviewed and~~ evaluated by a three (3) member ~~selection committee composed of including a~~ staff representatives from the Commission, *personnel from the City of Toronto, and the ACAT's Chair or Vice Chair.*

The selection committee shall ~~submit~~ *make its* recommendations ~~for appointment to the Toronto Transit Commission whose members shall make the final decisions on all and~~ appointments *to ACAT.*

c. *In addition to those applicants appointed to the ACAT membership, other qualified individuals will be identified as Pool members and appointed to the Pool for that year. Anyone of whom may be called on by TTC staff to fill a vacancy in the course of a year.*

A member from the Pool who fills a vacancy for less than twelve (12) months may reapply without serving the one (1) year absence from the ACAT membership requirement.

3.2 ~~a) Individuals that are interviewed for potential who are recommended for an appointment to ACAT will be invited to submit a brief biography for inclusion in information packages. 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.~~

AGREEMENT

b) ~~On confirmation of appointment to ACAT, the member agrees to the following:~~
Individuals appointed to membership in ACAT or its Pool agree to the following:

4. a. Adhere to *and respect Toronto Transit Commission personnel, its the* policies and regulations. ~~of the Toronto Transit Commission~~

b. *Respect for ACAT colleagues.*

**ADVISORY COMMITTEE ON ACCESSIBLE TRANSIT
TERMS OF REFERENCE**

~~2. c. Adhere to the ACAT's Terms of Reference and Meeting Procedures of ACAT its procedures for Committee and Subcommittee meetings.~~

~~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.~~

d. Follow ACAT Member Guidelines.

NEW MEMBER ORIENTATION

Individuals, who are appointed by the Commission, will attend an orientation on the roles and responsibilities of the Committee. They will be provided with current information on subcommittees and will be given the Terms of Reference, Subcommittee Guidelines, Meeting Protocols, and other pertinent documents.

4. EXECUTIVE

4.1 The Officers shall consist of a Chair and two (2) Vice Chairs. Officers shall be elected by the ACAT Committee membership ~~annually, early in~~ *at its January meeting of the* calendar year. For each officer's position, the member with the most votes on a single ballot is declared elected.

In the event there is a tie, a second vote will take place. If there is still a tie, then the Chair will be determined by drawing straws (longer straw wins).

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 *shall* 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~~ *ACAT General and Special* meetings, attend Commission meetings, and represents the Committee at public functions. The Vice Chairs shall serve in the absence of the Chair.

4.4 The Vice Chair(s) will accompany the Chair when he/she meets with the Chair of the Toronto Transit Commission.

5. QUORUM AND VOTING

a. ~~Fifty percent (50%) Eight~~ of the eligible Committee Members ~~plus one (1)~~ constitutes a quorum for ~~the every~~ *ACAT General or Special* meeting of members.

b. Each member is entitled to one vote on each motion.

**ADVISORY COMMITTEE ON ACCESSIBLE TRANSIT
TERMS OF REFERENCE**

5.1 MEETINGS

a. General Committee meetings will be held monthly or at the call of the Chair. *The exception will be in the month of January where two (2) meetings will be held to facilitate the election of the Executive.*

b. The Committee will entertain deputations from the public, with respect to issues pertaining to accessible transit for persons with disabilities and seniors. *Each deputation shall not exceed five (5) minutes in length.*

A deputant must make the request for a deputation ten (10) days prior to the upcoming ACAT meeting, and must provide a brief written overview of the topic/s to be addressed.

6. COMMISSION STAFFING

6.1 ~~Commission~~ TTC staff shall act as a liaison and resource to the Advisory Committee and all other *subcommittees* convened by the ~~Advisory Committee~~. ~~A ACAT, 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 *by Wheel-Trans staff* for the purpose of recording and distributing *Committee and Subcommittee* minutes, meeting notices, correspondence, etc.

6.3 The General Superintendent *of Wheel-Trans Operations* and *its* appropriate staff will provide ongoing support, liaison, and administration to the Advisory Committee and *they* shall attend all meetings of the Advisory Committee. Other Commission staff will *also* be called upon to ~~also~~ attend as issues warrant.

Support will be provided at all ACAT General and Subcommittee meetings, as required and requested (including, but not limited to, personal support workers), to assist with the accommodation of the ACAT members and the public.

**ADVISORY COMMITTEE ON ACCESSIBLE TRANSIT
TERMS OF REFERENCE**

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.

7.1 GOVERNANCE PROCEDURES

ACAT and its Subcommittees meetings are governed for process and procedures by ACAT Meeting Protocols, Guidelines, and these Terms of Reference.