

**LEGISLATIVE ASSEMBLY OF BRITISH COLUMBIA
POLICY MANUAL**

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|----------------|------------------------------|
| SECTION | General |
| POLICY | 6035 – Sustainable Commuting |

Objective To provide an equitable framework for the allocation and terms of use of parking spaces assigned to Legislative Assembly employees, and to encourage the use of sustainable transportation options.

Application This policy applies to all employees of the Legislative Assembly appointed under section 39 of the *Constitution Act* (R.S.B.C. 1996, c. 66).

Authority Legislative Assembly operational policies are approved by the Clerk of the Legislative Assembly, as per *Policy 1000 – Legislative Assembly Policy Framework*.

Key Definitions “**business purposes**” means the employee is required to regularly use their personal vehicle in the performance of duties related to their employment (and does not include commuting to and from work);

“**LAPS**” means the Legislative Assembly Protective Services;

“**Lot 1**” means the southwest parking area of the Legislative Precinct bordered by the Armouries Building and Legislative Library, as illustrated in Appendix 1;

“**Lot 2**” means the southeast parking area of the Legislative Precinct bordered by the Bunker Building, as illustrated in Appendix 2;

“**Lot 3**” means the northeast parking area of the Legislative Precinct bordered by the East Annex, as illustrated in Appendix 3;

“**Lot 4**” means the northwest parking area of the Legislative Precinct bordered by the West Annex, as illustrated in Appendix 4;

“**regularly**” means that an individual is required to use their vehicle for business purposes on an average of three (3) or more days in a five (5) day work week;

“**standard business hours**” means from 6:00 a.m. to the scheduled hour of adjournment when the Legislative Assembly is sitting, and between 6:00 a.m. and 5:30 p.m. Monday to Friday (excluding statutory and observed holidays) when the Legislative Assembly is not sitting;

“**supervisor**” means the person to whom an employee directly reports;

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“**vehicle**” means a means a vehicle, not run on rails, that is designed to be self-propelled or propelled by electric power obtained from overhead trolley wires, but does not include mobile equipment or a motor-assisted cycle.

1. General

- .01 In support of the Legislative Assembly’s efforts to promote environmentally sustainable practices, the reduction of parking spaces for single-occupancy vehicles is the long-term vision. As they become available, single occupancy parking spaces will be converted into spaces for multi-occupant transportation and alternative commuting options.
- .02 A listing of available sustainable commuting reimbursements in place to promote environmentally sustainable practices is available through the Sustainable Commuting and Active Living (SCAL) Program on the Human Resources Intranet site.

2. Assured Ride Home

- .01 Subject to documented pre-approval from their supervisor, an employee may be reimbursed for an assured ride home (i.e., taxi fare) in the event of an emergency where other transportation options are not viable. The assured ride home may include a short stopover (e.g., a brief pick-up stop at a daycare) as part of a single fare.
- .02 Further to section 2.01, an emergency may include:
 - a) personal illness, family illness, accident, injury, or emergency home situation;
 - b) unscheduled overtime, pre-approved by the employee’s supervisor; and
 - c) unforeseen absence of an assigned carpool driver.
- .03 An employee is eligible for a maximum of two (2) assured ride home reimbursements in a fiscal year. Assured ride home reimbursements are subject to a maximum of \$50.00 per reimbursement.

3. Parking on the Legislative Precinct

- .01 Employees who park on the Legislative Precinct are required to affix a Legislative Precinct parking decal to their vehicle to avoid an enforcement action.
- .02 Employees assume all risk for damage or loss to the vehicle and its contents while parked on the Legislative Precinct. Excepted are any damages to the vehicle sustained as a result of the actions of an employee of the Legislative Assembly in the performance of their duties.

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- .03 Cardlock access to applicable lots will only be granted to those eligible employees who have registered their vehicle and have been issued a Legislative Precinct parking decal or temporary pass.
- .04 Parking by employees in any area not identified as a dedicated parking space in Appendix 1, 2, 3 or 4 of this policy (e.g., in front of the Legislative Library steps) is prohibited.

