

Public Safety and Enforcement Section

Calgary Transit Banning Procedure

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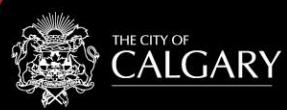


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Purpose

The Calgary Transit Banning Procedure (“Banning Procedure”) provides guidelines and information which explains when a person may be issued with a Banning Notice prohibiting a person from being on, or using, Transit Property and Transit Vehicles.

The purpose for issuing a Banning Notice and prohibiting a person from using or being on Calgary Transit Property and/or Transit Vehicles for a certain length of time is to ensure:

- The safety and security of the public, transit users, and City of Calgary employees;
- Compliance with the *Transit Bylaw*, Bylaw 4M81 (“*Transit Bylaw*”);
- That the public, transit users, and City of Calgary employees are free from interference and harassment; and
- That the operation of the City of Calgary transit system is carried out effectively and efficiently.

The *Trespass to Premises Act* of Alberta, R.S.A. 2000 c. T-7, authorizes The City of Calgary to ban trespassers from all Transit Property.

The common law of common carriers authorizes The City of Calgary to ban people who engage in prohibited conduct from being on Transit Vehicles.

Definitions

The following definitions apply to this procedure:

“Banning Notice” – A Banning Notice issued by a Peace Officer which bans a person from being on Transit Property and/or Transit Vehicles for a certain length of time.

“Boarding Zone” – Any portion(s) of Transit Property designated as a Boarding Zone pursuant to section 5(5) of the *Transit Bylaw*.

“The City” – The municipal corporation of The City of Calgary, or the area contained within the boundaries of The City of Calgary, as the context requires.

“Calgary Transit” – The transit system owned and/or operated by The City.

“LRT” – Light Rail Transit system owned and/or operated by The City for public transit purposes and includes all Transit Property, including LRT trains, associated therewith.

“Peace Officer” – A person appointed pursuant to the *Peace Officer Act* of Alberta, R.S.A. 2006, c. P-3.5.

“Transit Parking Lots” – Parking lots owned and/or operated by The City which are located adjacent to bus terminals and LRT stations intended to be used by customers accessing the transit system.

“Transit Platform” – Any portion of Transit Property owned and/or operated by The City for the use of passengers boarding or alighting from Transit Vehicles.

“Transit Property” – Any premises owned and/or operated by The City for the use of public transit and includes but is not limited to a Transit Platform, Transit Station, Boarding Zone, and Transit Parking Lots.

“Transit Station” – Any building or structure owned and/or operated by The City for public transit.

“Transit Vehicle” – Any vehicle which is owned and/or operated by The City for the use of public transit and includes any bus or LRT train or other vehicle used for that purpose.

“Trespass” – The unauthorized entry, as defined by the *Trespass to Premises Act* of Alberta, R.S.A. 2000, c. T-7, onto Transit Property.

“Trespasser” – A person as defined in the *Trespass to Premises Act* who enters onto Transit Property without permission.

Legislation, Policies and Bylaws

The following legislation and policies applies:

- *Trespass to Premises Act (“TPA”) (Appendix A)*
- *Criminal Code of Canada*
- *The City of Calgary Bylaw, Bylaw 4M81 (the “Transit Bylaw”)(Appendix B)*
- *The City of Calgary Respectful Workplace Policy (Appendix C)*
- *The City of Calgary Workplace Violence Policy (Appendix D)*

Peace Officers employed by Calgary Transit are deemed to be representatives of The City authorized to issue a Banning Notice in accordance with these guidelines and the procedures set out in the *TPA*.

Transit Bylaw – Pertains to conduct which occurs on Transit Property and/or Transit Vehicles. Some of the more serious offences in the *Transit Bylaw* ("Serious Bylaw Offences") are listed below:

Section	Transit Bylaw Offence	Penalty
Section 11	Handle or operate any Transit Vehicle or Transit Equipment	\$2500
Section 12(1)	Ride on, stand on or hold any exterior portion of a Transit Vehicle	\$5000
Section 13	Damage to Transit Property	\$500
Section 13.1	Interfere with operation of Transit Vehicle	\$5000
Section 13.2	Interference causing delay or safety concern	\$5000
Section 14(1)(a)	Expectorate, urinate or defecate on Transit Property	\$300
Section 14 (1)(b)	Fight on Transit Property	\$300
Section 14 (1)(c)	Interfere with comfort or convenience of transit user	\$300
Section 14 (1)(d)	Cause a safety concern to transit user	\$500
Section 14 (7)	Carry a firearm on Transit Property	\$500
Section 14 (16)	Refusal to leave Transit Property	\$500
Section 14 (18)	Apply graffiti to Transit Property	\$5000
Section 14 (21)	Bring container of flammable or explosive materials on Transit Vehicle	\$500

City of Calgary Respectful Workplace Policy and Workplace Violence Policy – Members of the public who attend The City's premises, including Transit Property, ride on Transit Vehicles, or who interact with City of Calgary employees in the course of their duties, are subject to The City's *Respectful Workplace Policy* and *Workplace Violence Policy*. These policies apply to the treatment of City of Calgary employees such as transit employees and other transit personnel in the course of their duties.

Criminal Code Offences – Criminal acts under the *Criminal Code* of Canada may include but are not limited to:

- Theft
- Possession of narcotics and / or alcohol
- Possession of stolen property
- Property damage
- Mischief
- Assaults
- Sexual Offences
- Fighting
- Offences under the *Transit Bylaw*

PROCEDURES FOR ISSUING A BANNING NOTICE WHICH APPLIES TO TRANSIT PROPERTY AND/OR TRANSIT VEHICLES

A. Criteria for issuing a Banning Notice:

- i. A person may be issued a Banning Notice where he or she engages in behavior or conduct which (1) may include the commission of an offence pursuant to the *Transit Bylaw* and/or the *Criminal Code*, (2) poses a risk to the safety and security of the public, transit users, and The City's employees, (3) causes damage to Transit Property and/or Transit Vehicles, (4) hinders, interferes with, or obstructs Calgary Transit's ability to carry out the delivery of its services to transit users and the public in a safe, efficient and effective manner; or (5) breaches The City's *Respectful Workplace Policy* or *Workplace Violence Policy*.
- ii. Prior to prohibiting someone from being on Transit Property or a Transit Vehicle, Peace Officers employed by Calgary Transit must consider whether the issuance of a Banning Notice is appropriate. The priority for issuing a Banning Notice is to maintain the safety and comfort of Transit customers. Prior to issuing a Banning Notice, Calgary Transit Peace Officers will consider factors relevant to the affected person's circumstances, including the affected person's: age, financial circumstances, understanding of English, ability to communicate, homelessness, etc.
- iii. A Banning Notice may be subject to a number of conditions outlining the following:
 - Whether it applies to all Transit Property and/or Transit Vehicles or only to a specified portion thereof;
 - What time of day/night it applies;
 - What day(s) of the week it applies;
 - Whether any exceptions will be made to permit:
 - Travel to attend school or work commitments;

- Travel to attend business, medical, family, or other necessary appointments; or
- Other exceptions where required in the circumstances.

