

26 FEBRUARY 2020

**1. LIGHT RAIL REGULATORY MONITOR AND COMPLIANCE OFFICER
ANNUAL REPORT**

**AGENT DE VÉRIFICATION DE LA CONFORMITÉ RÉGLEMENTAIRE DU
TRAIN LÉGER – RAPPORT ANNUEL**

COMMISSION RECOMMENDATION

That Council receive the Light Rail Regulatory Monitor and Compliance Officer Annual Report, attached as Document 1.

RECOMMANDATION DE LA COMMISSION

Que le Conseil prenne connaissance du Rapport annuel de l'Agent de vérification de la conformité réglementaire du train léger, ci-joint comme le Document 1.

DOCUMENTATION / DOCUMENTATION

1. Light Rail Regulatory Monitor and Compliance Officer's, and City Manager's report, dated 7 February 2020 (ACS2020-OCC-TRA-0002).

Rapport de l'Agent de vérification de la conformité réglementaire du train léger, et du Directeur Municipal, daté le 7 février 2020 (ACS2020-OCC-TRA-0002).

2. Extract of draft Minutes, Transit Commission, 19 February 2020.

Extrait de l'ébauche du procès-verbal, Commission du transport en commun, le 19 février 2020.

**Report to
Rapport au :**

**Transit Commission
Commission du transport en commun
19 February 2020 / 19 février 2020**

**and Council
et au Conseil
26 February 2020 / le 26 février 2020**

**Submitted on February 7, 2020
Soumis le 7 février 2020**

**Submitted by
Soumis par :**

**Sam Berrada, Light Rail Regulatory Monitor and Compliance Officer /
Agent de vérification de la conformité réglementaire du train léger**

and / et

**Steve Kanellakos, City Manager
Directeur Municipal**

**Contact Person
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**Sam Berrada, Light Rail Regulatory Monitor and Compliance Officer /
Agent de vérification de la conformité réglementaire du train léger
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Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2020-OCC-TRA-0002

SUBJECT: Light Rail Regulatory Monitor and Compliance Officer Annual Report

**OBJET: Agent de vérification de la conformité réglementaire du train léger –
Rapport annuel**

REPORT RECOMMENDATION

That the Transit Commission recommend Council receive the Light Rail Regulatory Monitor and Compliance Officer Annual Report, attached as Document 1.

RECOMMANDATION DU RAPPORT

Que la Commission du transport en commun recommande que le Conseil prenne connaissance du Rapport annuel de l'Agent de vérification de la conformité réglementaire du train léger, ci-joint comme le Document 1.

BACKGROUND

On July 14, 2011, Council approved the implementation plan for the Ottawa Light Rail Transit (LRT) project (ACS2011-ICS-RIO-0002). At that time, the City of Ottawa and Transport Canada had been working together on a unique arrangement to permit the City to regulate its light rail system; and, as a result of those discussions, Council also authorized the City to finalize a regulatory agreement with the Federal Government.

The *Transport Canada Delegation Agreement*, made effective on October 1, 2011, included provisions for the development, adoption, monitoring and enforcement of City rail transit regulations pursuant to a delegated regulation model which includes the City's authority to develop, implement, monitor and enforce a comprehensive regulatory framework for the safety and security of the LRT, including the adoption of procedures that ensure that compliance with the regulations are monitored and reported on by an independent internal auditor or other responsible City official. The position of independent internal auditor was subsequently renamed the "Light Rail Regulatory Monitor and Compliance Officer" (RMCO), whose duties include monitoring and reporting on compliance with the LRT regulations.

On 23 September 2015, Council approved a report (ACS2015-CMR-OCM-0018) regarding the Governance and reporting requirements for the RMCO. This report provided that RMCO would submit a multi-year Compliance Officer's initial work plan to Council for approval three months prior to revenue service.

At its meeting of February 28, 2018, City Council approved Motion No. 65/6 appointing Sam Berrada (SAB Vanguard Consulting Inc.) as the RMCO.

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Further to the above, at its meeting of 12 September 2018, Council considered and approved report ACS2018-CCS-OCC-0017, outlining the RMCO's initial work plan. The Annual Compliance Report, attached as Document 1, is now being presented to the City of Ottawa's Transit Commission at its meeting of Tuesday, 19 February 2020, and Ottawa City Council, at its meeting of Wednesday, 26 February 2020 for their consideration.

DISCUSSION

The RMCO prepared the Annual Compliance Report, being presented for the Transit Commission and Council's consideration, as set out in Document 1. This is consistent with the multiyear Work Plan. In accordance with the RMCO mandate, regulatory compliance monitoring activities were started during the fourth quarter of 2019, shortly after revenue service inception.

The first regulatory area which was monitored focused on the training and certification of employees involved in the movement of trains and light rail vehicles for OC Transpo as well as Rideau Transit Maintenance (RTM) and its subcontractors.

As required by the RMCO mandate, the Annual Compliance Report, which outlines regulatory compliance monitoring activities and findings, describes the approach used for carrying out regulatory monitoring, as well as compliance findings which have been robust.

MANAGEMENT RESPONSE

The City has received the report submitted by the Regulatory Monitor & Compliance Officer (RMCO). The RMCO has examined nine elements of the City's Rail Regulations specific to training & certification of persons involved in the operation and movement of the Confederation Line trains. Training and certification of employees is the cornerstone of a safe organization and rail transit system.

The City supports the RMCO's findings of OC Transpo's regulatory compliance with all nine areas examined. RTM was found to be in compliance, with one area identified as an opportunity for improvement: the process for ensuring employees absent for an extended period obtain required training upon return to work. It was determined that RTM has a general process for training actions following employee absences, but there is an opportunity to strengthen this process to maintain ongoing compliance.

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Alstom had two elements noted as opportunities. These elements are in connection with the expectation that persons away from work for extended periods will receive required training, and that there is a procedure in place to monitor that process.

Both RTM and Alstom agreed to strengthen their processes for employees with extended absences. They both agreed to use the OC Transpo document entitled “Training and Development of Operator Reassessment” as a model. City staff will ensure that RTM and Alstom implement those opportunities for improvement.

RURAL IMPLICATIONS

No specific Rural Implications have been identified in the preparation of this report, which was drafted to transmit the accompanying RMCO Annual Compliance Report, identified as Document 1.

CONSULTATION

Not applicable.

COMMENTS BY THE WARD COUNCILLOR(S)

This is a City-wide matter.

LEGAL IMPLICATIONS

There are no legal impediments associated with receiving this report for information.

RISK MANAGEMENT IMPLICATIONS

Risk implications of the Light Rail Regulatory Framework have been identified and explained in previous reports, and are being managed by appropriate staff.

FINANCIAL IMPLICATIONS

There are no financial implications associated with receiving this report for information.

ACCESSIBILITY IMPACTS

No specific Accessibility Impacts have been identified in the preparation of this report, which was drafted to transmit the accompanying RMCO Annual Compliance Report, identified as Document 1.

TERM OF COUNCIL PRIORITIES

No specific 2018-2022 Term of Council Priorities have been identified in the preparation of this report, which was drafted to transmit the accompanying RMCO Annual Compliance Report, identified as Document 1.

SUPPORTING DOCUMENTATION

Document 1: RMCO Annual Compliance Report *(Held on file with City Clerk)*

DISPOSITION

The Light Rail Regulatory Monitor and Compliance Officer will proceed according to Council direction.