

---

# **Know Your Rights Manual For Toronto Messengers**

Brought to you by  
Toronto Bike Messenger Association (TOBMA)

---



# **Know Your Rights Manual For Toronto Messengers**

**Brought to you by  
Toronto Bike Messenger Association (TOBMA)**

## **Introduction 3**

## **Chapter 1: Accidents & Collisions**

Steps to take immediately following an accident or collision	4
Instructions for filling out a Traffic Violation Report	6
Facts about Automobile Accident Injury Claims	7
How to Pursue a Private Prosecution	10
How to Sue the City	13
List of Active transport-friendly Lawyers	14
List of police precincts	17
List of bike shops	18

## **Chapter 2: Messengers and the Law**

Provincial and Local bike laws	19
Special bike messenger laws?	21
So you got a ticket?	21

## **Chapter 3: Ouchies**

First Aid for the everyday road warrior	23
List of Hospitals and Emergency Rooms	25
Clinics & Referral services	26

## **Chapter 4: Your rights as a messenger**

Workers Compensation and Messengers	27
Independent Contractor or Employee?	31
The Canada Post Act	33
The Employment Standards Act	37
Organizing in the Workplace	47
This Manual	49
The BMEF	50
Join Hoof & Cycle	52

# Introduction

This manual presents a layman's explanation of the rights and responsibilities affecting the street level providers of sustainable delivery services, operating within the city of Toronto as of March 2006. This remains an evolving document that will be updated on our website [www.hoofandcycle.org](http://www.hoofandcycle.org), in as timely a manner as possible when warranted.

It is our hope that a more complete understanding of the official expectations surrounding the performance of a local foot, bicycle and metropass messengers, will help to improve both the quality as well as the profile of our industry. We encourage all messengers, veteran and novice alike, to familiarize them-selves with the information contained in this manual, and to always operate in a professional manner with a due regard for their own safety as well as that of all other Torontonians. See you out here on the street. And in the meantime, thanks again for doing the vital job you do so well.

This document is sanctioned by the International Federation of Bicycle Messenger Associations (IFBMA) The IFBMA encourages you to join the TOBMA and the IFBMA. Working together locally for solutions globally we can all make a difference.

The inspiration for this document comes from the THC3 Messenger Industry Handbook and the New York Bike Messenger Association's "Know Your Rights Manual for NYC Messengers." We appreciate the invaluable contributions of all involved.

# **Chapter 1.**

---

## **Accidents & Collisions**

---

When you first get into an accident, remain calm. It is nearly unavoidable in our line of work. Here are a few key things that you should do in case you get into a serious accident so that you'll be properly compensated and looked after.

### **Steps to take Immediately following a Collision**

1. Do NOT get back on your bike.
2. Call out for witnesses. Get phone numbers.
3. Get the driver's name, description, insurance information, and license plate number.
4. Call police, and ambulance if necessary, and wait for them no matter how long it takes.

If you are in a collision with a vehicle on your bike or on foot, chances are you will have a lot of adrenaline pumping through your system. Adrenaline is useful in blocking out pain and shock, but it also makes us a little stupid. You may feel fine when in fact you are badly hurt. You may also feel embarrassed, or just so bummed you want to get the hell out of there and pretend it never happened. Do not do this. You will regret it later.

Stay at the scene. Get witnesses and their phone numbers. Get the driver's name, description, license plate, phone number and insurance company. Ask the driver for their driver's license so you make sure you get their real name. The most important thing is to call the cops and wait for them to arrive—even if the collision doesn't seem that serious. Make sure you say that the collision involves a cyclist, which means the cops are required to come to the scene. It is also a good idea to call an ambulance, even if you think you are ok, to check you out before going on your way.

Drivers often feel bad when they hit you, and act really nice, offering to pay damages, apologizing, etc. Later, however, they may realize that the law does not favour cyclists and they will more than likely forget their promises. If you call the cops and wait for them at the scene you will have much more going for you in the post-collision aftermath. In this case, an official police report could be your best friend.

If, for some reason, you didn't call the police to the scene, you may report the collision at your local police station where you will fill out a Traffic Violation Report (see page 6). Many officers are not aware of this fact and you may be told to go to a Collision Reporting Centre. You don't have to do this! Stick to your guns and insist that they take your report at the station. Someone in the building will be familiar with the law regarding cyclists.

Information is key. The more names and phone numbers you can get the better. If you are injured at all you should have an ambulance come to the scene or go to a doctor right away and get an official letter describing your condition. If your bike needs repair get a written estimate from a bike shop, and keep all your bills and receipts. It's a hassle, but you will need all of this in order to make an insurance claim.

For financial compensation, look first to your own auto insurance (if you have it.) Next you may claim on the insurance of the driver, or any other vehicle that was involved in the collision. If none of these come through call the Motor Vehicle Accident Claims Fund at 1-800-268-7188. For more info on making insurance claims, check out Facts about Automobile Accident Injury Claims on page 7.

It may also be a good idea to talk to a lawyer. They know all the options and may have some surprising advice for how to reclaim damages or press charges. Do it soon, because some of your options might disappear if you wait too long. For instance, if you wish to file a suit against the city, you need to notify them within seven days. More info on How to Sue the City is located on page 13. Hoof & Cycle has also compiled a list of Active Transport-friendly lawyers on page 14.

You might also be able to bring a successful action for damages in small claims court. It is a simple process that doesn't require a lawyer. Pick up an information kit at:

Communications Branch, Ministry of the Attorney General, 1st Floor, 720 Bay Street, Toronto, ON M5G 2K1 416-326-2200, or from the Small Claims Court at College Park.

If you are angry, and want to direct your energy toward change, contact ARC today at [arc@respect.to](mailto:arc@respect.to) or contact TOBMA and we will find work for you to do that can make a difference on our streets. There are many other worthy Cycling and Pedestrian groups working to make streets safer, don't stay mad, get involved.

# Instructions for filling out a Traffic Violation Report

If you have witnessed an incident in which a driver has acted dangerously toward you or someone else, you can file a report with the police, even if you have no witnesses. The police will contact the driver and either caution or prosecute him/her. It is unlikely that the police will prosecute if there are no witnesses, but it has been known to happen (for example, in a case where the driver admits to the offense.)

The instructions below are adapted from an information sheet provided by Vince Langdon PC 6951, 14 CRU, Ph: 416 808-1500

The Traffic Violation Report form allows you to decide between two options:

1. Prosecute the offender
2. Caution the offender.

## Filling out the form

When filling out the form, use "GREAT DETAIL" in describing the driver/vehicle and the events.

1. Driver: Include skin colour, race (if possible), age, height, weight, facial hair, speech, clothing, jewelry, acne, tattoo, scars, abrasions, etc.
2. Vehicle: Include license number, make, model, colour, damage, stickers, decal's, trailer hitch, roof rack, hood ornament, hub caps, loud music playing, cellular phone, etc.
3. Scene: Exact location, weather, surface conditions of the road, direction of travel, condition of traffic (of vehicles and/or pedestrians), location of the sun, etc.

Other things to remember to include in the statement portion:

- \* Was it apparent that the vehicle driver saw you?
- \* If there was an impact? Where was it? (contact between cyclist/motorist)
- \* Were you operating a safe vehicle? (e.g. bells, lights, reflective tape, etc.)

Submitting the form

After the form is filled out, take it to a "TRAFFIC UNIT" (i.e. Central Traffic Unit on Strachan Avenue.) The regular police stations usually won't have a clue what to do with these forms.

Download a copy of the Traffic Violation Report form in PDF format here:  
[http://www.respect.to/legal/traff\\_viol\\_report.pdf](http://www.respect.to/legal/traff_viol_report.pdf)

---

# **Facts about Automobile Accident Injury Claims**

---

*A fact sheet prepared for ARC by an insurance claims adjuster.*

---

If you are injured in an accident involving an automobile, you are entitled to claim under Ontario provincial law. "Injuries" includes psychological or mental injuries caused indirectly to the injured person's family members.

Compensation for injury is split into two areas of an auto insurance policy: 1. Liability Coverage, and 2. Accident Benefits.

Liability coverage is compensation for "pain and suffering" and certain other financial losses. The right to recover through a liability (tort) claim is limited by legislation in Ontario.

In order to qualify for "pain and suffering" compensation, your injury must be deemed to cross a threshold, which means it must be considered a serious and permanent disfigurement or impairment. If it doesn't meet this criterion, you don't have the right to sue for damages. If your injury does cross the threshold, any award you may get from a court is subject to a \$15,000 deductible that is not payable to you. The effect of this legislation is to limit tort claims to only very serious injuries.

These limits on rights to legal action are justified by insurance companies and the government by increased "no-fault" Accident Benefits. These rates were increased substantially in 1990, with the advent of no-fault insurance. Benefits under this section of the policy are paid regardless of fault.

Accident Benefits coverage is provided by law under every automobile insurance policy in Ontario. Because the regulations (Statutory Accident Benefits Schedule or SABS) are provincially mandated, the coverage provided is standard among insurance companies.

AB coverage is intended to lessen the direct economic loss caused by injuries in an accident involving an automobile. In insurance lingo, this is called indemnification. This means that AB coverage is not there to pay for "pain and suffering." It also means that, in principle, no one should ever benefit from an insurance loss.

Who do you claim from?

\* If you have an automobile policy or are a driver on someone's policy, you can claim accident benefits through that policy, even if you weren't in that car at the time.

\* If you don't have a car, and aren't listed as a driver on a policy, but are riding in a car at the time of the accident, you claim under the owner's policy.

\* If you don't have a car and weren't riding in a car at the time (i.e., cyclist or pedestrian) you claim through the policy of the owner of the car that hit you. If that car didn't have valid insurance on it, or didn't remain at the scene (hit and run), you may claim Accident Benefits through any other car involved in the accident that did have valid insurance.

