



Policy Title: Member – Emergency Abuse Policy

Authority:	Effective Date:	Revised date:	Policy Number:
Issued by Board of Directors of Ontario One Call	December 15, 2016		
Subject: Abuse of the emergency locate request, other than for a bona fide emergency			
Regulation – Section 13 of Part I of Schedule 2 to By-Law No. 2		Applies to: Members of Ontario One Call	

Policy: The Emergency Abuse Policy is in place to identify members abusing the emergency locate request process, other than for a bona fide emergency and take corrective action. Section 13 of Part I of Schedule 2 provides: *“No Member is to use the Emergency Locate Request for purposes other than a bona fide Emergency Locate and Members will only use Emergency Locate Requests for bona fide Emergency Locates. If a Member who is also excavating is found to be abusing Emergency Locates, the Member will be subject to disciplinary actions.”*

Purpose: The purpose is to deter improper use of emergency locate requests by members of Ontario One Call.

Scope: All members of Ontario One Call

Procedure: When there is a complaint noted or received by Ontario One Call, the Compliance Department of Ontario One Call will exhaust all resources available to it, in order to make a reasonable assessment that the alleged abuse of the emergency locate request process has occurred.

The first step to be taken by the Compliance Department will be to issue a letter to the member indicating that the Compliance Department has recorded this alleged abuse and will require a response from the member within 15 business days. Once a response has been received by the Compliance Department and compared with evidence acquired, a reasonable assessment will be determined if a possible breach has occurred or not.

If it is determined that a possible breach has occurred, the Manager of Investigations and Compliance of Ontario One Call along with the member, will determine a corrective course of action that deters the possibility of a repeat alleged abuse. Should the member be unwilling to assist and/or respond, in a manner that would deter a repeat alleged abuse, the Manager of Investigations and Compliance at their discretion may refer the matter to the Compliance Committee for a hearing.

All notice(s) from Ontario One Call will be sent to two (2) persons at the underground owner (Member) organization in order to ensure receipt by at least one individual of the member organization. One of the recipients is required to action the notice or direct the notice to the appropriate person for resolution.

In the event there is only be one (1) person to which to direct the notice, the Compliance Department will consider the issuance all notice(s) complete. Should the Compliance Department receive an out of office notification, the Compliance Department will forward the notice to all indicated individuals as listed on the members' out of office response.

It is not the responsibility of the Compliance Department to validate that any recipient is available. It is the responsibility of the member to provide such information to the Corporation as is necessary for the Corporation to fulfil its objects.

Potential Consequences: Members should review the following to understand potential consequences they can face for non-compliance:

1. Part II of Schedule 2 to By-law No. 2 of Ontario One Call;
2. The Rules of Procedure for hearings located at **[insert web address]**;
3. Policy No. ____ respecting Members Rights;
4. Policy No. ____ issued by the Board of Ontario One Call to the Compliance Committee.