



**City of Hamilton**  
**ACCESSIBILITY COMMITTEE FOR PERSONS WITH**  
**DISABILITIES ADDENDUM**

**Meeting #:** 25-007  
**Date:** July 8, 2025  
**Time:** 4:00 p.m.  
**Location:** Room 264, 2nd Floor, City Hall  
(hybrid) (RM)  
71 Main Street West

Carrie McIntosh, Legislative Coordinator (905) 546-2424 ext.2729

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**Pages**

**7. ITEMS FOR INFORMATION**

**\*7.8 PW25049 3**

Accessible Transportation Services Late Cancellation  
and No Show Policy (City Wide)

*This Item includes a Presentation.*





# ACCESSIBLE TRANSPORTATION SERVICES LATE CANCELLATION AND NO-SHOW POLICY UPDATES

July 8, 2025

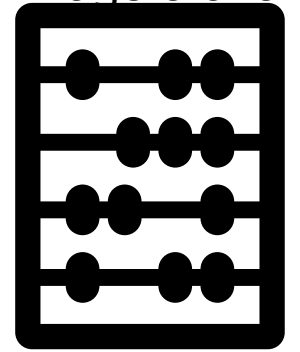
# Objectives

The goal is to enforce the late cancellation and trip no show policy, to improve service for everyone by ensuring unused trips can be reassigned.

Along with the change to a points-based system, the policy was updated to better work with the software that was installed to track and respond to policy violations and to excuse violations when appropriate.

Additional updates were made to address Accessibility Committee for Persons with Disabilities concerns raised at the Transportation Working Group.

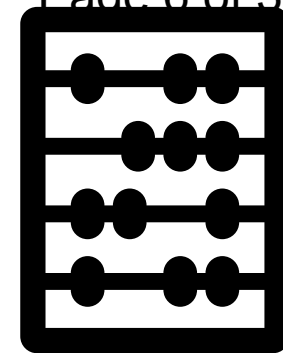
# Frequency Tracking System – 2005



2005 Policy says: “The policy applies to any DARTS passenger who exceeds one or more of the following conditions in a calendar month period:

1. Maximum six (6) late cancellations.
2. Maximum three (3) no shows.
3. Maximum seven (7) combined late cancellations and no shows.
4. Maximum of 25% (with a minimum of 10 occurrences) of subscription and/or casual booking trips cancelled.” **Note: this included cancellations that were made on time.**

# Points Tracking System – 2025



2025 Policy applies **points** which are added up by the enforcement software to generate mailing lists of letters according to the level of policy violation:

1. No show – 2 points.
2. Cancellation at door – 2 points.
3. Late cancellation – 1 point.

When a passenger meets or exceeds a combined total of 7 points, they are in violation of the policy. **There is no longer any penalty for so-called excessive cancellations (i.e., 25% of trips cancelled, including those cancelled on time).**



# Levels of Warning – 2005

2005 Policy applied only one level of warning before suspension:

1. First violation in a calendar month period – warning letter.
2. Second violation within a twelve-month period – three-day suspension letter.
3. Third violation within a twelve-month period – ten-day suspension letter.
4. Fourth and subsequent violations within a twelve-month period – thirty-day suspension(s).

# Levels of Warning – 2025



2025 Policy adds a second level of warning before proceeding to any suspension:

1. First violation in a calendar month period – education letter.
2. Second violation in a twelve-month period – warning letter.
3. Third violation in a twelve-month period – three-day suspension.
4. Fourth violation in a twelve-month period – ten-day suspension.
5. Fifth and subsequent violations in a twelve-month period – thirty-day suspension.





# Appeals – 2005

1. After the first warning letter, can appeal within ten days by phone to Accessible Transportation Services Supervisor.
2. After second and subsequent letters of suspension, appeal must be made in writing and received within twenty days of letter date. Appeal panel is accessed when the Supervisor and the customer do not agree.
3. Passengers receiving notice of a thirty-day suspension may appeal to the panel to have medical trips excluded.
4. Appeal panel: Accessible Transportation Services staff, contractor (DARTS) staff, Accessibility Committee for Persons with Disabilities.