B. Criteria for the Length of Time a Banning Notice imposes:

24 Hour Ban:

Anyone who engages in isolated conduct deemed to constitute a minor public nuisance or an offence other than a Serious Bylaw Offence under the *Transit Bylaw*.

30 Day (1 month) Ban

Anyone who causes a significant delay to the delivery of Calgary Transit services or causes a safety concern to transit users, City employees, or the public, conduct deemed to constitute a Serious Bylaw Offence, or an offence under the *Criminal Code*, or which breaches The City's *Respectful Workplace Policy* or *Workplace Violence Policy*.

90 Day (3 month) Ban

Anyone who has already been issued with a 30 Day (1 month) Banning Notice within the last 12 months or who engages in conduct which constitutes a Serious Bylaw Offence, or an offence under the *Criminal Code*, or which breaches The City's *Respectful Workplace Policy* or *Workplace Violence Policy*.

180 Day (6 month) Ban

Anyone who has already been issued with a 90 day (3 month) Banning Notice within the last 12 months or who engages in conduct which constitutes a Serious Bylaw offence or an offence under the *Criminal Code*, or which breaches The City's *Respectful Workplace Policy* or *Workplace Violence Policy*.

1 year (+) Ban

Anyone who has already been issued with a 180 Day (6 month) Banning Notice within the last 12 months or who engages in conduct which constitutes a Serious Bylaw Offences or an offence under the *Criminal Code*, or which breaches The City's *Respectful Workplace Policy* or *Workplace Violence Policy*, or who is convicted of an indictable offence under the *Criminal Code* involving an assault or use of force against a transit user, the public, or City of Calgary employee, or who causes damage to Transit Property and/or Transit Vehicles in the sum of more than \$10,000.00, may be banned for a period of up to one year or more, depending on the circumstances.

Arrest made under the *TPA*:

Anyone who refuses to leave Transit Property after having been issued with a Banning Notice or who fails to comply with the terms and conditions of a Banning Notice may be charged with an offence under section 14(16) of the *Transit Bylaw*, or with committing a trespass pursuant to section 2 of the *TPA*.

Review of Notices / Right of Appeal

i. Appeal to the Inspector of Professional Standards:

The Inspector of Professional Standards (the "Inspector") shall review all Banning Notices and may, upon further investigation, vary the conditions of the Banning Notice. Where any change to the Banning Notice is made, the Inspector will notify the person affected of those changes by personal service or by registered mail.

A person who is issued a Banning Notice has the right to appeal the Banning Notice and any conditions therein. Appeals must be made in writing to the Inspector and must be submitted within 14 days from the date that the person received the Banning Notice or upon having received a letter from the Inspector varying the conditions of the original Banning Notice. The person seeking the appeal must provide reasons for the appeal and must say what outcome he or she is requesting. The Inspector will provide the person affected with a decision (the "Inspector's Appeal Decision") by personal service or by registered mail.

ii. Further Appeal to the Public Safety and Enforcement Coordinator:

Should the person affected wish to appeal the Inspector's Appeal Decision, he or she must do so in writing to the Calgary Transit Public Safety and Enforcement Coordinator (the "PSE Coordinator") within 21 days from the date that person received the Inspector's Appeal Decision. The person making the appeal must provide reasons for the appeal and must say what outcome he or she is requesting. The person affected may request an oral hearing and assistance through a legal representative or agent. The PSE Coordinator will provide the person affected with the PSE Coordinator's appeal decision (the "PSE Coordinator's Appeal Decision") by personal service or by registered mail. The PSE Coordinator's Appeal Decision is final.

iii. Appeal of a Banning Notice which imposes a 1+ year ban:

Any person who has been issued a Banning Notice which imposes a ban which is 1 year in length or longer may, at any time after at least 8 months has passed, contact the Inspector in writing and request that the Banning Notice be varied or revoked based on a change of the person's circumstances. The Inspector will provide the person affected with a decision by personal service or by registered mail. The Inspector's decision may be appealed to the PSE Coordinator in accordance with the appeal procedure set out for an appeal made to the PSE Coordinator, as outlined above.

Appendix A



Province of Alberta

TRESPASS TO PREMISES ACT

Revised Statutes of Alberta 2000, Chapter T-7

Current as of June 1, 2004

Office Consolidation

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Alberta Queen's Printer,
7th Floor, Park Plaza
10611 – 98 Avenue
Edmonton, Alberta T5K 2P7
Telephone (780) 427-4952
Fax (780) 452-0668

Email: qp@gov.ab.ca
Shop on-line at www.qp.alberta.ca

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Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

TRESPASS TO PREMISES ACT

Chapter T-7

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HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

Definitions

- 1** In this Act,
 - (a) “authorized representative of the owner” means a person authorized by the owner to give notice not to trespass;
 - (b) “owner” means the owner of premises and includes the following:
 - (i) the occupier of the premises;
 - (ii) the person who is in possession or control of the premises;
 - (c) “premises” means
 - (i) any building or structure or any part or portion of a building or structure, including any land used in connection with that building or structure for the purposes of
 - (A) providing parking for vehicles,
 - (B) displaying or storing vehicles, equipment or other chattels,
 - (C) enhancing the appearance or use of the building or structure, or
 - (D) carrying out activities that are ancillary to the activities carried out in or on that building or structure,

- (A) is land to which the *Petty Trespass Act* does not apply, or
- (B) is land that is not subject to a specific exception provided for in section 1.1 of the *Petty Trespass Act*;
- (d) "signs" includes posters and signboards;
- (e) "trespass" means a trespass committed under this Act;
- (f) "trespasser" means a person who commits a trespass under this Act.

RSA 2000 cT-7 s1;2003 c41 s3

Trespass

- 2(1)** No person shall trespass on premises with respect to which that person has had notice not to trespass.
- (2)** For the purposes of subsection (1), notice not to trespass may be given to a person
 - (a) orally or in writing by the owner or an authorized representative of the owner, or
 - (b) by signs visibly displayed
 - (i) at each of the entrances normally used by persons to enter the premises, and
 - (ii) in the case of premises referred to in section 1(c)(ii), at all fence corners or, if there is no fence, at each corner of the premises.
- (3)** For the purposes of subsection (1), a person is deemed to have had notice not to trespass when signs are displayed in accordance with subsection (2)(b).

1997 cT-8.5 s2

Offences and penalties

- 3** A trespasser, whether or not any damage is caused by the trespass, is guilty of an offence and liable
 - (a) for a first offence, to a fine not exceeding \$2000, and
 - (b) for a 2nd or subsequent offence in relation to the same premises, to a fine not exceeding \$5000.

RSA 2000 cT-7 s3;2003 c41 s3

Liability of driver

- 4** When a trespass is committed by means of a motor vehicle, the driver of the vehicle is guilty of the contravention of this Act and liable to the fine.

