



SASKATCHEWAN
HUMAN RIGHTS
COMMISSION



Achieving Accessible Public Transportation: A Systemic Approach for Saskatchewan

Stakeholders

The following stakeholder organizations have contributed to the systemic advocacy and engagement work on accessibility*

Regina

Canadian Paraplegic Association
City of Regina
City of Regina Accessibility Advisory Committee
IDEA Regina
Neil Squire Society
South Saskatchewan Independent Living Centre
Saskatchewan Abilities Council
Saskatchewan Deaf and Hard of Hearing Services
Tetra Society
Vision Impaired Resource Network

Saskatoon

City of Saskatoon Accessibility Advisory
Committee
City of Saskatoon Transportation and Utilities
City of Saskatoon Transit

**Thanks also to the many stakeholders and individuals who have give of their time and were unintentionally omitted from this list.*



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HUMAN RIGHTS
COMMISSION

Letter of Transmittal

The Honourable Gordon Wyant, Q.C.
Minister of Justice and Attorney General
Legislative Building
Regina, Saskatchewan

Dear Minister Wyant,

I am pleased to deliver this report, “Achieving Accessible Transportation: A Systemic Approach for Saskatchewan.”

This report highlights the systemic advocacy and engagement activities of the Commission related to the provision of accessible transportation for people with disabilities in the City of Regina and the City of Saskatoon.

Sincerely,

David M. Arnot
Chief Commissioner

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Table of Contents

Letter of Transmittal.....	1
Table of Contents.....	2
Inclusion and Accessible Transportation – A Message from the Chief Commissioner	3
About this Report	4
Thinking About Public Transportation	6
Accessing Taxis	7
Audible Pedestrian Signals	9
Audible Bus Announcements	11
Accessing Buses.....	12
Looking to the Future.....	13
Appendix 1: Regina Consultation Report (2013)	15
Appendix 2: Regina Stakeholder Advisory Committee Report (2014)	26
Appendix 3: Implementation Summary	32
Appendix 4: Reporting Incidents	34
Appendix 5: Mobility Devices Securement Policy	35

Inclusion and Accessible Transportation

A Message from the Chief Commissioner

The *United Nations Convention on the Rights of Persons with Disabilities* clearly articulates the importance of accessible public transportation. Having ready access to public transportation, the Convention asserts, is a matter of achieving fairness and equity in our society.

In Saskatchewan, removing barriers to transportation also enables access to the services, opportunities, and benefits of living in a thriving multicultural and pluralistic society. Offering equitable public transportation is, in this light, as much about getting from place to place as it is about creating an inclusive society, and requires the active participation of many stakeholders.

As this report illustrates, stakeholders who offer accessible transportation services, and stakeholders who require accessible transportation services, should be seen as *interdependent* and not *independent*. Working together, stakeholders in Saskatchewan's two largest cities have clearly demonstrated that using an inclusive and collaborative approach can lead to system-enhancing developments. More than that, working cooperatively can also create mutually beneficial and situation-specific changes that neither party could have anticipated.

To be clear, the work in both cities is ongoing, and there is much that can be done. In releasing this report now, the Commission is updating people with disabilities, and all other citizens, who use accessible public transportation systems in Regina and Saskatoon, and commending the stakeholders for their contributions.

It is my hope that the work that has already been done will inform decision-making and foster inclusion in communities across Saskatchewan.

David M. Arnot
Chief Commissioner, Saskatchewan Human Rights Commission

About this Report



The chirps, lights, and audio messages that tell pedestrians when it's safe cross the streets are improving, and increasing in number.

Changes made to *The Saskatchewan Human Rights Code* in 2011 require the Saskatchewan Human Rights Commission to “prevent and address patterns of discrimination.” Since then, the Commission has found many opportunities to achieve systemic outcomes that promote equality and resolve discrimination faced by groups of people.

In this regard, two broad categories of systemic resolution have emerged. One, referred to as *systemic engagement*, addresses systemic patterns of discrimination by building collaborative relationships with stakeholders who can directly influence change.

In Saskatoon and Regina, listening to the transportation-related concerns of people with disabilities, and by working directly and collaboratively with service providers in those cities, the Commission is able to help facilitate actions that improve transit. The first part of this report documents many of the successes in Regina and Saskatoon related to the systemic engagement approach.

The other approach, *systemic advocacy*, works in a similar way. By bringing together and working directly with stakeholders who can directly influence change and the community stakeholders who benefit from change, the Commission

helps both groups find solutions. The recommendations of the Regina Accessible Transportation Stakeholder Advisory Committee (ATSAC) in Appendix 2, 3, 4, and 5 demonstrate how stakeholders can work together to positively shape public policy.

The successes in Regina and Saskatoon are ultimately attributable to the good will and efforts of the stakeholders. Whether achieved through group discussion and consensus as in Regina, or through dialogue with individual change makers in Saskatoon and Regina, both communities are living up to their responsibility to foster inclusion.

Recently, *Saskatchewan's Disability Strategy* prioritized the availability of accessible and safe transportation. This includes bus, paratransit, and taxi services. It also takes into account the need for audible bus announcements, and audible pedestrian signals for crosswalks.

The systemic engagement and advocacy collaboration in Regina and Saskatoon have explored these, and other, issues related to accessible transportation. As such, this report is also intended as a partial blueprint for other municipalities and communities. The transit-related issues facing people with disabilities outside of Regina and Saskatoon may be different in degree, but not necessarily in kind.



Thinking about Public Transportation



Public transportation systems, whether bus, taxi, or accessible pathways, are at the heart of what drives our cities. Public transportation keeps people moving, it helps get them to work and home again, and it takes them out for an evening of entertainment after a long week. It connects people to one another in significant ways.

For people with disabilities, it's not always as easy to get on a bus, take a taxi, or cross a street as it is for most people, but the City of Regina and the City of Saskatoon, in cooperation with the Saskatchewan Human Rights Commission, are trying to change that. The goal is that one day in the not too distant future, everyone in these cities will be able to easily go from place to place using the means of transportation best suited to their individual needs.

People don't often think what it must be like for someone who is blind or deaf to walk to, catch, and ride the bus. Or what if you're new to the city (or the country) and you don't know the area or perhaps

even the language very well? It can be an overwhelming experience to get on a bus or take a taxi cab to somewhere unfamiliar. You have to extend a certain amount of trust to the person who is driving you from place to place.