# Appeals – 2025

## 2025 Policy appeals:

1. After the first and second letters, can appeal within fourteen days by phone call to Accessible Transportation Services Supervisor.
2. After third and subsequent letters of suspension, appeal must be in writing and received within fourteen days of letter date. Appeal panel is accessed when the Supervisor and customer do not agree.
3. For any level of suspension, customers may appeal to the Accessible Transportation Services Supervisor to have medical trips excluded. All suspension letters explain this option.
4. Appeal panel: Accessible Transportation Services staff, City of Hamilton Talent and Diversity staff, Accessibility Committee for Persons with Disabilities.



# Letter Contents – 2005

Letters based on 2005 Policy:

1. Dates of incidents resulting in policy violation
2. Level of action under the policy (warning/ length of suspension)
3. Information on how to appeal violations or suspensions
4. Offer to call Accessible Transportation Services with any questions
5. Privacy notice



# Letter Contents – 2025

All letters based on 2025 Policy contain:

1. Explanation of the points system and number of points accumulated
2. Level of action under the policy (education/ warning/ length of suspension)
3. Warning regarding actions in the event of subsequent violations
4. List of dates and pick up and drop off locations of occurrences
5. Offer to call Accessible Transportation Services with any questions
6. Offer for alternative letter format upon request
7. Information on how to appeal violations or suspensions
8. Privacy notice

# Policy Next Steps

Plain language version to be posted on the Accessible Transportation Services web page.

Appeal panel terms of reference to be drafted.

Initial mailouts targeted to begin start of Q3 2025.



Hamilton

THANK YOU



## City of Hamilton Memorandum

**To:** Chair and Members of  
Accessibility Committee for Persons with Disabilities

**Date:** July 8, 2025

**Report No:** PW25049

**Subject/Title:** Accessible Transportation Services Late  
Cancellation and No Show Policy

**Ward(s) Affected:** (City Wide)

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### Information

Accessible Transportation Services (ATS) has undertaken a review of all customer facing policies. This work was started with the Accessibility Committee for Persons with Disabilities (ACPD) Transportation Working Group and now continues with the newly formed Policy Review Working Group.

The policy was written to address customer late cancellations and trip no shows and was first posted in 2005. It was posted to ensure fair and reasonable follow up to late cancellations and no shows after a 2004 Human Rights Tribunal of Ontario settlement eliminated financial penalties for this type of policy. It was included in Public Works Committee Report PW05051 and is attached here as Appendix “A” to PW25049.

The purpose of the policy is to remind customers of their responsibility to cancel trips in a timely manner and to address patterns of misuse through escalating consequences up to and including suspension of service. Late cancellations and no shows reduce the ability of the contractor for the shared ride service (DARTS) to reassign unused trips to others who may need them.

Updates to this policy were first discussed at the Accessibility Committee for Persons with Disabilities Transportation Working Group on November 23, 2021, presented to the Committee on December 14, 2021 (Meeting 21-13, Items 6.4 and 7.1), and presented to Public Works Committee on April 22, 2022 (Report PW21055(a)). The last review of policy updates with the Transportation Working Group took place on November 26, 2024 (Accessibility Committee for Persons with Disabilities Meeting 25-001, Item 7.6).

The changes first proposed in 2021 and 2022 were to move to a points-based system from a frequency-based system, and to remove any penalty for excessive cancellations

(i.e., frequent cancellations even if the trips were cancelled on time). At that time, Accessible Transportation Services was not proposing any other changes to the policy as written.

The policy itself has been further updated to address concerns raised by the Transportation Working Group, and to work better with software installed over 2023 and 2024, which now has the points system embedded in its functionality (see Appendix “B” to PW25049).

The software also provides ATS staff flexibility to manage extenuating circumstances, such as customer illness, contractor issues like late service, and inclement weather events.

The main goal of addressing repeated infractions is to increase overall trip availability. Accessible Transportation Services staff are now targeting the beginning of Q3 2025 to begin policy enforcement. Our next steps will include drafting a terms of reference document for the appeal panel to apply the appeal process in the event of a suspension from service. Accessible Transportation Services proposes the draft is reviewed with the policy review working group.

The changes from the original 2005 policy are outlined in a presentation at today’s Accessibility Committee for Persons with Disabilities meeting, and staff will be pleased to take questions.

## Consultation

Accessibility Committee for Persons with Disabilities Transportation Working Group

Jessica Bowen, Manager, Human Resources/ Diversity and Inclusion

## Appendices and Schedules Attached

Appendix A: Accessible Transportation Services Trip No Shows, Late Cancellations and Excessive Cancellations Policy (2005)

Appendix B: Accessible Transportation Services Late Cancellation and No-Show Policy (2025).