1997 cT-8.5 s4

Arrest without warrant

- 5(1)** A trespasser may be apprehended without warrant by
 - (a) any peace officer, or
 - (b) the owner or an authorized representative of the owner of the premises in respect of which the trespass is committed.
- (2)** Where a person other than a peace officer apprehends a trespasser, that person shall deliver that trespasser to a peace officer as soon as practicable.

1997 cT-8.5 s5

6 Repealed 2003 c41 s3.

Jurisdiction of judge

7(1) Nothing in this Act authorizes the Provincial Court to hear and determine a case of trespass in which the title to premises, or to any interest in the premises, is called in question or affected.

(2) A case that deals with the issues referred to in subsection (1) respecting the title to premises, or to any interest in the premises, shall be dealt with according to law in the same manner as if this Act had not been enacted.

1997 cT-8.5 s7

Exception

8 Nothing in this Act extends to a case where the trespasser acted under a fair and reasonable supposition that the trespasser had a right to do the act complained of.

1997 cT-8.5 s8

Other enactments

9 This Act does not affect any other enactment relating to trespass.

1997 cT-8.5 s9

Appendix B**BYLAW NUMBER 4M81****BEING A BYLAW OF THE CITY OF
CALGARY TO REGULATE AND
CONTROL THE CONDUCT OF
PASSENGERS ON PUBLIC VEHICLES**

(Amended by Bylaw Number's 62M81, 6M82, 49M86, 54M87, 19M89, 23M90, 24M91, 58M91, 38M92, 52M92, 37M93, 27M94, 1M2000, 27M2000, 39M2002: *Effective 2003 March 01*, 38M2003, 42M2004, 31M2006, 52M2006, 42M2012)

WHEREAS pursuant to section 7 of the *Municipal Government Act*, RSA 2000, c. M-26, the council of a municipality may pass bylaws for municipal purposes respecting: the safety, health and welfare of people and the protection of people and property; people, activities and things in, on or near a public place or place that is open to the public; transport and transportation systems; and services provided by or on behalf of the municipality;

AND WHEREAS it is desirable to regulate the conduct of users of the Calgary transit system to ensure:

- (a) the safety of users and employees of the transit system;
- (b) that transit users may use the transit system free of interference or harassment; and
- (c) that the operation of the Calgary transit system is carried out effectively and efficiently.

(B/L 42M2012, 2012 July 30)

1. This Bylaw may be cited as the "Calgary Transit Bylaw".

2. In this Bylaw:

- (a.01) "*Boarding Zone*" - means any portion or portions of transit property designated as a Boarding Zone pursuant to section 5(5);

- (a) "*Bus*" - means a bus which is operated by the City for the use of the passenger public;
- (a.1) "*Bylaw Enforcement Officer*" - means a person appointed pursuant to Bylaw 60M86 to enforce the provisions of this Bylaw;
- (b) "*Calgary Transit*" - means the transit system operated by the City of Calgary;
- (b.1) "*City Manager*" means the person designated by Council as its chief administrative officer;
- (c) "City" – means The City of Calgary, a Municipal Corporation in the Province of Alberta, or the area contained within the boundaries of the City of Calgary, as the context may require;
- (d) "Council" – means the Municipal Council of the City;
- (e) "Director, *Calgary Transit*" – means the City Manager'
- (f) "Officer" – include a Peace Officer, a Bylaw Enforcement Officer or a member of the Calgary Police Service;

(REPEALED BY B/L 27M2000, 2000 May 01)
- (g) "Peace Officer" – means a person appointed pursuant to the *Peace Officer Act*, S.A. 2006, c. P-3.5;
- (h) "Restricted Fare Area" – means any portion or portions of transit property designated as a Restricted Fare Area pursuant to Section 5 (4);
- (i) "transit platform" – means any portion of transit property used by, or intended for the use of, passengers boarding or alighting from transit vehicles;"
- (j) "transit property" – means any premises owned, used or occupied by the City of transit purposes;
- (k) "transit station" – means any building or structure owned, used, or occupied by City for transit purposes which is open to the public;
- (l) "transit vehicle" – means any vehicle which is operated by the City for the use of the passenger public including, without restricting the generality of the foregoing, any bus or light rail transit vehicle operated by the City for the passenger public;

- (m) “valid ticket” – means a ticket, transfer, permit or pass, other fare media or any of them, which:
- (a) is of a form and type approved pursuant to Subsection 4(1), and
 - (b) has been deposited, validated, or marked in accordance with the instructions therefore contained thereon, and
 - (c) is being used in a manner and at a time and place complying with the conditions relating to use contained on the ticket, transfer, permit or pass or in this Bylaw, and
 - (d) has not been mutilated, defaced or otherwise altered.
- (n) “7th Avenue transit corridor” – means the street, sidewalks, stations and platforms on 7th Avenue South within the area bounded on the north by the north boundary of 7th Avenue South; on the east by the western boundary of 4th Street East; on the south by the southern boundary of 7th Avenue South; and on the west by the eastern boundary of 11th Street West.

(B/L 62M81, 1981 December 15)

(B/L 49M86, 1986 September 15)

(B/L 19M89, 1989 June 27)

(B/L 23M90, 1990 November 19)

(B/L 1M2000, 2000 January 24)

(B/L 27M2000, 2000 May 01)

(B/L 38M2003, 2003 October 06)

(B/L 52M2006, 2006 November 13)

(B/L 42M2004, 2004 June 21)

(B/L 42M2012, 2012 July 30)

3. Fare for the use of transit vehicles shall be established by Council from time to time.
4. (1) The Director, Calgary Transit, may authorize the issue of tickets, transfers, permits, passes and other fare media for use on transit vehicles subject to such terms and conditions as may be specified by the Director, Calgary Transit.
(2) The fee to be charged for the issue of any ticket, permit or pass shall be established by Council, from time to time.

(3) No person shall sell, barter or exchange any valid ticket issued or sold by the City of Calgary for use on its transit vehicle for a price greater than the price printed on the ticket without the prior written consent of the Director, Calgary Transit of Calgary Transit.

(4) The Director, Calgary Transit, may each issue, without charge, complimentary tickets, permits and passes subject to such terms and conditions as may be specified by the Director, Calgary Transit.

(B/L 54M87, 1987 October 19)

(B/L 23M90, 1990 November 19)

(B/L 38M2003, 2003 October 06)

(B/L 42M2012, 2012 July 30)

5. (1) No person shall board, ride upon or otherwise use a bus unless:

(a) Such person has tendered for the payment of his fare the exact amount established by Council; or

(b) His ride is authorized by a valid ticket.

(2) No person shall bring aboard any transit vehicle;

(a) a dog, unless the dog is secured by a leash, or

(b) any other animal unless it is confined in a cage.

(3) Notwithstanding Subsection (2) there shall be no fare payable for a service dog while such dog is being used by a disabled person.

(4) The Director, Calgary Transit, may designate any portion or portions of transit property as a Restricted Fare Area by causing signs to be posted at the entrances to such area indicating that the area is restricted to persons carrying valid tickets, transfers, permits or passes.

