

**THE CORPORATION OF THE
TOWNSHIP OF EDWARDSBURGH CARDINAL**

BY-LAW NO. 2026-50

**“A BY-LAW TO ADOPT A WINTER OPERATIONS HOURS-OF-SERVICE AND
COMMERCIAL VEHICLE OPERATOR’S REGISTRATION (CVOR) COMPLIANCE
POLICY”**

WHEREAS Municipal Council deems it advisable to adopt a policy with respect to winter operations hours-of-service and CVOR compliance;

NOW THEREFORE: The Council of the Corporation of the Township of Edwardsburgh Cardinal enacts as follows:

1. The Winter Operations Hours-of-Service and CVOR Compliance Policy is attached hereto as Schedule “A” and forms part of the by-law.
2. That this by-law shall come into force and take effect on its passing.

Read a first and second time in open Council this 28 day of September, 2026.

Read a third and final time, passed, signed and sealed in open Council this 28 day of September, 2026.



[Tory Deschamps \(Oct 1, 2026 10:53:07 EDT\)](#)

Mayor



Clerk

Winter Operations Hours-of-Service & CVOR Compliance

1. Purpose

This policy establishes mandatory hours-of-service, rest, and fatigue-management requirements for employees operating commercial motor vehicles (CMVs) during winter control operations. It ensures compliance with the Commercial Vehicle Operator's Registration (CVOR) program and Ontario Regulation 555/06, while providing protection for employee safety and municipal liability during prolonged weather events.

2. Scope

This policy applies to all CUPE 2311-01 bargaining unit employees and non-union employees who operate CMVs for winter maintenance within the Township, including plowing, sanding, salting, and related duties.

3. Authority

Under **Article 1.01(ii)** of the Collective Agreement, the Union recognizes the right of the Township to make, alter, and enforce reasonable rules, regulations, and policies.

This policy supplements the Collective Agreement. Where a conflict arises regarding safety and legislative compliance, provincial law shall prevail.

4. Definitions

CMV: Commercial Motor Vehicle - Any vehicle requiring CVOR registration under the Highway Traffic Act, including Township winter plows/sanders that exceed 4,500kg gross weight.

CVOR: Commercial Vehicle Operator's Registration- Ontario's safety monitoring system for commercial vehicle operators (trucks >4,500kg, buses >10 passengers, tow trucks).

Cycle: The Township designates Cycle 1 (a 7-day cycle) for CVOR tracking. The Township's cycle is Monday 00:00 to Sunday 23:59.

Cycle Reset: A minimum of 36 consecutive hours off-duty to reset the 70-hour/7-day CVOR cycle limit per O. Reg. 555/06.

Daily Rest: A minimum of ten (10) hours off-duty within a day, including at least eight (8) consecutive hours, during which the employee is relieved of all duties, is free to leave the workplace, and is not required to remain available for work. Daily rest does not include standby time or any period where the employee is required to be reachable or available for recall.

Off-Duty Time: Time during which an employee is relieved of all work duties and responsibilities, is free to leave the workplace, and is not required to perform work or remain available for work. Off-duty time must be continuous to count toward the mandatory 10-hour daily rest or 36-hour cycle reset under O. Reg. 555/06.

On-Duty Time: Any time an employee is performing work or work-related activities, including driving, inspections, loading, maintenance, fueling, completing log entries, attending the workplace for winter control duties, or being on standby where the employee is required to remain available for work. On-duty time includes all activities defined as on-duty under O. Reg. 555/06.

Reportable Hours: Any on-duty time that must be recorded in a daily log under O. Reg. 555/06, including driving, inspections, yard time, loading, maintenance, fueling, standby, and any other work-related activity.

Significant Weather Event: As defined under O. Reg. 239/02 (Minimum Maintenance Standards).

