



Amendment to the Advisory Committee on Accessible Transit (ACAT) Terms of Reference

Date: June 23, 2022
To: TTC Board
From: Chief Operating Officer

Summary

This report addresses revisions to the TTC's Advisory Committee on Accessible Transit (ACAT) Terms of Reference since its last update in 2016. In particular, updating the language to be more inclusive and equitable, include technological changes and remuneration.

ACAT provides a mechanism for ongoing public participation in decisions affecting accessible transit in the city of Toronto. The Committee is comprised of volunteer members and reports to the Board of the Toronto Transit Commission.

Recommendations

It is recommended that the TTC Board:

1. Approve the amendment to the ACAT Terms of Reference, which addresses the following matters:
 - a. General housekeeping amendments that address various wording changes to modernize corporate terminology and language in a more inclusive and equitable manner.
 - b. Include provisions for electronic participation when in-person meetings are not viable once an emergency is declared in all or part of the city and as means to accommodate ACAT members when possible.
 - c. Include Remuneration (section 12) as it was not previously specified.

Financial Summary

The 2022 approved ACAT Remuneration budget is \$15,800. This amendment to the ACAT Terms of Reference will have no impact to the TTC's approved 2022 Operating Budget.

The Chief Financial Officer has reviewed this report and agrees with the financial summary information.

Equity/Accessibility Matters

ACAT was established in 1992 to provide a mechanism for ongoing public participation on matters pertaining to accessible public transit in the city of Toronto. Such matters include the removal of barriers to accessibility and improving the customer experience for persons with disabilities and seniors. Working with the TTC's Racial Equity Office, we have updated our application and recruitment process to attract candidates with intersectional identities, including those from the Indigenous and Black communities and racialized people with disabilities.

ACAT is comprised of 15 members, of which at least eight must meet the definition of disability under the Ontario Human Rights Code. Several kinds of disabilities may be represented by these persons, including but not limited to: physical or mobility, visual, hearing, communication, learning, mental health (psychological/psychiatric), cognitive and intellectual/developmental disabilities. In addition, the Committee also seeks representation from: seniors, Indigenous and Black communities; racialized people with disabilities; 2SLGBTQ+ representation and advocates for persons with disabilities; or people who have demonstrated knowledge of and interest in accessible transit issues.

Decision History

At its November 30, 2016 meeting, the TTC Board approved amendments to the ACAT Terms of Reference to update ACAT's membership requirements in accordance with the Ontario Human Rights Code definition of disability, as well as to increase the maximum number of advocates for people with disabilities on the Committee.

[Staff Report – Amendment to the Terms of Reference for the Advisory Committee on Accessible Transit \(ACAT\)](#)

[Decision – Amendment to the Terms of Reference for the Advisory Committee on Accessible Transit \(ACAT\)](#)

At its November 29, 2021 meeting, the Board approved ACAT's new member recruitment process to include an online option on a permanent basis in order to broaden the pool of potential applicants and remove barriers to joining the Committee.

[Staff Report – Appointment of Members to the Advisory Committee on Accessible Transit \(ACAT\)](#)

[Decision – Appointment of Members to the Advisory Committee on Accessible Transit \(ACAT\)](#)

Issue Background

Reporting to the TTC Board, ACAT's role is to:

- Represent the needs and concerns of persons with disabilities and seniors who use TTC services.
- Provide advice to the TTC Board and TTC staff on the provision of accessible public transit.
- Advise the TTC on policy issues for service pertaining to the interest of persons with disabilities and seniors.
- Support TTC staff in providing consultation, education and advice related to persons with disabilities, seniors and the community-at-large.

In keeping with the ACAT Terms of Reference, section 2.2, membership is comprised of 15 individuals who use TTC services and represent a broad spectrum of persons with disabilities, seniors and advocates for persons with disabilities. Members must be residents of the city of Toronto and appointments are for a three-year term with one third of the members retired and replaced each year. The application and recruitment process has been updated based on recommendations from the Racial Equity Office to include and expand outreach to Indigenous, Black and racialized people with disabilities.

A pool of two-to-four people is also established each year to draw from in the event an ACAT member cannot complete their three-year term. Pool members participate on one ACAT subcommittee as a means to learn more about the Committee and to keep current on ACAT activities. If not selected to replace an ACAT member during the year, pool members may reapply again for membership for the following year.

Comments

During 2021, TTC staff worked collaboratively with the ACAT Executive to develop revisions to the ACAT Terms of Reference to ensure that the Committee continues to function effectively on an ongoing basis.