(5) The Director, Calgary Transit, may designate any portion or portions of a transit platform along the 7th Avenue Transit Corridor as a Boarding Zone by causing signs to be posted indicating:

(a) the area designated as Boarding Zone; and

- (b) that the Boarding Zone is restricted to persons entering, exiting or awaiting the arrival of a transit vehicle.

(B/L 62M81, 1981 December 15)

(B/L 6M82, 1982 January 25)

(B/L 19M89, 1989 June 27)

(B/L 38M92, 1992 July 13)

(B/L 1M2000, 2000 January 24)

(B/L 38M2003, 2003 October 06)

*B/L 42M2012, 2012 July 30)

6. Any person refusing to make tender as aforesaid in payment of his fare shall be deemed to be refusing to pay his fare.

7. (1) Notwithstanding Section 5, a person may tender for payment of a fare for a ride on a bus an amount larger than the exact fare, but such a person shall not be entitled to a refund for such overpayment.

- (2) A person who tenders an amount larger than the fare required for a ride on a bus may enclose such amount in an envelope provided by the operator of the bus, along with his name and address, and the Director of Calgary Transit, may refund any overpayment at such time and in such manner as the Director of Calgary Transit, may designate.

(B/L 1M2000, 2000 January 24)

(B/L 27M2000, 2000 May 01)

(B/L 38M2003, 2003 October 06)

8. Deleted by 42M2012, 2012 July 30.

(B/L 62M81, 1981 December 15)

9. Any person who is found:

- (a) Boarding our using a light rail transit vehicle of the City; or

- (b) Entering or within a Restricted Fare Area:

and who fails to produce to an Officer upon demand a valid ticket is guilty of an offence.

(B/L 62M 81, 1981 December 15)
(B/L 42M2012, 2012 July 30)

10. (1) No person shall sell, exchange or give away a transfer, validated ticket or non transferable pass without the prior written consent of the Director, Calgary Transit.

(2) No person shall receive or use a transfer unless it has been issued to him on payment of a fare by cash or ticket.

(B/L 27M94, 1994 July 04)
(B/L 42M212, 2012 July 30)

11. No person, other than a person authorized by the Director, Calgary Transit, shall handle or operate any transit vehicle or any part of the mechanism or equipment of any transit vehicle, or any equipment, devices or cars used in connection with Calgary Transit, except devices which are intended for passenger use.

(B/L 1M2000, 2000 January 24)
(B/L 38M2003, 2003 October 06)

- 11.1 No person shall:
 - (a) enter inside of the corridor created by fences or barriers located on either side of any Light Rail Transit tracks, or
 - (b) where there is no corridor created by fences or concrete barriers, sit, stand, play, or walk within three (3) meters of any Light Rail Transit tracks.

11.2 Section 1.1 does not apply to Officers or City employees or contractors whose duties require them to enter the corridor referred to in Section 11.1 or come within three (3) meters of the Light Rail Transit tracks.

(B/L 27M2000, 2000 May 01)

(B/L 42M2012, 2012 July 30)

12. (1) No person shall ride on, stand on or hold on to any exterior portion of any transit vehicle.

(2) No person shall project any part of his body beyond the edge of any transit vehicle, transit platform or yellow warning line on a transit platform except to enter or leave a transit vehicle by the appropriate doors.

(B/L 27M94, 1993 July 04)

13. No person shall cause any damage to any transit vehicle, shelter or property which is either owned or occupied by the City and which forms part of Calgary Transit.

13.1 No person shall:

(a) prevent or interfere with the operation of a transit vehicle; or

(b) impede a transit employee in the operation of a transit vehicle.

13.2 No person shall interfere with the normal operation of any window, door, apparatus or equipment of a transit vehicle so as to delay the normal departure of a transit vehicle.

(B/L 42M2012, 2012 July 30)

14.1 No person shall, in or upon any transit vehicle, passenger shelter, transit station, the 7th Avenue transit corridor, or any other transit property:

(a) expectorate, urinate or defecate;

(b) fight;

- (c) engage in an activity which would molest or interfere with the comfort, convenience or quiet use and enjoyment of the transit system of any reasonable person; or
 - (d) behave in a manner that would cause safety concern to any reasonable person.
14. (1.1) No person shall dispose of litter in or upon any transit property, except in a receptacle provided for that purpose.
- (2) No person shall carry a lit cigarette, cigar or pipe, or burn tobacco in any way, on, in or with 1 meter of a:
- (a) transit vehicle;
 - (b) Passenger shelter;
 - (c) Transit station; or
 - (d) Transit Platform.
- (3) Deleted by 42M2012, 2012 July 30.
- (4) No person who brings a dog aboard any transit vehicle shall permit the dog to occupy any seat on a transit vehicle or allow the dog to move about on the transit vehicle in an uncontrolled manner.
- (5) Deleted by 42M2012, 2012 July 30.
- (6) No person shall place any baby buggy or other obstructions in the aisle of any transit vehicle.
- (7) No person, other than a Peace Officer, shall carry a firearm while on a transit vehicle.
- (8) Deleted by 42M2012, 2012 July 30.

- (9) Deleted by 42M2012, 2012 July 30.
- (10) (a) No person shall play any musical instrument on a transit vehicle or transit property without being in possession of the consent in writing of the Director, Calgary Transit.
- (b) Notwithstanding Subsection 14(10)(a), no person shall play any musical instrument in a Boarding Zone.
- (11) (a) No person other than an employee of Calgary Transit shall distribute, sell or offer for sale any newspaper, printed matter or any other kind of merchandize whatsoever on a transit vehicle or transit property without being in possession of the consent in writing of the Director, of Calgary Transit.
- (b) Notwithstanding Subsection 14(11)(a), no person shall other than an employee of Calgary Transit shall distribute, sell or offer for sale any newspaper, printed matter or any other kind of merchandise in a Boarding Zone.
- (12) Subsection (11) does not apply to a person engaged in political campaigning during a federal, provincial or City of Calgary municipal election.
- (13) No person shall beg or solicit funds on a transit vehicle or transit property or in the 7th Avenue transit corridor.
- (14) No person, while on a transit vehicle or transit property or while on the 7th Avenue transit corridor shall use or operate any:
- (a) bicycle, including a motor-powered bicycle, moped, recumbent bicycle, tandem bicycle, or bicycle with training wheels;
- (b) tricycle;
- (c) roller skates, in-line skates or roller blades;

- (d) skateboard; or
- (e) motor vehicle (except in a parking lot or roadway;
- (f) unicycle;
- (g) push scooter; or
- (h) electric personal transport vehicle.

(14.1) Subsection 14(14) does not prohibit the use of motorized 3 or 4 wheeled scooters and motorized wheelchairs designed for person with infirmities or other similar devices on a transit vehicle or transit property or while in the 7th Avenue transit corridor.

