


POLICY

	Policy:	Integrated Accessibility Standards Regulation (IASR)		
	Department	Office of the CAO		
	Division:	Municipal Governance	By-law No.:	2016-62
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1. POLICY STATEMENT

- 1.1. The Corporation of the Town of Amherstburg is committed to complying with the Integrated Accessibility Standards Regulation (IASR). The Integrated Accessibility Standards Regulation also establishes the compliance framework for obligated organizations.
- 1.2. Town of Amherstburg is committed and guided by four (4) core principles - dignity, equal opportunity, integration and full inclusion. These principles support the needs of persons as set out in the Canadian Charter of Rights and Freedoms, and the Accessibility for Ontarians with Disabilities Act, 2005.

2. PURPOSE

- 2.1. The Town of Amherstburg shall use every effort to ensure that it meets the needs of persons with disabilities, in a timely manner, through the implementation of this policy.
- 2.2. 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 IASR in the areas of Employment, Information & Communications and Transportation for the Town of Amherstburg in accordance with Ontario Regulation 191/11 and with the Ministry of Community and Social Services.
- 2.3. The intent is to “streamline, align and phase-in accessibility requirements and allow for progress on accessibility and reduce the regulatory burden for obligated organizations”.

3. SCOPE

- 3.1. This policy has been drafted in accordance with the Regulation and addresses how the Town of Amherstburg will achieve accessibility through meeting the Regulation's requirements. It provides the overall strategic direction that the Town will follow to provide accessibility supports to Ontarians with disabilities. The requirements of the Regulation include:
- a. 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
 - b. Incorporation of accessibility criteria and features when procuring or acquiring goods, services, or facilities
 - c. Training
 - d. Other specific requirements under the Information & Communication, Employment and Transportation Standards
- 3.2. This policy shall be reviewed every 2 years from the date it becomes effective, and/or sooner at the discretion of the CAO and/or Clerk.

4. DEFINITIONS

- 4.1. **Chief Administrative Officer (CAO)** is the Chief Administrative Officer for the Corporation of the Town of Amherstburg, which includes the roles and responsibilities as laid out in Section 229 of the Municipal Act, 2001.
- 4.2. **Clerk** is the Municipal Clerk for the Corporation of the Town of Amherstburg, which includes the roles and responsibilities as laid out in Section 228 of the Municipal Act, 2001.
- 4.3. **Staff** is any person (or group thereof) who supplies services to the Corporation for wages including any union or non-union, regular or temporary, full-time, part-time, seasonal or casual staff member, including but not limited to permanent staff, temporary staff, committee members, students, recreation staff, contract employees, paid work placements, and adult crossing guards.
- 4.4. **Town** is the Corporation of the Town of Amherstburg.
- 4.5. **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.
- 4.6. **Accommodations** are necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms.

- 4.7. **Disability** is any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device; a condition of mental impairment or a developmental disability; a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language; a mental disorder, or; an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997; (“handicap”)
- 4.8. **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.
- 4.9. **Mobility Aide** is a device used to facilitate the transport, in a seated posture, of a person with a disability.
- 4.10. **Web Content Accessibility Guidelines (WCAG)** is a World Wide Web Consortium Recommendation, dated December 2008, entitled “Web Content Accessibility Guidelines (WCAG) 2.0;”

5. **INTERPRETATIONS**

- 5.1. Any reference in this Policy to any statute or any section of a statute shall, unless expressly stated, be deemed to be reference to the statute as amended, restated or re-enacted from time to time. Any references to a By-law or Town policy shall be deemed to be a reference to the most recent passed policy or By-law and any replacements thereto.

6. **GENERAL CONDITIONS**

6.1. **Multi-Year Accessibility Plan**

- 6.1.1. The Town’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.
- 6.1.2. The Town is committed to reviewing its accessibility needs and will report annually on its progress and implementation of the plan. The information will be posted annually on the website. The Town will also provide an alternative format upon request, where available. The mutli-year plan will be reviewed and updated every 5 years.

6.2. **Procuring or Acquiring Goods, Services or Facilities**

6.2.1. The Town will use accessibility criteria and features when procuring or acquiring goods, services or facilities, except where it is not practicable to do so. If required, an explanation will be provided.

6.3. **Training**

6.3.1. The Town will ensure that training is provided to all employees and regular fee for service staff, on the requirements of accessibility standards referred to in the regulation and on the Human Rights Code, as it pertains to persons with disabilities. Training will be provided upon hire and every two years thereafter, or as changes to this policy occurs. Training will also be provided where appropriate for employees who change positions. Administration will maintain a record of training dates and the specific individuals that were in attendance.

6.4. **Information and Communications Standard**

6.4.1. The Town will create, provide and receive information and communications in ways that are accessible to people with disabilities, where practicable.

6.4.2. If the Town determines that it is not technically feasible to convert the information/communications, or does not have the technology available to convert the information/communication, the Town will be obligated to provide the person that requires the information with:

- a. An explanation as to why the information/communications are unconvertible.
- b. A summary of the unconvertible information/communication.

6.5. **Emergency Information**

6.5.1. When the Town prepares emergency procedures, plans or public safety information, Administration will make the information available to the public, as soon as practicable. The Town shall provide information in an accessible format or with the appropriate communication supports, as soon as practicable, upon request.

6.6. **Feedback**

6.6.1. The Town has a process in place for receiving and responding to feedback and will ensure that those processes are provided in an accessible format and with communications support, upon request. The Town will notify the public about the availability of accessible formats and communication supports.