ACAT unanimously approved a motion at their meeting on February 24, 2022 recommending to the Board that the ACAT Terms of References be amended to address the following matters:

- a. General housekeeping amendments that address various wording changes to modernize corporate terminology and language in a more inclusive and equitable manner.
- b. Include provisions for electronic participation when in-person meetings are not viable once an emergency is declared in all or part of the city and as means to accommodate ACAT members when possible.
- c. Include Remuneration (section 12) as it was not previously specified.

Remuneration offered to all members include the option to select either an annual TTC Monthly Pass or have travel cost for ACAT-related business reimbursed. The ACAT Chair is issued an honorarium for each month that they serve in capacity as Chair.

The proposed amendments are included in the attached revised ACAT Terms of Reference (Attachment 1) and are supported by ACAT and TTC staff. Once approved, the revised ACAT Terms of Reference will take effect in January 2023. The criteria used in the interview and selection process for the new ACAT members for 2023 will be based on the revised Terms of Reference.

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Signature

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Chief Operating Officer

Attachments

Attachment 1 – Revised ACAT Terms of Reference

Attachment 1

ACAT Terms of Reference

The Advisory Committee on Accessible Transit (ACAT) is comprised of residents of Toronto who provide advice and recommendations to the Toronto Transit Commission (TTC) Board and TTC staff on matters pertaining to accessible public transit in the city of Toronto. Such matters include the removal of barriers to accessibility and improving the customer experience for persons with disabilities and seniors.

1. ACAT's Role

1.1 Members of ACAT shall:

- a. Represent the needs and concerns of persons with disabilities and seniors who use public transit provided by the TTC.
- b. Provide advice to the TTC Board and TTC staff for the provision of accessible public transit.
- c. Advise the TTC Board and TTC staff on necessary policy issues for service(s), which pertains to the interests of persons with disabilities and seniors.
- d. Support TTC staff in providing consultation, education and advice to persons with disabilities, seniors and the community at large.
- e. Be familiar with the Accessibility for Ontarians with Disabilities Act (AODA), the Ontario Human Rights Code, and related accessibility standards and/or guidelines and legislation as they pertain to public transit.

1.2 ACAT will address broad systemic issues only, and not individual customer complaints.

2. ACAT Membership

2.1 Membership in ACAT shall be open to interested residents of the city of Toronto who use TTC services. Current employees of the TTC are not eligible to apply for ACAT membership. Current employees of the City of Toronto, Metrolinx or Province of Ontario are not eligible to apply for ACAT if membership would result in a conflict of interest with their employment.

2.2 ACAT shall be comprised of 15 members consisting of:

- a. At least eight persons with self-identified disabilities, as defined by the definition of "disability" under the Ontario Human Rights Code, including but not limited to: physical or mobility, visual, hearing, communication, learning, mental health, cognitive and intellectual/developmental disabilities.
- b. A minimum of two seniors (of age 65 or older).

- c. A maximum of five other persons, exclusive of those identified in Section 2.2 a) and 2.2 b), who are advocates for persons with disabilities or who have a demonstrated knowledge of and interest in accessible transit issues.
 - 2.3 Members of ACAT shall be appointed for up to a three-year term. One-third ($\frac{1}{3}$) of the 15 members shall be replaced each year.
 - 2.4 Retired ACAT members may reapply for a subsequent term following a one-year absence from ACAT.
 - 2.5 Pool Members: In addition, each year, applicants will be appointed to a pool of qualified applicants (ACAT Pool) for that year. An ACAT Pool member may be called on by the ACAT Executive and TTC staff to fill a vacancy in the course of a year. An ACAT Pool member who fills a vacancy for less than 12 months may reapply to ACAT the following year. The one-year absence is waived.
3. Selection and Appointment Process
 - 3.1 The selection process for ACAT membership shall be undertaken via public solicitation using communication channels available to the TTC.
 - 3.2 Candidates must either attend an information session or review information made available online in order to be eligible to apply for ACAT membership.
 - 3.3 Individuals that meet the membership criteria, as described in Section 2.2 and who are willing and able to make the time commitment to attend and participate in ACAT meetings and related activities, must submit a completed application. Applications can be submitted either by mail, e-mail or in other formats as determined or agreed to by the TTC.
 - 3.4 Selected candidates shall be interviewed and evaluated by a four-member selection panel, which is comprised of two TTC staff representatives, a member of TTC's Human Rights and Investigations Department and ACAT's Chair or Vice-Chair. The selection panel will evaluate applicants based on their relevant work and educational experience, familiarity with public transit accessibility, and experience working on boards and/or committees with a focus on accessibility.
 - 3.5 Individuals who are recommended for appointment to ACAT will be invited to submit a brief biography for the purpose to include in information packages for the TTC Board and ACAT members.
 - 3.6 The selection panel shall make their recommendations to the TTC Board to appoint the incoming members to ACAT.
 - 3.7 Individuals who are appointed to ACAT will receive the ACAT Members' Manual and will attend an orientation session outlining the roles and responsibilities of ACAT membership, including the following:
 - ACAT Subcommittee roles and responsibilities
 - Guidelines for presenters at ACAT meetings
 - AODA accessibility standards training
 - Accommodation

