

The Township of Cramahe Integrated Accessibility Standards Regulation Policy



Information and Communication



Employment



Transportation



Design of Public Spaces

Effective Date: July 1, 2011

Employees Covered: All

Council Adoption: September 18, 2012

Person Responsible: Chief Building Official

Last updated December 17, 2013

The Township Of Cramahe Integrated Accessibility Standards Regulation Policy

Part 1: General

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 in the areas of Employment, Information and Communication, Transportation, and Design of Public Spaces for the Township of Cramahe 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. This policy will be reviewed every 5 years.

The requirements set out in this policy and the Integrated Accessibility Regulation are not a replacement or a substitution for the requirements established under the *Human Rights Code* nor do the standards or policy limit any obligations owed to persons with disabilities under any other legislation.

2. Scope and Responsibilities

This policy has been drafted in accordance with the Regulation and addresses how the Township of Cramahe will achieve accessibility through meeting the Regulation's requirements. It provides the overall strategic direction that the Township of Cramahe 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 Township of Cramahe 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, Transportation, Design of Public Spaces Standards.

3. Policy Statement and Organizational Commitment

The Township of Cramahe is committed and guided by the four core principles of Dignity, Independence, Integration and Equal Opportunity 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 Cramahe 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;

"Accommodation" means the special arrangement made or assistance provided so that persons with disabilities can participate in the experiences available to persons without disabilities.

Accommodation will vary depending on the person's unique needs;

"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;

"Communications" means the interaction between two or more persons or entities, or any combination of them, where information is provided, sent or received;

"Conversion Ready" means an electronic or digital format that facilitates conversion into an accessible format;

"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*

"IAP" means Individualized Accommodation Plan

"Information" includes data, facts and knowledge that exists in any format, including text, audio, digital or images, and that conveys meaning.

"Internet Website" means a collection of related web pages, images, videos or other digital assets that are addressed relative to a common Uniform Resource Identifier (URI) and is accessible to the public.

"Kiosk" means an interactive electronic terminal, including a point-of-sale device, intended for public use that allows users to access one or more services or products or both.

"Mobility Aid" means a device used to facilitate the transport, in a seated posture, of a person with a disability.

"Mobility Assistive Device" means a cane, walker, wheelchair, scooter or similar aid.

"New Internet Website" means either a website with a new domain name or a website with an existing domain name undergoing a significant refresh.

"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.

"Unconvertible" means

(a) If it is not technically feasible to convert the information or communications;

(b) The technology to convert the information or communications is not

readily available. **"Web Content Accessibility Guidelines"** means the

world wide web consortium recommendation, dated December 2008, entitled

"Web Content Accessibility

Guidelines (WCAG) 2.0.

5. General Provisions

Multi-Year Accessibility Plan

The Township of Cramahe 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 Cramahe will report annually on the progress and implementation of the plan, post the information on the municipal website and will provide it in alternative formats upon request. The plan will be reviewed and updated at least once every five years. Compliance is due by **January 1, 2014**.

Procuring or Acquiring Goods, Services or Facilities

The Township of Cramahe will use accessibility criteria and features when procuring or acquiring goods, services or facilities, except where it is not practical to do so (in which case, if requested, will provide an explanation). Purchasing By-law to reflect this by January 1, 2014.

Self-Service Kiosk

The Township of Cramahe shall have regard to the accessibility for persons with disabilities when designing, procuring or acquiring self-service kiosks.

Training

The Township of Cramahe will ensure that training is provided to all employees on the requirements of the accessibility standards referred to in the Regulation and on the *Human Rights Code* as it pertains to persons with disabilities. Training will be developed and implemented by January 1, 2015. Ongoing training will be provided to new employees as soon as practicable. If any changes are made to this policy or the requirements training will be provided. The Township of Cramahe shall maintain a record of the dates when training is provided and the number of individuals to whom it was provided.

Part 2: Accessible Information and Communications

6. Information and Communication Standard

The Township of Cramahe will create, provide and receive information and communications in ways that are accessible to people with disabilities.

If the Township of Cramahe 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:

- (a) an explanation as to why the information or communications are unconvertible; and
- (b) a summary of the unconvertible information or communications

7. Emergency Information

If the Township of Cramahe 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. This has been in effect since January 1, 2012.

8. Feedback

The Township of Cramahe has a process in place for receiving and responding to feedback and will ensure that those processes are provided in accessible formats and with communication supports upon request. The Township of Cramahe will notify the public about the availability of accessible formats and communication supports. Compliance is due by January 1, 2015.