4. Assigned Parking

- .01 An employee assigned a single use parking space on the Legislative Precinct before May 3, 2021 may retain a parking space subject to the provisions of this policy. However, such an employee will permanently forfeit their assigned single use space if they are seconded to another organization.
- .02 An employee with assigned parking must park their registered vehicle in their assigned parking space, subject to the exemption for after-hours parking outlined in section 8.
- .03 An employee with an assigned parking space may permit another employee to temporarily park in their assigned space while the assignee is not using the space. A temporary parking pass must be obtained from LAPS before a non-registered employee is able to park in the space. The application of the taxable benefit, as outlined in section 7, will continue unchanged during this period.
- .04 For ease of administration and enforcement, the permanent sharing of assigned parking spaces is not permitted.
- .05 An employee may forfeit their assigned parking space, with notice of at least one full-pay period to the Payroll Office, in order to provide sufficient time to terminate the application of the taxable benefit. Forfeited spaces cannot be subsequently re-acquired by the same employee for their exclusive single use.
- .06 If available, a dedicated parking space may be assigned in the following instances, subject to the applicable provisions contained throughout this policy:

| Parking Type | Eligibility | Application Process |
|--------------|-------------|---------------------|
|--------------|-------------|---------------------|

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| Accessible | Employee has a severe temporary or prolonged mobility impairment. | Copy of temporary or permanent parking permit for people with disabilities submitted to LAPS. |
| Carpool | Two (2) or more employees travel to the Legislative Precinct together on average three (3) days per week. | <i>Employee Carpool Group Parking Space Application</i> submitted to LAPS. |

- .07 Further to section 4.06, an employee who regularly uses their vehicle for business purposes or who has a severe or prolonged mobility impairment is not automatically eligible for the allocation of a forfeited parking space, as the space may be intended for another purpose as outlined in the space allocation framework outlined in section 4.08.
- .08 As parking spaces are forfeited, they will be allocated to an inventory for each of the parking categories to maintain the following approximate allocation:

| Parking Type | Allocation |
|--------------------------|------------|
| Accessible | 10% |
| Carpool | 50% |
| Contractor | 10% |
| Indigenous Elder / Guest | 5% |
| Unassigned | 25% |

- .09 All assigned parking spaces will be subject to review on at least an annual basis, subject to any evolving operational needs, which may entail the revocation of a parking space with 30 days' written notice to the affected employee.

5. Accessible Parking

- .01 An employee who requires parking accommodation due to a severe temporary or prolonged mobility issue may request an accessible parking space by supplying LAPS with a copy of their current temporary or permanent parking permit for people with disabilities, as issued by SPARC BC. Requests will be considered in the order in which they are received, not based on the severity of the mobility impairment.

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- .02 Assignment of an accessible parking space is subject to availability, and submission of a request under section 5.01 does not guarantee that an accessible space will be assigned to an employee.
- .03 All assigned accessible parking spaces will be subject to review on at least an annual basis.

6. Carpool and Rideshare

- .01 Employee carpool groups will be required to submit an *Employee Carpool Group Parking Space Application* to LAPS for consideration and approval. If there are no designated carpool spaces available, the carpool group will be added to a LAPS-administered waitlist.
- .02 Available designated carpool spaces will be allocated to confirmed employee carpool groups in the order in which they are received. If multiple applications are received on the same day, priority will be given to the carpool group with the highest number of members.
- .03 Employee carpool groups must be made up of at least two (2) employees of the Legislative Assembly who carpool together and whose principal place of work is on the Legislative Precinct.
- .04 To ensure that all interested employees are afforded an opportunity to participate, approved carpool arrangements will be subject to a term of one (1) year. At the conclusion of the term, the application process outlined in section 6.01 applies.