However, there are other more concrete solutions that can be incorporated. Things like clear audible and visual announcements for stops on buses; ramps that can be lowered to make access easier for people with mobility issues; policies and training to remind drivers that service dogs are legally able to accompany their owners wherever they need to go; and an increase in the number of accessible taxi cabs available.

The Saskatchewan Human Rights Commission would like to highlight a few of the successful initiatives that are happening right now in Saskatoon and Regina, and which add to the quality of life experienced by people with disabilities and all others who access and use public transportation systems.

Accessing Taxis



About 15 years ago, at 11:30 p.m., a man who is blind and his guide dog were trying to catch a cab home from the Saskatoon airport. Three cabs refused to take them. A witness to the event volunteered to take the man and his service dog home in his own vehicle. However, it was clear to the man something needed to change. Change started with the filing of a complaint with the Saskatchewan Human Rights Commission. Since that time, the Commission has worked with those involved to make notable changes.

In 2011, and recognizing that the issues in the taxi cab industry were widespread, the SHRC began to work with the city and the taxi companies on systematically addressing problems as they arise. They meet regularly to deal with complaints against the taxi industry, and consider ways to improve service in light of these complaints.

In Robin East's case, taxi drivers needed more training and education as to what the law is regarding service animals, and many cabs now carry a "service animals welcome" sticker to acknowledge their understanding of the law. However, there are occasionally still problems as new drivers get their licenses and more education is needed. East says, "I believe we're getting the message across in terms of awareness."

East recommends further changes, such as an increase in the number of accessible vehicles, and audible meters to ensure the visually impaired are being treated fairly when it comes time to pay for their fares. He advocates a solution where stakeholders can "talk out what a reasonable solution is," but stresses that it doesn't hurt to know there's a "hammer" that can push for enduring change, and "the hammer is the SHRC in this province."

“If it wasn’t for the Commission, we would not have what we have now,” East says. But he’ll not soon forget that night at the airport when three taxis refused him service. He points out the excess time and emotional efforts that people with disabilities often have to put into getting what is simply expected by everyone else, and what little recourse people with disabilities have when service is refused. East says: “There still needs to be monies for hurt feelings for the times you’ve had to endure.”

Malcolm Gibson, Taxi Bylaw Compliance Coordinator, feels positive about the current situation in Saskatoon. There are only two cab companies in the city now, and “they’re pretty good at self-regulation,” Gibson acknowledges. “They also work together to try and improve the situation.”

Often when people hear about an issue with a cab or a driver, they don’t remember what company was involved, so having a positive image and reputation for taxi companies is important to both United and Comfort Cabs. To this end, both companies also have shown a dedicated interest in providing more accessible units at a cost of approximately \$15,000 to \$20,000 per van conversion. Gibson points out that this extra expense shows a “commitment by the companies to provide a service.” By law, taxi companies are not allowed to charge a person with a disability any more for a fare than they would anyone else.

As with most industries, open and honest communication is key. Gibson explains: “It needs to have a common sense approach.

You can’t legislate every little thing that could happen.” At the same time, the cab companies have to be prepared to listen to their customers when things don’t go as expected, especially in terms of accessibility. This is where the Commission plays a major role in providing guidance and expertise. “You’ve got to have that resource,” Gibson says.

The Commission has provided help in assessing the training being given to taxi drivers to see if there are any additional components related to accessibility or equality that need to be incorporated. As training is ongoing, the Commission is available as necessary to consult on what aspects might need to be added, expanded or enhanced. By assisting with the settlement of current accessibility issues, the SHRC is able to monitor and assess the success of changes within the industry, as well as provide guidance from a human rights perspective.

Gibson says the key to success has been the cab companies themselves: “Both companies are driven to try to improve the industry...They know they’ve got to improve access and talking to one another.” He says it’s great when companies are willing to accept responsibility and find out how to go forward. If a driver makes a mistake, it’s a situation that can be learned from and changed in the future. This willingness to listen and cooperate bodes well for continuing positive relations between the taxi companies, the City of Saskatoon, and the Saskatchewan Human Rights Commission.

Audible Pedestrian Signals



The chirps, lights, and audio messages that tell pedestrians when it's safe to cross the streets are improving, and increasing in number.

“The walk light to cross Third Avenue is now on ...”

It's hard to believe that 25 years ago, a group of advocates for the blind and engineers from the University of Saskatchewan worked to come up with the first circuit boards for an audible pedestrian signal. Only one of those original installations is still in service, as technology has improved and become more widespread. Today, over 100 Audible Pedestrian Signals (APS), also called “accessible” pedestrian signals, are at work in our city, helping alert the visually-impaired to traffic light changes at intersections.

Goran Lazic, Senior Transportation Engineer with the City of Saskatoon, kindly explained how the signals work. Most feature a chirp or a cuckoo sound, and many also have a recorded message that indicates which street can be safely crossed. Chirps are used for east-west and cuckoos for north-south intersections. In addition to the audible indicators, newer installations are vibra-tactile, so that people can feel a vibration as well as a raised arrow to indicate crosswalk direction.

10

The city is following a national standard set out by the Transportation Association of Canada, but they have also listened to feedback. “It’s important to get it right and to be consistent,” Lazic says.

Robin East, Chair of the Saskatoon Accessibility Advisory Committee, recognizes that sometimes, especially near high-rises, people would prefer to have the sound turned down on these signals, but he reminds us “these are safety sounds, not noise pollution.”

Without them, a visually impaired person can’t know when it’s safe to cross the street. Lazic also stresses the importance of education, and says they’ll be having some public meetings/open houses in the future, “to consult the users about their priorities.” The city has been proactive in their accessibility efforts, and would like to continue to lead the way, setting the bar for other communities and municipalities to become more accessible.

The SHRC and the City of Saskatoon have been working on this issue along with other interested parties for some time. This relationship was instrumental in securing a letter of intent from the city.

“Because of this, the work on those pedestrian signal lights is actually moving forward,” East says, pointing out that the city is committed to 5 new APS each year, 5 retrofit installations, and that all new intersections will feature the audible signals. At this point, the number is only going to continue to increase, and the city’s goal of 167 installations will be two-thirds done by summer 2016.

Lazic says the SHRC was “co-operative and helpful,” but also clear about expectations. “Even before we signed the agreement, we were working towards the same objective,” Lazic says, but agrees that it’s nice to all be on the same page. “It’s not just the Commission’s goal, it’s our goal, the city’s goal.”

East, who is also a member of the blind community, says: “We’re really excited this has been done, and it couldn’t have been done without the Commission’s support.”

