APPENDIX A

PROGRESS ON RECOMMENDATIONS FROM THE JANUARY 2019 OMBUDSMAN'S REPORT

Recommendation 1 *that the City of Winnipeg establish revised Winnipeg Transit Plus eligibility criteria that considers whether a person with a disability can use the fixed-route transit system.*

Winnipeg Transit Plus Response: the City advised that a review of the eligibility criteria would be a long-term project that would require appropriate funding and approval from Council and should not be pursued until the Winnipeg Transit Master Plan (WTMP) is released in 2020. The WTMP will outline the expansion and improvement of the fixed-route service and provide a long-range plan of five-year intervals. The review for the WTMP will include an evaluation of the Winnipeg Transit Plus service model and will outline recommendations for needed improvements and changes at Winnipeg Transit. By waiting for the completion of the plan, the City will create a more cohesive plan and not duplicate work.

Progress: persons with disabilities can and do currently use the fixed-route and use Winnipeg Transit's low floor accessible buses. However, a full review of the eligibility criteria for Winnipeg Transit Plus is a longer term project and should be pursued after the release of the WTMP. Waiting for recommendations from the WTMP; the full WTMP is not due to be released until 2020.

Recommendation 2: *that Winnipeg Transit Plus ensures that the inactive account policy be included in any materials available to users of the service and the public in general, such as on the website or in printed information.*

Winnipeg Transit Plus Response: to increase awareness, the City proposes to include the information about the 18 month inactive account policy in the initial acceptance letter, the Winnipeg Transit Plus website, the proposed user guide, and have it as one of the primary recorded messages that play while registrants are on-hold.

Partially Completed: The information has been posted on the Winnipeg Transit Plus website, included in the eligibility letter, and is a message on our on-hold message as information for callers. The information will be added to our user guide which is projected to be available in the winter of 2019.

Recommendation 3: *that Winnipeg Transit Plus should, in its public materials, provide clear reasoning to help clients and organizations better understand why and how Winnipeg Transit Plus reassesses clients.*

Winnipeg Transit Plus Response: agrees and currently provides information, in various methods, to individuals as to why they need to attend an assessment. Winnipeg Transit Plus is committed to enhancing information to registrants and commits to upgrade information on the website and all written material including the proposed user guide.

Partially Completed: Information about the purpose of assessments and re-assessments is included in the current "application user guide" brochure and the Winnipeg Transit Plus website. The information will be added to our user guide which is projected to be available in the winter of 2019.

Recommendation 4: *that Winnipeg Transit Plus should consider an alternative member instead of the manager on the appeal hearing panel. We suggest this individual be someone outside of Winnipeg Transit Plus's internal eligibility decision-making process, and that Winnipeg Transit Plus should consider an individual from the disability community*.

Winnipeg Transit Plus Response: the City commented that it is critical to have someone on the appeal panel that understands the policies and processes of the service and the manager is best suited to provide that internal knowledge to the panel. However, it is not necessary for the manager to be a decision maker on the appeal panel. As such, the City proposes to have the Manager of Client Services remain in a consultative capacity to the appeal hearing body, but will not be able to vote on the outcome. The City advised it is considering that the coordinator of the Human Rights Committee of Council, who is a member of the disability community sit as a voting member of the Winnipeg Transit Plus appeal panel.

Progress: administrative approval and proposed funding have been sought and an individual who is external to Winnipeg Transit Plus and a member of the disability community has been identified as the potential hire. The next steps are to develop a contract for the individual and receive final approval for additional funding and a change to the configuration of the appeal panel from Council. An administrative report is in draft, and will be submitted for Council review.

Recommendation 5: *that Winnipeg Transit Plus provide a dedicated email address or web portal to receive complaints.*

Winnipeg Transit Plus Response: agrees and is in the process of creating an email address that will allow registrants/public to email in their complaints directly to the contact center. The email address would be established with the following parameters: a response will be provided within 72 hours and a template is to be completed by the complainant to ensure that all the necessary information to investigate is included (311 uses similar forms and is also testing an email process)

Progress: the email address has been created and Winnipeg Transit Plus is in the process of testing as the email is linked into our telephony system. The response scripts have been created and are ready for use. The activation of the email requires additional resources and as such, an administrative report has been submitted to City Council to seek resources to manage expected incoming emails.

Recommendation 6: *that Winnipeg Transit Plus evaluate whether to devise procedures to more effectively inform complainants directly affected by outcomes of complaint investigations, expanding on Winnipeg Transit Plus's current approach to situations it deems critical.*

Winnipeg Transit Plus Response: Winnipeg Transit Plus agrees to evaluate its procedures for informing complainants who are directly affected by outcomes of complaint investigations.

Progress: An administrative report to seek resources to manage the incoming expected emails and increase the service's capacity to provide a response directly to individuals who have reported a complaint has been drafted for submission to Council. A procedure is in place but requires resourcing and a request is in a report submitted to Council.

