

We want to highlight some important procedures regarding City employee fines and tickets, as outlined in the latest *Interim Procedure Regarding the Operator Liability When Using City-Owned, Leased, Or Rented Vehicles And Equipment Policy*:

Payment Deadlines and Extensions:

City employees must pay fines within 25 business days, unless an extension is granted. If facing financial difficulties, employees can request an extension or installment payments within 15 business days of receiving the ticket. Extensions or installment plans longer than six months are considered on a case-by-case basis. Failure to pay fines on time may result in late fees, re-licensing denial, and disciplinary action.

Parking Tickets:

Employees believing a parking ticket was issued in error can request cancellation within 15 business days by providing written justification to their Division's designated fine recovery manager. The justification must meet the City's Parking Ticket Cancellation Guidelines and include full ticket details, including photos if needed. The designated manager will review the request using Fleet Safety's checklist and decide within 10 business days. If approved, the City will seek cancellation of the ticket. The employee may need to act as a witness in any resulting proceeding.

Other Tickets:

Employees believing a ticket was issued in error can request cancellation within 15 business days by providing written justification to their Division's designated fine recovery manager. They can also request full details of the ticket, including photos. The justification must clearly show an error on the ticket or photo, or that a police officer waved them through a red light. The designated manager will review the request using Fleet Safety's checklist and decide within 10 business days. If approved, the City will seek cancellation of the ticket. The employee may need to act as a witness in any resulting proceeding.

Cancellation Request Denial:

If a cancellation request is denied, the employee must pay the full fine within 5 business days of receiving the denial notice or within 25 business days of the Ticket's issuance date, whichever is later. Employees with financial difficulties can request a payment extension before the due date and within 5 business days of the denial notice.

Review Process:

If a cancellation request is denied, the employee can seek a review by their Division Head or their designate within 5 business days if:

- They believe their request met the criteria but was not properly assessed.
- They have new information supporting their request.
- They can demonstrate an error in the ticket's issuance or provide new information proving such an error.

The Division Head will decide on the cancellation request within 25 business days. If approved, the City will pursue ticket cancellation, and the employee may need to be a witness.

Final Decision:

The decision of the Division Head or their designate is final, and the employee cannot dispute the ticket further. Employees with financial difficulties can request a payment extension before the due date and within 5 business days of the decision.

Ticket Handling for City Vehicles:

Upon receipt of a ticket mailed directly to the City regarding the operation of a City vehicle, Fleet Services will identify the responsible Division. The ticket will be provided to the employee's supervisor within 10 business days. The supervisor must ensure the employee receives the ticket within 5 business days from receiving it from Fleet Services, provided the employee is not on vacation or leave.

**PROCEDURE REGARDING THE
OPERATOR LIABILITY WHEN USING CITY-OWNED, LEASED, OR RENTED VEHICLES AND
EQUIPMENT POLICY (July 2, 2020)**

Notes: (i). This procedure addresses the Awards of Arbitrator Herman regarding the City's *Policy Regarding Operator Liability when using City-Owned, Leased, or Rented Vehicles and Equipment (July 2, 2020)* ("Policy"). The interim procedure is being implemented alongside the current Policy, pending any revisions after the anticipated legislative changes to Red Light Cameras and Automated Speed Enforcement processes. In case of any conflict between the Policy and this interim procedure, this procedure will govern.

(ii). "City vehicle" is used in this interim procedure to refer to City-owned, leased, or rented vehicle/equipment.

(iii). "Tickets" is used in this interim procedure to refer to any ticket or notice of violation or any document that notifies the City of a fine or penalty related to parking, red light camera, and automated speed enforcement violations issued to a City vehicle.

(iv). "Designated fine recovery manager" is used in this interim procedure to refer to the person that serves as the point of contact for all fine recovery-related matters in each Division. City employees that are unsure who their Division's designated fine recovery manager is should confirm this with their supervisor.

(v). "Business days" is defined in this interim procedure as Monday-Friday, except public holidays.

(vi). "Date of issuance" is used in this interim procedure to refer to the day the employee received their ticket, whether it was a parking ticket they were issued directly, or a ticket they were provided by a supervisor.

(vii). All Tickets are issued to the vehicle owner and City employees are not permitted to represent the City before a Screening Office or the Tribunal or the Court regarding any Ticket. All Tickets issued to City employees must be dealt with in accordance with this interim procedure.