Along with the work that has been done related to Accessible Pedestrian Signals in Saskatoon, the Commission has undertaken a similar initiative with the City of Regina. Although the work has not moved at the same pace, significant improvements have been made.

Of the 199 signal systems that are in use, 49 have accessible features installed for approximately a 25% completion rate. In the Downtown core 24 of the 37 signals have accessible features; approximately 10 upgrades are planned for 2016 and all new signal installations with pedestrian access will have accessible features.

So the next time you hear one of the many audible pedestrian signals in Regina or Saskatoon, remember that it’s essential information for many people who rely on a clearly articulated message to let them know it’s safe to cross the street.

Audible Bus Announcements



Audible bus announcements give all bus passengers the information they need to make informed decisions about their trips.

Listening to the recorded announcement of bus stops has recently become a regular part of riding the bus in Saskatoon and Regina. Buses now feature both audio and visual announcements that assist riders in identifying the desired stop.

In Saskatoon, bus drivers were initially called upon to announce individual stops, but enthusiasm for that practice soon waned. Robin East ended up speaking to the members of the Amalgamated Transit Union (ATU) about the benefits of the bus announcements for the visually-impaired. "They then understood," East says.

Bob Howe, the Director of Access Transit for the City of Saskatoon, is proud of the changes being made. "It's not just for people with disabilities," Howe points out, indicating the signals also assist newcomers to Canada and non-English speakers in learning the language of places and street names.

Even beginning bus drivers can benefit from the announcements as they learn new routes, procedures, stops, and landmarks. We remember things better when we experience information in more than one medium, and so hearing and seeing stop information is ultimately a service that benefits all people.

Accessing Buses



Thanks to new designs, most new buses can accommodate passengers with mobility impairments.

On April 3, 2014, the City of Regina announced that their entire conventional bus fleet was made “low floor” accessible to patrons using mobility devices. With the purchase of 15 buses that have the ability to “kneel” and align with the street curbs, giving access people who use wheelchairs and scooters access to the bus system.

In Saskatoon, the City is moving towards a complete low-floor bus fleet. Access Transit Director Bob Howe has been involved since early in the process. He says, “There’s a ripple effect going across the country. It’s not just a Saskatoon thing.” Being open to sharing information and data with other cities has been instrumental in learning what works and what doesn’t.

In addition to the conventional bus transit system, there is also a paratransit system that is available. Access Transit in Saskatoon, and Paratransit in Regina, are not taxi programs, but shared-ride services coordinating trips to accommodate as many people as possible.

The paratransit systems have several lift-equipped vehicles, which serve both seniors and people with disabilities. A high percentage of seniors also experience some type of disability or mobility issues, and therefore, with Canada’s aging population, such services are fundamental for the public. In the future, Howe reminds, Saskatoon will have an “even stronger demographic for paratransit services.”

Looking to the Future



Improving transportation systems for people with disabilities in Regina and Saskatoon will benefit other communities in Saskatchewan.

The success of the systemic advocacy and engagement in Regina and Saskatoon is attributable to the cooperation and participation of the stakeholders. Through the contribution of their time and insight, these individuals present the views of their respective organizations and give voice to the issues and concerns that would otherwise be overlooked.

Ron Filleul, representing the Vision Impaired Resource Network (VIRN), has served on the Regina Accessible Transportation Systemic Advisory Committee (ATSAC) since 2013. Filleul observes, “the systemic process has increased community involvement between member organizations and the City.”

In particular, Filleul says the bus announcements, “have been very well received by the community. Progress is being made on APS but more needs to be done to consult the community on locations and progress.”

Amber-Joy Boyd, also an ATSAC member, recognizes the willingness of city transit staff to participate and the support of the municipal leadership. Boyd says, “It’s wonderful that the City of Regina has begun the process of community engagement and attempting to address the different needs of the disability community. ATSAC is an excellent example of collaboration between individuals, non-profits and municipality working towards a common goal.”

Long time public transportation proponent, and accessibility advocate, Melissa Northe, is versed in the issues associated with accessible transportation. For over a decade Northe has served on several boards dedicated to serving the transportation and other needs of people with disabilities in Regina and across the prairie provinces. For her, the “positive collaborative effort improved transit and paratransit,” and the “extra cabs are a nice addition.”

Noting that while the work is ongoing Northe says, “The committee did some outstanding work with the volunteers including myself and the City employees. More work still needs to be done to improve accessibility and inclusion in the City of Regina with greater collaboration and greater community involvement.”

As a continuation of the work begun by the Regina ATSAC group, the SHRC, the City of Saskatoon and the City of Regina have begun the process of drafting provincial paratransit standards. The goal of this

project is to develop guidelines and standards for accessible transportation in the province.

It is hoped that this initiative will bring consistency to the reporting of wait times, booking windows and denial rates between municipalities. Although this work is in the very early stages of development, it could serve as the blueprint for all municipalities that receive funding from the Transit Assistance Program for People with Disabilities (TAPD).

If implemented, these standards will provide uniformity of accessible transportation for citizens of the province. Work on this project will continue over the next fiscal year, and feedback will be sought from various municipalities.

The standards will act as a minimum acceptable level of service within the provincial paratransit system and will be used as a benchmark by the Commission when addressing any shortcomings in specialized accessible transportation.



Appendix 1: Regina Consultation Report (2013)

*Achieving Equivalent, Comparable, and Accessible Public Transportation in the City of Regina: A Report to Stakeholders, June 3, 2013**

I. BACKGROUND

In the fall of 2012, the Saskatchewan Human Rights Commission (SHRC) received intake inquiries articulating perceived systemic discrimination relating to transportation services provided to persons with disabilities in the City of Regina. In order to determine the scope of these concerns, the SHRC consulted with individuals and stakeholder groups in the community. These consultations included:

- Several “coffee house” consultations were held for people with disabilities who use public/pay transportation services. Concerns with public transit (e.g., bus), accessible-for-hire transportation (e.g., taxi), and shared-ride/door-to-door bus transportation (e.g., Paratransit) were captured in writing.
- The Chief Commissioner met with the Mayor of Regina in late November 2012 to discuss the need for improvement to transportation for people with disabilities. Mayor Fougere expressed a willingness to explore these transportation issues.
- On December 3, 2012, SHRC staff attended the International Day of Persons with Disabilities event in Regina. The SHRC affirmed its willingness to assist all involved parties as per its mandate.