7. Taxable Benefit

- .01 An employer-provided designated parking spot is a taxable benefit for tax purposes. Therefore, an employee assigned a parking space and the assigned primary driver of an employee carpool group are in receipt of a taxable benefit equivalent to the fair market value of the parking space as assessed by the Payroll Office from time to time.
- .02 An employee is exempt from incurring the taxable benefit when both of the following conditions are met:
 - a) the employee is required to use their vehicle regularly in the performance of their duties, as confirmed by their supervisor; and
 - b) the parking space has been assigned to the employee for operational purposes.
- .03 An employee with an assigned parking space who utilizes their vehicle for business purposes on less than a regular basis may be eligible to

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have their taxable benefit reduced in accordance with the respective Canada Revenue Agency rules.

.04 An employee with a severe and prolonged mobility impairment who has an assigned parking space will not be in receipt of a taxable benefit.

8. After-Hours Parking

.01 An employee who routinely works outside of standard business hours (e.g., cleaners, LAPS officers on an overnight shift) is entitled to park within Lot 1, on an unassigned basis, if the majority of their shift falls outside of standard business hours, and provided that they have registered their vehicle in accordance with section 3.

.02 An employee eligible for after-hours parking who parks within the lot during standard business hours will be subject to the enforcement provisions outlined in section 10.

.03 Occasional overnight parking outside of standard business hours or where required to facilitate business travel is permitted, provided that LAPS is notified in advance and identifies an available parking space.

9. Electric Vehicles

.01 An employee who has an assigned space within Lot 1 is entitled to use an electric vehicle charging station during standard business hours, subject to the posted maximum charging time and availability.

.02 An employee who has an assigned space within Lot 2 is entitled to use an electric vehicle charging station when the Legislative Assembly is not sitting, subject to the posted maximum charging time and availability. When the Legislative Assembly is sitting, an employee who has an assigned space within Lot 2 may use an electric vehicle charging station after the scheduled hour of adjournment until 6:00 a.m. the next day.

10. Administration and Enforcement

.01 LAPS is responsible for enforcing the provisions of this policy, including:

- a) reviewing employee requests for parking on the Legislative Precinct submitted in accordance with section 4.06 and updating access cardlock credentials, as appropriate;
- b) liaising with the Payroll Office to ensure that all respective employees are incurring the taxable benefit where applicable;

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- c) procuring, issuing, and logging the inventory of Legislative Precinct parking decals;
- d) maintaining a database of employee vehicles that have been registered for parking on the Legislative Precinct;
- e) regularly conducting patrols to ensure that only authorized employee vehicles are parked on the Legislative Precinct; and
- f) maintaining a log of any policy violations that have been encountered.

.02 LAPS will issue a penalty as outlined below if they discover an unauthorized vehicle parked on the Legislative Precinct, a vehicle parked in a non-designated space on the Legislative Precinct, or a vehicle parked on the Legislative Precinct overnight without prior authorization:

| Infraction No. | Penalty |
|----------------|-----------------------|
| 1 | Warning |
| 2 | Warning |
| 3 | Vehicle will be towed |

At the third infraction, vehicle towing and impoundment fees will be the sole responsibility of the vehicle owner.

.03 LAPS may suspend or rescind an employee’s parking privileges if an employee:

- a) exhibits unsafe driving practices while entering or exiting the Legislative Precinct;
- b) repeatedly violates the provisions of this policy; or
- c) uses an improperly obtained Legislative Precinct parking decal.

11. Requests

.01 Requests under this policy must be made in writing to the Clerk Assistant, Parliamentary Services, who must assess the request in consideration of bona fide operational needs or business purposes.

.02 The Clerk Assistant, Parliamentary Services must report any decisions made with respect to this policy to the Clerk’s Leadership Group at the earliest opportunity.

Contact

Please contact the Sergeant-at-Arms Administration Office at parking@leg.bc.ca with any questions regarding the administrative provisions of this policy.

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Please contact LAPS at Security@leg.bc.ca with any questions regarding the enforcement provisions of this policy.

Please contact the Payroll Office at PayrollOffice@leg.bc.ca with any questions regarding the taxable benefit provisions of this policy.

Please contact the Office of the Clerk at OfficeoftheClerk@leg.bc.ca with any other questions regarding this policy.

