



BY – LAW No. 17-08

The Corporation of the United Counties of Leeds and Grenville

A BY-LAW TO ADOPT AN ACCESSIBILITY POLICY

WHEREAS the *Integrated Accessibility Standards Regulation 191/11 (IASR)* requires that municipalities develop policies related to the implementation of legislated requirements under the *Accessibility for Ontarians with Disabilities Act, 2005, as amended*.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE UNITED COUNTIES OF LEEDS AND GRENVILLE HEREBY ENACT AS FOLLOWS:

1. **THAT** the United Counties of Leeds and Grenville Accessibility Policy attached to and forming part of this by-law as Schedule 'A' be approved.
2. **THAT** By-law No. 09-45 and any other by-laws or parts of by-laws that are contrary to or inconsistent with this by-law are hereby repealed.
3. **THAT** this by-law shall come into force and take effect on the date of its passing.

By-law read a first, second and third time and finally passed this 23rd day of March, 2017.

Handwritten signature of Robin Jones in cursive script.

Robin Jones, Warden

Handwritten signature of Lesley Todd in cursive script.

Lesley Todd, Clerk



Accessibility Policy

Prepared February, 2017

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Accessibility Policy

In 2005 the Government of Ontario enacted the *Accessibility for Ontarians with Disabilities Act (AODA)*. Under this Act, the Province committed to developing, implementing and enforcing accessibility standards in order to achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises. The Province's goal is to meet this commitment by January 1, 2025. As part of the legislation, the Province shall establish, by regulation, accessibility standards.

In July 2016, the Province combined two Regulations under the AODA; the Customer Service Standard was combined with the Integrated Accessibility Standards Regulation 191/11 (IASR). The combined Regulation establishes the accessibility standards for each of information and communications, employment, transportation, the design of public spaces and customer service. Municipalities are obligated to comply with specific accessibility standards in the areas of:

- a multi-year accessibility plan;
- accessibility policy;
- customer service;
- information and communications;
- employment;
- transportation; and
- design of public spaces
- training
- procurement

This policy is intended to meet the requirements under the *AODA* and its regulations with the exception of the multi-year accessibility plan. The multi-year accessibility plan will focus on the strategic directions and actions for the Counties to take to improve accessibility to Counties services, programs, and buildings and structures.

1.0 Purpose

This policy describes how the United Counties of Leeds and Grenville works with all Counties employees, Counties Council and its Committee members, volunteers, and to any individual or organization that provides goods, services or facilities to the public or other third parties, on behalf of the Counties to meet the requirements of the *Accessibility for Ontarians with Disabilities Act*.

This policy applies to all Counties employees, Counties Council and its Committee members, volunteers, and to any individual or organization what provides goods, services or facilities to the public or other third parties on behalf of the Counties.

2.0 Policy Statement

The United Counties of Leeds and Grenville is a designated public sector organization under the *AODA* and is committed to meet the accessibility needs of people with disabilities. It strives to provide goods, services, programs and facilities in a manner that respects the dignity and independence of all people. As well, the Counties is committed to provide persons with disabilities the same opportunities to access its goods, services, programs and facilities in the same manner as other persons, whenever possible.

3.0 Definitions

Accessible Formats – may include, but are not limited to large print, recorder audio, 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 may participate in the experiences available to persons without disabilities. Accommodation will vary depending on the person’s unique needs.

Counties – means the Corporation of the United Counties of Leeds and Grenville.

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

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.

Disability – is defined per Section 2 of the *AODA* and the *Human Rights Code*, as follows:

- a) 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 a wheelchair or other remedial appliance or device,
- b) a condition of mental impairment or a developmental disability,
- c) a learning disability, or a 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.

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

Service Animal – is defined per Section 80.45(4) of the *Integrated Accessibility Standard Regulation (Ontario Regulation O. Reg. 191/11)*, as follows:

- (4) For the purposes of this Part, an animal is a service animal for a person with a disability if,
 - (a) the animal can be readily identified as one that is being used by the person for reasons relating to the person's disability, as a result of visual indicators such as the vest or harness worn by the animal; or
 - (b) the person provides documentation from one of the following regulated health professionals confirming that the person requires the animal for reasons relating to the disability:
 - (i) A member of the College of Audiologists and Speech-Language Pathologists of Ontario.
 - (ii) A member of the College of Chiropractors of Ontario.
 - (iii) A member of the College of Nurses of Ontario.
 - (iv) A member of the College of Occupational Therapists of Ontario.
 - (v) A member of the College of Optometrists of Ontario.
 - (vi) A member of the College of Physicians and Surgeons of Ontario.
 - (vii) A member of the College of Physiotherapists of Ontario.

- (viii) A member of the College of Psychologists of Ontario.
- (ix) A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario. O. Reg. 165/16, s. 16.

Support Person – is defined per Section 80.45(3) of *the Integrated Accessibility Standard Regulation (Ontario Regulation O. Reg. 191/11)*, as follows:

“support person” means, in relation to a person with a disability, another person who accompanies him or her in order to help with communication, mobility, personal care or medical needs or with access to goods, services or facilities.