**Prepared by:** Michelle Martin, Manager  
Public Works, Transit/ Accessible Transportation Services

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OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.



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**Submitted and  
recommended by:**

Michelle Martin, Manager  
Public Works, Transit/ Accessible Transportation Services

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Engaged Empowered Employees.



**CITY OF HAMILTON**

***PUBLIC WORKS DEPARTMENT  
Transit Division***

<b>Report to:</b>	Chair and Members, Public Works, Infrastructure and Environment Committee	<b>Submitted by:</b>	Scott Stewart, C.E.T. General Manager
<b>Date:</b>	April 15, 2005	<b>Prepared by:</b>	Don Hull Extension 1860  Paul Thompson Extension 1862

**SUBJECT: Accessible Transportation Services Policy  
Trip No Shows, Late Cancellations and Excessive Cancellations  
(PW05051) - (City Wide)**

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**RECOMMENDATION:**

That Council authorize Transit staff to implement the policy outlined in Report PW05051, and included as Appendix "A", regarding trip no shows, late cancellations and excessive cancellations as they relate to the transportation of persons with disabilities on DARTS.

Scott Stewart, C.E.T.  
General Manager  
Public Works

**EXECUTIVE SUMMARY:**

As part of the 2004 settlement approved by Council with the Ontario Human Rights Commission (OHRC) and Complainants under the Ontario Human Rights Code, Accessible Transportation Services (ATS) staff of the Transit division have completed development of a new policy dealing with "no shows" and "late cancellations" by passengers using DARTS service, attached as Appendix A to this report.

Staff reviewed similar policies implemented in Ottawa, Toronto, and Peel Region and developed a framework for consultation with the City's Advisory Committee for Persons with Disabilities (ACPD). The ACPD resolved the following motion:

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Trip No Shows, Late Cancellations and Excessive Cancellations  
(PW05051) - (City Wide) - Page 2 of 10**

That the Advisory Committee for Persons with Disabilities (ACPD) endorse Accessible Transportation Services (ATS) Policy No. 2005-01, Trip No Shows, Late Cancellations and Excessive Cancellations, subject to the following conditions:

- i) that a relevant training program be developed and the training be a requirement for all individuals involved in the administration of the appeal process;
- ii) that a steering committee be established to assist with and evaluate the implementation of the policy, and to monitor the process and its impacts;
- iii) that the Trip No Shows, Late Cancellations and Excessive Cancellations Policy be re-evaluated at 6 months and 12 months.

The ACPD resolution also noted the following:

The Advisory Committee for Persons with Disabilities discussed the policy. There was acknowledgement that the policy is not meant to penalize users but to focus on possible abusers of the system. However, because it will apply to all users, there were concerns and questions raised about the policy. The committee questioned the way the policy will be implemented; possible impact on users who are not able, due to their disability or circumstances, to meet the requirements of the policy; whether or not a person would be at risk of being permanently removed from the client list; who is responsible for interpreting the policy; and at whose discretion clients are placed in the system. Concerns expressed included the concern that a language barrier, low literacy or mental disability barrier could be the reason behind the no show or frequent cancellation, and that persons who use the system for transportation to and from work would be possibly caught in the penalties due to a vacation period or a change in work schedule. A suggestion was made to allow a doctors note certifying an inability to meet the requirements of the policy as sufficient to waive the penalties. Recommendations proposed include training for anyone involved in the appeal process to ensure they are aware of the impacts of suspensions of service on the users, for a steering committee and for frequent evaluation of the impacts of the policy.

The policy conforms to the terms of the settlement with the Ontario Human Rights Commission (OHRC) and Complainants. The policy addresses the principles agreed upon with the ACPD, namely that:

- No shows, late cancellations, and excessive cancellations by individual passengers have a direct impact on the effectiveness of the specialized transportation system in meeting the needs of all passengers, by limiting the general availability of trips and causing service delays.
- Providing the highest level of trip availability and fulfilment within existing resources is a principle that contributes to effectiveness and efficiency of the service, to the benefit of all passengers and the community.
- While personal circumstances of passengers outside of their control may contribute to occasions where a no show or late cancellation is unavoidable, each passenger

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is responsible for maintaining stated levels of no-shows, late cancellations, and cancellations, as defined within the Policy Conditions.

