

City Council

Notice of Motion

MM37.9	ACTION			Ward: All
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Bill 27 Inclusion of Washroom Access for Toronto Transit Commission Drivers - by Councillor Paul Ainslie, seconded by Councillor Shelley Carroll

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Executive Committee. A two-thirds vote is required to waive referral.*

Recommendations

Councillor Paul Ainslie, seconded by Councillor Shelley Carroll, recommends that:

1. City Council request the Province of Ontario to amend Bill 27, An Act to amend various statutes with respect to employment and labour and other matters to include Toronto Transit Commission drivers to the list of permitted professions to access restrooms at commercial establishments as outlined under Section 29.1 (1) Schedule 5, Occupations Health and Safety Act, Duties of Owners - Washroom Access.

Summary

The Province of Ontario introduced [Bill 27, 2021](#), An Act to amend various statutes with respect to employment and labour and other matters on October 25, 2021. It is imperative it include Toronto Transit Commission drivers as they conduct their work to serve the general public.

The Bill addresses public access to restroom for those whose employment involves external deliveries. Bill 27 – Duties of owners – washroom access - 29.1 (1) Schedule 5, occupations Health and Safety Act, Duties of owners – washroom access:

The Occupational Health and Safety Act is amended to require the owner of a workplace to provide access to a washroom to persons making deliveries to or from the workplace. Exceptions are provided for.

Access to washrooms is a health and safety issue that affects everyone. The inability to access public washrooms has been a challenge for Toronto Transit Commission drivers, who at times wait up to two hours before they complete a round trip bus route to access a restroom back at a Toronto Transit Commission station. Inability to access public washrooms while on route, has forced many Toronto Transit Commission drivers to relieve themselves in a uncomfortable and at times unhealthy manner including outdoors, or have forced the avoidance of drinking water

at work increasing their susceptibility to bladder infections. The lack of public washroom access impacts all Toronto Transit Commission drivers, but especially drivers who are pregnant, or have medical conditions. Female drivers are also disproportionately impacted due to menstruation specific needs and safety concerns regarding relieving themselves outdoors, especially at night.

Currently employee access to public washrooms in [Bill 27, 2021](#), guarantees truck drivers, mail carriers, couriers and service delivery workers such as food delivery with access to the restrooms of the establishments where they pick up or deliver. Toronto Transit Commission drivers were not listed.

The inclusion of Toronto Transit Commission drivers will allow Toronto Transit Commission drivers to access public washrooms while at work, and alleviate the health and safety challenges they currently face due to lack of accessibility.

Background Information (City Council)

Member Motion MM37.9