(15) No person shall bring on to any transit vehicle or have in his possession while on any transit vehicle any:

- (a) bicycle;
- (b) tricycle;
- (c) moped; or
- (d) motorcycle.

(16) No person shall remain in or upon any transit vehicle; transit platform or transit property after having been requested by an Officer to depart,

(16.1) For the purposes of Subsection (16), the 7th Avenue transit corridor “transit platform” shall include the sidewalk immediately adjacent to a platform.

(17) No person except an Officer or an Escalator Repairman shall ascend or descent, or attempt to ascend or descent an escalator installed in any transit property in a direction other than the direction the escalator is moving, sit upon the steps of the escalator or purposely, except in an emergency, cause the escalator to stop.

- (18) No person, without the consent of the Director, Calgary Transit, shall print, write, draw, paint, affix, scratch or etch any advertisements, notices, words, letters, symbols, names, pictures, geometric figures, numbers, phrases, slogans, stickers or sentences upon the exterior or interior of a transit vehicle or any transit property.
- (19) No person shall enter onto or depart from, or attempt to enter onto or depart from a transit platform except by the steps or stairway providing access to, and departure from, a transit platform unless it is unsafe to use the steps or stairway.
- (20) No person shall place or allow their feet, foot or footwear to remain on or against the bottom cushion or seat-back cushion of any seat on a transit vehicle.
- (21) No person shall bring on to any transit vehicle any container of flammable or explosive material.
- (22) No person shall knowingly hold open, block the electric eye or otherwise impede the operation of the doors of a light rail transit vehicle.

(B/L 62M81, 1981 December 15)

(B/L 49M86, 1986 September 15)

(B/L 23M90, 1990 November 19)

(B/L 19M89, 1989 June 27)

(B/L 27M94, 1994 July 4)

(B/L 1M2000, 2000 January 24)

(B/L 27M2000, 2000 May 01)

(B/L 39M2002, 2002 December 16; Effective 2003 March 1)

(B/L 38M2003, 2003 October 06)

(B/L 52M2006, 2006 November 13)

(B/L 42M2012, 2012 July 30)

14.1 (1) For the purposes of this section,

- (a) "bicycle" means a vehicle consisting of two wheels propelled by human power and includes a folding bicycle but does not include motor powered bicycles, mopeds, recumbent bicycles, tandem bicycles or bicycles with training wheels; and
 - (b) "folding bicycle" means a bicycle that is designed to fold into a compact form to facilitate transport and storage with wheels that are no greater than 51 centimeters in diameter.
- (2) Notwithstanding Subsection 14(15)(a), a person may bring a bicycle onto a light rail vehicle transit station or platform or a light rail transit vehicle but this exemption is strictly subject to the following terms and conditions:
- (a) this exemption operates except during the hours of 6:30 a.m. to 9:00 a.m. and 3:00 p.m. to 6:00 p.m. on weekdays and such times as a Calgary Transit personnel advises the user of the bicycle that conditions warrant the removal of the bicycle from the vehicle, platform or station;
 - (b) notwithstanding Subsection (2)(a) above, a folding bicycle may be brought onto a light rail vehicle transit station or platform or a light rail transit vehicle during the hours of 6:30 a.m. to 9:00 a.m. and 3:00 p.m. to 6:00 p.m. on weekdays if the folding bicycle is folded and placed in a suitable bag or case;
 - (c) a bicycle shall be attended at all times unless left in a bicycle parking rack;
 - (d) a bicycle shall not be ridden while on a vehicle, platform or station;
 - (e) bicycles shall not be carried on an escalator, except for a folding bicycle that is folded and placed in a suitable bag or case;

- (f) when using a station elevator or boarding or disembarking from a vehicle the person attending a bicycle shall give the right-of-way to other users;
 - (g) a bicycle shall be loaded only through the doors at either end of a vehicle and unloaded from the same end;
 - (h) a bicycle shall not be moved from the bulkhead section of the vehicle located between the doors on either side of the vehicle through which it was loaded;
 - (i) no more than two bicycles are allowed in either bulkhead section of a vehicle but a bicycle shall not be placed so as to obstruct the vehicle operator's access door to the bulkhead;
 - (j) a person bringing a bicycle onto a vehicle shall control the bicycle at all times and not lean the bicycle against a seat, wall, pole, door or other equipment on the vehicle;
 - (k) a person bringing a bicycle onto a station, platform or vehicle shall not allow dirt, mud or grease to be deposited from the bicycle onto a station, platform or vehicle or other passengers;
 - (l) a person carrying a bicycle onto a station, platform or vehicle shall obey the directions of any Calgary Transit personnel with respect to the transport and control of a bicycle.
- 14.2 Notwithstanding anything to the contrary contained in this or any Bylaw, an Officer may operate a bicycle while on duty on any transit platform or other transit property where the use of bicycles by the general public is prohibited or restricted.

(B/L 58M91, 1991 December 02)

(B/L 5M92, 1992 November 02)

(B/L 42M2012, 2012 July 30)

15. No person shall remove any transit vehicle or any premises of the City used for transit purposes any article left thereon through apparent inadvertence but such articles shall be left in the possession of the City or its employees for disposition according to Law.
16.
 - (1) The operator of a transit vehicle may prohibit any person from boarding a transit vehicle if, in the opinion of that operator, the person would, upon boarding, be in contravention of Subsections (2), (7) or (15) of Section 14 of this Bylaw.
 - (2) All schedules attached to this Bylaw shall form part of this Bylaw;
 - (3) Deleted by 42M2012, 2012 July 30.
 - (4) Deleted by 42M2012, 2012 July 30.
 - (5) Deleted by 42M2012, 2012 July 30.
 - (6) Deleted by 42M2012, 2012 July 30.
 - (7) Deleted by 42M2012, 2012 July 30.
 - (8) Deleted by 42M2012, 2012 July 30.
 - 16.1 Any person who contravenes any provision of this Bylaw by doing any act or thing which the person is prohibited from doing, or by failing to do any act or thing the person is required to do, is guilty of an offence pursuant to this Bylaw.
 - 16.2
 - (1) Where an Officer believes that a person has contravened any provision of this Bylaw, the Officer may commence proceedings against the person by issuing a violation ticket in accordance with the Provincial Offences Procedure Act, R.S.A. 2000, c.P-34.
 - (2) Where there is a specified penalty listed for an offence in Schedule "A" to this Bylaw, that amount is the specified penalty for the offence.

- (3) Where there is a minimum penalty for an offence in Schedule "A" to this Bylaw, that amount is the minimum penalty for the offence.
- (4) Notwithstanding Subsection 16.2(2):
 - (a) where any person has been convicted of a contravention of the same provision of this Bylaw twice within one twelve month period, the specified penalty payable in respect of the second conviction is double the amount shown in Schedule "A" of this Bylaw in respect of that provision, and
 - (b) where any person has been convicted of a contravention of the same provision of this Bylaw three or more times within one twelve month period, the specified penalty payable in respect of the third or subsequent conviction is triple the amount shown in Schedule "A" of this Bylaw in respect of that provision.
- (5) Notwithstanding Subsection 16.2(3):
 - (a) where any person has been convicted of a contravention of the same provision of this Bylaw twice within one twelve month period, the minimum penalty payable in respect of the second conviction is double the amount shown in Schedule "A" of this Bylaw in respect of that provision, and
 - (b) where any person has been convicted of a contravention of the same provision of this Bylaw three or more times within one twelve month period, the minimum penalty payable in respect of the third or subsequent conviction is triple the amount shown in Schedule "A" of this Bylaw in respect of that provision.