\* If none of the above situations apply, for example in a hit and run accident between a cyclist and a car, you must claim through the "last resort," which is the Motor Vehicle Accident Claims Fund. The provincial government administers this fund, and the claims are handled for them through an independent adjusting firm. Legally, if you have nowhere else to claim Accident Benefits, you are entitled to the same benefits through the MVAC Fund.

The address of the fund is:

Motor Vehicle Accident Claims Fund  
P.O. Box 85, 5160 Yonge St.  
Toronto ON M2N 6L9  
(416) 250-1422  
1-800-268-7188

If you must claim through the fund, contact them as soon as possible to advise them. Before they will set up a claim for you, they will need something in writing from you that states you are not the owner of a vehicle and are not otherwise entitled to claim for Accident Benefits through an insurance policy.

How to Claim Accident Benefits

No matter where you claim AB from, be prepared for a bureaucratic process. It is common for the insurance company to want to meet with you to obtain a written or tape-recorded statement regarding the accident and your injuries. Under Bill 59, which has been in effect since 1996, this is the insurance company's right. They may also wish to take a photograph of you, which you are not required to provide.

An insurance company will not commit to paying for anything until you have submitted an Application for Accident Benefits. This is a 5-page document that



they are required to provide to you once you have verbally notified them you are injured. They will also want forms from your medical practitioner and/or employer, if applicable. If you are receiving any kind of treatment, they will probably require a treatment plan form.

Once the insurance company receives your papers, they are required to respond to your application within 14 days. If they don't approve your treatment, they are required to send you to a government-regulated evaluation centre. They will pay for your treatment in accordance with that centre's recommendations.

If your insurance company makes a decision you disagree with, you are entitled to apply for mediation from the Ontario Insurance Commission (OIC). This is an attempt to come to agreement with you about the dispute. If mediation does not work, you have one year either to apply for arbitration through the OIC, or to take the insurance company to court.

It is most likely that before you reach the mediation process, the insurance company will be prepared to offer you a cash settlement for your claim, in exchange for a full and final release. You will find that they will be more willing to pay for things that they otherwise would not, if you are willing to "sign off" on the claim. Of course, the danger is that if you sign off and later incur further costs related to the accident, they will not be covered.

However, if you choose to proceed to court or mediation, there are substantial time delays, and your claim may not even succeed.

# How to Pursue a Private Prosecution

---

*A factsheet prepared by ARC from various sources*

---

If you have reasonable grounds to believe an offence has been committed contrary to a provincial or federal statute, a regulation made under that statute, or a municipal bylaw, you may prosecute the offender yourself. Before launching a private prosecution, you may want to make a complaint to the police. If the police refuse to lay charges and you believe there is enough evidence of an offence to support a conviction, you may lay your own charges.

Prosecutions consist of five basic parts:

1. Laying the information
2. Issuing the summons
3. Serving the summons
4. Setting the trial date
5. The trial

## 1. Laying the Information

The first step is to go to a justice of the peace (JP) at your local court and sign a form on which you set out the details of the alleged offence. This form is called "information," and you are referred to as the "informant." The JP then asks you to swear that this statement is true, and the JP signs his or her name as a witness. This process is called "swearing the information." Formal charges have now been laid.

Draft the charges with care, because inaccurate information may hurt your chances of a successful prosecution. Often the JP will draft the charges for you, or you may wish to fill out the form with the help of a lawyer. Here are some tips:

- \* The forms used for provincial offences are different from those for federal offences, so be sure you get the right one.

- \* Be sure to lay the information promptly. Under the Ontario Provincial Offences Act and the summary conviction provisions of the Criminal Code, you have only six months from the time an offence occurred to lay the charges. Some statutes have shorter or longer limitation periods.

- \* Be precise. It is safest to follow the wording of the statute describing the offence (e.g., the Highway Traffic Act) as closely as possible.

\* State the specific date and place where the offence occurred, and give the name of the accused in full. If the accused is a corporation, use the full corporate name.

\* When the information relates to more than one breach of the law, set out each offence in a separate "count" (separately numbered paragraphs each setting out all the details of one offence).

\* When laying charges under the Highway Traffic Act against the registered owner of a motor vehicle, set out not only the section of the Act that was violated but also that the violation occurred contrary to section 207, the section that makes the owner liable for violations by the driver.

## **2. Issuing the Summons**

The JP has no discretion in swearing the information – he or she can't refuse to do it. However, the JP does have discretion not to take the next step: issuing the summons to the accused. The summons is a copy of the information that also states the time and place where the accused must appear to answer the charges.

JPs are mainly used to issuing summonses for the police, and some JPs may be reluctant to issue a summons requested by a private citizen. The JP can ask you probing questions, so it is advisable to be well prepared when you visit the JP to swear the information, and even to bring a lawyer with you if you anticipate difficulty.

If the JP issues the summons, he or she will usually make it "returnable" in about two to four weeks' time. At least two weeks should be allowed, so there is enough to serve the summons on the accused. The "return date" will not be the trial date, but the date when the prosecutor and the accused appear in court to set a date for the trial.

## **3. Serving the Summons on the Accused**

Serving the summons means delivering the summons to the accused. Serving a summons is generally valid only if a designated person – usually a police officer, does it. [The staff of the county and district sheriff's office are also peace officers, and for a fee they may serve summonses for you. Give them the summons as early as possible and follow up with them to check that the summons has been filed.]

To be on the safe side, it's a good idea to also personally deliver or mail a copy of the summons to the accused. Even though the accused is not required to respond, many people do not know this and will come to court. Once the accused or his or her lawyer appears in court, the accused is bound by the summons, even if he or she need not have appeared.

Once a summons has been served, the person who served it must fill out and sign an "affidavit of service" on the back of a copy of the summons. This affidavit sets out the identity of the person served with the summons, and the time and place the summons was served. It is then up to you to make sure the copy of the summons with its affidavit of service are filed in the proper court before the return date (this will mean chasing up the police officer or whoever served the summons).

#### **4. Setting the Trial Date**

On the return date, the informant and the accused or their lawyers meet to set a trial date. Choose a date far enough away to give you time to prepare, and to give the accused written notice of all the documents you intend to use as evidence. (Otherwise the documents may be inadmissible.) Also make sure you choose a date when all your witnesses are available.

The court will set a trial date and adjourn the case to that day.

If the accused does not turn up on the return date, the court will go ahead anyway and set a date for the trial. But if the affidavit of service has not been filed with the court, the court will not proceed, and a new summons will have to be issued.

#### **5. The Trial**

You have the right to conduct your own prosecution, or to have a lawyer do it. Private prosecutions are not unusual, and private citizens often lay charges and prosecute them on their own in simple cases.

*[This information is provided to help cyclists or pedestrians, and to the best of our knowledge it is accurate. TOBMA and ARC cannot be held liable for the outcome of acting on this information, and recommends that you get professional legal advice.]*

## How to Sue the City

---

Cyclists want to know: can I sue the City for damage and injuries caused by bad road conditions? ARC says, go for it. From the time of the incident you have only 7 days to give the City notice that you intend to sue, otherwise they are off the hook. Feel free to use the sample Notice of Claim below. Send it by mail, by hand, by fax (416 392-1879), or by e-mail ([clerk@city.toronto.on.ca](mailto:clerk@city.toronto.on.ca)).

Go ahead and have your bike repaired and keep the receipt. If you want to be thorough get a signed statement of the damage to your bike by the bike shop. Keep any relevant receipts for replaced clothing or equipment. It is a good idea to get a photo of the dangerous condition as soon as possible. If there was witnessed the crash, get them to write down an account of what they saw.

You should be able to proceed against the City in small claims court. This has the advantage that you do not need to have a lawyer. People frequently represent themselves in small claims cases.

Note: Especially if you are seriously injured, getting a lawyer is strongly recommended. See the Hoof & Cycle lawyer list.

Sample Notice of Claim

--Your Name--

--Your Street Address--

Toronto, Ontario

June 26, 2001

Toronto City Clerk's Office

Toronto City Hall 4th Floor, West Tower

100 Queen Street West

Toronto ON

M5H 2N2

Dear Sirs/Madams:

Re: Notice of Claim

I am writing to give notice to the City of Toronto, pursuant to the Municipal Act, of the claim which is to be brought against it in respect of damages and injuries suffered by me as a result of the existence of a highway obstruction

located at --STATE LOCATION OR STREET NUMBER--, that being --STATE  
WHAT THE  
PROBLEM WAS--.

As a result of the City's neglect, on --DATE OF INCIDENT--, while riding my bicycle, I sustained substantial personal injuries and property damage, the particulars of which will be set forth in a Statement Claim.

Kindly remove the above-noted highway obstruction before others are hurt.

Please feel free to contact me in order to discuss the settlement of this matter at your convenience.

Sincerely,

--your signature--

--your name—

Remember, you have a right to a safe work environment and for you this means safe streets. Taking action in this manner may not only compensate you for your loss it will draw immediate attention to a problem and likely have it resolved. In this manner you protect your co-workers and other road users from the same misfortune that befell you.

While the example given makes mention of the accident occurring while riding a bicycle this information is the same a pedestrian would use. If you're a walker and are injured by an obstruction or negligent act take action to protect your rights.

## **Lists of Bike & Pedestrian friendly Lawyers**

A referral service such as the Law Society can help you find a lawyer that understands your case. The individuals and firms listed below were contacted directly by TOBMA and are recommended for their expertise and interest in cycling/pedestrian legal issues.

Law Society Lawyer Referral Service (416) 947-3330

Free public service including a free 1/2 hour consultation with a lawyer specializing in your type of problem.