Standby / On-Call Time: A period during which an employee may be contacted for potential call-in but is not actively performing work. Unless the employee is specifically required to remain at a designated location or is otherwise significantly restricted in their ability to use the time freely, such time shall be considered off-duty for CVOR purposes. CVOR on-duty time begins when the employee starts work or work-related functions.

Training: Instruction, guidance, or information provided by the Employer to ensure employees understand their responsibilities under CVOR legislation, hours-of-service rules, and this policy. Training may include formal sessions, toolbox talks, written materials, or supervisor briefings. Employees are responsible for applying the training provided and seeking clarification when needed.

Winter Control Duty: Any scheduled or call-in work involving CMV operation for snow plowing, sanding, salting, or related winter maintenance activities, including standby time reported as on-duty time per CVOR rules.

5. CVOR Hours-of-Service Requirements (O. Reg. 555/06)

Operators must strictly adhere to the following limits:

13-Hour Driving Limit: No driving after 13 hours of driving time in a day.

14-Hour On-Duty Limit: No driving after 14 hours on-duty in a day.

10-Hour Daily Rest: Minimum 10 hours off-duty daily, including 8 consecutive hours of rest.

70-Hour Cycle Limit: No driving after accumulating 70 hours of on-duty time in a 7-day cycle.

24-Hour Off-Duty Requirement: A driver shall not drive unless the driver has taken at least twenty-four (24) consecutive hours of off-duty time in the preceding fourteen (14) days, subject to the cycle reset provisions of O. Reg. 555/06.

Winter operations may require extended hours beyond the normal schedule outlined in Article 12. The Manager of Public Works shall schedule such work in a manner that maintains CVOR compliance.

6. Scheduling and Operational Requirements

6.1 General Scheduling

Supervisors shall schedule winter operations to prioritize compliance with CVOR hours-of-service requirements and employee safety.

Employees are responsible for monitoring their available hours and must report any potential hours-of-service conflicts as soon as they become aware of them.

The Employer will make reasonable efforts to schedule work in a manner that maximizes operational efficiency while maintaining compliance.

Where an employee is advised they may be called in but is not actively performing work and is free to use their time, the period shall be considered off-duty for CVOR purposes. CVOR on-duty time begins when the employee reports to work and begins work-related duties.

The Employer will provide reasonable training on CVOR hours-of-service requirements and log-keeping expectations. Employees are responsible for applying this training and complying with all requirements as a condition of operating a CMV.

6.2 Overtime Distribution & CVOR Limits

In accordance with **Article 13.04**, overtime shall be distributed as fairly as possible. However, an operator who is unavailable for a call-in due to mandatory CVOR rest requirements (e.g., reaching the 14-hour on-duty limit) shall be bypassed in the rotation. Such a bypass shall not be considered a "refusal" of overtime by the employee, nor a violation of Article 13.04 by the Township.

An operator's position in the overtime rotation shall not be negatively affected by time spent on mandatory CVOR rest.

6.3 Call-In Procedures

Operators called in for winter events must report within one hour of receiving the call-back per **Article 13.02(a)**. Operators must confirm their available CVOR hours for the shift to their supervisor upon reporting.

6.4 Compliance

Employees who make reasonable and timely efforts to comply with CVOR requirements, including reporting potential hours-of-service limitations, shall not be subject to discipline for inadvertent or unavoidable exceedances, provided such exceedances are reported as soon as practicable.

The Employer and employees are expected to act in good faith to ensure compliance with CVOR requirements and safe winter operations.

6.5 Compensation Clarification

For greater certainty, time during which an employee is not actively performing work shall not be considered paid-time unless specifically required under the Collective Agreement. This policy is intended solely to ensure compliance with CVOR hours-of-service requirements and does not establish or modify any compensation provisions.

7. Mandatory Off-Duty Requirements, 36-Hour Cycle Reset & Paid Rest

7.1 The 36-Hour Reset

To ensure compliance with O. Reg. 555/06 and to manage operator fatigue, employees shall be scheduled for sufficient consecutive off-duty time to reset their 70-hour/7-day CVOR cycle.