II. SYSTEMIC ADVOCACY

Human rights commissions across Canada regularly address inequity through systemic advocacy. With recent changes to Saskatchewan provincial legislation, the SHRC now also pursues complaint resolution that facilitates broad-based changes to discriminatory systems which affect many people without the need of case-by-case litigation. Defined as “taking action to create change in the greater community that addresses systemic discrimination,” systemic advocacy enables outcomes that are not always possible using traditional complaint and prosecution mechanisms. The mandate for this initiative is section 25(h) of the *Saskatchewan Human Rights Code (Code)*. Section 25(h), states, “The commission shall promote and pursue measures to prevent and address systemic patterns of discrimination.” This report was prepared as a stakeholder engagement tool to help address the concerns people with disabilities have with the public transportation system in the City of Regina.

** This report has been reformatted for inclusion in this document; errors contained in the original have been corrected.*

III. ACCESSIBILITY AND TRANSPORTATION

Within our communities, individuals of all ages rely on transportation to attain education, find and maintain employment, volunteer, use basic public services, visit medical professionals, buy groceries and goods, and participate in community activities. Transportation connects individuals to all other aspects of community life. Citizens who rely exclusively on publicly available transit services are particularly vulnerable to service disruption and access limitations. Restrictions and inequity further compound the vulnerability of people with disabilities who, unintentionally or not, may find themselves excluded from social participation and isolated within their own community. As Chief Commissioner Arnot recently stated:

“[T]ransportation inaccessibility, capacity and timeliness issues create real and significant barriers for people with disabilities. To go to work, to be social, and to engage in all of the opportunities in our community requires ready access to public transportation.”

Equal access for persons with disabilities to public services is a human right protected under the *Code* (see Appendix A). The *Code* and Canadian case law support the right for people with disabilities to have similar or comparable public transit opportunities. Services do not have to be provided in the same manner as regular transit, but the services must be equivalent. Failure to provide an equivalent or comparable transportation system for people with disabilities would constitute discrimination, based on disability with respect to services customarily offered to

the public, contrary to Section 12 of the *Code*. Under the *Code*, transit service providers have a duty to accommodate to the point of undue hardship. There are a number of factors that are taken into account when assessing undue hardship. These factors include, but are not restricted to: health, safety, and cost (see Appendix B). The SHRC weighs the accommodation of protected groups against the possibility of undue hardship.

IV. ACCESSIBLE “PARATRANSIT” IN CONTEXT

In 2006, the Ontario Human Rights Commission made an order that Paratransit services are not a “special program.” These services form part of the legal duty of transit providers, under the Ontario Human Rights Code (OHRC), to accommodate riders with disabilities who cannot access conventional public transit and/or when publicly available transit is not fully accessible. The Ontario Commission rejected the position that Paratransit is a voluntary “special program” and not a required form of accommodation for riders with disabilities. Following consultations with transit providers and other stakeholder groups, the Commission found that, “a service provider cannot abandon its duty to accommodate customers with disabilities through the guise of a special program.”

From an international perspective, Article 9 of the *United Nations Convention on the Rights of Persons with Disabilities*, adopted by Canada in March 2010, requires countries to identify and eliminate obstacles and barriers for persons with disabilities. The Convention approaches the issue of access for persons with disabilities

from a rights-based approach. As such, ensuring access within the environment, transportation, public facilities and e-services, and information and communications technologies are priorities. Article 9 asserts that enabling persons with disabilities to live independently and participate fully in all aspects of life will not be possible in communities where accessibility is not fully ensured.

This need was articulated during the stakeholder (passenger) consultation process in Regina by an individual who stated:

“Every day I cannot get out. Every day I cannot go to community meetings that I wish to attend. Every day I may not be able to get groceries or go to medical appointments. Every day I cannot get services available to everyone else in this City. Every day my quality of life is diminished because the basics of mobility are refused to me and others in this city.”

V. ACCESSIBLE TRANSPORTATION IN THE CITY OF REGINA

Transportation enables community participation, a sense of belonging, and access to all the benefits of citizenship. These outcomes are also consistent with *The Saskatchewan Plan for Growth* which has, as one objective, “making Saskatchewan the best place in Canada for persons with disabilities” (page 30). The SHRC understands that the City of Regina aspires to

these values. Brad Bells, Director of Transit for the City of Regina, wrote, “[t]he City of Regina’s vision is to become the most vibrant, inclusive, attractive, sustainable community, where people live in harmony and thrive in opportunity.” He announced that as of March 6, 2013 all current transit bus operators received specific accessibility training. At the 2012 International Day of Persons with Disabilities event in Regina, held on December 3 at the Core Ritchie Centre, City officials expressed an interest in improving access to transit. Those officials observed that the increased use of “kneeling” buses might improve access to transportation for people with disabilities.

The SHRC is also aware of, and commends the City for, its strong commitment to public transportation. A similar commitment to making transit more relevant, convenient, and accessible to persons with disabilities would highlight the important contributions that people with disabilities make. It is also clear that an effective transit plan must address the needs of all citizens. Inclusivity, utilizing universal design principles, and focusing on accessibility for all, enables all residents to benefit equally from their citizenship. Equivalent, comparable, and accessible public transportation is, clearly, a necessity.

VI. MOVING FORWARD

The SHRC is committed to working with stakeholders to resolve systemic barriers associated with accessible transportation. Ensuring equivalent and comparable public transportation is a complex and necessary activity that should involve many players: transit providers,

municipal representatives, senior levels of government, non-governmental organizations, individuals with disabilities, and the SHRC. In order to eliminate inequality these stakeholders must work together to develop and maintain plans to achieve full integration and accessibility. The SHRC strongly supports the implementation of a systemic advocacy process that includes the establishment of a stakeholder committee charged with preparing action plans that meet the needs of users and the requirements of the Code. The SHRC is willing to assist with, and will monitor the implementation of, an equivalent and comparable transportation system for people with disabilities in Regina.

Based on the user consultations (see Appendix C), three areas of transportation were identified during the October consultation process with stakeholders (users). These were:

- private for hire transportation services (cabs and shuttles),
- public transit (low floor/kneeling buses), and
- door-to-door shared accessible transit (Paratransit).

It is important to note that, from a systemic perspective, the above three areas might not encompass all the transportation related issues that could, or should, be addressed. More to the point, the stakeholder committee might identify emergent issues that are deemed to be of greater priority and/or more action worthy.