Key aspects of the policy include:

- a change in passenger requirements regarding advance cancellation of trips, such that a cancellation must be made by 4:30 p.m. of the day prior to the day of service (current policy allows cancellation up to one hour before the trip);
- the use of a progressive system of service sanctions where individuals exceed the conditions of the policy (current policy imposes a \$5 charge for no show, no sanction for late or excessive cancellations); and
- an appeal process which allows for evaluation of circumstances which individuals may experience and may have an effect on their ability to comply with the terms of the policy.

As part of the implementation process, staff will communicate the new policy to Registrants prior to commencement, and will work with members of the ACPD to address concerns through the use of a Steering Committee including staff and members of the ACPD, specific training, and consideration of policy modification after evaluation periods recommended by the ACPD.

It is expected that the new policy will encourage earlier trip cancellations by passengers, freeing up usable service availability for others who have been unable to get the trips that they need.

**BACKGROUND:**

The information/recommendations contained within this report have City wide implications and relate to matters/facilities/programming/property within the entire City.

Under the terms of the settlement approved by Council with the Ontario Human Rights Commission and Complainants under the Code, the City had undertaken the following:

*"In consultation with the City's Advisory Committee for Persons with Disabilities, the City will develop and implement a new policy regarding Registrants who are not available without having given prior notice for their scheduled trips ("no shows") and Registrants who are late cancelling their scheduled trips ("late cancellations"). Such policy may include progressive penalties, including suspension of DARTS service to a registrant. Upon implementation of such a policy regarding no shows and late cancellations, the City will eliminate the current no show fee for Registrants. The City will implement a new policy and eliminate the current no show fee for Registrants within 3 months of the date of this agreement."*

In order to concurrently address the identified issue of individuals accumulating excessive cancellations, and thus affecting the availability of trips to other passengers, the policy as developed includes terms that will allow for monitoring of passengers who exhibit a pattern of abuse of this and other policy conditions.

The issue of trip cancellations has been an increasing concern. As illustrated in Table 1 below, in January and February 2005 over 23% of all trip bookings were not used by passengers for reason of cancellation or no show. Under the current policy of allowing

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passengers to cancel up to one hour in advance of the trip, these 17,000 cancellations were generally not usable in creating additional service availability for other passengers.

Table 1 Cancellations and No Shows on DARTS

2005	Trip Requests	Trip Cancellations	Trip No Shows	% Trip Cancellations & No Shows
January	39,928	8,841	726	24.0%
February	42,000	8,814	683	22.6%
Total	81,298	17,655	1,409	23.4%

**ANALYSIS OF ALTERNATIVES:**

Staff reviewed similar policies implemented in Ottawa, Toronto, and Peel Region and further consideration of “best practice” alternatives was expected to yield only variations on the essential elements of the policy. The policy as written represents a consensus of staff and stakeholders on the most effective means of dealing with the issues the policy is intended to address.

Maintaining the current policy is not an alternative, as the City’s settlement with the Ontario Human Rights Commission and complainants under the Act requires that a new policy be developed within the framework presented within this report.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

There are no financial implications to the recommendation.

There are no immediate staffing implications to the recommendation, although the requirements of the policy to closely evaluate individual passenger circumstances presented under appeal may necessitate the reconsideration of staff resource requirements once the policy has been employed for the initial 6 month evaluation period.

The recommended policy conforms to the terms of the 2004 settlement approved by Council with the Ontario Human Rights Commission (OHRC) and Complainants under the Ontario Human Rights Code.

**POLICIES AFFECTING PROPOSAL:**

The recommendation conforms to the City requirement to incorporate review, comment and recommendation by the City of Hamilton Advisory Committee for Persons with Disabilities (ACPD) on reports and proposed legislation which affect all persons with disabilities.

**CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:**

Consultation was undertaken between Transit staff, and key stakeholders including the ACPD, DARTS, and staff from Legal Services and Customer Service, Access and Equity.

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**CITY STRATEGIC COMMITMENT:**

Goal: A Great City in Which to Live

The recommendation supports the commitment to providing quality community services to residents and supporting people in need, with care, by ensuring sustainability of the transit service for persons with disabilities.

Goal: A City Where People Come First

The recommendation supports the commitment to providing opportunities for public input, through a consultative policy development process that is inclusive of persons with disabilities and other community stakeholders.