Recommendation 7: *that Winnipeg Transit Plus ensure that information about its complaint process – including how to make a complaint using phone, email, letter, elected representative – is clear and widely communicated. Public and internal materials, CSR and driver training manuals, should all set out the complaint process clearly.*
Winnipeg Transit Plus Response: agrees and will outline the complaint process on all its written material on a go-forward basis and will include information on all methods of filing a complaint.

Partially Completed: complaint process is clear and posted on the Winnipeg Transit Plus website . A process memo on steps to enter a complaint into the system has been distributed to all staff with additional instructions to the customer service representatives. The CSR and driver training manuals have been updated to set out the complaint process. The information will be added to our user guide which is projected to be available in the winter of 2019.

Recommendation 8: *that Winnipeg Transit Plus review the new scheduling systems functionality and impact to ensure it reflects reasonable equivalent service to the fixed-route system.*

Winnipeg Transit Plus Response: Winnipeg Transit Plus concurs and will be evaluating it new scheduling system after implementation to determine its impact on the level of unscheduled trips and will evaluate the need to use a priority system.

Partially Completed: the new scheduling system is under continued review. There is ongoing testing being done with varying parameters to positively affect the number of unscheduled trips. A temporary clerk to assist the system analyst will be hired to provide assistance with software clean up and further configuration that is required after implementation. The systems analyst has made several changes to scheduling parameters to improve and create more efficient schedules. However, given the current level of vehicle resources it is anticipated that the service will continue to experience a level of unables mainly during the winter months.

Recommendation 9: *The list of criteria for a no-show that appears in all public materials should be updated and refined to better reflect Winnipeg Transit Plus policy.*

Winnipeg Transit Plus Response: agrees and will outline the appeal process related to no-show assessed charges on all its written materials on a go-forward basis and will include the information in the new user guide and all the no-show letters sent out to registrants.

Partially Completed: the criteria which will trigger a no-show is listed on all the no-show notification letters, which includes the appeal process for no-shows. The no-show policy and the appeal process are posted on the Winnipeg Transit Plus website and will be included in the user guide which is projected to be available in winter of 2019.

Recommendation 10: *that Winnipeg Transit Plus revises the wording of its no-show notification letters so that it does not assume the registrant contravened ridership policies. The letter should instead advise the registrant that a situation triggered the notification letter, and that a related no-show charge may stand in the absence of information to the contrary*.

Winnipeg Transit Plus Response: Winnipeg Transit Plus concurs and will add text to its no show letter to state the following: "A situation occurred with your ride which triggered this notification letter. Based on the

current information, a no show charge may be applied. Please contact us to review what occurred and provide any additional information that may impact the no show charge decision."

Completed: the wording in the no-show notification letters has been changed according to the recommendations in the report.

Recommendation 11*: before deducting a no show charge from a fare payment from account (FPA), Winnipeg Transit Plus should notify the FPA registrant of the no show charge by letter so that they have a reasonable time frame to appeal and, if necessary, add funds to their account before the charge is processed*.

Winnipeg Transit Plus Response: Winnipeg Transit Plus agrees and it will change its system so that FPA (now RMPay) registrants are provided with a no show letter upon each occurrence. When a charge is triggered, Winnipeg Transit Plus will change the process to allow for 14 calendar days for an appeal of the charge. If the registrant does not contact Winnipeg Transit Plus requesting an appeal within the 14 calendar days, the cost of the no show will be charged and deducted from their account.

Progress: all registrants receive a letter outlining the cause of the no-show charge when it is deducted from their account. Upon review of the current software, the current functionality does not allow for a delay of the withdrawal of the no-show charge once it occurs. We have changed the language in the no-show letters to ask registrants to contact us upon receipt of the letter if they have further information that would impact the decision that was made to apply a no-show charge and if there are mitigating circumstances. Further all suspension letters will allow for a 14 day response time before the suspension occurs.

While we have changed the language in the no show letters to reflect the Ombudsman's recommendations, the software currently does not have the functionality to allow for a delay before the withdrawal of a charge from an account occurs. Additional resources will be required in order to research all no-shows and provide a direct response to all registrants who are assessed a no-show charge. An administrative report to request additional resources has been submitted for Council review.

Recommendation 12: *that Winnipeg Transit Plus revisit its approach to no show charges to determine whether these charges are an efficient and effective way to achieve registrant compliance with ride protocols, especially in light of the new scheduling software.*

Winnipeg Transit Plus Response: Winnipeg Transit Plus is willing to revisit the issue of no show charges and conduct a national jurisdictional review.

Progress: have completed a cross jurisdictional scan on no-show compliance procedures. The jurisdictional scan to date has demonstrated that all transit properties have a no-show and/or a no-show and cancellation policy.