4. Attendance and Vacancies

- 4.1 ACAT members are expected to attend all meetings held during the year, unless they provide “reasonable cause” for missing a meeting that is acceptable to members of the ACAT Executive and TTC staff. Reasonable cause includes, but is not limited to:
- Illness or injury
 - Specialist appointments that cannot be rescheduled
 - Employment-related travel
 - Death or serious illness of a family member
 - Breakdown of a member’s mobility device
- 4.2 Members will make reasonable efforts to ensure that their employment, volunteer and other personal responsibilities do not interfere with their commitment to attend ACAT General Meetings, including subcommittee meetings.
- 4.3 Members shall advise the ACAT Chair and TTC staff of their anticipated absence prior to a scheduled meeting.
- 4.4. A vacancy may be declared at such time that:
- a. An ACAT member submits a letter of resignation or is otherwise unable to complete their term.
 - b. An ACAT member has been removed from ACAT having missed three ACAT General meetings or more than 25 per cent of subcommittee meetings within a year without providing reasonable cause acceptable to the ACAT Executive and TTC staff, as noted in Section 4.1.
 - c. An ACAT member is found to be in violation of the ACAT Terms of Reference, ACAT Member Guidelines, ACAT Subcommittee Guidelines, ACAT Meeting Protocols and/or other pertinent documents.

4.5 Removal Process

- 4.5.1 The member in question will meet with the ACAT Chair (or their designate) and TTC staff liaison(s), and will be given the opportunity to resign before being removed from ACAT. The Board will be notified once the member has resigned.

4.6 Appeal Process

- 4.6.1 If the member wishes to appeal their removal from ACAT, a meeting will be arranged between the member and an appeal panel consisting of the ACAT Executive(s) and alternative TTC staff liaison(s) not involved in the removal process (4.5.1). The Board will be notified once a final decision has been made.

The appeal panel may decide on one of the following actions:

- a. Reverse the decision to remove the member.

- b. Uphold the decision to remove the member.
- c. Reinstate the member with the condition that subsequent transgressions, including missing meetings without reasonable cause, will result in the permanent removal from ACAT.
- d. Formulate an alternate resolution that is reasonable in the circumstances.

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

4.7 Member Vacancies

4.7.1 Vacancies within ACAT shall be filled by a member of the ACAT Pool, as determined by the ACAT Executive and TTC staff, as soon as possible, and the incoming Pool member shall serve for the remaining balance of the outgoing member's term.

4.8 Executive Vacancy

4.8.1 If ACAT Executive Committee 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 ACAT Vice-Chairs will become ACAT 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 commitment and accompanying skills, as agreed by both Vice-Chairs and TTC staff. 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 Committee, if one or both of the positions of Vice-Chair become vacant, a replacement will be elected (from existing members) by ACAT.

5. Agreement

5.1 Individuals appointed to membership in ACAT or its Pool agree to:

- a. Adhere to all TTC policies, procedures and regulations, including TTC's Code of Conduct.
- b. Respect ACAT colleagues and TTC personnel.
- c. Adhere to ACAT's Terms of Reference, ACAT Member Guidelines, ACAT Subcommittee Guidelines, ACAT Meeting Protocols and/or other pertinent documents.
- d. Adhere to the Conflict of Interest provisions in the City of Toronto Public Service By-law.
- e. Keep confidential any TTC information, documents, or other materials identified as confidential that are not in the public domain and are provided to facilitate the work of ACAT.

