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## 1) Purpose

Under the Accessibility for Ontarians with Disabilities Act, 2005 all public and private sector organizations must meet the requirements of accessibility standards established by regulation. This policy establishes the Integrated Accessibility Standards Regulation in the areas of Employment, Information and Communication and Transportation for the Township of Southgate, in accordance with Ontario Regulation 191/11 and with the Ministry of Community and Social Services intent to “streamline, align and phase-in accessibility requirements and allow for progress on accessibility and reduce the regulatory burden for obligated organizations”. This regulation came into force July 1, 2011.

## 2) Scope and Responsibilities

This policy has been drafted in accordance with the Regulation and addresses how the Township of Southgate achieves accessibility through meeting the Regulation’s requirements. It provides the overall strategic direction that we will follow to provide accessibility supports to Ontarians with disabilities.

The requirements of the Regulation include:

- Establishment, implementation, maintenance and documentation of a **multi-year accessibility plan**, which outlines the organization’s strategy to prevent and remove barriers and meet its requirements under the Regulation;
- Incorporation of accessibility criteria and features when **procuring or acquiring goods, services, or facilities**;
- **Training**; and other specific requirements under the Information and Communication, Employment and Transportation Standards.

## 3) Policy Statement and Organizational Commitment

The Township of Southgate is committed and guided by the four core principles of Equal Opportunity, Integration, Full Inclusion and Dignity and supports the full inclusion of persons as set out in the Canadian Charter of Rights and Freedoms and the Accessibility for Ontarians with Disabilities Act, 2005. The Township of Southgate shall use every effort to ensure that we meet the needs of people with disabilities, in a timely manner, through the implementation of this policy.

## 4) Definitions

“accessible formats” may include, but are not limited to, large print, recorded audio and electronic formats, Braille and other formats usable by persons with disabilities;

“communication supports” may include, but are not limited to, captioning, alternative and augmentative communication supports, plain language, sign language and other supports that facilitate effective communications;

“designated public sector organization” means every municipality and every person or organization listed in Column 1 of Table 1 of Ontario Regulation 146/10 (Public Bodies and Commission Public Bodies — Definitions) made under the Public Service of Ontario Act, 2006 or described in Schedule 1 to this Regulation;

“Government of Ontario” includes the executive of the government and operational branches, including every ministry of the Government of Ontario and the Office of the Premier;

“large designated public sector organization” means a designated public sector organization with 50 or more employees;

“large organization” means an obligated organization with 50 or more employees in Ontario, other than the Government of Ontario, the Legislative Assembly or a designated public sector organization;

“Legislative Assembly” includes the Office of the Assembly, the offices of members of the Assembly, including their constituency offices and the offices of persons appointed on the address of the Assembly;

“obligated organization” means the Government of Ontario, the Legislative Assembly, a designated public sector organization, a large organization and a small organization to which the standards in this Regulation apply;

“small designated public sector organization” means a designated public sector organization with at least one but fewer than 50 employees;

“small organization” means an obligated organization with at least one but fewer than 50 employees in Ontario, other than the Government of Ontario, the Legislative Assembly or a designated public sector organization.

## **5) General Provisions**

### **Multi-Year Accessibility Plan**

The Township of Southgate’s Multi-Year Accessibility Plan outlines a phased-in strategy to prevent and remove barriers and addresses the current and future requirements of the AODA.

The Township of Southgate will establish, implement, maintain and document a multi-year accessibility plan, which outlines the organization’s strategy to prevent and remove barriers and meet its requirements under this Regulation, post the accessibility plan on the Township’s website and provide the plan in an accessible format upon request. The Township will review and update the accessibility plan at least once every five years.

### **Procuring or Acquiring Goods, Services or Facilities**

The Township of Southgate will incorporate accessibility criteria and features when procuring or acquiring goods, services or facilities, except where it is not practicable to do so. If the Township determines that it is not practicable to incorporate accessibility criteria and features when procuring or acquiring goods, services or facilities, it shall provide, upon request, an explanation.