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**APPENDIX "A"**

**CITY OF HAMILTON**

**DEPARTMENT: PUBLIC WORKS  
DIVISION: TRANSIT  
SECTION: ACCESSIBLE TRANSPORTATION SERVICES (ATS)**

<b>POLICY SUBJECT: Trip No Shows, Late Cancellations and Excessive Cancellations</b>	<b>POLICY NO.: 2005-01</b>
<b>EFFECTIVE DATE: 2005-05-01</b>	<b>LAST REVISION: 2005-03-30</b>

**GUIDING PRINCIPLES:**

ATS and DARTS undertake to deliver a shared ride transportation service that is reliable, punctual and to the satisfaction of its passengers. In order to meet this standard, passengers have a responsibility to assist in making the service more effective by not booking trips that will not be taken, and by cancelling unwanted trips in a timely manner. No shows, late cancellations, and excessive cancellations by individual passengers have a direct impact on the effectiveness of the specialized transportation system in meeting the needs of all passengers, by limiting the general availability of trips and causing service delays. Providing the highest level of trip availability and fulfilment within existing resources is a principle that contributes to effectiveness and efficiency of the service, to the benefit of all passengers and the community. While personal circumstances of passengers outside of their control may contribute to occasions where a no show or late cancellation is unavoidable, each passenger is responsible for maintaining stated levels of no-shows, late cancellations, and cancellations, as defined within the Policy Conditions.

The policy for managing no shows, late cancellations, and excessive cancellations is intended to identify discernible patterns of abuse, and is designed such that:

- legitimate reasons for no shows and late cancellations are considered, as part of any investigation;
- progressive warnings and/or service suspensions are employed; and
- an appeal process is available to passengers.

Development of this policy is a result of the 2004 Agreement reached between the City of Hamilton, the Ontario Human Rights Commission, and complainants under the Human Rights Code; and has been undertaken with the participation and concurrence of the Advisory Committee for Persons with Disabilities for the City of Hamilton.

**PURPOSE:**

The purpose of the policy is to provide an appropriate mechanism for dealing with the management of no shows, late cancellations, and excessive cancellations by passengers in a consistent and understandable manner that fulfils the guiding principles of the policy.



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**POLICY CONDITIONS:**

The policy applies to any DARTS passenger who exceeds one or more of the following conditions in a calendar month period.

1. Maximum six (6) late cancellations.
2. Maximum three (3) no shows.
3. Maximum seven (7) combined late cancellations and no shows.
4. Maximum of 25% (with a minimum of 10 occurrences) of subscription and/or casual booking trips cancelled.

Cancellations and no shows are recorded on a single one way trip basis. A cancelled round trip is two trip cancellations. A no show will be recorded for the first of two trips in a round trip if the passenger is not in contact with DARTS; the return trip will be recorded as a cancellation.

**POLICY ACTIONS:**

Each of the below noted policy actions is subject to an appeal within the prescribed time frame, and the actions described are only taken if the appeal is unsuccessful.

1. After exceeding the policy conditions for the first time in a calendar month period, an initial advisory letter will be issued outlining the policy, and informing the passenger of further progressive action that might be undertaken.
2. Upon exceeding the policy conditions for the second time within a twelve month period from the date of the initial advisory letter, a second advisory letter will be issued notifying the passenger of a three (3) day suspension of service, and informing the passenger of further progressive action that might be undertaken.
3. Upon exceeding the policy conditions for the third time within a twelve month period from the date of the second advisory letter, a third advisory letter will be issued notifying the passenger of a ten (10) day suspension of service, and informing the passenger of further progressive action that might be undertaken.
4. Upon exceeding the policy conditions for the fourth time within a twelve month period from the date of the third advisory letter, a fourth advisory letter will be issued notifying the passenger of a minimum thirty (30) day suspension of service, and where subscription bookings are held, the loss of subscription booking privileges for a period of twelve months. Subsequent suspensions imposed will be for a minimum of thirty (30) days, until such time as a clear record is achieved by the passenger. Passengers who receive a service suspension of thirty (30) days or more may appeal to have medical trips excluded from the suspension. At the discretion of the Appeal Panel, a passenger who is granted this form of relief may have the suspension period extended by up to ten (10) days.
5. When the passenger has stayed free of violations for a twelve (12) month period following any of the above policy actions, the passenger's record will be re-established as clear.