6. Executive

- 6.1 The ACAT Executive Committee shall consist of a Chair and two Vice-Chairs, elected by the ACAT membership at its first meeting of the calendar year. Each Executive position is voted on separately by secret ballot. The member with the most votes is declared elected.
 - 6.2 In the event there is a tie, a second vote will take place. If there is still a tie, then the Chair or Vice-Chair will be determined by random number selection administered by TTC Staff.
 - 6.3 Given the complexity of the Chair position, members seeking the position will be eligible in their second or third year of their term. All ACAT members are eligible for the position of Vice-Chair. Executive positions are voted for annually.
 - 6.4 The Chair shall preside at all ACAT General and Special meetings, attend TTC Board meetings and represent ACAT at public functions. The Vice-Chairs shall serve in the absence of the Chair.
 - 6.5 The ACAT Executive will meet quarterly with the Chair of the TTC Board and the TTC's CEO or their designate(s). The Chair of ACAT shall provide remarks to the TTC Board throughout the year.
7. Meetings
 - 7.1 General ACAT meetings shall be held monthly or at the call of the Chair. The exception will be in the month of January where two meetings will be held to facilitate the election of the ACAT Executive Committee.
 - 7.2 Eight ACAT Members shall constitute a quorum for every ACAT General or Special meeting.
 - 7.3 ACAT members must attend and participate in meetings either in person or by electronic participation. Pool members may attend to observe and gain experience but not participate nor speak at General meetings.
 - 7.4 Each ACAT member is entitled to one vote on each motion. Pool members are not eligible to vote at ACAT meetings.
 - 7.5 ACAT will entertain deputations from members of the public with respect to issues pertaining to accessible public transit for persons with disabilities and seniors. Each deputation shall not exceed five minutes in length.
 - 7.6 A member of the public must make their request for a deputation at least 10 days prior to an upcoming ACAT meeting, and must provide a brief written overview of the topic(s) to be addressed.
 8. TTC Staffing
 - 8.1 The Head of Wheel-Trans and appropriate Wheel-Trans staff will provide ongoing support, liaison and administration to ACAT and shall attend all ACAT meetings.
 - 8.2 Clerical support shall be assigned by Wheel-Trans staff for the purpose of recording and distributing ACAT and ACAT Subcommittee minutes, meeting notices and correspondence.

- 8.3 TTC staff shall act as a liaison and resource to ACAT and ACAT Subcommittees, as mutually agreed upon to ensure expedient responses to recommendations and areas of concern.
- 8.4 A staff liaison for each ACAT Subcommittee shall attend all ACAT General meetings. Other TTC staff will also be called upon to attend as required.
- 8.5 Support will be provided at 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 members of the public.
9. Amendments
 - 9.1 Recommendations for amending the ACAT Terms of Reference may be made by submission in writing to the Chair by any member of ACAT. Recommendations for amending the ACAT Terms of Reference may also be made by TTC staff. Only recommendations approved by a majority vote of the ACAT members shall be forwarded to the TTC Board for consideration.
10. ACAT Representation on Other Committees
 - 10.1 Periodically, ACAT may be asked to designate a representative to serve on other transit-related committees to advise on accessibility matters.
 - 10.2 ACAT representatives to other transit-related committees shall:
 - a. Be elected on an annual basis by ACAT members at the first meeting of the calendar year, or at other meetings as required, following the procedures set out above in Section 6.
 - b. Prepare a report or a summary of activities undertaken at other transit-related committees to be presented on a regular basis at ACAT General meetings.
11. Governance Procedures
 - 11.1 ACAT and ACAT Subcommittees meetings are governed for purposes of process and procedures by the ACAT Terms of Reference, ACAT Member Guidelines, ACAT Subcommittee Guidelines, ACAT Meeting Protocols and/or other pertinent documents.
12. Remuneration
 - 12.1 Membership on ACAT does not lead to paid employment with the TTC.
 - 12.2 The ACAT Chair will be issued an honorarium for each month that they serve in the capacity as the Chair and for the duties and responsibilities performed. The honorarium is a taxable benefit for which the TTC will issue a T4A.
 - 12.2.1 In the absence of the Chair, one of the Vice-Chairs shall serve as Chair and collect the monthly honorarium.

12.2.2 Honoraria is not paid for attendance at Subcommittee meetings or events.

12.3 All members of ACAT have the option to select either an annual TTC Monthly Pass or have their travel cost for ACAT-related business reimbursed via a Monthly Expense Log approved by the TTC. Members must fill out the ACAT Travel Expense Election Form to confirm their selection.

12.3.1 Annual TTC Monthly Pass Option: Members that select this option will receive an annual TTC Monthly Pass that will be valid for their term; for ACAT members, it will be valid for three years, and for Pool members it is valid for one year. The TTC will pay a monthly honorarium amount to compensate members for the estimated taxes they may incur through the taxable benefit of the pass. Members will receive a mailed T4A statement.

12.3.2 Monthly Expense Log Option: Members that choose the Monthly Expense Log option will have their travel costs for ACAT-related business reimbursed on approval by the TTC. No annual TTC Monthly Pass will be issued.

Amendments Approved by ACAT: February 24, 2022