

**COVERAGE**

All Town Departments, Employees, Committee and Council Members

**1. 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 Regulation in the areas of Information & Communication Standard, Employment Standard and Transportation Standard for the Town of Hanover 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 Town of Hanover 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 the 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 OF COMMITMENT TO CREATING AN ACCESSIBLE COMMUNITY**

The Town of Hanover is committed to building an inclusive society and providing an accessible environment in which all individuals have access to our programs and services in a way that respects the dignity and independence of persons with disabilities. The Town of Hanover supports the needs of persons as set out in the *Canadian Charter of Rights and Freedoms* and the goals of the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA). The Town of Hanover will establish policies, practices, and procedures which are consistent with the accessibility standards established under the AODA, including accessible customer service, information and communication, employment, transportation and the built environment, and that is consistent with the four core principles as outlined in the AODA:

***Dignity*** – Service is provided in a way that allows persons with disabilities to maintain self respect and the respect of others

***Full Inclusion (Independence)*** – all people are allowed to do things on their own without unnecessary help or interference from others

**Integration** - Services is provided in a way that all persons with disabilities can benefit from the same services, in the same place, and in the same or similar way as other customers unless an alternate measure is necessary to enable persons with disabilities to access goods or services.

**Equal Opportunity** - Service is provided to persons with disabilities in such a way that they have an opportunity to access goods and services equal to that given to others.

The Town of Hanover will continue to prevent barriers by designing inclusively and supporting positive approaches that address attitudes which undervalue and restrict the potential of persons with disabilities. In working towards its goals under this statement, the Town of Hanover is committed to meeting the requirements of existing legislation and to its own policies and goals related to the identification, removal and prevention of barriers to people with disabilities and becoming a barrier-free community. The Town of Hanover 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” (“format accessible”).

**“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.

**“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) Not technically feasible to convert the information or communications;
- b) That 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**

### ***i. Multi-Year Accessibility Plan***

The Town of Hanover’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.

We are committed to:

- Establishing, implementing, maintaining and documenting a multi-year accessibility plan, which outlines the organization’s strategy to prevent and remove barriers and meets its requirements under regulation 191/11;
- Posting the accessibility plan on our website and providing the plan in an accessible format upon request; and
- Reviewing and updating the accessibility plan at least once every five years.

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

The Town of Hanover will use accessibility criteria and features when procuring or acquiring goods, services or facilities unless it is not practical to do so, in which case we will provide an explanation upon request. The Town of Hanover will include accessibility criteria and features when designing, procuring or acquiring self serve kiosks.

### ***iii. Training***

The Town of Hanover will ensure that training is provided to all employees, volunteers and regular fee for service staff on the requirement of the accessibility standard referred to in the regulation on the Human Rights Code as it pertains to persons with disabilities. Training will be provided as soon as practicable. If any changes to this policy occur, training will be provided. We will maintain a record of dates when training is provided and the number of individuals.

***iv. Accessibility Policies Available to the Public***

Our accessibility policies to persons with disabilities are available on our website and in hard copy. The Town will provide our accessibility policies to persons with disabilities in an accessible format, upon request.

**A. INFORMATION and COMMUNICATIONS STANDARD**

The Town of Hanover 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:

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

***i. Accessible emergency procedure, plans or public safety information***

If the Town of Hanover 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.

***ii. Feedback process***

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

***iii. Requests for accessible formats and communication supports***

The Town of Hanover 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 disability;
- b) The cost for this accessible format will be no more than the regular costs charged to others for regular formats;
- 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.

***iv. Accessible Website and Web Content***

The Town of Hanover shall make their 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.

**B. 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.

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

***i. Recruitment, Assessment, Selection and Hiring***

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 the applicant and provide or arrange for provision of suitable accommodation that takes into account the applicant's disability
- Notify successful applicants of the provisions for accommodating employees with disabilities.

***ii. Notice to Successful Job Applicants and Employees about Accommodations***

The municipality shall inform its employees of its policies used to support 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 possible after they begin their employment:
- Whenever there is a change on the provision of job accommodations that take into account an employee's accessibility needs due to a disability.

***iii. Accessible Formats and Communication Supports***

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 employees in the workplace and
- Consult with the employee making the request in determining the suitability of an accessible format or communication support.

***iv. Individual Accommodation Plan (IAP)***

We 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;

- 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 bargaining agent where represented, or otherwise another individual 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 for denial are to be provided to the employee;
- A format that takes into accounts 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.

v. **Return to Work Process**

The Town of Hanover 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 Town of Hanover will take to facilitate the return to work and include an Individual Accommodation Plan.

vi. **Performance Management, Career Development and Advancement, Redeployment**

The Town of Hanover 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.

vii. **Accessible Workplace Emergency Response Information**

The Town of Hanover 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 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 we shall provide the workplace emergency information to the person designated by the Town of Hanover 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 accommodation policies.

**C. 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 Town of Hanover will:

- Consult with the Municipal Accessibilities Act, 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 persons with disabilities and the public to determine the proportion of accessible taxis required in the community, including steps to meet the need;
- Ensure taxicabs do not charge higher 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.

The Town of Hanover Accessibility Plan will include progress made by the municipality to meet the accessible taxi needs of the community.

**D. BUILT ENVIRONMENT**

The Accessible Built Environment Standard will be the fifth and final standard. This standard has been released in draft form and there is no set date as to when it may be approved by the Lieutenant Governor in Council. This standard is intended to help remove barriers in buildings and outdoor spaces for persons with disabilities. The standard will only apply to new construction and extensive renovation. A number of drafts of the Built Standard have been reviewed and commented on by other public agencies. Changes will be reflected in two pieces of legislative components including the Ontario Building Code and the Accessibility for Ontarians with Disabilities Act.

The focus is to be on built public open spaces and streetscape elements as well as building elements in a range of occupancies. Occupancies may include, but are not limited to, business and industrial occupancies, multi-residential occupancies, hotels, motels, assembly occupancies such as theatres, recreational facilities, interior and exterior transportation infrastructure (boarding platforms, facilities, bus stops, etc.). In accordance with these Terms of Reference and the Act, the proposed accessibility standard will set out the policies, practices or other requirements for the identification and removal of barriers with respect to the built environment for persons with a range of disabilities.

**6. REGULATORY REQUIREMENTS**

An Administrative Monetary Penalties scheme is being established in 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 or 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.