Any no shows and late cancellations due to unusual circumstances beyond the control of the passenger may be deemed by ATS and/or the Appeal Panel to be a legitimate reason for failure of the passenger to cancel a trip within the time frames of the policy, and will **not** be used in determining if a passenger has exceeded the conditions of the

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policy. Some examples of unusual circumstances beyond the control of the passenger **may** include, but are not limited to:

- unplanned passenger hospitalization (certification may be required);
- caregivers failing to call on behalf of a passenger;
- incidental breakdown of a personal mobility device.

Circumstances which are automatically deemed to be beyond the control of the passenger and will **not** be used in determining if a passenger has exceeded the conditions of the policy include:

- program closures (e.g. Day Programs, etc.) for specific periods which are made known to ATS and/or DARTS in advance;
- arrival by DARTS, outside of the pick up window and/or more than thirty (30) minutes after the passenger's negotiated time, such occurrence being considered a "late" pick up;
- failure of DARTS to perform an agreed upon trip (missed trip); or
- cancellation of service by DARTS due to a snow emergency.

**PASSENGER APPEAL PROCESS:**

As it is not possible to document every circumstance which would constitute an exception to the policy as part of the policy itself, an Appeal Process is available to passengers.

1. For the **first advisory letter**, the passenger or their designate must telephone an ATS Customer Service Representative within ten (10) days, during regular ATS office hours (Monday to Friday, 8:30 a.m. to 4:30 p.m.), to present their appeal. The ATS Customer Service Representative, upon review and consultation with the Supervisor of ATS, will make a final determination on the appeal.
2. For the **second and subsequent advisory letters** and their associated policy actions, the passenger or their designate must appeal in writing to ATS Customer Service. A response by e-mail is considered an acceptable form of written appeal by the passenger. If, after review, a resolution cannot be achieved which is agreeable to the passenger, the appeal will be referred for the consideration of the Appeal Panel.

Where a passenger is unable to provide a written appeal due to their disability, an ATS Customer Service Representative will assist the passenger in filing a written appeal.

The Appeal Panel shall be comprised of one representative from each of ATS and DARTS, and a member appointed by the Advisory Committee for Persons with Disabilities (ACPD). The Appeal Panel will convene approximately once a month to resolve outstanding appeals.

3. All appeals in writing must be received by ATS within twenty (20) days of the date of the advisory letter. Appeals must be addressed to the care of:

Accessible Transportation Services  
 Attention: Passenger Advisory Appeals  
 2200 Upper James Street, R.R. # 2, Mount Hope ON L0R 1W0

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4. The appeal documentation provided by the passenger shall include:
  - passenger name;
  - passenger registration number;
  - address;
  - telephone number where the passenger may be reached during regular ATS office hours;
  - reason(s) for the appeal;
  - supporting documentation where required (e.g. certification of passenger hospitalization); and
  - the remedy sought.
5. Upon receipt of an appeal, ATS will contact the passenger by phone and will subsequently confirm receipt of the appeal in writing within ten (10) days, specifying the time frame for the appeal to be dealt with. From the time an appeal is received by ATS until a decision of the ATS Customer Service Representative or the Appeal Panel is issued, the passenger will continue to have access to the service.
6. Failure to appeal a policy action within the prescribed time frames will result in the automatic application of the identified policy action.

**PROCEDURES:**

- ATS and/or DARTS staff will accurately record no shows, late cancellations, and cancellations as defined by the policy.
- In the case of a no show, DARTS staff will inform the passenger of the no show by means of a contact notice ("Sorry! We Were Here For Your Scheduled Pick Up Time ...") left at the pick up point (where such contact notice may be reasonably employed with discretion that respects the dignity of the passenger), or directly where telephone contact with the passenger is subsequently obtained.
- In the case of a late cancellation, ATS and/or DARTS staff will inform the passenger at the time of cancellation, providing such clarification of the policy as may be requested by the passenger.
- ATS Customer Service staff will generate and review no show, late cancellation, and cancellation reports on a monthly basis, once completed DARTS manifests have been input to ensure accuracy.
- Passengers who are identified as falling outside of the acceptable number of incidents will be contacted by letter. The letter will identify the dates of the incidents, the level of action under the policy, and the opportunity for appeal.
- A statement regarding the privacy of passenger information provided under appeals will be included in the letter to passengers.

**DEFINITIONS:**

**Cancellation**

A trip cancellation occurs when a passenger books a trip, and cancels such a request no later than the required time of 4:30 p.m. of the day preceding the trip. Cancellations are recorded on a single one way trip basis. A cancelled round trip is two trip cancellations.