## **General Litigation**

Rita Bambers

Dutton, Brock, LLP 438 University; #1700 (416) 593-4411

Comment – Personal Injury, Cyclist & Pedestrian friendly, free consultation available

Bohdan Bodnaruk

Bodnaruk & Capone

370 King St. W., Suite 234, (416) 593-7000

Comment -- Retained by family of Melissa Cook--cyclist killed at Queen/Beech in Aug 97--to sue TTC.

Personal Injury, Cyclist & Pedestrian friendly, free consultation available.

Charles Campbell, Nella Cotrupi

Iler, Campbell;

160 John St (416) 598-0103 fax (416) 598-3484

Comment -- He has had experience defending cyclists. Firm has several litigation lawyers.

Downtown Legal Services

Downtown Legal Services (U of T clinic); (416) 978-6447

Comment -- Unfortunately it's closed a lot of the time.

Intake phone hours 12:15p – 2pm Mon – Thurs

Tony Lafazanis

1250-180 Dundas Street West

Toronto ON M5G 1Z8

(416) 979 1770 Fax: 416 977 0717

Email: [tony@tonylafazanis.com](mailto:tony@tonylafazanis.com)

Web: <http://www.tonylafazanis.com>

Specializes in Personal Injury and Insurance Claims

Comment – Has represented many cyclists & cycles to work each day.

Paul Muldoon

Canadian Environmental Law Association (CELA); (416) 960-2284

130 Spadina Avenue, Toronto, ON M5V 2L4

Comment -- Interested in representing cyclists who lay private charges against drivers parked in the bike lanes.

Jeffrey Raphael

Raphael Partners; 181 University Avenue, Suite 1812, Toronto, Ontario  
M5H 3M7; (416) 594-1812; E-mail: jraphael@raphaelpartners.com

Comment – “My practice is almost exclusively restricted to representing persons injured in motor vehicle accidents. I have represented a number of cyclists who were injured in collisions with motor vehicles. I would be happy to provide a free initial consultation to all referrals. In the vast majority of the cases I take on, I do not require a retainer or payment of fees up front. I will collect my fees out of the proceeds of settlement or trial. If I can be of any assistance please feel free to contact me.”

### **Criminal Defense**

Being charged with a criminal defense in no way means you are a criminal.

Alexander Beadie

(416) 972-6800; E-mail: abeadie@sympatico.ca

Comment – “I’m a cyclist and criminal lawyer with 12 years experience defending criminal cases in Toronto and area. Recently, a colleague brought your Lawyer Referral Policy to my attention. I would be happy to have my name listed under Criminal Defence on your Referral List.”

Charles Granek – Bains Granek

4 King St West #1060

24-hr line: (416) 410-4500; office: (416) 369-0909

Comment – Criminal Defense & Quasi Criminal Defense. Providing representation for all traffic related, HTA, State vs Individual needs. Highly Recommended

Jeff House

(416) 926-9402 x152

31 Prince Arthur

Comment – Has worked on behalf of OCAP and currently represents many War Resisters including messenger Jeremy Hinzman.

Brian Iler

Iler Campbell (416) 598-0103

Comment -- Charles Campbell's partner. This firm is generally known as being progressive



## **Related Reference**

Jeff Archbold

Walters Forensic Engineering; Tel. (416) 971-8900 x.222; Fax. (416) 971-6319

Comment -- Forensics engineer and serious cyclist who does accident reconstructions, including vehicle/cyclist collisions. Has offered to act as an expert witness for cyclists unfairly charged. An example of the type of testimony he has provided:

"I recently testified in Hamilton in a case 'Lauricella v. City of Hamilton. Based to a significant extent on my testimony, the judge ruled that strict adherence to highway traffic act and municipal by-laws regarding cycling were not paramount when the safety of a cyclist was concerned. The judge found the City of Hamilton 50% liable for the damages suffered by a cyclist who lost control on a bumpy sidewalk alongside a busy, narrow road."

If you cannot find the lawyer you need with these resources please contact Hoof & Cycle and we will make every effort to help you.

## **Lists of Toronto Police Precincts**

Central Field, 40 College St. - 416-808-5016

· 11 Division, 209 Mavety St. - 416-808-1100

· 12 Division, 200 Trethewey Dr. - 416-808-1200

· 13 Division, 1435 Eglinton Ave. W. - 416-808-1300

· 14 Division, 150 Harrison St. - 416-808-1400

· 51 Division, 51 Parliament St. - 416-808-5100

· 52 Division, 255 Dundas St. W. - 416-808-5200

· 53 Division, 75 Eglinton Ave. W. - 416-808-5300

· 54 Division, 41 Cranfield Rd. - 416-808-5400

· 55 Division, 101 Coxwell Ave. - 416-808-5500

Area Field, 30 Eglinton Avenue - 416-808-3015

· 22 Division, 3699 Bloor St. W. - 416-808-2200

· 23 Division, 2126 Kipling Av. - 416-808-2300

· 31 Division, 40 Norfinch Dr. - 416-808-3300

· 32 Division, 30 Eglinton Ave. - 416-808-3200

· 33 Division, 50 Upjohn Rd. - 416-808-3300

· 41 Division, 2222 Eglinton Av. E. - 416-808-4100

· 42 Division, 242 Milner Av. E. - 416-808-4200

· 43 Division, 4331 Lawrence Av. E - 416-808-4300

## Local Bike Shops

The Bike Joint  
290 1/2 Harbord St  
416-532-6392

Cavern Cycles  
179 Queen St East  
416-203-2565

Curbside Cycle  
412 Bloor St. West  
416-920-4933

La Carrera Cycles  
195A Harbord St.  
416-538-1203

Urbane Cycle  
180 John St  
416-979-9733

Velotech  
882 College St  
416-536-1489

Mountain Equipment Co-op  
400 King St. West  
416-340-2667

Duke's Cycle  
625 Queen St. West  
416-504-6138

Parts Unknown  
Alleyway next to Segovia Meats  
on Augusta in Kensington.

Bikes on Wheels  
309 Augusta Ave  
416-966-2453

Cogs Cycle  
1 Howland Road  
416-465-7677

Sweet Petes Cyclepath  
1204 Bloor St. West  
416-533-4481

Velotique  
1596 Queen St. East  
416-466-3171

Set Me Free  
381 Roncesvalles Ave  
416-532-4147

Cycle Therapy  
1114 Queen St. East  
416-778-6473

Spokes & Sports  
1889 Avenue Rd  
416-787-6238

Cyclepath  
2106 Yonge St  
416-487-1717

Cycle Solutions  
444 Parliament St  
416-972-6948

Europe Bound  
47 Front St East  
416-601-1990

Cyclepath  
1114 Queen St. East  
416-778-6473

## **Chapter 2.**

### **CYCLISTS AND THE LAW**

---

#### *Ontario Highway Traffic Act (HTA)*

---

A bicycle is considered a vehicle in the HTA and so cyclists must obey all traffic laws just like other road users. However there are some provincial laws that apply only to cyclists. The following is a list of these laws and the section(s) of the HTA under which these rules fall. Unless otherwise noted, fines are usually \$105 (\$90 fine + \$15 victim surcharge).

#### **LIGHTS**

62. (17) When cycling between one half hour before sunset and one half hour after sunrise, or any other time when there is insufficient light, a bicycle must have a white front light and a red rear light or reflector as well as white reflective tape on the front forks and red reflective tape on the rear forks. (Fine: not more than \$20.)

#### **BRAKES**

64. (3) A bicycle must have at least one brake system on the rear wheel. When applied, the bike should skid on dry pavement.

#### **BELL**

75. (5) A bicycle must be equipped with an "alarm bell, gong or horn" in good working order.

#### **CROSSWALKS AND INTERSECTIONS**

140. (6) and 144. (29) Riding a bike within a pedestrian crossover or intersection is not permitted.

#### **HELMET**

104. (2.1) Cyclists 17 years old and under are required to wear a bicycle helmet that complies with the regulations and the chinstrap of the helmet must be securely fastened under the chin. (Fine: \$65 fine + \$10 victim surcharge = \$75)

104. (2.2) Parents will be held responsible for "knowingly" allowing children under the age of sixteen to ride without a helmet. (Fine: \$65 fine + \$10 victim surcharge = \$75)

#### **SIGNALING**

142. (4) Left-hand turns: extend the left hand and arm horizontally and beyond the left side of the bike. - Right-hand turns: extend the left hand and arm upward and beyond the left side of the bike or extend the right hand and arm horizontally and beyond the right side of the bike.

## **POSITIONING**

147 and 148. If traveling at less than the normal speed of traffic, where practicable, a cyclist must drive in the right-hand lane or as close as practicable to the right edge of the road, except when preparing to turn left or when passing another vehicle

## **DOORING**

165. It is illegal for drivers or passengers to open their car doors without first making sure the action will not endanger a cyclist or any other person or vehicle.

## **ATTACHING TO A VEHICLE**

178. (1) A cyclist is not permitted to attach him/her self to the outside of another vehicle for the purpose of hitching a ride.

## **PASSENGERS**

178. (2) "Doubleriding" is prohibited on bicycles designed for one person.

## **IDENTIFICATION**

218. (1) A police officer finding anyone contravening this Act or any municipal by-law regulating traffic while riding a bicycle may require that person to stop and provide identification. R.S.O. 1990, c. H.8, s. 218 (1).

(3)...Giving one's correct name and address is sufficient identification. R.S.O. 1990, c. H.8, s. 218 (3).