4.0 Accessibility Advisory Committee

The United Counties of Leeds and Grenville has established an advisory committee with a majority of members whom are persons with disabilities. The Committee shall advise Council about the requirements and implementation of the AODA accessibility standards, preparation of accessibility reports, and other matters for which Council may seek advice.

5.0 Accessibility Plan

The Counties shall prepare and produce a multi-year Accessibility Plan. The Plan will outline the Counties’ strategic direction and actions to meet the requirements of the AODA and ensure its services, programs, built environment and policies meet the needs of persons with disabilities. Annually the Accessibility Advisory Committee shall report on the progress of the Plan to Council.

The Counties will review and, if necessary, update the Plan at least once every five (5) years. The Accessibility Plan shall be posted on the Counties’ website and shall be made available in an accessible format with communication supports, upon request.

6.0 Accessible Policies

In accordance with the Integrated Accessibility Standards Regulation (IASR), every obligated organization shall develop, implement and maintain policies governing how the organization achieves or will achieve accessibility through meeting its requirements

referred to in the IASR. The Counties has chosen to achieve this through an integration of all relevant Standards into one Counties' policy.

6.1 Accessible Customer Service Standard

The Counties will communicate with persons with disabilities in ways that take into account the person's disability. Communication shall include in person, in writing, by telephone, email, or other acceptable electronic means. Clear and plain language shall be used. Communications shall be adapted to meet the needs of the individual.

6.1.1 Assistive Devices

Counties employees, elected officials, volunteers and third parties shall accommodate the use of personal assistive devices including but not limited to wheelchairs, canes, walkers, and scooters. Any assistive listening devices that are available for access to specific services and programs, as well as other assistive devices such as automatic door openers, ramps, and elevators shall be kept in good working order and the public shall be informed of their availability.

6.1.2 Service Animals

The Counties shall accommodate the use of service animals by people with disabilities to ensure accessibility to Counties' services and programs, unless the animal is otherwise excluded by law, such as in food preparation areas.

If a service animal cannot be easily identified as a service animal, individuals representing the Counties may ask the person to provide documentation from a regulated health professional, which must confirm the person needs the service animal for reasons related to their disability.

6.1.3 Support Persons

Where a person with a disability accessing Counties services or programs is accompanied by a support person, Counties staff, elected officials, volunteers and third party contractors shall ensure that both persons are permitted to enter the premises together and shall ensure that the person with the disability can access the support person while on the premises.

In general, the Counties does not charge an admission fee for a support person accompanying a person with a disability to an event or function. However, if the Counties charges an admission fee in connection with a support person's presence at an event or function, the Counties shall ensure that notice is given in advance about the charge/fee, if any, that is payable in respect of the support person accompanying a person with a disability.

If the Counties requires that a person with a disability be accompanied by a support person for health and safety reasons, the Counties must waive all charges/fees for the support person. The Counties must consult with the person with a disability to understand their needs, consider health or safety reasons based on available evidence, and determine if there is no other reasonable way to protect the health or safety of the person or others on the premises.

6.1.4 Disruption of Service

In the event there is a temporary service disruption in the availability of facilities, services or programs used by persons with disabilities (e.g. elevator, door opener), the Counties shall give notice to the public of the reason for the disruption, the dates of disruption, its anticipated duration and a description of alternative facilities, services or programs available. Such notice may be provided by a variety of methods, depending on the circumstances, and may include postings in a conspicuous place(s) at the affected facility, on the Counties' website, or by such other method as is reasonable in the circumstances.

6.1.5 Feedback

Feedback on how services and programs were delivered to persons with disabilities shall be invited, forwarded to the Counties Clerk, responded to, documented and tracked. Feedback shall be collected by phone, email, website comments, in person, or by mail. Feedback in person shall be accepted at any of the Counties' public facilities. Feedback shall be accepted in accessible formats and with other communication supports as required.

The Counties will ensure its feedback process is accessible by providing or arranging for accessible formats and communication supports, on request.

6.2 Information and Communications Standard

The Counties is committed to meeting the communication needs of persons with disabilities in accordance with the *Integrated Accessibility Standards (Ontario Regulation 191/11)*, and will notify the public about the availability of accessible formats and communications supports as required.

6.2.1 Accessible Formats and Communication Supports

Except as otherwise provided by the *AODA*, the Counties shall, upon request and in consultation with the person making the request, provide or make arrangements to provide accessible formats and communication supports for persons with disabilities. Accessible formats and communication supports shall be provided in a timely manner, taking into account the person's accessibility needs and at a cost that is no more than the regular cost charged to other persons.

This shall not apply to products and product labels, unconvertible information or communications and information that the Counties does not control directly or indirectly through a contractual relationship. If it is determined that information or communications are unconvertible, the department shall provide the person requesting the information or communication with an explanation as to why the information or communications are unconvertible, and a summary of the unconvertible information or communications.