Procedures

Employee Carpool Group Parking Space Application

References

Sustainable Commuting and Active Living (SCAL) Program



Approved and authorized by
Kate Ryan-Lloyd, Clerk of the Legislative Assembly

May 3, 2021

Date

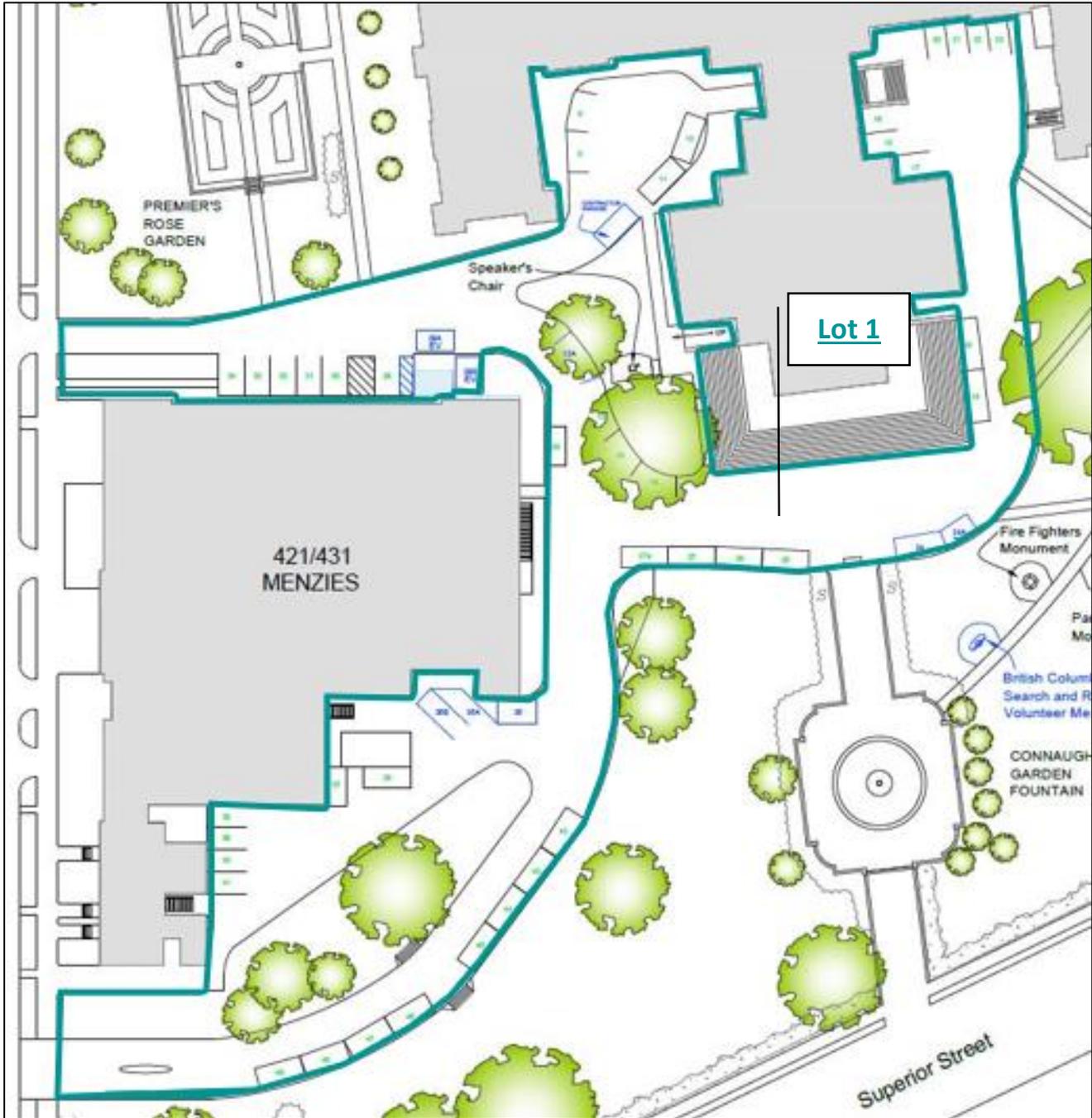
POLICY HISTORY

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| Version 1 | May 3, 2021 |
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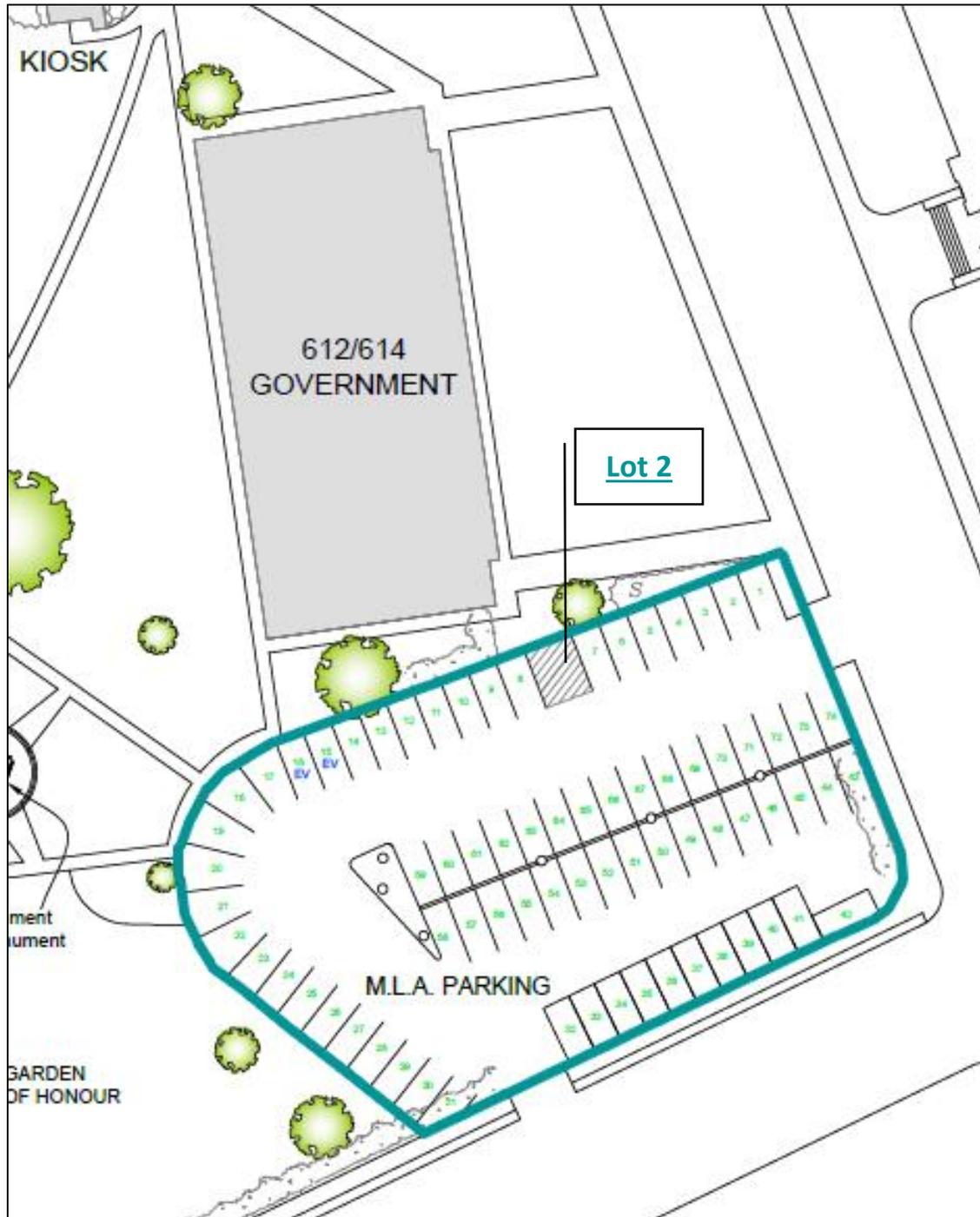
APPENDIX 1 – LOT 1