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**Late Cancellation**

A late cancellation occurs when a passenger books a trip, and fails to cancel this trip request by the required time of 4:30 p.m. of the day preceding the trip.

**No Show**

A no show occurs when a passenger books a trip, does not cancel ahead of time, and is not available at the time that the vehicle arrives within the pick up window and/or within thirty minutes after the negotiated pick up time. This includes any occurrence of cancelled at door, where the passenger refuses a trip at the door that is within the pick up window and/or within thirty minutes after the negotiated pick up time.

In all cases, a no show shall be recorded by the driver only after a period of five (5) minutes time has elapsed from arrival within the pick up window and/or within thirty minutes after the negotiated pick up time, and upon approval of the DARTS dispatcher.

No shows are recorded on a single one way trip basis, and a no show will be recorded for the first of the two trips in a round trip if the passenger is not in contact with DARTS; the return trip will be recorded as a cancellation.

**Negotiated Time**

The negotiated time for each trip is that time agreed upon by the passenger and ATS and/or DARTS for pick up, subject to the pick up window.

**Pick Up Window**

The pick up window is that period of time 15 minutes before to 15 minutes after the negotiated time, unless otherwise specifically agreed to by ATS and/or DARTS.

**DARTS**

Disabled and Aged Regional Transit System is the contractor to the City of Hamilton for delivery of specialized transportation services.

**ATS**

Accessible Transportation Services is the operational section of the City of Hamilton responsible for administration of specialized transportation services.  
of specialized transportation services.



<i>Title</i>	<b><i>ATS Late Cancellation and No-Show Policy</i></b>		
<i>Document #</i>	<i>PW-TR-ATS-Y-002-001</i>	<i>Document Level</i>	<i>Level IV</i>
<i>Issue #</i>	<i>1.0</i>	<i>Issue Date</i>	<i>May 2025</i>

## 1 PURPOSE

The purpose of this policy is to remind passengers of their responsibility to cancel unwanted scheduled trips in a timely manner.

The provisions and standards in this policy should be followed to ensure a fair application of policy which considers legitimate reasons for no shows and late cancellations, and to continue to adhere to the 2004 agreement reached between the City of Hamilton, the Ontario Human Rights Commission, and complainants under the code, in consultation with the Advisory Committee for Persons with Disabilities (see also Report PW05051).

## 2 SCOPE

This policy applies to transportation services provided by Accessible Transportation Services (ATS) for trips booked on its shared ride specialized transit service.

It excludes trips taken with taxi contractors under the Taxi Scrip program.

## 3 TERMS AND CONDITIONS

This policy applies to any ATS customer who accumulates one or more “policy violations”. A policy violation occurs when an ATS customer meets or exceeds a combined total of seven (7) points in any given calendar month, according to the criteria below:

1. No Show: two (2) points;
2. Cancellation at Door: two (2) points; and
3. Late Cancellation: one (1) point.

A cancellation is late when it is made later after 4:30 p.m. of the day prior to service. Any no shows and late cancellations due to extraordinary circumstances beyond the reasonable control of the customer may be deemed exempt under the policy by ATS and / or the Appeal Panel (see below). Some examples of extraordinary circumstances beyond the reasonable control of the passenger include but are not limited to unplanned medical emergencies or illness, or incidental breakdown of a personal mobility device.

Other circumstances may be automatically deemed to be beyond the reasonable control of the passenger and will not be counted as part of a policy violation, including but not limited to:

- program closures for specific periods which are made known to ATS and / or the contractor for service in advance;
- arrival by the Operator more than 15 minutes past the negotiated pickup time;
- failure of ATS and/ or the contractor for service to perform a scheduled trip; or

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<i>Document #</i>	<i>PW-TR-ATS-Y-002-001</i>	<i>Document Level</i>	<i>Level IV</i>
<i>Issue #</i>	<i>1.0</i>	<i>Issue Date</i>	<i>May 2025</i>

cancellation of service due to inclement weather or any other emergency.

#### **4 PRINCIPLE**

The following principles apply to this Policy:

1. legitimate reasons for no shows and late cancellations shall be considered as part of any investigation;
2. progressive warnings and / or service suspensions are utilized; and
3. an appeal process is available to passengers whose service has been suspended.