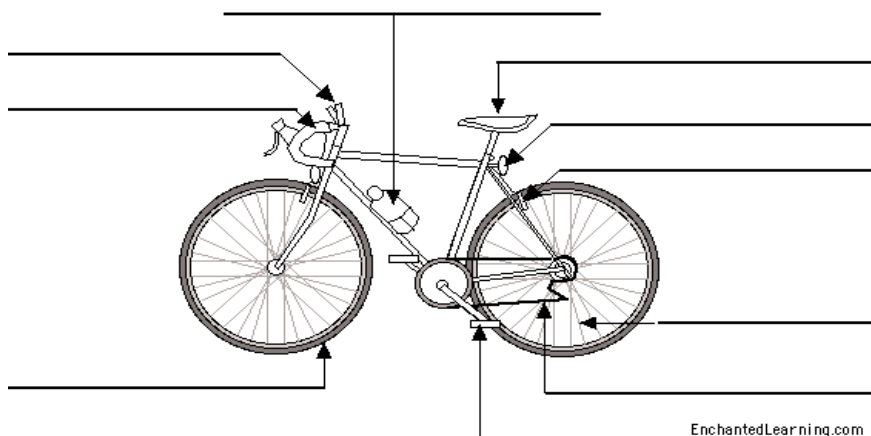
View the entire HTA online at

[http://192.75.156.68/DBLaws/Statutes/English/90h08\\_e.htm#BK328](http://192.75.156.68/DBLaws/Statutes/English/90h08_e.htm#BK328)

## **SIDEWALK RIDING**

Toronto By-law 17. (1) No person riding a bicycle shall ride it on the sidewalk if at least one tire size is more than 24" (61 cm).





## **Special bike messenger laws?**

There are no laws specifically targeting bike messengers in Toronto.

## **So You got a Ticket?**

### **TICKETS UNDER THE HIGHWAY TRAFFIC ACT**

Tickets may be issued for moving violations (such as failing to stop), or for inadequate bike equipment (lights, for example). You can't receive demerit points on your driver's license for tickets received while on a bicycle. This circular is meant to provide a general explanation of the legal process, but is not meant to be definitive. IF YOU HAVE ANY QUESTIONS CALL ARC at (416) 604-5171 or email ARC.

### **DEALING WITH THE POLICE**

Don't escalate the situation by yelling, etc. Stay calm; it's just a ticket. You will be able to fight it. Don't assume that as a "law-abiding citizen" you can't be criminally charged just for being annoying. It has happened and it sucks. If necessary, there is a police complaints process.

### **GOT A TICKET? DO THIS IMMEDIATELY:**

1. Write down what happened as soon as possible after receiving the ticket. Include the location, direction of travel, the incident, witnesses, etc. Obtain as much information as possible at the scene. Sign and date it.
2. Call for witnesses: It is very hard to get them later. Get their phone number or contact information. Ask them to make a signed and dated statement of events as soon as possible. All of the information you need about your charge and the officer (such as badge number and division) should be on your ticket

## **WHAT NEXT? FIGHTING THE TICKET.**

Once you have been ticketed, you have three possible courses to follow:

- \* Plead guilty. This is the easiest thing to do - pay the money, and forget about it. (Note that ignoring the ticket is the same as "accepting guilt.")

- \* Plead guilty with an explanation. This is an attempt to get the fine reduced. It may be as simple as, for example, "Yes, I ran a red light, but there was no traffic, I was slow and careful and on a bicycle, I won't do it again, and I'm poor."

- \* Plead not guilty. To contest your ticket (enter a not-guilty plea), you must do so in person at the place indicated on your ticket (usually Old City Hall). Bring your ticket with you. Entering the plea itself takes only a few minutes, but depending on the time of day, there may be a long line up. There may be a deadline to contest the ticket -- check your ticket to be sure.

If you decide to enter a plea of not guilty, you'll receive a notice in the mail of your trial date. It could be a year or more away.

Once you get a trial date, you have the option of sending in a request for disclosure. <http://www.respect.to/legal/disclosure.html> In effect, you are requesting information from the Provincial Prosecutor's office relevant to your case (i.e. the police officer's notebook). In the likely event that this is not disclosed to you within a reasonable amount of time before your trial, you can request that the case be thrown out.

Just in case you do receive the disclosed info, and the officer shows up for court, you'll want to have some sort of case ready. Visit the ARC online library to look over info on legal issues, rolling stops, etc.

Whatever you plan to do, good luck. Fighting a ticket takes patience, but not much skill. Don't be discouraged or intimidated, you have a good chance of beating your ticket.

*Disclaimer: To the best of our knowledge this information was accurate when printed (June 2003) ARC cannot be held liable for the outcome of acting on this information, and recommends that you seek professional legal advice.*

## Chapter 3.

### First aid for the everyday road warrior

---

#### Cuts:

- Cleanse the area with soap and warm water, washing away any dirt and gravel.
- Apply direct pressure to wound until the bleeding stops. If there is a lot of bleeding, elevate the affected area above your heart level.
- Put a sterile bandage on the wound.
- IF the cut is deep, go see a doctor.

Soft tissue injuries are those that affect the joints and muscles of the limbs. Examples of these include sprains, strains, some bruises and dislocations. The treatment for these types of injuries are called **RICE therapy**:

**R: Rest** the injured part

**I: Ice** to reduce swelling and reduce pain. Ice should be placed for a maximum of 10 minutes and can be re-applied when the area becomes warm again. Don't apply the ice directly to the skin because it might cause tissue damage. Put a piece of cloth between the ice pack and skin.

**C: Compression** of the area with an elastic compression bandage.

**E: Elevation** of the area above your heart level.

#### Sprains:

- Sudden pain in the joint
- Loss of power and ability to bear weight
- Bruising
- Swelling
- Area becomes tender and painful to the touch

Sprains happen with the over-extension of a joint, usually with partial rupture to the ligaments. **RICE**, see a doctor.

#### Strains:

- Pain, getting worse when you move more
- You can hear a crack because the tendon tears from the bone

- Tenderness and discomfort when you bear weight
- Swelling

Strains happen when there is over stretching of major muscles of the limb. Muscles are attached to the bones by tendons, which tear if a muscle is forced to stretch excessively. **RICE**, avoid stretching the injured limb, avoid massaging the injured limb.

## Bruising

- Pain and tenderness
- Swelling and discoloration

Bruises (or contusions) is bleeding by damaged blood vessels beneath the surface to the skin. **RICE**, after four hours of rest, gently exercise the limb.

## Drugs

**Ibuprofen** is an anti-inflammatory and will dramatically reduce swelling after an injury. You can take it for at least 48 hours after your injury, and up to four times a day. Follow the directions on the bottle. It also has the added bonus of being a pain reliever.

**Arnica montana** is a homeopathic medicine that works really well to help reduce bruising and swelling. It dramatically shortens the recovery period after physical trauma. It comes in a gel and you can buy it at a GNC store or at any health food store. It also comes as a salve or oil in **Arnica Hypercum**. Do not apply to an open wound.

## When riding with a friend and they get into an accident:

1. **Secure the victim's head and neck.** Never take the victim's helmet off. This is important because in bicycle accidents, 80% of deaths happen because of head and neck injuries. Don't move the person until a medical professional clears them. Don't move the victim.

### 2. **ABC's: Air management, Breathing and Circulation.**

Are they breathing and talking? If yes, then great! If not, then you need to know CPR to revive them. Circulation- are they bleeding? Gently touch their limbs for signs of wetness and blood.

3. **Communication.** You need to talk to the victim to assess their mental status. Concussions are a pretty common injury for cyclists.

Ask the victim the following questions and tell them not to move their head when they are talking:

- Does your neck and head hurt? (if it does, don't do anything else)
- Did you black out?
- Where are you hurt?



- What happened?
- What day is it/ who is the prime minister? (if they do not know, then their mental status is pretty bad)

Record all your answers and tell them to emergency personnel. Tell them if there was any change in mental status, if the victim throws up or exhibits any other reactions. These actions could mean the difference between life and death, permanent brain damage or paralysis.

## List of Hospitals in the GTA

### Hospital/Clinic

#### Address

#### Phone#

East General Hospital 825 Coxwell Ave East York, ON M4C 3E7 416-461-8272	North York General Hospital - Branson Site 555 Finch Ave West North York, ON M2R 1N5 416-633-9420
Hospital for Sick Children 555 University Ave Toronto, ON M5G 1X8 416-813-1500	Princess Margeret Hospital - UHN 610 University Ave Toronto, ON M5G 2M9 416-946-2000
Humber River Regional Hospital - Church St Site 200 Church St Toronto, ON M9N 1N8 416-249-8111	Runnymede Healthcare Centre 625 Runnymede Road Toronto, ON M6S 3A3 416-762-7316
MD Anderson Cancer Center 438 University Ave Toronto, ON M5G 2K8 416-599-0450	St John's Rehabilitation Hospital 285 Cummer Ave North York, ON M2M 2G1 416-226-6780
Mount Sinai Hospital 600 University Ave Toronto, ON M5G 1X5 416-596-4200	St Joseph's Health Centre 30 The Queensway Toronto, ON M6R 1B5 416-530-6000
North York General Hospital 4001 Leslie St. North York, ON M2K 1E1 416-756-6000	St Micheal's Hospital 30 Bond St Toronto, ON M5B 1W8 416-360-4000

Sunnybrook & Women's College  
Health Sciences Centre  
2075 Bayview Ave  
Toronto, ON M4N 3M5  
416-480-6100

Scarborough Hospital - General  
Campus  
3050 Lawrence Ave East  
Scarborough, ON M1P 2V5  
416-438-2911

Scarborough Hospital - Grace Campus  
3030 Birchmount Road, Scarborough,  
ON M1W 3W3  
416-495-2400

Toronto Grace Hospital  
650 Church St  
Toronto, ON M4Y 2G5  
416-925-2251

Toronto Western Hospital - UHN  
399 Bathurst St  
Toronto, ON M5T 2S8  
416-603-2581