VII. ISSUES TO BE ADDRESSED

Notwithstanding the possible future efforts of a stakeholder committee, it is likely that the following issues, aggregated from the consultations, will need to be addressed in a timely manner:

1. Review the transit/paratransit transportation system to improve equity, efficiency and effectiveness in order to achieve an equivalent and comparable public transit service for people with disabilities.
2. Ensure that equivalent and comparable complementary transit services (e.g., taxi) are available to people with disabilities. As a part of this strategy, fare equity should be assured for these patrons. As well, private licensed operators should be fully cognizant of their responsibilities under the Code.
3. Develop, implement, and revise strategies to ensure that transit hot spots frequented by people with disabilities are identified and placed on high priority for barrier free access throughout the year. This will ensure that public transit remains a viable option for citizens with disabilities.
4. Ensure ongoing safety and sensitivity training for all transit staff, including operators and administrators, with regard to the accommodations people with disabilities may require while using public transit.
5. The long term goal of the City should be to take steps to maximize integration and accessibility of the transportation system to comply with *The Saskatchewan Human Rights Code*.

APPENDIX A – The Saskatchewan Human Rights Code (Section 12)

The Saskatchewan *Human Rights Code* (page 8) states that:

12(1) No person, directly or indirectly, alone or with another, or by the interposition of another shall, on the basis of a prohibited ground:

- (a) deny to any person or class of persons the accommodation, services or facilities to which the public is customarily admitted or that are offered to the public; or
- (b) discriminate against any person or class of persons with respect to the accommodation, services or facilities to which the public is customarily admitted or that are offered to the public.



APPENDIX B - ACCESSIBLE TRANSIT IN SASKATCHEWAN

The Transit Assistance Program for People with Disabilities (TAPD) is a provincial program that provides financial support to municipalities that offer accessible transportation (Paratransit). In the 2013-14 provincial budget the program received a 10.1% increase to a total of \$325,000 that will accelerate renewal of the Paratransit fleet and allow for expansion to additional eligible municipalities. In the 2012-13 fiscal year, 74 communities were served by the program. Under the framework and regulations of the program, participating municipalities are responsible for determining their own operating arrangements for their Paratransit services within their community.

TAPD is a performance-based program. The funding formula allots participating municipalities with an annual operating grant calculated using the number of public service trips provided by each municipality in the previous calendar year and a per trip amount based on standardized population categories. A “public service trip” is one trip using the eligible municipal public service, but does not include a charter service, or a service provided to passengers who are not required to pay a fare. Within the framework of the TAPD there is also a capital funding portion for a replacement vehicle to a maximum of \$55,000 per municipality per year.

In 2012, 74 communities received funding from the province for Paratransit transportation services. Regina has 2550 registered users. Within the City of Regina approximately 176,236 trips were conducted, including 7500 contract or

charter trips. It should be noted that Regina had 16,123 documented denials of trips in 2011. This constitutes a denial rate of approximately 9.1%. Most Canadian transit properties report unaccommodated trip rates of between 1-2%. The United States has a legislated zero tolerance policy for denials.



APPENDIX C - FEEDBACK FROM TRANSIT USERS WITH DISABILITIES

The following accounts are taken from the public consultation initiatives on accessible public/ pay transportation in Regina.

1. Private for-hire transportation services (cabs and shuttles)

Participants highlighted three areas in relation to private, for-hire, transportation service: They are: restricted hours of service; fare inequity; and the lack of knowledge and understanding exhibited by drivers as it relates to service animals and their purpose. Failure to implement a service with equal hours and fare equity is a violation of *The Saskatchewan Human Rights Code*. A sample of the submissions include:

- A senior citizen discharged from hospital after 6 p.m. on a Friday was unable to obtain a wheelchair accessible cab to her home. She was also unable to pre-book a cab as she did not know the exact time she would be discharged. A number of cab companies cease accessible taxi service after 6 p.m. and, as a result, she was unable to find an accessible ride home.
- An individual had to negotiate an early morning “special pickup” for a wheelchair accessible taxi to be used by a visitor to Regina. As this request was outside of regular hours, and individually arranged, there was no guarantee offered by the cab company that the booking would be honored.

- A person who uses a service dog reported that, on a number of occasions, taxi drivers initially refuse to accommodate the dog. Even when the user informed the driver of the legal requirement to accommodate, the drivers would refuse entry for the dog until he/she received clarification from the dispatcher. The user reported that, “this frequently makes me late for appointments and meetings.”

2. Public transit fixed route (low floor buses)

Low floor bus users highlighted four areas of concern: a lack of understanding of safety procedures when transporting wheelchair users; the inaccessibility of transit stops; individuals being refused service due to their need for accommodation; and the lack of alternative signage formats to convey transit information.

- An individual reported the bus operator refused to use the straps for any type of securement despite a request by the wheelchair user. The operator reportedly said, “I would rather not do that, but will drive slowly.”
- One individual reported that, as a result of not being secured, he was injured and required medical attention. The wheelchair was also damaged. After he arrived at his original destination, he was strapped down and taken to hospital by transit.

- A number of individuals reported that transit stops, particularly in the winter months, become inaccessible because of weather conditions. As a result, bus service is inaccessible to them. At times, individuals were able to enter a bus at one location but were unable to exit safely at their destination. This issue of entry/exit safety is also influenced by the placement of curb cuts.
- “I was denied access to a bus at a mall because I was not provided a clear path to the transit stop, and so could not use transit. I had to wait 3 hours for a Paratransit pickup.”
- An individual reported being denied access to a bus when he was waiting at a stop, “the operator closed the doors and drove away... this resulted in me having to drive home in my wheelchair in winter conditions.” The extreme low temperature at the time resulted in cold induced damage to his feet.
- One individual reported that, from January to March 2012, transit operators refused to “kneel” the bus and lower the lift to allow her to board on 4 occasions. To that person’s knowledge, the operator did not notify anyone that a wheelchair user was unable to board the bus and was waiting in the snow.

3. Signage / Stop Information

A number of comments noted a lack of alternative format signage/stop information that provides information about the environment and the transit system. This information is necessary during all stages of transit use: prior to entering a stop, during transit, and exiting the bus. A sample of the submission:

- A visually impaired individual noted that he does not use city bus services if a transfer between buses is required as he is unable to interpret the signage at the downtown bus stops.
- An individual commented that there is inconsistency of scheduling of low floor buses. In some cases the routes and schedule change daily so if you live in certain areas of the city this affects independence and access greatly.
- An individual commented that he was meeting a visually impaired client and, because of the inclement weather, the transit operator selected a different stop to drop off the passenger. The individual became disorientated and was unable to attend the meeting.
- Some buses are not able to take larger mobility scooters and power chairs. Currently, there is no way for individuals using these mobility aids to know which bus type will be on any given route, at any given time.