#### **5 POLICY**

ATS endeavours to deliver an efficient and reliable shared ride service that meets customer specialized transit needs in a sustainable manner. Late cancellations and trip no shows limit the general availability of trips and cause unnecessary service delays. The policy for managing no shows and late cancellations is intended to identify discernible patterns of abuse.

ATS shall review all policy violations monthly. Failure of ATS customers to comply with this Policy will result in the actions described below:

1. after the first policy violation in a calendar month, a first advisory letter will be sent, educating the ATS customer regarding the Late Cancellation and Trip No Show Policy;
2. after the second policy violation in a twelve (12) month period from the date of the first advisory letter, a second advisory letter will be sent, warning the ATS customer that they are now in danger of suspension in the event of any further violation(s);
3. after the third policy violation in a twelve (12) month period from the date of the second advisory letter, a third advisory letter will be sent, notifying the ATS customer of a three (3) day suspension of service;
4. after the fourth policy violation in a twelve (12) month period from the date of the third advisory letter, a fourth advisory letter will be sent, notifying the ATS customer of a ten (10) day suspension of service;
5. after the fifth policy violation within a twelve (12) month period from the date of the fourth advisory letter, a fifth advisory letter will be issued, notifying the ATS customer of a minimum thirty (30) day suspension of service, and, where subscription bookings are held, the loss of subscription booking privileges for a period of twelve months; and
6. Further policy violations will result in additional suspensions of thirty (30) days respectively (at a minimum, in the discretion of ATS, acting reasonably), until such time as a clear record is achieved by the ATS customer.

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As it is not possible to document every unique circumstance which could be counted as an exception to the policy, an appeal process, as described below, shall be available to ATS customers:

1. following the first and second advisory letters, the ATS customer or their designate must telephone an ATS Customer Service Representative during ATS office hours (weekdays from 8:30 AM to 4:30 PM) within 14 (14) days of the date of the advisory letter. The ATS Customer Service Representative shall review and consult with the ATS Supervisor to make a final determination as to whether the violation(s) will be counted;
2. for the third and following advisory letters, the ATS customer or their designate must notify ATS in writing of their intent to appeal any suspension within fourteen (14) days of the date of the advisory letter. If, after review, a resolution cannot be reached, the appeal shall be referred to an Appeal Panel consisting of one representative from each of ATS, the Accessibility Committee for Persons with Disabilities (ACPD), and City of Hamilton Talent and Diversity. The Appeal panel will meet approximately once per month, if needed, to resolve outstanding appeals;
3. ATS customers who receive a service suspension may appeal to have medical trips excluded from the suspension by contacting an ATS Customer Service Representative during ATS office hours (weekdays from 8:30 AM to 4:30 PM). The ATS Customer Service Representative shall review and consult with the ATS Supervisor to make a final determination.
4. all advisory letters sent to ATS customers under this policy shall contain the following information necessary for an appeal to be filed:
  - mailing address, fax number and email address of Accessible Transportation Services;
  - a statement regarding the privacy of customer information; and
  - the information that must be provided by the customer in their appeal letter:
    - ATS customer identification number, mailing address, and daytime telephone number;
    - reason for the appeal;
    - supporting documentation;
    - signature of the ATS customer or their substitute decision maker; and
    - date of letter.
5. failure to appeal any action taken under this policy within the above deadlines shall result in the automatic application of the policy in each circumstance;
6. when ATS receives an appeal, ATS will contact the customer with a phone call that is followed by a letter to confirm the appeal has been received and to inform the customer when they can expect a response. Once an appeal has been requested,

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the ATS customer shall continue to have access to service until the appeal outcome is decided; and

7. ATS shall assist any customer who is unable to submit a written appeal due to their disability, including by providing all letters in alternative formats.

## 6 ASSOCIATED DOCUMENTS

- Late Cancellation and Trip No Show Procedure (**under development**)
- Report PW05051 Accessible Transportation Services Policy Trip No Shows, Late Cancellations and Excessive Cancellations (**link to report archive forthcoming**)

## 7 REVISION HISTORY

Rev. No	Rev. Date	Description of Change(s)	Process Owner/ Revision Created By	Reviewer(s)
1.0	05 / 2025	Initial Release	Michelle Martin – ATS Manager	<ul style="list-style-type: none"><li>• Accessibility Committee for Persons with Disabilities;</li><li>• City of Hamilton Legal Services;</li><li>• City of Hamilton Talent and Diversity</li></ul>

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