A. Tickets Placed On A Vehicle or Given To A City Employee

1. Where, in the course of operating a City vehicle (whether during working hours or otherwise), a City employee operating the vehicle/equipment receives a Ticket directly, the City employee is required to immediately provide the Ticket to their supervisor, and notify Fleet Safety through the on-line form.
2. A City employee who receives a Ticket is required to pay the fine/penalty to the City within twenty-five (25) business days of receiving it, unless granted an extension of time by the City. A City employee facing financial barriers to paying the fine/penalty within the twenty-five (25) business day payment period may seek, within fifteen (15) business days of receiving the ticket, from the Division's designated fine recovery manager or their immediate supervisor: (a) an extension to the twenty-five (25) business day payment period for a period not longer than six (6) months; or (b) a chance to make the payment in instalments over a six (6) month period. Requests for an extension or for payment by instalments over a period longer than six (6) months will be considered on a case-by-case basis, in consultation with the employee's Division.
3. A City employee's failure to pay the fine/penalty as required – either within the twenty- five (25) business day payment period or within any extended payment period granted to the employee – may be subject to any or combination of the following: late fees, re- licensing denial, and disciplinary action.
4. For Parking Tickets:
 - a. If a City employee believes that a parking Ticket was issued in error, they may seek its cancellation within fifteen (15) business days from the date of issuance by providing written justification to their Division's designated fine recovery manager. The written justification must demonstrate that their Ticket meets the criteria in the City's Parking Ticket Cancellation Guidelines. Where necessary, the City employee will be provided the full details of their Ticket, including photos where applicable, if required to provide the written justification.
 - b. Using a standard checklist provided by Fleet Safety, the Division's designated fine recovery manager shall review the City employee's written justification to determine whether to approve or reject the City employee's request for cancellation of the Ticket within ten (10) business days. If the cancellation request is approved, the City shall seek cancellation of the Ticket in the approved manner and, if necessary, the City employee may become a witness in a resulting proceeding.
5. For Other Tickets:
 - a. If a City employee believes that a Ticket was issued in error, they may seek its cancellation within fifteen (15) business days from the date of issuance by providing written justification to their Division's designated fine recovery manager. A City employee wishing to seek cancellation of a Ticket may request the full details of their Ticket, including photos where applicable. The written justification must demonstrate that

there is a clear error on the face of the Ticket or in the photograph forming part of the Ticket or that a police officer waved the employee through a red light.

- b. The Division's designated fine recovery manager shall review the City employee's written justification using a standard checklist provided by Fleet Safety. The fine recovery manager shall determine whether to approve or reject the City employee's request for cancellation of the Ticket and inform the employee within ten (10) business days. If the cancellation request is approved, the City shall seek cancellation of the Ticket in the approved manner and, if necessary, the City employee may become a witness in a resulting proceeding.
6. If a City employee's request for the cancellation of a Ticket is denied, they are required to pay the full sum of the fine within five (5) business days of receiving written notification of the denial from the Division designated fine recovery manager, or within their twenty (25) business day payment period since date of issuance, whichever is later. City employees facing financial barriers to paying the fine/penalty may still seek, before their payment due date and not more than five (5) business days after receiving notification of their denied request, an extension on their payment period in accordance with #2 above.
 7. A City employee whose request for cancellation was denied may seek a review by their Division Head or their designate within five (5) business days of receiving the fine recovery manager's decision if: (a) they have a reasonable basis to believe that their request met the criteria in the Parking Ticket Cancellation Guidelines or Fleet Safety's standard checklist but it was not properly assessed by the Division's designated fine recovery manager; and/or (b) they have new information that will enable their request to meet the criteria in the Parking Ticket Cancellation Guidelines or Fleet Safety's standard checklist; or (c) they believe that they demonstrated an error in the issuance of the Ticket or have new information that demonstrates an error in the issuance of the Ticket. The Division Head will review and render a decision on the cancellation request within twenty-five (25) business days. If the Division Head or their designate approves the request for cancellation, the City shall seek cancellation of the ticket in the approved manner and, if necessary, the City employee may become a witness in a resulting proceeding.
 8. If the Division Head or their designate denies the cancellation request, the City employee must pay the full sum of the Ticket within five (5) business days of receiving written notification of their Division Head's decision, or within the twenty-five (25) business day payment period since the date of issuance, whichever is later. A City employee is not allowed to dispute a Ticket beyond the decision of the Division Head or their designate. City employees facing financial barriers to paying the fine/penalty may still seek, before their payment due date and not more than five (5) business days after receiving notification of their Division Head or their designate's decision, an extension on their payment period in accordance with #2 above.

B. Tickets Mailed Directly to the City

9. Upon receipt of a Ticket that is mailed directly to the City in relation to the operation of a City vehicle (whether during working hours or otherwise), Fleet Services will identify the responsible Division and provide the Ticket to the employee's supervisor within ten (10) business days of receiving the Ticket. The supervisor shall ensure that the employee is provided the Ticket within five (5) business days of receiving the Ticket from Fleet Services (so long as the employee is not on vacation or otherwise on leave).
10. A City employee who receives a Ticket is required to pay the fine/penalty to the City within twenty-five (25) business days of receiving the ticket from their supervisor (the date of issuance), unless granted an extension of time by the City. A City employee facing financial barriers to paying the fine/penalty within the twenty-five (25) business days payment period may seek, within fifteen (15) business days of receiving the ticket (the date of issuance), from the Division's designated fine recovery manager or their immediate supervisor, (a) an extension to the twenty-five (25) business day payment period for a period not longer than six (6) months; or (b) a chance to make the payment in instalments over a six (6) month period. Requests for an extension or for payment by instalments over a period longer than six (6) months will be considered on a case-by-case basis, in consultation with the employee's Division.
11. A City employee's failure to pay the fine/penalty as required – either within the twenty- five (25) business day payment period or within any extended payment period granted to the employee – may be subject to any or combination of the following: late fees, re- licensing denial, and disciplinary action.
12. The dispute of a Ticket mailed directly to the City and provided to a City employee shall be in accordance with the steps #4 to #8 above.
13. Notwithstanding other provisions, no City employee shall be required to pay any fine or penalty mandated in this Interim Procedure until they have been informed of the outcome of their dispute of a Ticket submitted to the Fine Recovery Manager and/or the Division Head. If a City employee pays any fine or penalty before successfully disputing a Ticket, any payment made shall be refunded to the employee in full within forty-five (45) business days of the decision of the Fine Recovery Manager or the Division Head.