## Training

The Township of Southgate shall ensure that training is provided on the requirements of the accessibility standards referred to in this Regulation and on the Human Rights Code as it pertains to persons with disabilities to all employees and volunteers, all persons who participate in developing the organization's policies and all other persons who provide goods, services or facilities on behalf of the organization.

- The training on the requirements of the accessibility standards and on the Human Rights Code shall be appropriate to the duties of the employees, volunteers and other persons.
- Every person shall be trained as soon as practicable.
- The Township shall provide training in respect of any changes to the Township's accessibility policy on an ongoing basis.

### **6) Information and Communications Standard**

Our organization will create, provide and receive information and communications in ways that are accessible to people with disabilities.

If our organization determines that it is not technically feasible to convert the information or communications or the technology to convert the information or communication is not readily available, we will be obligated to provide the person that requires the information with an explanation as to why the information or communications are unconvertible and a summary of the unconvertible information or communications.

### **7) Emergency Information**

If our organization prepares emergency procedures, plans or public safety information and makes the information available to the public, we shall provide the information in an accessible format or with appropriate communication supports, as soon as practicable, upon request.

### **8) Feedback**

Our organization has processes for receiving and responding to feedback and shall ensure that the processes are accessible to persons with disabilities by providing or arranging for the provision of accessible formats and communications supports, upon request. We will notify the public about the availability of accessible formats and communication supports.

### **9) Accessible Formats and Communication Supports**

The Township of Southgate shall be obligated to provide or arrange for accessible formats and communication supports for persons with disabilities in a timely manner that takes into account the person's accessibility needs due to disability; and at a cost that is no more than the regular cost charged to other persons.

- The Township shall consult with the person making the request in determining the suitability of an accessible format or communication support.
- The Township shall notify the public about the availability of accessible formats and communication supports.

## **10) Website Accessibility**

The Township of Southgate shall make their internet websites and web content conform to the World Wide Web Consortium Web Content Accessibility Guidelines (WCAG) 2.0, initially at Level A by January 1, 2014 and increasing to Level AA by January 1, 2021.

## **11) Education, Training and Materials**

This section applies to educational or training institutions.

### **Public Libraries**

Public Libraries shall provide access to or arrange for the provision of access to accessible materials where they exist.

Public Libraries shall make information about the availability of accessible materials publicly available and shall provide information in accessible format or with appropriate communication supports, upon request.

Public Library Boards may provide accessible formats for archival materials, special collections and rare books.

## **12) Employment Standard**

The Employment Standard builds upon the existing requirements under the Ontario Human Rights Code in relation to how to accommodate individuals with disabilities throughout the job application process and the employment relationship. It applies in respect to employees and does not apply to volunteers and other non-paid individuals.

The requirements of the Employment Standard shall be met by the Township of Southgate by January 1, 2014 unless otherwise specified.

## **13) Recruitment and Retention**

We shall notify employees and the public about the availability of accommodations for applicants with disabilities.

During the recruitment process when job applicants are individually selected to participate in an assessment or selection process;

- If a selected applicant requests an accommodation, we shall consult with applicant and provide or arrange for the provision of a suitable accommodation that takes into account the applicant's disability.
- Notify successful applicants of the policies for accommodating employees with disabilities.

## **14) Employee Notification**

The Township shall inform its employees of its policies used to support its employees with disabilities, including but not limited to, policies on the provision of job accommodations that take into account an employee's accessibility needs due to a disability:

- As required to new employees as soon as practicable after they begin their employment;

- Whenever there is a change in policies on the provision of job accommodations that take into account an employee's accessibility needs due to a disability.

### **15) Accessible Formats**

In addition and where an employee with a disability requests it, we will consult with the employee to provide or arrange for the provision of accessible formats and communication supports for:

- information that is needed in order to perform the employee's job
- information that is generally available to the employees in the workplace
- consult with the employee making the request in determining the suitability of an accessible format or communication support.