4. Door-to-door accessible service (Paratransit)

Paratransit services are designed to serve those citizens whose transportation needs cannot be served by regular transit. Paratransit is designed for, and should serve, any individual with a disability who:

- cannot navigate the fixed route transit system,
- cannot board, ride or disembark a transit bus independently, and
- is unable to travel to a transit stop due to disability or because of environmental barriers.

Concerns include booking requirements, prioritizing of trips, the complaints system, inconsistent service, denial rate, the time windows during service, and inconsistencies of pick up and drop off points. A sample of the user submissions:

- An individual noted that the booking windows are far too restrictive. The inability to book no further than 7 days in advance means that long term planning is difficult.
- Because of the method used for reporting concerns and complaints, there is significant fear of backlash for reporting inconsistencies or concerns with the service, as Paratransit serves a vulnerable and marginalized portion of the community. There were also concerns raised about the lack of surveillance equipment on Paratransit buses.
- One user commented she had missed social and community activities with her friends because trips were denied. Further, the wait time in the booking process can be over 90 minutes and even then the trip may be denied. The time between pickup and drop off in the evening has been as long as two and a half hours.
- One individual indicated that her time on the bus from pickup to drop off was over 2 hours and, as a result, she missed taking her medication and ended up in hospital.
- One user said that she needed to get to a daily life skills training program but, despite phoning every day Monday to Friday within the booking window, she was refused trips on three of the five days so she was unable to attend. The cost of a cab was deemed to be prohibitive.
- One user indicated that she regularly tried to attend church on Wednesday evenings. On several occasions this trip would be denied but, when she was able to schedule a bus, she was often required to wait for hours after the service for the return trip.
- An individual commented that she has had to change her work schedule to accommodate the pickup times specified by Paratransit. However, she still regularly misses appointments and meetings connected with work.

Social activities are also affected as she regularly has to leave events early to accommodate Paratransit pickup times.

- One client commented that it is impossible to get a trip at the supper hour (around 5 p.m.) any day of the week. Dispatch appears to deny the trip without even checking availability.

APPENDIX D – RESOURCES AND REFERENCES

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- Accessibility Training, March 6, 2013. Memo from Mr. Brad Bells, Director of Transit, City of Regina
- Notes taken from a meeting of Saskatchewan cities that provide transportation services for persons with disabilities, June 19, 2012.

Appendix 2: Regina ATSAC Report (2014)

Regina Accessible Transportation Stakeholder Advisory Committee

Recommendations Report, May 2014*

I. **Review the Transportation System to Improve Equity Efficiency and Effectiveness in order to achieve an Equivalent and Comparable Public Transit Service for People with Disabilities.**

In May of 2013, the Saskatchewan Human Rights Commission brought together a group of individuals representing disability related organizations as part of a Stakeholder Committee to review the Transportation System related to the City of Regina. This group was tasked with developing specific recommendations related to the report “Achieving Equivalent, Comparable and Accessible Public Transportation in the City of Regina: A Report to Stakeholders” that was released in June 2013. The Stakeholder Advisory Committee established a series of recommendations in response to the “Issues to be Addressed” section of the report.

Recommendation:

a. *Ongoing Review of the Accessibility of Transportation Services*

The Stakeholder Advisory Committee will meet at a minimum biannually, in April and October, to review the state of transportation services for people with disabilities in Regina. The purpose

is to identify, avoid and find workable solutions to emerging human rights concerns.

II. **Ensure that Equivalent and Comparable Complementary Transit Services (Taxi Services) are Available to People with Disabilities**

More than 11% of Canadian adults experienced disability related to pain, mobility or flexibility with 40% experiencing all three at the same time (Statistics Canada CSD, 2012). Statistics Canada reported that 11.5% of Canadians have a mobility disability (PALS, 2006). Based on the 2011 Statistics Canada Census of the Population estimate of 193,100 persons with a mobility disability, it can be surmised that approximately 22,200 residents in Regina have a mobility disability.

Recommendations:

a. *Increase the number of accessible taxi licenses*

In order to provide a comparable level of availability for people with disabilities, it is recommended that the City adopt a population ratio (the same ratio as provided for regular taxis) to determine an appropriate number of accessible taxis. The proposed population ratio

* This report has been reformatted for inclusion in this document; errors contained in the original have been corrected.

would provide one accessible taxi for every 1,250 residents with a mobility disability, which equates to 18 accessible taxis based on current statistical information.

To work towards achieving the 1:1,250 accessible taxi ratio, it is recommended that additional accessible taxi licenses be issued incrementally. There are currently four active accessible taxis. The incremental approach will lessen the impact of an increased market on existing drivers. It is recommended that a total of 10 accessible taxi licenses be in place by the end of 2014 and that the end of 2017 achieve the accessible taxi ratio.

b. Equalize drop rates

All taxis will charge the same fares for service with increases calculated based on the Taxi Cost Fare Model as per Schedule “D” in the Taxi Bylaw amendments presented to City Council in February 2014. The Administration recognizes that the cost of operating an accessible taxi is higher than for a regular taxi and is reviewing options for mitigating the revenue lost from the decrease in accessible taxi drop rates.

c. Require Comparable Technology and Vehicle age Requirements for Accessible Taxis

Currently, Regina taxi bylaw provides vehicle age and technological requirements for only regular, seasonal, and temporary taxis. Age requirements mandate that by 2018, no vehicle to be used as a taxi shall be nine model years or older. Computer-

aided dispatch systems, GPS systems, security cameras, and electronic payment systems must be installed in taxis by the end of 2015. In order to maintain an equal service level across the entire taxi industry, the same requirements are recommended for accessible taxis.

III. Develop, Implement and Revise Strategies to Ensure that Transit Hot Spots Frequented By People with Disabilities are Placed on a High Priority for Barrier Free Access throughout the Year

Using data from Regina Transit’s automated fare collection system, ten bus stop areas in Regina have been identified that have a high level of usage by people with disabilities (See Appendix 1). These “Hot Spot” areas have a high number of people using mobility devices such as wheelchairs or scooters and CNIB passengers that use the bus stops at these locations.

Recommendations:

a. Make Snow Removal at Hot Spots a Priority

Partner with the City’s Winter Road Maintenance Branch to ensure snow removal at the Hot Spots is a priority beginning winter 2013/2014. Snow will be removed from the Hot Spots by the City’s Winter Road Maintenance Branch within 48 hours after the end of a snowfall.