- (6) This second shall not prevent an Officer from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the Provincial Offences Procedures Act or from laying an information instead of issuing a violation ticket.

(B/L 19M89, 1989 June 27)

(B/L 23M90, 1990 November 19)

(B/L 1M2000, 2000 January 24)

(B/L 52M2006, 2006 November 13)

(B/L 42M2012, 2012 July 30)

17. A person who is found guilty of an offence under this Bylaw is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment.

(B/L 62M81, 1981 December 15)

(B/L 37M93, 1993 June 28)

(B/L 31M2006, 2006 May 08)

(B/L 42M2012, 2012 July 30)

18. Bylaw Number 3913, as amended, and Bylaw Number 2249m as amended, are hereby repealed.

19. This Bylaw comes into force upon receiving third reading.

Read a first time this 16th day of February, 1981.

Read a second time this 16th day of February 1981.

Read a third time this 16th day of February, 1981.

(Sgd.) R. Klein
Mayor

(Sgd.) J.E. Woodward
City Clerk

Schedule "A"

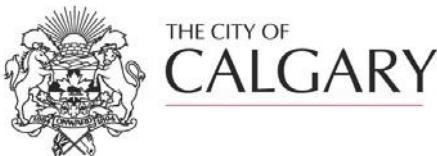
(Amended by 23M90, 37M93, 27M94, 27M2000, 31M2006, 52M2006, 42M2012)

Minimum and Specified Penalties

Offence		Minimum Penalty	Specified Penalty
Section	Description		
5(1)(a)	Ride bus without tendering payment or without valid ticket	\$150.00	\$250.00
5(2)	Bring unsecured dog or unconfined animal aboard a transit vehicle	\$150.00	\$250.00
5(5)	Enter or remain in Restricted Fare Area without valid ticket	\$150.00	\$250.00
9(a)	Board or use a light rail transit vehicle without valid pass	\$150.00	\$250.00
9(b)	Enter or remain in Restricted Fare Area without valid ticket	\$150.00	\$250.00
10	Sell, exchange, give away or receive a transfer, validated ticket or pass	\$150.00	\$250.00
11	Handle or operate any transit vehicle or transit equipment	\$2500.00	\$2500.00
11.1	Enter light rail transit corridor	\$200.00	\$350.00
12(1)	Ride on, stand on or hold any exterior portion of a transit vehicle	\$2500.00	\$5000.00
12(2)	Project part of body beyond edge of transit platform or transit vehicle	\$200.00	\$350.00
13	Damage transit property	\$300.00	\$500.00
13.1	Interfere with operation of transit vehicle	\$2500.00	\$5000.00
13.2	Interference causing delay or safety concern	\$2500.00	\$5000.00
14(1)(a)	Expectorate, urinate or defecate on transit property	\$200.00	\$300.00
14(1)(b)	Fight on transit property	\$200.00	\$300.00
14(1)(c)	Interfere with comfort or convenience of transit	\$200.00	\$300.00
14(1)(d)	Cause a safety concern to transit user	\$300.00	\$500.00
14(1.1)	Litter on transit property	\$500.00	\$500.00
14(7)	Carry firearm on transit property	\$300.00	\$500.00
14(16)	Refusal to leave transit property	\$300.00	\$500.00
14(18)	Apply graffiti to transit property	\$2500.00	\$5000.00

Minimum and Specified Penalties

Offence		Minimum Penalty	Specified Penalty
14(21)	Bring container of flammable or explosive materials on transit vehicle	\$300.00	\$500.00
14 – all other		\$150.00	\$250.00
14.1	Bring bike onto light rail transit vehicle when prohibited	\$150.00	\$250.00
15	Remove any lost article from transit vehicle or transit property	\$150.00	\$250.00

Appendix C

Workplace Violence

Policy Number: **GN-040**

ALT Report: **ALT2014-0428**

Approved By: **Administrative Leadership**

Team Effective Date: **2014/06/24**

Next Revision Due: **2017/06/24**

Department / BU: **Corporate Administration / Law / Corporate Security**

BACKGROUND

The Corporation of The City of Calgary (“The City”) is committed to making the workplace as safe as is reasonably practicable for employees, contractors and users of City services. This commitment is supported by The City’s Occupational Health and Safety (OH & S) Policy and the Respectful Workplace Policy and is reflected in The City’s values and vision and mission statements.

The City also has a duty under the Occupational Health and Safety (OHS) Code to:

- develop policies and procedures respecting potential workplace violence;
- instruct workers on how to recognize workplace violence;
- communicate the policy and procedures related to workplace violence;
- conduct hazard assessments;
- develop appropriate responses to workplace violence; and
- develop procedures for reporting, investigating and documenting incidents of workplace violence.

Based on these requirements, Corporate Security, in partnership with Human Resources and Environmental & Safety Management, has developed the Workplace Violence policy to focus on workplace violence prevention and response at The City.

PURPOSE

The purpose of this Administration policy is to adopt a proactive approach to the prevention of violence in the workplace, and outline the expectations of employees and The City in reporting and responding to violent incidents if they occur.

DEFINITIONS

1. **“Employee”** for the purposes of this policy, is defined as City of Calgary employees, contractors providing service for or to The City, suppliers delivering material to The City, volunteers, and members of the public.
2. **“Police”** refers to the Calgary Police Service, unless the incident occurs outside the city, in which case it will refer to the police agency of jurisdiction.
3. **“Threat”** means any act, gesture or statement that gives an employee, or another person, reasonable cause to believe that there is risk of injury to themselves or another person or damage to property.
4. **“Violence”** whether at a work site or work related, means the threatened, attempted or actual conduct of a person that causes or is likely to cause physical injury and/or damage to property.

It is not possible to describe every instance of threats or violence in the workplace that employees must be aware of and refrain from and that The City will take steps to prevent, assess, investigate, and resolve. Workplace violence encompasses a range of threats and/or violent behaviours that may cause injury, damage to property, impede the normal course of work or make employees fear for their safety. Incidents may involve, but are not limited to employees, members of the public, contractors, domestic partners, and family members.

5. **“Workplace”** means a place where an employee is, or may be, conducting work on behalf of The City, including work-based social gatherings.

POLICY STATEMENTS

1.1 Scope / Exceptions

1.2 Scope

This policy applies to the following people and places:

People:

1. City of Calgary employees;
2. Contractors providing service for or to The City;
3. Suppliers delivering material to The City;
4. Volunteers;
5. Members of Council and their employees; and
6. Members of the public.