All of these policies have some sort of penalty associated with an unreasonable number of no-shows or cancellations most resulting in progressive suspensions of service. It is still the position of Winnipeg Transit Plus that periodic suspensions create a greater burden and hardship on registrants then the minimal charge that is applied after the first no-show. It is anticipated that this will be further reviewed as part of the work to be done on the Winnipeg Transit Master Plan which will provide direction on next steps.

Recommendation 13: s*ince the current driver manual does not contain detailed language prohibiting sexual harassment, we recommend the detailed language regarding Winnipeg Transit Plus' sexual harassment policy from the 2012 manual be immediately restored to current and future versions of the driver manual*.

Winnipeg Transit Plus Response: Winnipeg Transit Plus agrees and updated information on the sexual harassment policy will be included in the next driver manual as of August 2018.

Completed: updated information with current definitions and language about sexual harassment and information on the City's Sexual Harassment Policy has been added to the drivers manual

Recommendation 14: w*e recommend that verifying the proper functioning of the GPS/AVL equipment should be added to the pre-trip inspection checklist*.

Winnipeg Transit Plus Response: Winnipeg Transit Plus agrees and a daily check of the GPS/AVL equipment will be added to the pre-trip inspection checklist immediately and be included in the next driver manual of August 2018, as noted. Additionally, with RouteMatch software being operational, it requires that drivers complete a pre-trip inspection checklist (including verifying the GPS/AVL equipment) before they receive their schedule for the day.

Completed: all drivers are completing the checklist on the tablets prior to starting their runs on a daily basis.

Recommendation 15: w*e recommend that Winnipeg Transit Plus enforce the contract requirement that operators wear safety vests.*

Winnipeg Transit Plus Response: Winnipeg Transit Plus agrees. All Winnipeg Transit Plus contractors have been notified that all drivers will be required to wear safety vests. All contractors will have the same vests and inspections will be done to ensure compliance. As of July 1, 2018, failure to meet this requirement will result in a service recovery fee. The driver manual has already been changed to reflect that the wearing of safety vests is mandatory for drivers and not just recommended.

Completed: all drivers are currently required to wear high visibility safety vests.

Recommendation 16: g*iven the obvious safety concerns about cell phone use while driving and the law against it, we recommend that Winnipeg Transit Plus enforce the rules about cell phone use in vehicles and while driving, and clarify the direction for drivers.*

Winnipeg Transit Plus Response: Winnipeg Transit Plus agrees and all contactors have been advised that cell phone use by drivers will be governed by the same rules that are part of the new distracted driving laws. They have been advised that any complaints received about cell phone use by drivers will result in an immediate investigation and if found to be a violation of the law a service recovery fee will be issued. The service recovery fee has increased to $100 for a first occurrence and a second occurrence will result in a suspension. Inspectors will perform random spot checks to ensure the standard is being followed.

Completed: As above.

Recommendation 17: that Winnipeg Transit Plus informs registrants about acceptable fare payment methods and procedures for non-payment disputes so that they are aware of applicable policy in the event of driver error.

Transit Plus Response: Winnipeg Transit Plus agrees. It will provide additional information related to fare payment methods and the fare payment dispute procedures in all its written materials on a go-forward basis and will include the information related to the fare policy (non-payment of fares) in the original eligibility letter to registrants.

Partially Completed: fare payment methods and the fare payment dispute procedure have been posted on the Winnipeg Transit Plus website and will be clearly stated in the new user guide, which is anticipated to be available in winter 2019. All eligibility letters to registrants outline the fare structure and a fare dispute process.

Recommendation 18: *that Winnipeg Transit Plus abolishes the 500 metre rule and provide service either within established city limits or within 1000 metres of conventional bus stops.*

Winnipeg Transit Plus Response: Winnipeg Transit Plus is currently reviewing this policy. On May 1, 2018, the Standing Policy Committee on Infrastructure Renewal and Public Works (IRPW) directed Winnipeg Transit to report back to the committee on the estimated costs and the estimated increase in revenue to extend Winnipeg Transit Plus service to all areas of Winnipeg. The report from Transit is due at the Standing Policy Committee on IRPW in September 2018.

Progress: The report to abolish the 500 metre rule was presented to the Standing Policy Committee on Infrastructure Renewal and Public Works on September 7, 2018. The report was then referred to the 2019 budget review process. It was not adopted as part of the 2019 budget so the 500 meter policy is still in effect at this time with no date for another review or change to the policy. Waiting for potential recommendations from the Winnipeg Transit Master Plan**.**

Recommendation 19: *that Winnipeg Transit Plus produces a comprehensive user guide.*

Winnipeg Transit Plus Response: Winnipeg Transit Plus agrees and will start researching and compiling information to produce a comprehensive user guide for registrants.

Progress: A comprehensive Winnipeg Transit Plus User Guide for registrants has been researched and is being compiled. It is currently in draft form and is being reviewed. It is projected that the user guide will be ready for publication and available in the winter of 2019 and the website will be concurrently updated.