6.2.2 Emergency Information

Emergency procedures, plans and public safety information produced by the Counties and made available to the public shall be provided in an accessible format or with appropriate communication supports as soon as practicable, upon request.

6.2.3 Website Accessibility

Internet websites and web content controlled directly by the Counties or through a contractual relationship that allows for modification of the product shall conform to the World Wide Web Consortium Web Content Accessibility Guidelines (WCAG) 2.0 at level AA in accordance with the *Integrated Accessibility Standards*.

6.3 Employment Standard

The Counties is committed to fair, equitable and accessible employment practices. Though the Employment Standard applies in respect to employees only, the Counties shall extend this, wherever practicable, to elected officials and volunteers.

6.3.1 Recruitment

All employment postings shall provide information about the availability of accommodations for applicants with disabilities in the recruitment process. Job applicants who are individually selected for an interview and/or testing shall be notified that accommodations for material to be used in the process are available upon request.

The Counties shall consult with any applicant who requests an accommodation in a manner that takes into account the applicant's disability. Successful applicants shall be notified about the Counties' policies for accommodating employees with disabilities as part of their offer of employment.

6.3.2 Employee Supports

The Counties will inform employees of the policies used to support employees with disabilities, including policies on the provision of job accommodations that take into account an employee's accessibility needs due to disability. The Counties shall provide this information to new employees as soon as practicable after they begin their employment and provide updated information to all employees 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 disability.

When an employee is absent from work due to a disability and requires disability-related accommodations in order to return, the Counties shall provide such accommodations and supports whenever practicable. Such return-to-work process shall be documented and outline the steps the Counties will take to facilitate the return to work.

The Counties shall document any individual accommodation plan for employees with disabilities.

The Counties shall take into account the accessibility needs and/or individual accommodation plans of employees when using performance management processes, providing career development and advancement, and using redeployment procedures.

6.3.3 Workplace Emergency Response Information

The Counties 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 Counties is aware of the need for accommodation. The Counties shall provide the information as soon as practicable after becoming aware of the need for accommodation.

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

The Counties shall review the individualized workplace emergency response information where the employee moves to a different location in the organization, when circumstance change either with the employee or the workplace, when overall accommodation needs or plans are reviewed, and when the employee reviews its general emergency response plans and policies.

6.4 Design of Public Spaces/Built Environment Standard

The Counties is committed to designing public spaces that are free from barriers and accessible to all persons. The Counties shall comply with all AODA Design of Public Spaces Standards when undertaking new construction and redevelopment of public spaces in the following areas:

- recreation trails and beach access routes;
- outdoor public use eating areas;
- outdoor play spaces;
- exterior paths of travel;
- accessible parking;
- obtaining services; and
- maintenance of accessible elements.

The Counties shall ensure compliance with all mandatory technical requirements when designing and constructing new public spaces and buildings.

7. Training

All Counties' employees, elected officials, volunteers and third parties providing services and programs to the public on the Counties' behalf, as well as those who develop policies, practices and procedures governing the provision of services and programs to the public will receive accessibility training.

The training shall include:

- a review of the purposes of the *AODA* and the requirements of the Regulation and instruction about the following matters:
 - how to interact and communicate with persons with various types of disabilities;
 - how to interact with persons with disabilities who use an assistive device or require the assistance of a guide dog or other service animal or the assistance of a support person;
 - how to use equipment or devices available on the Counties' premises or otherwise provided by the Counties or its agent that may help with the provision of the services or program to a person with a disability;
 - what to do if a person with a particular type of disability is having difficulty accessing the Counties services or programs
- a review of the requirements of the standards referred to in the Regulations and on the *Human Rights Code* as it pertains to persons with disabilities.

The training provided shall be appropriate to the duties of the employee, elected official, volunteer or third party. Training shall take place as soon as practicable and upon completion, the Counties shall keep a record of the training provided including dates on which accessibility training took place.

Training shall be provided on an ongoing basis as policies, practices, procedures and legislation change.

8. Procurement

When procuring goods, services, facilities, self-service kiosks, the Counties shall incorporate accessibility criteria and features, unless it is not feasible or practicable. If not practicable, the Counties shall provide an explanation upon request.

10. Monitoring/Compliance

The Clerk's Department is responsible for reviewing this Policy annually and recommending amendments to ensure on-going compliance with the accessibility standards and legislated obligations in consultation with the Accessibility Advisory Committee.

Managers and supervisors shall ensure that they and their staff are familiar with and comply with this Policy and all relevant requirements of the AODA. Managers and supervisors shall monitor current practices to ensure compliance. Failure to comply with the AODA Regulation and this policy may result in disciplinary action, up to and including dismissal.

11. Legislative Authority

1. *Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, Chapter 11*
2. *Integrated Accessibility Standards, Ontario Regulation 191/11*
3. *Human Rights Code, R.S.O. 1990, Chapter H.19*