Places:

1. City buildings, facilities, sites, offices or work environments;
2. Locations visited by employees while traveling on City-related business;
3. Conferences, meetings, vendor/supplier or customer sites; and
4. Locations of work-based social gatherings.

1.3 Exceptions

This policy has the following exceptions:

1. Harassment and discrimination or other behaviours addressed in the Respectful Workplace Policy. However, Human Resources will notify or consult with Corporate Security on active investigations in regard to these matters.
2. Violence occurring between employees off site during non-work time will be evaluated to determine whether any other City policies apply (e.g. Respectful Workplace Policy).

2.0 General Policy Statements

- 2.1 Everyone listed in Section 1.1 will adhere to this policy and not subject any other person or property to threats and/or violence.

- 2.2 The City of Calgary is committed to working in collaboration with its leaders, employees, unions, and associations to provide a safe workplace. All parties should be prepared to actively work together to address the issue of workplace violence.
- 2.3 Any threat or violent act made against an employee or by an employee or against City property will be dealt with as a serious issue and appropriate action will be taken.
- 2.4 As an employer, The City has a duty to:
- warn and protect staff, contractors and the public when there is an issue, or potential issue, of violence in the workplace;
 - investigate reported incidents of violence in an objective and timely manner;
 - take necessary action when violence has occurred or is likely to occur; and
 - provide support for employees that fall victim to violence in the workplace.

- 2.5 No action shall be taken against an employee for reporting an incident unless the employee knowingly makes a false or bad faith complaint or knowingly makes a false or misleading statement in which case the employee may be subject to disciplinary action.

3.1 Prevention and Assessment of Risk

- 3.2 The ultimate objective is to prevent violence from occurring at City workplaces.
- 3.3 The City as an employer has a role in prevention by:
- identifying and assessing risks at City workplaces, including workplace violence;
 - working collaboratively across business units to assist in implementing appropriate mitigation measures to address risks; and
 - educating employees on preventative measures.

3.4 Employees have a role in prevention by:

- learning to identify warning signs of workplace violence;
- refraining from workplace violence; and
- reporting, in accordance with this policy, any violent incidents or warning signs they observe at work.

4.1 Reporting Workplace Violence

- 4.2** Each employee has a responsibility to ensure that his or her work environment is safe and secure. Employees must report any violent acts occurring or that may occur in the workplace, including threats and warning signs of violent behaviour. Employees must immediately inform their supervisor if they:
- have been threatened;
 - have been subjected to a violent act at work or during the course of their work;
 - have witnessed a threat or violent act against or by an employee;
 - have reason to believe that they, another employee, a member of the public or City property may become a target of violence.
- 4.3** Employees who do not feel comfortable reporting the situation to their supervisor can report directly to any member of their business unit's management group, their union, Human Resources, their business unit's safety advisor or Corporate Security. If a situation presents an imminent threat to an employee's safety, an employee must call 9-1-1 and ask for assistance from the Police.
- 4.4** These incidents will be reported by the employee or supervisor to Corporate Security and Environmental & Safety Management to ensure an effective investigation takes place and an appropriate response is developed.
- 4.5** Corporate Security must be advised when any legal action, criminal or civil, is related to an incident (e.g.: restraining order).
- 4.6** Where an incident occurs and the health, safety and welfare of persons or property is at risk, the Police need to be contacted immediately to intervene. Once the Police have been contacted, Corporate Security needs to be advised.

5.1 Investigating and Responding to Workplace Violence

- 5.2** All reported incidents of workplace violence or precursors to workplace violence reported to Corporate Security will be triaged and facilitated by Corporate Security using the Investigation Matrix.
- 5.3** If underlying causes of an incident are identified during an investigation, recommendations may be provided for immediate preventative action.
- 5.4** The City will advise an employee who, as a victim of workplace violence, may be experiencing adverse symptoms as a result of the violent act that they should consider consulting with a health professional. Services are also available from the City's Employee & Family Assistance Program (EFAP) provider, free of charge.
- 5.5** Applicable information from investigations will be reported to Environmental & Safety Management to comply with OH & S legislation.

6.1 Consequences of Non-Compliance

- 6.2** Employees failing to adhere to the items contained in this policy will be subject to appropriate disciplinary action. What is appropriate action will depend on the circumstances of the incident and may range from, but not be limited to, warnings and suspensions, up to and including dismissal. Incidents may also be referred to the Police for investigation.
- 6.3** Contractors, suppliers, volunteers, and members of the public are expected to adhere to this policy. If violence occurs, The City will take appropriate action to ensure a safe workplace. This could include discontinuing business with individuals or organizations, issuing Trespass Notices or referring the matter to the Police.

Appendix D



Respectful Workplace Policy

Policy number: HR-LR-

001 (C) ALT Report: N/A

Approved by: Administrative Leadership

Team (ALT) Effective date: 2010 / 11 / 29

Next revision due: 2017 / 12 / 01

Department/BU: Corporate Services / Human Resources

BACKGROUND

The Corporation of The City of Calgary (“The City”) is committed to creating and sustaining a vibrant, healthy, safe and caring work environment.

PURPOSE

The purpose of this policy is to outline the minimum standards for creating a vibrant, healthy, safe and caring work environment.

DEFINITIONS

None provided.

POLICY

1.1. Scope/Exceptions

1.2. Scope

This policy applies to the following people and places:

People:

1. City of Calgary employees, including job applicants;
2. Contractors providing service for or to The City;
3. Suppliers delivering material to The City;
4. Volunteers;
5. Members of City Council; and
6. Members of the public who are accessing City services or City operated facilities.

Places:

1. City buildings, facilities, sites, offices or work environment;
2. Locations visited by employees while traveling on City related business;
3. City related business including conferences, meetings, vendor/supplier or customer sites; and
4. Locations of work-based social gatherings.

1.3. Exceptions

None identified.

2.1. Consequences of Non-Compliance

- 2.2. Any employee, who violates this policy, will be subject to appropriate disciplinary action, which may include termination of employment.
- 2.3. Members of the public, visitors to City facilities or individuals conducting business with The City of Calgary, are expected to adhere to this policy. This includes refraining from inappropriate behaviour towards employees, elected officials, and persons acting on behalf of The City of

Calgary. If inappropriate behaviour occurs, The City will take appropriate action to ensure a respectful workplace. This could include barring the person from facilities or discontinuing business with contractors or suppliers.

3.1. General Policy Statements

- 3.2. The City of Calgary is committed to working in collaboration with its employees, unions and associations to create a respectful workplace by:
 - 3.2.1. Promoting and maintaining a common understanding of the expectations and behaviours considered appropriate and inappropriate in City workplaces and in the delivery of or access to City services, and;
 - 3.2.2. Taking action to prevent and / or deal with inappropriate behaviour wherever City business is being conducted.
- 3.3. All people (see SCOPE) are to be treated with respect, honesty and dignity. Behaviour and / or situations that run contrary to such treatment will not be tolerated.
- 3.4. The City recognizes that conflicts, disagreements or inappropriate behaviours will occur. We expect these issues to be resolved in a manner that contributes to a healthy and productive workplace.
- 3.5. The City of Calgary promises to respond quickly to complaints about inappropriate behaviour in the workplace, and to resolve issues speedily, openly, honestly and with appropriate consideration for privacy and confidentiality.

