



AUDITOR GENERAL COMPLAINT INVESTIGATION REPORT

City Employee Operational Conduct - Transit Windsor

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Contents

Executive Summary	3
Context and Approach	5
Administration's Review	6
Auditor General's Oversight Role	7
Overall Assessment	8

Executive Summary

Background

The Office of the Auditor General (OAG) received an anonymous allegation through the Fraud and Waste Hotline regarding the operation of a Transit Windsor vehicle. The allegation included the unit number of the City vehicle. As the matter involved alleged operational conduct of a City employee while operating a municipal asset and was submitted through the established complaint intake mechanism, it falls within the OAG's oversight mandate to validate Administration's handling of the complaint.

The complainant alleged that the vehicle proceeded through a red traffic signal while turning at the intersection of Tecumseh Road West and Howard Avenue and entered the through lane without signalling. The complainant expressed concern regarding public safety risk.

Investigation Approach

In accordance with established protocol, the OAG referred the matter and supporting video evidence to Administration for internal review and requested confirmation of the outcome.

The OAG did not conduct a separate operational investigation. Instead, the Office:

- Reviewed the video evidence provided.
- Reviewed Administration's written response.
- Requested confirmation that appropriate internal review processes were undertaken.
- Reviewed documentation confirming that an appropriate management response had been undertaken.

The OAG's role was limited to oversight validation of Administration's handling of the matter.

Summary of Procedures and Findings

- Video evidence reviewed by the OAG appears to show the Transit vehicle proceeding into the intersection while the traffic signal remained red and commencing a right turn.
- No collision or injury occurred.
- Administration conducted an internal review.
- The driver was identified.
- Administration undertook supervisory review consistent with internal operational oversight protocols.
- Targeted retraining was completed in accordance with

- Transit requirements.
- Administration confirmed documentation of the review and retraining in accordance with internal record-keeping procedures.

The allegation is assessed as: **Substantiated – Operational Conduct.**

While the video evidence supports the occurrence of the maneuver described, Administration undertook an appropriate management response consistent with internal policy and training requirements. No evidence of systemic policy deficiency was identified.

Recommendations None at this time.

Administration addressed the matter through established supervisory and training processes. Monitoring through normal complaint intake and Transit oversight mechanisms is sufficient.

**Complaint
Disposition:**

The complaint is substantiated with respect to operational conduct observed in the video footage. Administration's response, including supervisory review and retraining, was reasonable and proportionate.

No systemic control or policy deficiency was identified.

Context and Approach

Background Information

The matter was received through the Fraud and Waste Hotline and involved alleged operational conduct of a City employee while operating a municipal asset. As such, it falls within the Auditor General's oversight mandate to validate Administration's handling of the complaint.

The complainant provided a written submission and supporting video evidence. The complainant indicated that their personal technology was used to capture the video.

Investigation Approach

In accordance with established protocol, the OAG referred the matter and supporting video evidence to Administration for internal review and requested confirmation of the outcome.

Administration advised that an internal review would be conducted, including consultation with Human Resources and Legal as appropriate.

The Office of the Auditor General did not conduct a separate operational investigation of the incident.

The approach consisted of:

- Reviewing video evidence.
- Reviewing Administration's handling of the matter.
- Confirming an appropriate management response was undertaken.
- Assessing whether the matter indicated broader control or compliance deficiencies.

The review did not extend to:

- Evaluation of personnel disciplinary files,
- Determination of traffic law compliance,
- Independent reconstruction of signal sequencing.

Administration's Review

Administration conducted an internal review and confirmed that:

- The driver involved was identified.
- Supervisory review was undertaken in accordance with Transit oversight practices.
- Targeted defensive driving retraining was completed.
- The review and retraining were documented in accordance with internal record-keeping procedures.

Administration confirmed that the matter was addressed through established operational oversight processes.

The Office of the Auditor General did not request or review personnel records and did not assess individual disciplinary determinations. The OAG's role was limited to validating that an appropriate management response was undertaken.

Auditor General's Oversight Role

The Office of the Auditor General's role was limited to validating that appropriate internal processes were followed.

The OAG independently reviewed the video footage. The footage is approximately 13 seconds in duration. Observations include:

- A visible red traffic signal begins approximately at 00:00:02.
- Transit vehicle Unit ##### positioned in a turning lane with front wheels across the stop line at approximately 00:00:08.
- The vehicle proceeded into the intersection and commenced a right turn while the signal remained red.

The video does not provide full signal sequencing data or confirm the duration of the red signal beyond visible frames. No collision is visible, and no injury was reported.

The OAG also reviewed evidence to confirm that:

- Administration considered the video evidence.
- Administration's handling of the matter.
- Confirming that appropriate supervisory and management processes were followed.

The OAG also considered whether the matter indicated broader control or compliance deficiencies based on Administration's analysis and a review of prior submitted complaints. No such trend was noted.

The OAG assessed whether Administration's conclusion and response were reasonable given the available evidence.

Overall Assessment

- The video evidence supports that the vehicle entered the intersection while the traffic signal appeared red and commenced a turn. Administration's response was proportionate to the incident and consistent with established operational oversight processes.
- No pattern of similar complaints was identified.
- No systemic policy or control deficiency was identified.

Conclusion: The complaint is substantiated with respect to the operational conduct observed. Administration implemented an appropriate management response consistent with operational oversight practices. No further action by the Office of the Auditor General is required at this time.