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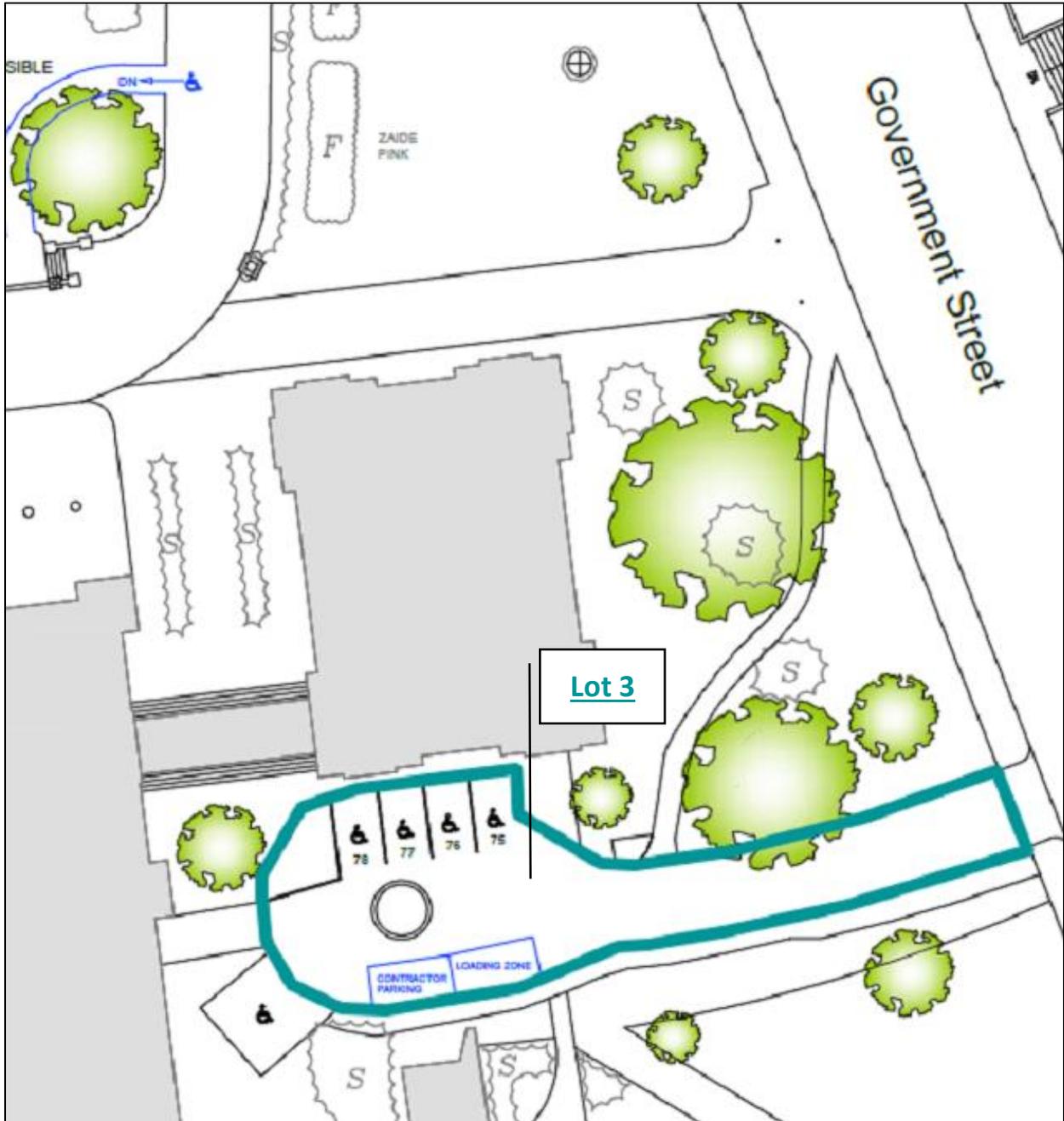
APPENDIX 2 – LOT 2



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APPENDIX 3 – LOT 3



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APPENDIX 4 – LOT 4