Where an employee has worked seven or more consecutive days of winter control duties or is within four hours of reaching the maximum allowable on-duty hours in the 70-hour/7-day CVOR cycle, the Employer shall schedule a minimum thirty-six (36) consecutive hours off-duty to achieve cycle reset compliance.

The Employer will make reasonable efforts to provide advance notice of such scheduling. Where practicable, the timing of the reset period will take into consideration operational requirements and employee circumstances.

The Employer will make reasonable efforts to apply reset scheduling in a fair and consistent manner.

7.2 Paid Recovery Time

To ensure employees are not financially disadvantaged while complying with mandatory CVOR rest requirements, where any portion of the scheduled reset period overlaps with an employee's regularly scheduled "Normal Hours" (as defined in **Article 12.01**), the employee shall be paid at their regular straight-time rate for those hours.

Paid recovery time under this section shall be treated as scheduled time off for payroll and benefit purposes and shall not count toward overtime calculation or accumulation under Article 13.

Compliance with CVOR requirements shall not be considered a refusal of work and shall not negatively impact on an employee's standing in overtime distribution under **Article 13.04**.

7.3 24-Hour Off-Duty Requirement

In addition to the 36-hour cycle reset requirements, each driver shall have at least twenty-four (24) consecutive hours of off-duty time in the preceding fourteen (14) days before driving, in accordance with Section 13(1) of O. Reg. 555/06.

For clarity, this requirement is a minimum of twenty-four (24) consecutive hours of off-duty time within the preceding fourteen (14) days; it does not, by itself, require a scheduled calendar day off every fourteen (14) days.

The twenty-four (24) hour requirement is separate from the thirty-six (36) consecutive hour cycle reset used to end a Cycle 1 (7-day) cycle and establish a new cycle under Section 14(1) of O. Reg. 555/06.

The twenty-four (24) hour off-duty period does not create any separate compensation or standby-pay entitlement. Compensation remains governed by the Collective Agreement and Section 6.5 of this policy.

The scheduling of work following a reset period will continue to be based on operational requirements.

8. Recordkeeping & Enforcement

8.1 Daily Logs

Operators must complete accurate daily logs (electronic or paper). Failure to maintain accurate logs may result in discipline. Knowingly, falsifying or omitting required log information is a serious offence under CVOR legislation and may result in discipline, consistent with the progressive discipline provisions of **Article 7.15** of the Collective Agreement.

Where log-keeping deficiencies are minor and unintentional, the Employer will normally use coaching and re-training before formal discipline, consistent with Article 7.15.

8.2 Disciplinary Notification Per Article 7.10,

Any disciplinary action resulting from a violation of this policy must be communicated to the employee in writing, with a copy to the Union President, within ten (10) working days of the event. Records are subject to the 18-month sunset clause in **Article 7.10**.

8.3 Employee Responsibility

Employees are responsible for accurately tracking and reporting their hours-of-service status and for complying with all CVOR requirements as a condition of operating a commercial motor vehicle.

8.4 CVOR Events and Townships Safety Rating

If an operator's action results in a CVOR violation, inspection finding, or other event affecting the Township's CVOR record, the Employer will review the circumstances, determine any required corrective actions, and provide coaching or discipline where appropriate. Nothing in this section limits the Employer's right to investigate or respond to CVOR-related incidents.

9. Annual Review

This policy will be reviewed annually prior to the winter season or following any legislative changes to CVOR or hours-of-service regulations.

The Employer will review the implementation and operational impacts of this policy with the Union through the Labour-Management Committee.

10.0 Management and Union Rights

The application of this policy shall not be interpreted as a waiver of the Employer's management rights under **Article 1.01**.



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Nothing in this policy shall reduce or diminish any rights under the Collective Agreement. Where this policy provides a greater benefit, the more favorable provision shall apply.

2026-50 Winter Operations Hours of Service and CVOR Compliance Policy

Final Audit Report

2026-10-01

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