West Park Healthcare Centre  
82 Buttonwood Ave  
York, ON M6M 2J5  
416-243-3600

Women's College - SunnyBrook  
76 Grenville St  
Toronto, ON M5S 1B2  
416-323-6400

York Central Hospital  
10 Trench St  
Richmond Hill, ON L4C 4Z3  
905-883-1212

## **Clinics / Referral Svc**

### **STD & Related**

Hassle Free Clinic  
66 Gerrard St. East 2nd Floor  
Women - 416-922-0566  
Men - 416-922-0603

The Talk Shop  
5110 Yonge St. Lower Level  
416-338-7000

Birth Control & VD Information  
Centre  
2828 Bathurst St. #501  
416-789-4541

### **General**

Centre for Addiction & Mental  
Health - CIP Site  
250 College Street  
Toronto, ON M5T 1R8  
(416) 535-8501

Toronto Rehabilitation Institute,  
University Centre  
550 University Avenue  
Toronto, ON M5C 2A2  
(416) 597-3422

Bay Wellesley Medical Services &  
Walk-In Clinic  
984 Bay Street  
Toronto, ON M5S 2A5  
(416) 929-1900

The House (ages 13-25)  
36B Prince Arthur Avenue  
Toronto, ON  
M5R 1A9  
416-927-7171

## **Chapter 4. Your rights as a messenger**

---

### **Workers Compensation and Messengers**

by Joe Hendry

All bicycle and foot messengers are automatically covered by the Workplace Safety and Insurance Board (WSIB), formerly the Workers' Compensation Board, if injured on the job. It doesn't matter if your company has registered with WSIB and it doesn't matter if they haven't paid their dues.

WSIB coverage in the courier industry varies for car versus foot and bicycle couriers. They have developed an organizational test specific to the courier industry to determine whether a courier is a "worker" and therefore entitled to mandatory coverage under the Act, or whether the courier is an "independent operator" and responsible for their own disability insurance. Independent operators can also apply for voluntary coverage if they choose.

Anyone may obtain a copy of the test and complete it to determine whether they are entitled to mandatory compensation. However, in the case of bicycle and foot couriers there is no need to complete the organizational test as it states quite clearly on the front page:

**NOTE: COURIERS WHO COLLECT OR DELIVER ON FOOT OR BY BICYCLE ARE CONSIDERED WORKERS AND SHOULD NOT COMPLETE THIS FORM.**

According to the WSIB if a "worker" is involved in a work related accident but their "employer" does not have an account with the WSIB, "the worker can call the WSIB (1-800-387-5540) to register the claim. The employer is obligated to register with the WSIB and report all accidents. They are subject to penalties for failing to do this. The worker will be covered even if the employer has never registered with the WSIB."

Employers cannot pass the cost of coverage to their workers. There are penalties to employers for doing this.

All bicycle and foot couriers (and car couriers who pass the organizational test) should maintain accurate records of work related accidents. If they get hurt, they should see a doctor. Tell them the truth about all details to ensure coverage. Doctor must report work-related accidents to the WSIB.

Since bicycle and foot couriers are entitled to mandatory coverage they give up the right to sue their employer regarding work related accidents. Couriers who deliver by car must complete the organizational test. If they are determined to be workers they also receive mandatory coverage. If they are determined to be independent operators they are not covered but may sue if they can establish that the courier company contributed to the accident in some way.

## **Making a WSIB Claim**

You should immediately file a claim with the WSIB if you suffer a work-related illness or injury that causes you to

- \* lose time from work
- \* lose earnings
- \* get health care; not just first aid.

Note that it doesn't matter whose fault the injury or illness is. WSIB benefits are no-fault.

### **Short-term Modified Work**

You can do up to 7 calendar days of modified work at full pay, without having to set up a claim with the WSIB, as long as you do not need more than first aid. Your employer must report your workplace injury or illness to the WSIB if it goes past the 7 calendar days of modified work.

To file a claim for benefits you must:

**1. Consent to release of your functional abilities information to your employer**  
Your functional abilities information is non-medical information from the health care professional treating you. It tells you and your employer what kinds of work activities your illness or injury permits. Without this consent, you cannot claim benefits.

You give consent by signing one of the following forms:

- \* The Employer's Report of Injury/Disease (Form 7)
- \* The Worker's Report of Injury/Disease (Form 6) (pdf)
- \* Consent Form 1492

## 2. Report your illness or injury to the WSIB

If you sign a Form 7 or Consent Form 1492 your claim will be initiated when your employer submits the Form 7 to the WSIB. If you choose to complete a Form 6 you must submit this form to the WSIB to claim all benefits you are entitled to. You can download Form 6 from the WSIB website:

[http://www.wsib.on.ca/wsib/wsibsite.nsf/LookupFiles/DownloadableFileForm6forWorker/\\$File/0006A.pdf](http://www.wsib.on.ca/wsib/wsibsite.nsf/LookupFiles/DownloadableFileForm6forWorker/$File/0006A.pdf)

WSIB publishes a guideline to help you fill out Form 6

[http://www.wsib.on.ca/wsib/wsibsite.nsf/LookupFiles/DownloadableFileForm6Guidelines/\\$File/1906A.pdf](http://www.wsib.on.ca/wsib/wsibsite.nsf/LookupFiles/DownloadableFileForm6Guidelines/$File/1906A.pdf)

In either case, the WSIB will contact you if more information is needed to assess your claim to benefits.

You must file a claim for benefits as soon as possible after being injured or after you become aware of an illness. You have up to six months to file a claim, but filing immediately is better and ensures uninterrupted benefits to which you are entitled.

### **Making a Claim for Occupational Disease**

Under the Workplace Safety and Insurance Act, if you are injured on the job you can receive compensation benefits while recovering. You also receive compensation benefits if you become sick as result of your job. For example: chronic knee problems from riding or breathing and respiratory problems related to exposure to air pollution.

When to make a claim

You can make a claim if you think that you are ill because of something you did at work or were exposed to during work.

You can make a claim through:

- \* your employer
- \* your doctor
- \* your union
- \* an advocate of your choice or
- \* yourself

There is no time limit for filing an occupational disease claim.

#### Setting up a Claim:

You or your physician can call, write, or fax basic information about the diagnosis to the WSIB in order to set up a claim. Your doctor can start by sending into the WSIB a Health Professional's Report that is downloadable; [http://www.wsib.on.ca/wsib/wsibsite.nsf/LookupFiles/DownloadableFileForm8/\\$File/Form8.pdf](http://www.wsib.on.ca/wsib/wsibsite.nsf/LookupFiles/DownloadableFileForm8/$File/Form8.pdf). Your doctor can obtain the form by calling 1-800-387-0750, or download and complete the form off the WSIB Web site. You can also fill out the Worker's Report of Injury/Disease Form 6 available online. Or you can sign your employer's Form 7 (Employer's Report of Injury/Disease) informing.

Once WSIB receives information about your claim, they will assign a claim number and adjudicator from our Occupational Disease and Survivor Benefits (OD&SB) Program to your case.

#### What information do I need to provide?

First, you need these facts:

- \* your name,
- \* address,
- \* date of birth,
- \* social insurance number,
- \* the name and location of your employer(s), and
- \* the symptoms or illness for which you are making a claim.

Tell your doctor what substances and conditions you have been exposed to at work, even if your illness is short-term.

Your adjudicator needs information about your exposure and medical treatment. It's helpful if you can:

- \* Describe your symptoms and when they began.
- \* List the substances you were exposed to, and describe the type of work you were doing.
- \* Provide the names and addresses of all doctors you have seen for this illness, and the dates of all medical visits.
- \* Often you need a medical specialist to diagnose an occupational disease. Your adjudicator may ask you to sign a permission form so that he or she can get the specialist's report.

Some illnesses take many years to develop. It is helpful to have detailed information about your previous jobs and employers, with dates of employment, how long the job lasted, and types of jobs done.

## **Independent Contractor or Employee**

**By Joe Hendry**

One of the most important pieces of information to a courier is whether you should be classified as an employee or an independent contractor. The determination is critical because it will affect your rights, job security and income. Fortunately for Toronto messengers your employment status will have no bearing on your right to join a union or your right to workers compensation as both employees and independent contractors are automatically protected.

Companies that classify their workers as independent contractors benefit because they can avoid paying into the Canada Pension Plan (CPP) and the Employment Insurance (EI) plan. They may also avoid paying workers for overtime, vacations and statutory holidays and they can pass on many of their overhead and administrative costs to their workers.

For example under the CPP, as an employee you would be required to contribute 4.95% of your income but if you were classified as an independent contractor your contribution would be double that or 9.9%.

It is likely that your company classified you as an independent contractor but you may challenge the classification by filing the form "Request for a ruling as to the status of a worker under the Canada Pension Plan or Employment Insurance Act." It is also available online at <http://www.cra-arc.gc.ca/E/pbg/tf/cpt1/cpt1-fill-04b.pdf>

The Canada Revenue Agency publishes a guidebook entitled "Employee or Self-Employed" to help with the determination. It is available online at <http://www.cra-arc.gc.ca/E/pub/tg/rc4110/rc4110-e.html>

Most government agencies apply the common law test to classify workers. This test looks at areas such as control, ownership of tools, opportunity for profit or loss and integration of the worker into the company. Most often for couriers the decision will be based mainly on control.

As a caution you should keep all contracts and communications from your company to support your case if you should decide to challenge your employment classification. In a hearing your company will attempt to understate the level of control it exerts over your work.