The Transit Quality Assurance Coordinator will monitor that the snow has been removed from the Hot Spots within two business days following the 48-hour snow

removal period by the Winter Road Maintenance Branch.

b. *Create a Fully Accessible “Pilot” (Template) Bus Stop*

The bus stop that recorded the most people with visible disabilities was the downtown hub on 11th Avenue where most transfers take place. It is recommended that in 2015 an accessible bus stop at this location be created to trial including, but not limited to:

- Accessible signage including tactile features;
- Audible pedestrian signals;
- Appropriate sidewalks and curb cuts;
- Proper path of travel;
- Tactile wayfinding; and
- An accessible bus shelter.

c. *Collect Feedback related to the Accessible Bus Stop and Refine the Model*

The City will gather feedback on this pilot accessible bus stop up to December 31, 2016 and ascertain what is working, what is not, and what modifications may be required. This model would then serve as a template for creating additional accessible bus stops.

d. *Review and Update the list of “Hot Spots” Annually*

The City will review data collected from its automated fare collection system on an annual basis of bus stops frequented by people with visible disabilities with the Stakeholder Advisory Committee. The City’s list of Hot Spots will be updated annually and communicated to relevant City Branches.

IV. Ensure Ongoing Safety and Sensitivity Training for all Transit Staff, Including Operators and Administrators, with Regard to the Accommodation of People with Disabilities Require while using Public Transit

Providing training related to how to assist and serve passengers with disabilities to all Transit employees ensures that:

- Passengers are transported safely;
- Transit operators learn to assist passengers in a way that protects their safety and prevents injuries;
- Transit employees are aware of their roles and responsibilities; and
- Transit employees have information and tools that will assist them to provide good customer service and deal with any issues that may arise.

Correspondingly, it is equally important that Regina Transit invest in training and communicating with passengers with

disabilities about their responsibilities related to using transit. This will also ensure passenger safety and a positive travel experience.

Regina Transit needs to continually work with stakeholders representing people with disabilities in developing and delivering training to its employees. It also needs to consult stakeholders representing people with disabilities when developing communication materials and training for passengers.

Recommendations:

- a. *All Regina Transit Bus Operators Receive Securement and Awareness Training Related to People with Disabilities including Refresher Training.*

By the end of 2014, all Regina Transit bus operators will be trained on disability awareness, securement and ridership issues. Any operator who receives a complaint, which is substantiated through investigation, related to their customer service or securement skills will receive refresher training if warranted.

In addition, all Regina Transit bus operators will also receive general refresher securement and awareness training once every three years to ensure that their skills remain current. This is particularly important because of the safety implications related to their role in securing wheelchairs.

- b. *All additional Regina Transit Employees Receive Awareness Training about How to Provide Appropriate Customer Service to People with Disabilities*

By the end of 2014, all Regina Transit employees will be trained on disability awareness and ridership issues.

- c. *All New Regina Transit Employees Receive Training about How to Provide Appropriate Customer Service to People with Disabilities*

Beginning in 2014:

- New bus operators will receive training related to the securement of mobility devices and disability awareness and ridership issues as part of their initial training;
- City paratransit staff will receive training within three months of being hired; and
- All additional new transit employees will receive training within six months of being hired.

- d. *All Contracted Paratransit Operators Receive Training about How to Provide Appropriate Customer Service to People with Disabilities*

By the end of 2014, all contracted paratransit operator employees will be trained on disability awareness and ridership issues.

In addition, these contracted paratransit operator employees will receive

refresher training once every two years. Quality assurance personnel ensure that this training takes place.

e. *Regina Transit to have a Certified Mobility Device Securement Trainer on Staff*

By the end of 2014, Regina Transit will commit to having at least one certified mobility device securement trainer within its staff complement.

f. *A Process be Developed to Monitor Securement of Passengers using Mobility Devices on Conventional Transit Buses*

By the end of 2014, a process is developed and implemented by Regina Transit to ensure that random checks of the securement of mobility devices is performed. This will be to monitor the effectiveness of the securement training.

g. *A Communication and Training Strategy be Developed to Educate People with Disabilities about Transit*

By the end of 2014, a communication and training strategy is developed and implemented by Regina Transit to ensure that people with disabilities are provided opportunities to learn how to use transit. This will include but is not limited to; demonstrations about how to use transit, utilizing public events such as open houses, redesigning communication materials to make them more accessible, and promoting communication information.

V. Maximize the Integration and Accessibility of the Transportation System to Comply with *The Saskatchewan Human Rights Code*

This section in the report is defined to include accessibility for people with disabilities in a universal sense. This relates to enhancing accessibility to include audible stop announcements and other accessibility factors built into the transit system. It also includes enhancements to the paratransit system to make it more equivalent with the conventional transit system.

Recommendations:

a. *Develop and Implement a Third Party Complaint / Compliment Process*

By December 31, 2014, Regina Transit and Bylaw and Licensing for taxis will implement a process whereby people with disabilities can have a person or agency report a complaint / compliment on their behalf. This process will be publicized so people are aware of this option.

b. *All Conventional Transit Buses be Low-Floor Accessible*

By December 31, 2015, all conventional transit buses will be low-floor accessible. Once the fleet is completely low-floor accessible the full accessibility of the fleet will be promoted.

c. *All Conventional Transit Buses have an Audible Stop Announcement System*

By December 31, 2015, all conventional transit buses will have an audible stop announcement system.

d. *Enhance Paratransit Service so that it is Comparable to Conventional Transit*

The unaccommodated trip rates for paratransit will decrease beginning in 2014. By the end of 2015 the City, Saskatchewan Human Rights Commission, and stakeholder advisory committee will establish definitions and standards related to unaccommodated trips based on research and best practices in other Canadian jurisdictions. The City will develop an implementation plan to ensure these standards are met.



