



## Policy & Procedures

Section: 3.0 Human Resources  
Policy: Integrated Accessibility Standards Policy  
By-Law: 2012-123, 2014-89, 2016-96  
Date: 19 November 2012  
Revision: 17 October 2016

### Coverage:

This policy shall apply to all employees, contractors and volunteers of the Township of Huron-Kinloss.

### Policy Statement:

The Township of Huron-Kinloss 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 Canadian Charter of Rights and Freedoms and the Accessibility for Ontarians with Disabilities Act, 2005 as amended.

The Township of Huron-Kinloss 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.

### Legislative Authority:

*Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*, as amended, Human Rights Code, R.S.O. 1990 Chapter H. 19, Canadian Charter of Rights and Freedoms

### Contents:

#### Purpose:

Under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) 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 Information and Communications, Employment, Transportation, Design of Public Spaces and Customer Service for the Township of Huron-Kinloss in accordance with Ontario Regulation 191/11 as amended 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 on July 1, 2011 and was further amended with the update of April 19<sup>th</sup>, 2016 which added Accessible Customer Service to the Act.



## Definitions:

1. **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; (“format accessible”).
2. **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.
3. **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.
4. **Communications** means the interaction between two or more persons or entities, or any combination of them, where information is provided, sent or received.
5. **Conversion Ready** means an electronic or digital format that facilitates conversion into an accessible format.
6. **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.
7. **Disability** means
  - a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness,
  - b) a condition of mental impairment or a developmental disability
  - c) a learning disability or dysfunction in one or more of the processes involved in understanding or using symbols or spoken language
  - d) a mental disorder or
  - e) an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997
8. **IAP** means Individualized Accommodation Plan.
9. **Information** includes data, facts and knowledge that exists in any format, including text, audio, digital or images, and that conveys meaning.
10. **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 – web address) and is accessible to the public.
11. **Mobility Aid** means a device used to facilitate the transport, in a seated posture, of a person with a disability.
12. **Mobility Assistive Device** means a cane, walker, wheelchair, scooter or similar aid.
13. **New Internet Website** means either a website with a new domain name or a website with an existing domain name undergoing a significant refresh.
14. **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.
15. **Unconvertible** means



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- a) not technically feasible to convert the information or communications;
- b) that technology to convert the information or communications is not readily available.

**16. Web Content Accessibility Guidelines** means the world wide web consortium recommendation, dated December 2008, entitled “Web Content Accessibility Guidelines (WCAG) 2.0”.

## General Provisions:

### Multi-Year Accessibility Plan

The Township of Huron-Kinloss’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. Township of Huron-Kinloss will report annually on the progress and implementation of the plan, will post the information on its website and will provide it in alternative formats upon request. The plan will be reviewed and updated at least once every five (5) years.

### Procuring or Acquiring Goods, Services or Facilities

The Township 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, we will provide an explanation).

### Training

The Township will ensure that training is provided to all employees and regular fee-for-service staff 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 provided as soon as practicable. If any changes are made to this policy or the requirements, training will be provided. We shall maintain a record of the dates when training is provided and the number of individuals to whom it was provided subject to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

## Information and Communication Standard:

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

If the township 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



## Emergency Information:

Emergency procedures, plans and/or public safety information prepared by the Township of Huron-Kinloss and made available to the public, shall be provided in an accessible format or with appropriate communication supports, as soon as practicable, upon request.

## Feedback:

The Township of Huron-Kinloss has processes 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. We will notify the public about the availability of accessible formats and communication supports.

## Accessible Formats and Communication Supports:

The Township of Huron-Kinloss will provide or arrange for accessible formats and communication supports for persons with disabilities:

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

## Website Accessibility:

The Township of Huron-Kinloss shall make its 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.

As of January 1, 2014, any new web content conformed to WCAG 2.0 Level A.

By January 1, 2021 all internet website and web content will conform to WCAG 2.0 Level AA.

## 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. Specifically, S 5(1) of Human Rights Code, R.S.O 1990, c. H. 19 says that “every person has a right to equal treatment with respect to employment without discrimination because of.... Or disability”. S 5 (2) says “Every person who is an employee has a right to freedom from harassment in the workplace by the employer or agent of the employer by another employee because of .... Or disability”.



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This applies with respect to employees and does not apply to volunteers and other unpaid individuals.

The requirements of the Employment Standard were met by January 1, 2014 unless noted.

## Recruitment:

The Township of Huron-Kinloss 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 Huron-Kinloss 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

## Employee Notification:

The Township of Huron-Kinloss shall inform its employees of the 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.

## Accessible Formats:

In addition, where an employee with a disability requests it, The Township of Huron-Kinloss will consult with the employee to provide for/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.

## Individual Accommodation Plan (IAP)

The Township of Huron-Kinloss will have in place a written procedure for the developing of a documented individual accommodation plan (IAP) for employees with a disability.

The procedure will include:



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- 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 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;
- 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.

## Return to Work

The Township of Huron-Kinloss 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. This process must be documented and must outline the steps that Huron-Kinloss will take to facilitate the return to work and include an IAP.

## Performance Management, Career Development and Advancement, and Redeployment

The Township of Huron-Kinloss 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.

## Workplace Emergency Response Information

The Township of Huron-Kinloss 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



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of Huron-Kinloss shall provide the workplace emergency information to the person designated by the Township to provide assistance to the employee;

- As soon as practicable after becoming aware of the need for accommodation due to the employee's disability;
- 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.

## 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. Conventional (ie.taxis) and Specialized Transportation Services (ie Saugeen Mobility And Regional Transportation) will carry out the following:

- Ensure they do not charge a higher fare or additional fee to persons with disabilities
- Ensure they do not charge a fee for storage of assistive devices
- Ensure they do not charge an additional fee for a support person if a support person is required.

## Design of Public Spaces in the Built Environment

The Township of Huron-Kinloss now takes into account the standards that govern the design of public spaces in the built environment which came into effect in 2016 as per Ontario Regulation 413/12. These requirements are for:

- Recreational Trails and Beach Access Routes
- Outdoor Public-Use Eating Areas (e.g. rest stops or picnic areas)
- Outdoor Play Spaces (e.g. playgrounds)
- Exterior Paths of Travel (e.g. sidewalks, ramps, stairs, curb ramps)
- Accessible parking (on and off-street)
- Obtaining Services (e.g. services counters, waiting areas)
- Maintenance (of accessibility-related equipment and features in public spaces)

## Customer Service

Under O. Reg. 165/16 which amends O. Reg. 191/11 (Integrated Accessibility Standards) as a provider of goods, services or facilities, the Township of Huron-Kinloss is required to incorporate the Accessible Customer Service standard into its Integrated Accessibility Standards Policy. Full details of the Accessible Customer Service policy are detailed in by-law 2016-95 and will be adhered to.



## Regulatory Requirements

An **Administrative Monetary Penalties** scheme has been established under the AODA. The scheme allows a director or 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. This is under Part V – Compliance in the AODA.

An Administrative Monetary Penalties Program will prescribe 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.

The **License Appeal Tribunal** (LAT) has been designated to hear appeals of Directors Orders under the AODA. Individual complaints still go to the Ontario Human Rights Commission.