4.1. Criminal Offences

- 4.2. Where behaviour may constitute a criminal offence, The City's Corporate Security division will be notified.

5.1. False or Frivolous Complaints

- 5.2. Complaints that are found to be false, frivolous or made in bad faith will not be tolerated and will be subject to appropriate disciplinary action or denial of service.

6.1. Retaliation

- 6.2. Everyone has the right to report, in good faith, incidents of discrimination, harassment or inappropriate behaviour without fear of retaliation.
- 6.3. Retaliation by any person against anyone involved in informal or internal or external formal complaint processes will not be tolerated and will be subject to discipline, up to and including dismissal or denial of City services.

7.1. Appropriate Workplace Behaviours

- 7.2. It is not possible to itemize every instance of appropriate or inappropriate behaviour. In general terms, the kinds of behaviours that are to be encouraged are those which support and create a respectful workplace and its related business objectives.

Examples include:

- Being polite, courteous and respectful of others.
- Using common greetings, farewells or brief enquiries about others' well-being which are seen as an acknowledgement of others as unique individuals. When reviewing others' ideas, suggestions or work, identifying what is positive or good about the proposal as well as where it can be improved,
- Treating others equitably and fairly.
- Listening to what others have to say.
- Being open-minded to others' ideas, comments and suggestions.
- Seeking input and the active involvement of appropriate people in planning, decision-making and implementing initiatives.
- Ensuring that decision-making takes into account relevant factors, is fair and is seen to be fair.
- Recognizing and valuing the diversity among workgroup members, customers and citizens.

- Willingly and sincerely apologizing to people when something you said or did may have offended them.

8.1. Inappropriate Workplace Behaviours

- 8.2. Inappropriate behaviour is that which is objectionable and / or unwelcome to an individual. Such behaviour serves no valid work-related purpose and can create a poisoned work environment.
- 8.3. There are two categories of inappropriate behaviour addressed in the policy. They are:

- Disrespectful behaviour
- Discrimination / harassment

8.2.1. Disrespectful Behaviour:

Disrespectful behaviour is:

- Vexatious: conduct, comments, actions or gestures which are humiliating, offensive, hurtful or belittling.
- Repeated: conduct, comments, actions, or gestures which when taken in isolation seem minor but when repeated can lead to a conclusion of harassment.
- A single incident of sufficient seriousness to have a significant impact on the recipient or the work environment.
- Hostile or unwanted.
- Affecting the employee's dignity, wellbeing, or physical integrity.
- Resulting in a harmful or poisoned work environment.

Examples of disrespectful behaviour include, but are not limited to:

- written or verbal comments, actions, gestures or other behaviours or 'jokes' which are humiliating, offensive, hurtful or belittling;

- bullying or intimidation;
- abusing authority;
- yelling or shouting (except where intended to alert another to danger);
- deliberately excluding an employee from relevant work activities or decision making;
- decision-making which is influenced by factors which have no work-related purpose; and
- attempting to discredit an employee by spreading false information about him/her.

8.2.2. Discrimination / Harassment:

Behaviours practices, policies or systems which have a direct or adverse impact based on: age, ancestry, colour, family status, marital status, mental or physical disability, place of origin, race, religious beliefs, sexual orientation, source of income, or gender (including pregnancy and sexual harassment), or any other ground covered by the [Alberta Human Rights Act](#).

Discriminatory or harassing behaviours include comments or actions which are unwelcome, that are based on a prohibited ground of discrimination and result in a negative or poisoned work environment.

Examples include:

- Any previously described inappropriate behaviour that is based on a prohibited ground;
- Sexual harassment includes comments or conduct such as: unwelcome advances, requests, comments, physical contact such as unnecessary touching, pinching or jostling or gestures that are suggestive or persistent staring that are of a sexual nature. Implied or expressed threats of reprisal for refusal to comply with a request of a sexual nature or implied or expressed promises of reward for agreeing to comply with

- a request of a sexual nature;
- Unwelcome remarks, jokes, taunts, suggestions or speculations about a person's body, attire, sex life, etc.; and
- Displays of pornographic or other sexual materials in the form of pictures, electronic mail, graffiti, cartoons or sayings.

Discriminatory practices, policies, or systems include:

- Denial of equitable treatment in hiring or in the terms, conditions, or benefits of employment;
- Access to or the processes by which people use City related services, programs and/or facilities, and/or; and
- Failing to accommodate an individual(s) protected under the *Alberta Human Rights Act* (See Policy on Duty to Accommodate in Employment HR-EMP-001).

9.1. Employee Responsibilities

- 9.2. Every employee has the right to be treated in a fair, reasonable and respectful manner.
- 9.3. For this to be a normal part of our environment, we must find strategies which prevent our differences from escalating and resolve them quickly when they do occur.
- 9.4. As an employee of The City of Calgary, you are responsible for creating a respectful workplace environment by:
 - 9.4.1. Ensuring your behaviour is respectful and appropriate at all times;
 - 9.4.2. Accepting responsibility for your own actions, reactions, and behaviours and your impact on others;
 - 9.4.3. Making your concerns known promptly if something is troubling you;
 - 9.4.4. Being a part of the solution; and

- 9.4.5.** Immediately informing a supervisor and Corporate Security if there is an imminent threat or risk of violence that could compromise an individual's safety, as per the [Workplace Violence Procedures](#).

10.1. Leadership Responsibilities

- 10.2.** As a leader at The City you have additional responsibilities to create and sustain a respectful workplace environment. They include:

- 10.2.1.** Being a role model for corporate behaviour standards such as the Corporate competencies for leaders, the Respectful Workplace Policy, the Code of Conduct and Corporate Values and Goals;
- 10.2.2.** Ensuring awareness of and compliance with the Respectful Workplace Policy in your area of responsibility;
- 10.2.3.** Taking appropriate action in a prompt, impartial and confidential manner when Respectful Workplace Policy issues come to your attention;
- 10.2.4.** Supporting all parties involved in resolving issues under the Respectful Workplace Policy, and
- 10.2.5.** Making sure no person suffers reprisal as a result of making a complaint, or for providing information.

Appendix E

Appeal Process

Should you wish to appeal the conditions of this Trespass Notice, you must submit your appeal in writing within 14 days of receiving this Notice to the following:

Calgary Transit, Safety and Security Division
Public Safety and Enforcement Section
P.O. Box 2100, Station M, (166 VP)
Calgary, Alberta
T2P 2M5
Attention: Inspector, Professional Standards

Fax Number: (403) 268-3791
Telephone Number: (403) 268-8339