Appendix 1

The frequently accessed “Hot Spots” include (and listed in no particular order):

1. 11th Ave (Rose to Lorne St) - both sides of the street
2. Albert Street from 9th Ave - 15th Ave - both sides of the street (Old Superstore to College)
3. Broad Street from 11th Ave - 14th Ave - both sides of the street (Sask. Drive to College)
4. Broad Street from 1st Ave - 3rd Ave - South bound only
5. Rae Street behind the Golden Mile Mall – both sides of the street
6. 12th Ave from Albert St to Lorne St (Behind City Hall)
7. 7th Ave N @ Smith Street, South Bound and East Bound (Northgate Mall)
8. Sangster Blvd @ Garuik Cr., @ Stern Bay and @ Carnegie St
9. Albert St @ Avonhurst Dr. – South bound only (by A&W)
10. Fleet St @ North Service Road

Appendix 3: Implementation Summary

Implementation Status of the ATSAC Recommendations (March 2016)

Item #	Due Date	Completion	ATSAC Recommendations
Ia	Ongoing/ Apr & Oct	Ongoing	6 Month Review of Transportation Services
IIa	31-Dec-14	Completed	Increase Accessible Taxi Licenses to 10
IIa	31-Dec-17	Completed	Increase Accessible Taxi Licenses to 18
IIb	Feb-14	Completed	Equalize Taxi Drop Rates
IIc	31-Dec-15	Pending	Require Comparable Taxi Technology
IIc	31-Dec-18	Pending	Require Comparable Taxi Age Requirements
IIIa	Feb-14	Completed	Make Snow Removal at Hot Spots a Priority
IIIb	31-Dec-15	Completed	Create a Fully Accessible “Pilot” Bus Stop
IIIc	31-Dec-16	Pending	Collect Feedback about Accessible Bus Stop
IIId	Ongoing/ Oct	Ongoing	Review and Update the List of Hot Spots Annually
IVa	31-Dec-14	Completed	All Regina Transit Bus Operators Receive Securement and Awareness Training

Saskatchewan Human Rights Commission

Item #	Due Date	Completion	ATSAC Recommendations
IVa	Ongoing (3 yrs) or incident based	Ongoing	All Regina Transit Bus Operators Receive Refresher Securement and Awareness Training
IVb	31-Dec-14	Completed	All Transit Staff have Disability Awareness Training
IVc	31-Dec-14	Completed	All New Regina Transit Employees Receive Disability Awareness Training
IVd	31-Dec-14	Completed	All Paratransit Staff have Disability Awareness Training
IVe	31-Dec-14	Completed	Certified Mobility Device Securement Trainer on Staff
IVf	31-Dec-14	Completed	Process to monitor Securement of Mobility Devices on Conventional Transit Buses
IVg	31-Dec-14	Completed	Transit Communication and Training Strategy
Va	31-Dec-14	Completed	Third Party Complaint/ Compliment Process
Vb	31-Dec-15	Completed	Conventional Transit Buses be Low-Floor Accessible
Vc	31-Dec-15	Completed	Audible Stop Announcement System
Vd	31-Dec-14	Ongoing	Enhance Paratransit Service – Reduced refusals
Vd	31-Dec-15	Completed	Enhance Paratransit Service – Service Standards

Appendix 4: Reporting Incidents

Some paratransit and transit passengers with disabilities have expressed discomfort with reporting transit-related incidents through the City of Regina Service Regina call system.

Process

Stakeholder organizations/groups can identify an individual (e.g., a leader, staff person, or member) who is willing to assist a transit/paratransit passenger report transit-related incidents to the Service Regina call number (i.e., (306) 777-7000).

If requested by a transit/paratransit passenger, the stakeholder liaison may bring forward, or otherwise assist with, the submission of an incident report(s) to the Service Regina call number. The stakeholder liaison will endeavor to provide the information necessary for the City to investigate an alleged incident. The City would then follow-up on complaints based on that information and communicate the results back to the stakeholder organization liaison and/or transit/paratransit passenger.

If the passenger does not wish to be contacted directly by the City about the incident, the resolution will be reported to the stakeholder liaison/organization that, in turn, will give the information to the passenger. The City will not release any confidential information during this process.

Advantages to Joint Incident Reporting

- Creates a buffer for passengers with disabilities who are not comfortable reporting incidents directly to the City of Regina;
- Allows passengers to share their experiences to individuals (i.e., the stakeholder liaison) with whom they already have a relationship;
- Increases the comfort of transit/paratransit passengers with the complaint process; and
- Enables stakeholders to gain a greater understanding of how the City handles complaints regarding transit/paratransit services;



- Stakeholder groups can provide support to their members who have concerns transit/paratransit services;
- Improves communication between the City of Regina and stakeholder groups.
- Enhances the City of Regina's credibility, both with stakeholders and their customers;

Disadvantages

- Increases the workload of stakeholder groups.
- May discourage individuals from advocating for themselves when bringing issues forward to the City.
- May increase the length of time required to investigate and/or resolve complaints because an additional party is involved in the process.

Appendix 5: Securing Mobility Devices



The Saskatchewan Human Rights Commission has recommended that Regina Transit establish a process for monitoring the securement of persons using mobility devices on conventional transit buses. This is to ensure that customers using mobility devices are transported safely.

The primary focus of the monitoring will be between April and October of each year as most people using mobility devices travel on conventional transit during snow free months.

The following approaches will be used to monitor the securement of persons using mobility devices on conventional transit buses:

1. Complaints-based monitoring

Any person using a mobility device that has difficulties with a bus operator securing their wheelchair properly can report their concern to Service Regina 306-777-7000. Regina Transit will investigate the concern including viewing camera footage of the incident if warranted. Once the investigation is completed, the department will conduct follow-up with the operator which may include securement refresher training.

2. Customer monitoring

Regina Transit will establish a pool of customers using mobility devices who are willing to confidentially rate their customer experience with having their mobility device secured.

Customers will be asked to commit to a one month period of monitoring at a time and will be given a free monthly bus pass or some other form of recognition for volunteering. Customers will either return a postage paid survey card or submit a survey via email. Customers will be asked to report both positive and negative experiences and follow-up will be conducted with the operators which may include securement refresher training.

3. Quality Assurance Customer Monitoring

The Quality Assurance Coordinator (QAC) or a Regina Transit Certified Q'Straint Trainer will contact individuals within the customer monitoring pool and ask them when they are taking a trip. The Regina Transit staff will then accompany them on their ride or meet them at their origin and/or destination and monitor securement. This will be done a minimum of four times per year.

4. Quality Assurance Random Monitoring

The QAC or a Regina Transit Certified Q'Straint Trainer will conduct random monitoring of securing of mobility devices when out monitoring other conventional transit issues. The QAC or Regina Transit Certified Q'Straint Trainer will not dedicate specific time to randomly try to find people using mobility devices using conventional transit buses to monitor.



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- All images of City of Regina public transit systems courtesy of, and with thanks to, the City of Regina.
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