9. Accessible Formats and Communications Supports

The Township of Cramahe shall be obligated to provide or arrange for accessible formats and communication supports for persons with disabilities by January 1, 2016:

- a) Upon request in a timely manner that takes into account the persons' accessibility needs due to a disability;
- b) At a cost that is no more than the regular cost charged to other persons;

- c) Consult with the person making the request and determine suitability of an accessible format or communication support;

Notify the public about the availability of accessible formats and communication supports

10. Website Accessibility

The Township of Cramahe shall make their internet website and web content conform with the World Wide Web Consortium Web Content Accessibility Guidelines (WCAG) 2.0 initially at Level A and increasing to Level AA. By January 1, 2014, any new web content will conform with WCAG 2.0 Level A. By January 1, 2021 all internet website and web content will conform with WCAG 2.0 Level AA.

11. Education, Training, and Materials

Applies to education or training institutions.

Public Libraries

- a. Public Libraries shall provide access to or arrange for the provision of access to accessible materials *where they exist*;
- b. 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;
- c. Public Library Boards may provide accessible formats for archival materials, special collections and rare books. Compliance due by January 1, 2013

Part 3: Accessible Employment

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 Cramahe by January 1, 2015 unless otherwise specified.

13. Recruitment

The Township of Cramahe 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, the Township of Cramahe shall consult with the 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 of Cramahe 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 to existing 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, the Township of Cramahe 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 employees in the workplace; and

- consult with the employee making the request in determining the suitability of an accessible format or communication support .

16. Individual Accommodation Plan (IAP)

The Township of Cramahe shall have in place a written process for the development of 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;
- The Township of Cramahe may request an evaluation by outside 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 not from a bargaining agent;
- Steps taken to protect the privacy of the employee's personal information;

17. Return to Work

The Township of Cramahe 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 accommodations in order to return to work. Such processes must be documented and must outline the steps that the Township of Cramahe will take to facilitate the return to work and include an individual accommodation plan.

18. Performance Management, Career Development and Advancement, and Redevelopment

The Township of Cramahe will take into account the accommodation needs and/or individual accommodation plans of employees when:

- Using performance management processes;
- Providing career development and advancement information;
- Using redeployment procedures .
- 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 needs;
- If requested, any information regarding accessible formats and communication supports provided;
- Identification of any other accommodation that is to be provided

19. Workplace Emergency Response Information

The Township of Cramahe 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 the employee who receives an individual workplace emergency response information requires assistance and with the employee's consent, the Township of Cramahe shall provide the workplace emergency information to the person designated by the Township of Cramahe to provide assistance to the employee;
- As soon as practicable after becoming aware of the need for accommodation due to the employee's disability;
- And will review the individualized workplace emergency response information when the employee moves to a different location in the organization, when

overall accommodations needs or plans are reviewed and when the employer reviews its general emergency response policies.

Part 4: Accessible Transportation

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.

The Township of Cramahe will:

- Consult with the municipal accessibility advisory committee, the public and persons with disabilities in development of accessible design criteria in the construction of bus stops/shelters if public transit becomes a service of the Township of Cramahe;
- Consult with AAC, persons with disabilities and the public to determine proportion of accessible taxicabs required in the community, including steps to meet the need;
- The Township of Cramahe Accessibility Plan will include progress made by the municipality to meet the accessible taxi needs of the community
- Ensure township licensed taxicabs do not charge a higher fare or additional fee to persons with disabilities;
- Ensure township licensed taxicabs do not charge a fee for storage of assistive devices;
- Ensure township licensed taxicabs have appropriate information displayed both the rear bumper and available in an accessible format to passengers.

PART 4.1: Accessibility and The Built Environment

21. Design of Public Spaces Standard

The regulation contains specific requirements for public consultation in the following areas:

- Recreational trails and beach access routes

- Outdoor public use eating areas
 - Outdoor Play Spaces
 - Exterior paths of travel
 - Accessible parking
 - Obtaining services
 - Maintenance
- The intent of the consultation process is to make sure that people with disabilities have a chance to voice their thoughts on how accessible public spaces are constructed or designed and what type of experience it should provide.
 - Inclusive and accessible consultations provide organizations with valuable insight into people's diverse needs. Consulting with people with disabilities will help you identify, remove and prevent accessibility barriers that may not be easily recognizable and allow organizations to better meet the needs of their community.
 - The Integrated Accessibility Standards Regulation includes a number of exceptions, including allowances for practicability. Public Spaces should be developed in a manner that maximizes accessibility for people with disabilities while minimizing impacts on wildlife, the environment and cultural heritage. The Township will ultimately determine if their circumstances require an exception, but they must be able to prove that it was necessary or provide a rationale upon request. In some cases, the Township must also provide alternative access to goods and services.
 - Under the requirements, the Township's maintenance procedures must be included in their multi-year accessibility plan. Including the maintenance requirement within these existing plans will achieve the intent of regulating

maintenance without creating an additional burden. This approach ensures that the Township is not subject to undue regulatory burden and strikes a balance between the needs of people with disabilities and the current operating practices.

The requirements of the Design of Public Spaces Standard shall be met by the Township of Cramahe by January 1, 2016.

Part 5: Compliance

22.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.

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