Some characteristics that point to an employment relationship include when the employer:

- \* Requires uniforms
- \* Sets hours or prices
- \* Requires mandatory attendance at meetings
- \* Includes non-competition clause in contract
- \* Requires its company name or logo on waybills or manifests
- \* Does not allow courier to work for any other courier company
- \* Requires courier to ask for time off
- \* Does not allow courier to refuse work
- \* Dictates how work should be done - when to pick or drop
- \* Provides training
- \* Requires courier to perform free services for company (ex: drop waybills or invoices)
- \* Requires courier to follow company rules and regulations

Independent contractors (IC) are self-employed and as an IC you may deduct most expenses from your gross income. You must support all deduction with receipts. However most messengers classified as employees would also likely qualify to deduct some employment expenses from your income IF your employer fills out Form T2200, which is a "declaration of conditions of employment."

Form T2200 sets out the conditions of employment with respect to those expenses that the employee is required to incur and pay for personally in relation to their employment contract. An employee claiming a deduction for employment expenditures on their annual personal income tax return must file Form T2200 with their income tax return. Most of the form must be completed and signed by your employer. Form T2200 is available at:

<http://www.cra-arc.gc.ca/E/pbg/tf/t2200/README.html>

(cont'd on next page)



More resources on independent contractor status can be found at  
<http://www.messmedia.org/IC.html>

## Food as Fuel

As a foot or bicycle messenger you are eligible for one other important deduction. As a result of the decision in *Scott v Canada* (1998) you may deduct up to \$15 per workday to cover the cost of the extra food required to perform your job. Receipts are not required to justify this deduction unless you attempt to claim more than the \$15 per workday allowance.

A copy of the communication from the Canada Revenue Agency confirming the \$15 food as fuel deduction is available at  
<http://www.messmedia.org/fuel2003.htm>

-----  
Messenger Institute for Media Accuracy:  
<http://www.messmedia.org/>

## **The Canada Post Act**

### **Minimum Courier Charges in North America**

By Joe Hendry

In both the United States and Canada the mail is considered a crucial government service. In fact it is so important that Canadians and Americans granted their governments exclusive privilege over the mail.

When business discovered that it needed urgent packages and letters delivered faster than the government could provide, both countries amended their laws to allow an exception to the exclusive privilege of mail delivery for emergency or urgent mail. In Canada this was done through the Canada Post Act and the United States it was accomplished through the Private Express Statutes.

Both countries maintained that a minimum charge must be set for private courier services to deliver urgent mail. A minimum charge is important to ensure universal mail service throughout both nations. The post office operates all over the country, in both urban and rural areas.

It's much cheaper to deliver in urban areas as the distances that most mail travels is shorter. In rural areas this distance and decreased density of people means a much greater expense. Without a minimum charge, it's possible that courier companies in urban areas could afford to charge less. This would leave the government with the much more costly rural areas to service at a much higher cost and price to the residents.

For years the minimum charge was irrelevant as courier companies billed at much higher rates than the minimum but in recent years most courier companies in major Canadian cities have begun to break this law. The main reasons for these violations include increased competition, volume discounts to large clients, and a tendency to use the super fast bike messenger service to subsidize other services. Courier companies often charge less for bike messenger services as a way of luring clients who will send other packages longer distances at greater rates.

By far the single most important factor for companies violating the Canada Post Act is their flouting labour standards and labour laws. Despite laws to the contrary, most courier companies arbitrarily disguise their employees as independent contractors. They pay commissions based on the rate to the customer, ignore minimum wage and overtime laws. Courier companies don't pay their employees for statutory holidays or vacations. Messengers often miss out on lunch breaks and are charged administration charges for everything from the use of their radios and phones to the printing of their pay cheques.

Under the Canada Post Act, private messenger companies are only allowed to deliver if they charge 3 times the rate of postage for a fifty gram letter which currently is 3 times \$0.89 or \$2.67. In the United States the Private Express Statutes sets the minimum charge at \$3.00.

That means if someone wants to send 10 separate envelopes (which would need 10 separate stamps if sent by mail) to the same company the minimum they must be charged is \$26.70. In reality this doesn't happen.

And it's an indictable offence in Canada, punishable by up to five years in prison.

Courier company owners are always complaining about their profit margin and discounting by competitors.

Yet we don't see any of them pressuring the government to enforce the Canada Post Act. That's because most courier company owners make their profits by operating outside of many laws and don't wish to draw attention to their industry. Most make their money on the backs of messengers' hard work. If they operated as required by law, they would be forced to rely on their own managerial and business skills to earn a profit.

## **Canada Post Corporation Act**

Exclusive Privilege of Corporation Exclusive privilege

14. (1) Subject to section 15, the Corporation has the sole and exclusive privilege of collecting, transmitting and delivering letters to the addressee thereof within Canada.

Other mail

(2) Nothing in this Act shall be construed as requiring any person to transmit by post any newspaper, magazine, book, catalogue or goods.

1980-81-82-83, c. 54, s.

14. Exception

15. (1) The exclusive privilege referred to in subsection 14(1) does not apply to

(a) letters carried incidentally and delivered to the addressee thereof by a friend of the sender or addressee;

(b) commissions, affidavits, writs, processes or proceedings issued by a court of justice;

(c) letters lawfully brought into Canada and forthwith posted thereafter;

(d) letters concerning goods for delivery therewith, carried by a common carrier without pay, reward, advantage or profit for so doing;

**(e) letters of an urgent nature that are transmitted by a messenger for a fee at least equal to an amount that is three times the regular rate of postage payable for delivery in Canada of similarly addressed letters weighing fifty grams;**

(f) letters of any merchant or owner of a cargo vessel or the cargo therein that are carried by such vessel or by any employee of such merchant or owner and delivered to the addressee thereof without pay, reward, advantage or profit for so doing;

(g) letters concerning the affairs of an organization that are transmitted between offices of that organization by an employee thereof;

(h) letters in the course of transmission by any electronic or optical means; and

(i) letters transmitted by any naval, army or air forces of any foreign country that are in Canada with the consent of the Government of Canada.

#### Collection

(2) Nothing in subsection (1) shall be construed as authorizing any person to collect or receive any letters for the purpose of transmitting or delivering them as described in that subsection.

1980-81-82-83, c. 54, s. 15.

56. Every person who, in violation of the exclusive privilege of the Corporation under section 14, collects, transmits or delivers to the addressee thereof, or undertakes to collect, transmit or deliver to the addressee thereof, any letter within Canada, or receives or has in his possession within Canada any letter for the purpose of so transmitting or delivering it, commits an offence in respect of each such letter. 1980-81-82-83, c. 54, s. 50.

60. Every person who contravenes any provision of this Act or the regulations or who commits an offence under any of sections 48 to 59

(a) is guilty of an indictable offence and liable to imprisonment for a term not exceeding five years; or

(b) is guilty of an offence punishable on summary conviction. 1980-81-82-83, c. 54, s. 54

# **The Employment Standards Act**

Compiled by Joe Hendry

The Employment Standards Act is the law that contains Ontario's basic rules about working and employing people. Both workers and employers have rights and responsibilities under the Act. These are some of the rules that couriers should know.

The ESA does not apply if your courier company does a significant amount of work that is inter-provincial or international. In that case you are covered under the federal Canada Labour Code which has similar standards to the ESA. For more information see the Human Resources and Skills Development (HRSD) Labour Standards information page:

[http://www.hrsdc.gc.ca/asp/gateway.asp?hr=en/lp/spila/cli/eslc/01Employment\\_Standards\\_Legislation\\_in\\_Canada.shtml&hs=lxn](http://www.hrsdc.gc.ca/asp/gateway.asp?hr=en/lp/spila/cli/eslc/01Employment_Standards_Legislation_in_Canada.shtml&hs=lxn)

One caution - the Ministry of Labour must first make a determination as to whether you should be classified as an employee (vs independent contractor) before you qualify for coverage under the Employment Standards Act.

## **Vacation Pay**

After working for an employer for 12 full months, an employee is entitled to a minimum of two weeks vacation with pay each year.

An employee, who works for an employer for less than 12 months and quits or is terminated, is entitled to receive at least 4% of the total wages as vacation pay.

## **Deductions**

An employer must deduct such things as income tax, Canada Pension Plan and Employment Insurance from an employee's wages. Other deductions can be made only if the employee agrees to the deduction in writing. This agreement is called an "authorization". But there are limits to the deductions an employer can make.

Any authorization must state the amount that can be deducted. If it says "any money missing" or "any money I owe to my employer", it is not legal.

Even with a signed authorization, the employer can't make deductions from an employee's pay if:

- \* there is any faulty workmanship. For example, if the employee makes a mistake that causes something to break [like a radio], the cost of fixing this can't be deducted from wages.
- \* there is cash or property missing if more than one person has access to it.

### **Minimum Wage**

Minimum wage is the lowest hourly wage rate an employer can pay employees. Full-time and part-time employees are entitled to minimum wage. Minimum wage applies regardless of how you are paid - such as piece-work or commission.

The general, hourly rate of minimum wage effective February 1, 2005 is \$7.45 per hour. It will rise to \$7.75 per hour on February 1, 2006 and \$8.00 per hour on February 1, 2007.

Employees must be paid for all hours worked. Any changes to the minimum wage will be advertised.

### **Hours of Work**

Normal working limits for most employees in Ontario are 8 hours a day and 48 hours a week. An employee may not work more than 8 hours a day and 48 hours a week.

An employer and an employee can agree in writing that the employee will work more but prior to making the agreement, the employer must give the employee the Information Sheet for Employees About Hours of Work and Overtime Pay prepared by the Director of Employment Standards that describes the hours of work and overtime rules in the ESA, and the employee has acknowledged in the agreement receipt of the Information Sheet found here:  
[http://www.labour.gov.on.ca/english/es/hours/info\\_hours.html](http://www.labour.gov.on.ca/english/es/hours/info_hours.html)

**Meals Breaks:** An employee cannot work more than 5 hours in a row without getting a 30-minute eating period free from work. If the employee and employer agree, the 30-minute eating period can be taken as two shorter breaks within a period of five hours. Together the two eating periods must total at least 30 minutes. Agreements to divide the 30-minute meal break into two shorter breaks do not have to be in writing.