6.7. **Accessible Formats and Communication Supports**

- 6.7.1. The Town shall be obligated to provide or arrange for accessible formats and communication supports for persons with disabilities:
- a. Upon request in a timely manner that takes into account the person's accessibility needs due to the disability
 - b. At a cost that is no more than the regular cost that is charged to others.
 - c. Consult with the person making the request and determine suitability of an accessible format or communication supports.
 - d. Notify the public about the availability of accessible formats and communication supports, where available.

6.8. **Website Accessibility**

- 6.8.1. The Town shall make its internet website and web content conform with 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 to WCAG 2.0 Level AA.

6.9. **Education, Training and Materials**

6.9.1. **Employment Standard**

- 6.9.1.1 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.
- 6.9.1.2 The requirements of the Employment Standard shall be met by Town of Amherstburg by January 1, 2014 unless otherwise specified.

6.9.2. **Recruitment and Retention**

- 6.9.2.1 The Town shall notify employees and the public about the availability of accommodations for applicants with disabilities:
- a. During the recruitment process when job applicants are individually selected to participate in an assessment or selection process
 - b. If a selected applicant requests an accommodation, the Town shall consult with the applicant and provide or arrange for provision of a suitable accommodation that takes into account the applicants disability

- c. Notify successful applicants of the policies for accommodating employees with disabilities.

6.9.3. Employee Notification

6.9.3.1 The Town shall inform 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:

- a. As required to new employees as soon as practicable after they begin their employment.
- b. 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.

6.9.4 Accessible Formats

6.9.4.1 Where an employee with a disability requests an accessible format, the Town 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 employees 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.

6.9.5 Individual Accommodation Plan (IAP)

6.9.5.1 The Town shall have in place a written process for the development of a documented individual accommodation plan for employees with a disability. The process shall include:

- The employees 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 Town may request an evaluation by a medical or other expert at our expense, to assist with determining the required accommodations and how to achieve the accommodation;

- Employee may request the participation of a representative from their bargaining agent where represented, or otherwise a representative from the workplace where the 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 reason(s) 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 will be provided;
- Identification of any other accommodations that is to be provided

6.9.6 Return to Work

6.9.6.1 The Town 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 that the Town will take to facilitate the return to work and include an IAP plan.

6.9.7 Performance Management, Career Development and Advancement, Redeployment

6.9.7.1 The Town will take into account the accessibility needs and/or individual accommodation plans of employees when:

- Using performance management processes;
- Providing career development and advancement information;
- Using redeployment procedures.

6.9.8 Workplace Emergency Response Information

6.9.8.1 The Town 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 needs for accommodations due to the employee's disability;
- If the employee that receives an individual workplace emergency response information requires assistance, the Town shall provide, with the employees consent, information to a person designated by the Town to provide assistance to the employee;
- As soon as practicable after becoming aware of the need for accommodation due to the employee's disability;
- A review of the individualized workplace emergency response information when the employee moves into a different location in the organization, when overall accommodations needs or plans are reviewed and when the employer reviews its general emergency response policies.

6.10 Transportation Standard

6.10.1 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 Town will:

- Consult with the AAAC, persons with disabilities and the public to determine proportion of accessible taxis required in the community, including steps to meet the need;
- Ensure taxicabs do not charge higher fees or additional fees to persons with disabilities;
- Ensure taxicabs do not charge a fee for storage of assistive devices;
- Ensure taxicabs have appropriate information displayed on the rear bumper and available in an accessible format to passengers.

7. RESPONSIBILITIES AND AUTHORITIES

7.1. Council has the authority and responsibility to:

7.1.1. Ensure the enforcement of accessibility standards in order to achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises

7.2. The CAO has the authority and responsibility to:

7.2.1. Oversee the responsibilities of the Clerk and Manager of Human Resources to ensure the Town complies with the legislated requirements of AODA and the IASR regulation.

7.3. The **Clerk** has the authority and responsibility to:

7.3.1. Ensure that all staff is aware of and complying with the legislated requirements of AODA and IASR regulations as it relates to the Town.

7.3.2. Ensure that the appropriate reports are filed with the Accessibility Directorate as required by the legislation.

7.3.3. Ensure compliance of all Town policies with current AODA and IASR legislation.

7.3.4. Ensure that the appropriate accessible options are available for all staff and residents and assist as required.

7.4. The **Manager of Human Resources** has the authority and responsibility to:

7.4.1. Ensure that all staff is provided with appropriate training with respect to this policy and all others pertaining to AODA and IASR legislation.

7.4.2. Ensure that all staff is provided equal opportunity as it relates to training, education and materials.

7.5. **Staff** have the authority and responsibility to:

7.5.1. Ensure that all accessibility standards in this policy and other related policies are met.

8. REFERENCES AND RELATED DOCUMENTS

8.1. Procurement Policy

8.2. Workplace Violence, Harassment and Discrimination

8.3. Accessible Customer Service Standards

8.4. (AODA) Accessibility for Ontarians with Disabilities Act, S.O. 2005

8.5. (IASR) Integrated Accessibility Standards Regulation, O.Reg 191/11

8.6. Accessibility Standards for Customer Service, O. Reg 429/07

8.7. The Ontario Human Rights Code, R.S.O. 1990

8.8. Town of Amherstburg Multi-Year Accessibility Plan