### **16) Individual Accommodation Plan (IAP)**

We shall have in place a written process for the developing a documented individual accommodation plan for employees with a disability. Process to include:

- The employee's participation in the development of the IAP
- Assessment on an individual basis
- Identification of accommodations to be provided
- Timelines for the provision of accommodations
- We may request an evaluation by medical or other expert, at our expense, to assist with determining accommodation and how to achieve accommodation
- Employee may request the participation of a representative from their bargaining agent where represented, or otherwise a representative from the workplace where employee is not represented by a bargaining agent
- Steps taken to protect the privacy of the employee's personal information
- Frequency with which the IAP will be reviewed and updated and the manner in which it will be done
- If denied, the reasons for denial are to be provided to the employee
- A format that takes into account the employee's disability
- If requested, any information regarding accessible formats and communication supports provided
- Identification of any other accommodations that is to be provided

### **17) Return to Work**

We will have in place a return to work process for employees who have been absent from work due to a disability and require disability-related accommodation in order to return to work. Such processes must be documented and must outline steps the Township of Southgate will take to facilitate the return to work and include an Individual Accommodation Plan.

### **18) Performance Management, Career Development and Advancement, Redeployment**

The Township of Southgate shall take into account the accessibility needs of its employees with disabilities as well as any individual accommodation plans, when providing career development and advancement to its employees with disabilities.

“career development and advancement” includes providing additional responsibilities within an employee’s current position and the movement of an employee from one job to another in an organization that may be higher in pay, provide greater responsibility or be at a higher level in the organization or any combination of them and, for both additional responsibilities and employee movement, is usually based on merit or seniority, or a combination of them.

The Township of Southgate shall take into account the accessibility needs of its employees with disabilities, as well as individual accommodation plans, when redeploying employees with disabilities.

“redeployment” means the reassignment of employees to other departments or jobs within the organization as an alternative to layoff, when a particular job or department has been eliminated by the organization.

### **19) Workplace Emergency Response Information**

The Township of Southgate shall provide individualized workplace emergency response information to employees who have a disability, if the disability is such that the individualized information is necessary and the employer is aware of the need for accommodation due to the employee’s disability.

If an employee who receives individualized workplace emergency response information requires assistance and with the employee’s consent, the Township shall provide the workplace emergency response information to the person designated by the Township to provide assistance to the employee.

The Township of Southgate shall provide the information required under this section as soon as practicable after the Township becomes aware of the need for accommodation due to the employee’s disability.

The Township of Southgate shall review the individualized workplace emergency response information;

- when the employee moves to a different location in the organization
- when the employee’s overall accommodations needs or plans are reviewed
- when the Township reviews its general emergency response policies.

### **20) Transportation Standard**

The Transportation Standard will make it easier for people to travel in Ontario, including persons with disabilities, older Ontarians and families traveling with children in strollers.

As a municipality, the Township of Southgate will:

Consult with the Joint Accessibility Advisory Committee, the public and persons with disabilities in development of accessible design criteria in the construction, renovation, or replacement of bus stops/shelters, including steps to meet the goal of accessible stops/shelters;

Consult with Joint Accessibility Advisory Committee, persons with disabilities and the public to determine proportion of accessible taxis required in the community, including steps to meet the need in its accessibility plan.

The Township of Southgate will:

- Ensure taxicabs do not charge a higher fee or an additional fee to persons with disabilities
- Ensure taxicabs do not charge a fee for storage of assistive devices
- Ensure taxicabs have appropriate information displayed both the rear bumper and available in an accessible format to passengers.

The Township of Southgate's Accessibility Plan will include progress made by the municipality to meet the accessible taxi needs of the community and provide accessible bus stops/shelters

## **21) Regulatory Requirements**

An Administrative Monetary Penalties scheme is being established under the AODA. The scheme will allow a director or a designate to issue an order against a person, organization or corporation to pay a penalty amount as a result of non-compliance with the AODA or the accessibility standards. The largest penalty amount that can be issued to an individual or an organization that is not a corporation is \$50,000.

Establishes an Administrative Monetary Penalties Program that prescribes the administrative penalties

- Use of administrative monetary penalties will be considered an avenue of last resort when all other compliance assistance and improvement options have been exhausted

Designates the License Appeal Tribunal (LAT) to hear appeals of Directors Orders under the AODA.

- The LAT will hear appeals from organizations of director's orders, but not individual complaints. Individuals who feel their human rights have not been met would continue to complain to the Ontario Human Rights Commission.