## **Overtime Pay**

Under the law overtime pay is one-and-one-half times the regular wage. Sometimes this is called "time and a half". For example if the regular wage is \$8.00 an hour, then overtime pay would be:

$$\$8.00 + \$4.00 \text{ (1/2 of \$8.00)} = \$12.00$$

Overtime pay starts for most employees after they have worked 44 hours in a work week unless the employer and employee agree to starting it before 44 hours.

However, for drivers and drivers' helpers on a 'for hire' delivery vehicle for local cartage, overtime pay is 1 1/2 regular rate for each hour in excess of 50 in a work week. This means couriers' overtime starts after 50 hours in a work week.

## **How to Calculate Overtime for piece-workers**

If you are paid for the amount of work you do, and not for the number of hours you work, you calculate your overtime this way.

Take the total amount you earned over a pay period and divide it by the number of hours you worked in that same period. For example:

Your piece-work pay over one workweek was \$580.00. During this week, you worked a total of 58 hours. \$580.00 divided by 58 is \$10.00 an hour.

You have worked eight (8) hours of overtime in this week ( $58 - 50 = 8$ ). You are entitled to eight (8) hours overtime pay at one and a half ( $1 \frac{1}{2}$ ) times your regular pay of \$10.00 an hour. Your overtime pay is \$15.00 an hour.

You earned \$10.00 an hour pay for these hours already. So you are entitled to an extra \$5.00 an hour for the four (8) hours of overtime, or \$40.00 extra.

**Time Off in lieu of Overtime Pay:** If the employee and employer agree in writing, an employee can "bank" time or take "time off in lieu" of overtime pay. If an employee has agreed to bank overtime hours, he or she must be given 1 1/2 hours of paid time off work for each hour of overtime worked. Paid time off must be taken within three months of the week in which it was earned or, if the employee agrees in writing, within 12 months.

If an employee's job ends before he or she has taken the paid time off, the employee must receive overtime pay, no later than seven days after the date the employment ended, or on what would have been the employee's next pay day, whichever is later.

## **Public Holidays**

Under the law, Ontario has eight paid public holidays:

New Year's Day    Good Friday

Victoria Day      Canada Day

Labour Day        Thanksgiving Day

Christmas Day    December 26 (Boxing Day)

Most Ontario municipalities (including Toronto) also recognize the first Monday in August as Civic Holiday (paid public holiday)

Note: If your company falls under the federal jurisdiction Remembrance Day (November 11) is also a paid public holiday.

Most employees who qualify for paid public holidays don't have to work on these days, but are still paid their regular wages for the day.

To qualify for a paid public holiday, a full-time or part-time worker must have:

- \* been employed for three months or more, and
- \* earned wages on at least 12 days during the four workweeks before the holiday, and
- \* worked on your regularly scheduled day before and on your regularly scheduled day after the holiday.
- \* not been employed under an elect-to-work arrangement and
- \* a reasonable excuse if they agreed to work and failed to show up.

**Important:** Elect to work employees may choose to work when requested and may refuse work without penalty. They are not entitled to payment for public holidays.

All these rules must apply to the employee at the same time. If any rule does not apply, then the employee does not qualify for a public holiday.

Most employees who agree to work on a public holiday must be paid time and one-half for working on the holiday. This is in addition to a regular day's pay if the employee qualifies for the paid public holiday.



## **Termination of Employment**

Termination of employment is when an employee stops working permanently for an employer. There are other words that mean the same as termination: “being let go”, “discharged”, “dismissed” or “fired”.

An employer can terminate an employee’s employment at any time, but must give written notice of termination, or termination pay instead of notice.

“Termination pay” is pay instead of written notice of termination when employment ends. This is sometimes called “pay-in-lieu of notice” or “lieu pay”. It is about one week of pay for every year worked to a maximum of eight weeks.

Not everyone is entitled to get written notice or termination pay. For example, an employee who has been employed for less than three months is not entitled to notice or termination pay. There are other situations where notice of termination is not required. For more information contact the Ministry of Labour office. ( at 416-326-7160 or 1-800-531-5551)

(A temporary layoff is usually for 13 weeks or less in any period of 20 consecutive weeks or 35 weeks in any period of 52 consecutive weeks and is not the same as termination. Notice is not required for a temporary layoff).

## **Payroll Records**

Employees must receive a written wage statement each pay day. This must give full details about hours worked, earnings and all deductions. This is usually called a “pay stub”. The employee must be given this record to keep.

Employers must record the hours worked daily and weekly by the employee. Other records that must be kept include details of wages and overtime, vacation and public holiday pay and all deductions from an employee’s earnings.

## **How to File a Claim**

*(reprinted from the Ministry of Labour fact sheet)*

A claim is a statement of how your employer broke the rules in the Employment Standards Act

Forms are available online at:

<http://www.labour.gov.on.ca/english/es/pdf/claimform.pdf>

The Ministry of Labour (MOL) suggests that you begin by talking to your employer or to your union representative if you have one. Or you may want to send a registered letter to your employer explaining what the problem is and how it might be solved. Keep a copy of the letter and the mailing receipt.

If you cannot solve the problem yourself, contact the Employment Standards Program at the nearest Ministry of Labour office, and discuss your situation with an Employment Standards officer.

### **Employees can't be punished for claiming their rights**

Employers cannot intimidate, fire, suspend, or otherwise punish an employee, or threaten any of these actions because the employee asks for or asks about their ESA rights. If this happens, contact the Ministry of Labour.

If an employee thinks that an employer is not following the ESA law, he or she can contact the Ministry of Labour for help. Employment Standards Officers can inspect workplaces and look into possible violations of the ESA.

- \* Employers can be ordered to:
- \* pay the wages that are owing to employees
- \* give back an employee's job
- \* follow the rules of the ESA
- \* compensate an employee

The Ministry of Labour can also charge an employer with an offence, including a ticket. If convicted, employers may be fined or sent to jail.

### **May I file a claim under the Act?**

Being covered by the Act does not automatically mean that you can file a claim under the Act. The following points explain the circumstances that prevent you from filing a claim with the ministry.

\* If you are covered by a collective agreement and you believe that your employer broke the laws, you cannot file a claim with the ministry. Instead, you may use the grievance procedure.

\* If you started a court action against your employer for the failure to pay wages or discrimination in benefit plans you can't file a claim with the ministry for the same matter. Also, employees who have started a court action for wrongful dismissal cannot file a claim for termination or severance pay under the ESA for the same termination.

## What do I need to file a claim?

You must fill out a Claim Form that is available from the Employment Standards Program at the nearest Ministry of Labour office. You will need information about your problem, your employment and your employer. If the information suggested is not available, it could make your claim harder to handle.

An employee needs to provide certain details about the employer and his or her employment when filing a claim. The employee will be asked to provide some or all of the following:

- \* Social Insurance Number
- \* copies of pay stubs or paycheques
- \* copies of T4 slips
- \* a copy of his or her written notice of termination (if the employee's employment was terminated and/or severed by the employer and notice was given)
- \* a copy of the employee's Record of Employment, if received
- \* a copy of the contract of employment, if there is one
- \* copies of any warning letters or notices received
- \* a record of the hours worked if available (i.e., a calendar record, time sheets, attendance records, diary or notes).

In completing the claim form, the employee must give details about:

- \* what happened (i.e., the employer didn't pay overtime; a cheque "bounced"; the employee was let go)
- \* when it happened (dates and times)
- \* why it happened (i.e., why the employee was let go; why the employer didn't pay wages)
- \* who was involved (i.e., names of employer, manager, supervisor, bookkeeper)
- \* any witnesses or others who would support the employee's story
- \* what's being claimed (including dollar amounts, if applicable)
- \* how the employee tried to solve the problem with the employer (if the employee wrote to the employer, a copy of the letter and mailing receipt).

In addition, the employee will be asked to give information about the employer, such as:

- \* the employer's full address and telephone numbers
- \* the employer's bank (the bank employee cheques were drawn on)
- \* whether the employer is still operating
- \* whether the employer operates any other places of business.

### **Time limit on filing a claim**

You have 6 months after the money came due to file your claim. For example, you have \$500 in wages due on the January 31, 2004 payday and you do not receive them. Your claim must be filed with the ministry no later than July 31, 2004. However unpaid vacation pay may be recovered if the claim is filed within 12 months of the date the vacation pay came due (rather than 6 months).

If your employer has repeatedly broken the same part of your contract, or the same rule in the Act, you have one year to file your claim if some of the money became due during the six months before filing the claim.

For example, your employer does not pay overtime and owes you \$50 in overtime for every weekly pay starting with January 30, 2004 and ending on November 27, 2004 when you quit your job. Your claim for the overtime pay must be filed with the ministry no later than January 30, 2005.

### **Two-year time limit for filing a claim**

The six-month/one-year limitations on recovery only apply to an employee's ability to seek recovery of unpaid wages, including vacation pay. In some cases, the employee has two years after a violation to file a claim with the Ministry.

This two-year time limit applies where:

- \* The employee believes an employer has violated a non-monetary section of the ESA for example, if the employer didn't give proper meal breaks, or failed to provide wage statements; or

- \* The employee is seeking compensation and/or reinstatement—for example, if the employer has penalized or threatened to penalize an employee for exercising rights under the ESA. These rights include:

- \* asking the employer to comply with the ESA
- \* asking questions about rights under the ESA

- \* filing a complaint under the ESA
- \* exercising or trying to exercise a right under the ESA
- \* giving information to an employment standards officer
- \* taking, planning on taking, being eligible or becoming eligible for an emergency leave, family medical leave, or parental or pregnancy leave
- \* being subject to a garnishment order (i.e., to have a certain amount deducted directly from wages to satisfy a debt)
- \* participating in a proceeding under the ESA or section 4 of the Retail Business Holidays Act
- \* refusing to take a lie detector test
- \* refusing Sunday work (for certain retail workers only).

## **Extending Time Limits**

The six-month/one-year and two-year time limits described above are set out in the legislation and are mandatory. However, it may be possible to make a claim that would otherwise be outside the applicable time limit if:

- \* an employee has been misled as to his or her entitlements under the ESA by his or her employer and for that reason delayed in filing his or her claim; and
- \* the employee took prompt steps to file a claim after he or she found out that what the employer said about the ESA entitlement was inaccurate.

For example, an employer has stated that no overtime is payable under the ESA to an employee in certain circumstances and the employee relies upon the employer's statement and does not file a claim for overtime until after he or she finds out from another source that overtime is payable under the Act. In such a case, an employment standards officer may rule that the time limit that would otherwise not allow all or a portion of the claim should be extended because the delay in filing the claim was caused by the incorrect statement of the employer about the employee's ESA entitlements.

Note: If the time limit for filing your claim has passed, you may still be entitled to the money you are owed, but you cannot recover it through the Ministry of Labour. You may wish to consider taking legal action, such as small claims court, to collect the money owing you. In the case of bankruptcy, receivership or other insolvency, you should contact the trustee or receiver who is managing the affairs of the employer. You will then be asked to complete a form to claim the money that the employer owes you.

If an employee decides to start a court action for the same matter after filing a claim with the ministry, he or she should withdraw the claim within two weeks of the date of filing it to ensure that he or she will be allowed to start the court action.

Anonymous claims are not permitted but if you wish, you can request that MOL not use your name and/or address during the investigation.

### **After you file a claim**

An Employment Standards officer will investigate your claim. This is usually done by contacting your employer, inspecting your employer's records and checking with other involved people.

After this, the Employment Standards officer decides if the Act was followed or not. The officer will let you and your employer know what the decision is. If the officer decides the Act was not followed, he/she will tell you and your employer how the claim may be resolved under the Act.

If your employer does not resolve your claim, the officer may tell your employer in writing to resolve the claim. This is called "a written order" and it is a legal notice.

The maximum that an employer can be ordered to pay you is \$10,000. There may be some exceptions such as pregnancy and parental leave.

You can apply for a review of a decision. But you must apply not later than 30 days after the date that the officer's letter is mailed to you informing you of the decision not to issue an order.

If the officer wrote an order, your application for a review must be made not later than 30 days from the date of the order. Your employer can also apply for a review. The application may result in a hearing that will lead to a final decision.

## Organizing in the workplace

(excerpt from Business to Business, by Cyril Abbass)

“ Today the Ontario Labour Relations Act, as well as similar acts in each of the other nine provinces along with Part V of the Canada Labour Code provides the legislative framework for collective bargaining.

The laws state that:

- \* every person is free to join a Trade Union of his own choice but cannot be forced to join a Trade Union by intimidation or coercion.

- \* where the Trade Union signs up as members, 45% to 55% of the employees in a plant or bargaining unit, there will be a secret ballot vote to determine if the majority of the employees want that Trade Union to represent them in bargaining with their employer as to the terms and conditions of their employment and their rate of pay.

- \* where the Trade Union signs up as members, 55% or more of the Employees, then it will be certified as the bargaining agent of all the Employees in the plant or bargaining unit without a secret ballot vote being held.

- \* the Employer must bargain with the Trade Union once it is certified and must make every reasonable effort to reach an agreement.

The main point of the legislation is that it is the Employees who are given the right to join together and bargain with the Employer as a group concerning the terms and conditions of their employment. “

The Toronto messengers have been approached by trade unions more than once in the past and you may remember that a union just last year announced a campaign to recruit the bicycle and foot messenger workers.

Toronto Hoof and Cycle Active Transport Workers Guild is not a union and does not take direction from anyone but its members, that's you and every other worker on the streets with you on a bike or on foot. It doesn't matter if you're a member of a union or a strict company worker, if you do the work Hoof & Cycle is for you.

Hoof and Cycle will support its members efforts to organize in whatever form they choose. It's the hope of many current Hoof & Cycle members that we can come together again as a community and workforce in such a manner that we can improve the lot of the workers together with our own collective bargaining system.

When TOBMA achieves its current goal of reaching out and connecting with all of the workers and gaining their support we will have literally centuries of experience within the field to draw on. Many of our members have expressed a desire to affect positive change in our industry that would benefit everyone. Ideas to help accomplish this are discussed regularly and many have great merit as progressive approaches to problems that have seen our industry in decline for over a decade.

It's time to give these ideas a chance.

We can already demonstrate without fail that foot and bike messengers are an indispensable part of the urban infrastructure. Why then is our workforce so under utilized and under paid?

We receive our commission or wage, too little, and our city gives us a day on the calendar, 10-9, to commemorate the tangible, valuable contribution we make with regard to pollution and congestion relief. Everyone benefits from these gains it seems, but the messenger. Is it a coincidence that 10-9 means "I don't understand you"?

Often in other industries when a beneficial by-product is realized it is celebrated and the industry rewarded, yet daily our workers suffer in a polluted, unsafe work environment that would be far worse without their efforts. Many haven't received a raise in years, many have never seen a raise, those who have been working the longest have seen their earnings decrease. We can do better for ourselves, but only if we work together.

While not a union TOBMA can represent your interests in the industry and the community at large. Volunteers are working for you and are prepared to lend what assistance they can. Remember that more members means a louder voice and as a group we can work with other groups to make an actual difference.

Join the TOBMA today, go to our website and register;  
<http://www.tobma.com>

Or fill out the last page of this publication and give it to someone you know is a member. If you're already a member, find someone who isn't and give them this manual and ask them to become a member.

Thank you for the work you do,  
Toronto Bike Messenger Association (TOBMA)



This Manual was made possible by generous volunteers and many valuable contributions from local cycling & pedestrian groups including

## **Advocacy for Respect for Cyclists**

*Activism, advice and support for Toronto cyclists*



voicemail: 416-604-5171  
arc@respect.to  
www.respect.to  
761 Queen St. W. Ste. 101  
Toronto ON M6J 1G1  
Canada

*Mess Media  
monitors, analyzes and  
corrects media  
reporting errors and  
bias concerning  
messengers and  
couriers.*

Visit the website  
<http://www.messmedia.org/>



# **The Bicycle Messenger Emergency Fund**

## **Mission Purpose**

The Bicycle Messenger Emergency fund is a non profit organization that provides emergency compensation to bicycle messengers who are hurt on the job. Currently the BMEF allocates a \$300 USD emergency cheque to help messengers anywhere in the world during the first week of injury. This provides a boost to both the financial and the mental/emotional state of the injured messenger. The goal is to help the injured cope and recover.

## **Global Skills**

Bicycle messengers are an integral part of much of the world's urban business centres. By bypassing slow moving traffic, accessing shortcuts unavailable to motor vehicles, and not being burdened with finding a place to park on crowded downtown streets, bicycle messengers provide very quick delivery services allowing businesses to operate more efficiently. Many law firms, ad agencies, property managers, government departments, those in the entertainment, service and countless other industries in cities around the globe rely on bicycle messengers... rely on them very much.

## **Cycling in Heavy Traffic**

Bicycle messengers choose the occupation for a myriad of reasons, usually earning commissions per delivery and relying on their own work ethic, and customers' satisfaction, to earn their paycheques. Many bicycle messengers are forced to go without job security, insurance, or injury compensation. Obviously cycling in heavy traffic can be a dangerous enough ordeal, never mind cycling in heavy traffic 40 hours or more per week to help clients meet deadlines and in turn their own clients' demands. Injuries can be a common occurrence and contrary to popular belief, though according to many stats, rarely is the fault of the cyclist. Nearly all bike messengers consider themselves skilled professionals who make every effort to avoid accidents.

## **Reality of the Industry**

On the job injuries in any profession can be very difficult to cope with, can lead to disillusionment and depression, and can even prevent one from performing everyday tasks. Imagine not being able to cook your own meals or do household chores, all the while taking a financial hit because income has been halted. Imagine this injury was no fault of your own yet insurance or legal settlement – if not a hit and run case – were to take weeks, months, or years. Imagine you were injured only because you were doing your job, serving your clients the way they expect to be served.

**To qualify for BMEF aid one must:**

- Be employed as a bicycle messenger.
- Be injured while on the job.
- Request aid during the first week of injury.
- Unable to work
- The BMEF is not to be used to pay bills. It is for food and medicine.
- Provide adequate proof of injury on the job by giving the courier company's name and the name of a witness to verify the injury is legitimate. A messenger will personally investigate the claim and visit the person. If a messenger isn't available to verify this a friend will visit.

Visit our website for more information on how to donate to the BMEF and to learn how you can help in your city.

**<http://www.bicyclemessengers.com>**

You can also donate when you visit Cavern Cycles at 179 Queen East here in Toronto. If you'd like to be able to accept small donations to the BMEF at your place of business contact the BMEF or Hoof & Cycle for more information.



# Join Hoof & Cycle today!

---

Name:

Company:

Years on the Job:

Address (optional):

Contact me by:

Phone -

Email -

Nextel -

This information is completely confidential and will not be sold, given or in any way distributed to any party. It may only be used for Hoof & Cycle related material and to alert members to events which involve the Hoof & Cycle messenger community. Membership is free to any bicycle or foot messenger past or present that wishes to lend their support to Hoof & Cycle.

**Visit our Website Today and register**  
**<http://www.hoofandcycle.org>**

