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SUBCATEGORY: GENERAL
SUBJECT: ACCESSIBILITY

A. PURPOSE

This policy outlines the Region of Peel's (the Region's) responsibilities related to the accessibility standards under the [Accessibility for Ontarians with Disabilities Act, 2005 \(AODA\)](#).

This policy shall be used by all Regional staff to review other Regional policies, procedures, by-laws and guidelines to ensure compliance with standards under the [AODA](#). The requirements set out in this policy do not replace or substitute the requirements established under Ontario's [Human Rights Code](#) and do not limit any obligations to persons with disabilities under any other legislation.

B. SCOPE

This policy applies to all Regional employees, volunteers and third party service providers, except where indicated.

This policy shall be interpreted consistent with the:

- [Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11 \(AODA\)](#)
- [Ontario Regulation 191/11 Integrated Accessibility Standards \(IASR\)](#)
- [Ontario Regulation 429/07 Accessibility Standards for Customer Service](#)
- [Ontarians with Disabilities Act, 2001, S.O. 2001, c. 32 \(ODA\)](#)
- [Human Rights Code, R.S.O. 1990, c. H.19](#)

In addition, this policy shall be interpreted consistent with the following policies and by-laws:

- [Policy G00-18 Accessible Customer Service](#)
- [Policy HR02-01 Code of Conduct](#)
- [Policy HR03-04 Modified/Alternate Work Program](#)
- [Policy HR04-03-01 Accommodation/Assistive Devices Requests](#)
- [Policy HR03-32 Accommodation for Person with Disabilities](#)
- [Region of Peel Purchasing By-law 63-2008](#)
- [TransHelp Policies](#)

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C. DEFINITIONS

Accessible/Alternate Format - a medium and/or methodology that allows access to information in a manner other than how the format was originally delivered. These may include, but are not limited to, large print, recorded audio and electronic formats, and Braille.

Assistive Devices - technical aids, communication devices, or medical aids modified or customized for use in increasing, maintaining or improving the functional ability of a person with a disability. These may include, but are not limited to, wheelchairs, walkers, white canes, note taking devices, portable magnifiers, recording machines, assistive listening devices and personal oxygen tanks. A person with a disability may bring their own assistive devices or the devices may be available on the premises.

Barriers - obstacles that impede people with disabilities from fully participating in all aspects of society because of their disability. Barriers include attitude, technology, architectural/structural, information and communication, and systemic.

Career Development and Advancement - the provision of additional responsibility within an employee's current position or the movement of an employee from one job to another within the organization that is at a higher rate of pay and provides greater responsibility or is at a higher level in the organization.

Communication Supports - tools to facilitate effective communications with persons with disabilities. These may include, but are not limited to, captions, text within images, plain language and sign language.

Disability - as defined in the [Human Rights Code](#):

- 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 coordination, 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;

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- 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](#)

Employment Life Cycle - processes involved in job design, identification of essential duties, recruitment, retention and termination.

Municipal Goods, Services or Facilities - goods, services or facilities provided by the Region or a third party service provider.

Performance Management - a program that defines and assesses employee performance, productivity, and effectiveness, with the goal of facilitating employee success.

Redeployment - assignment of an employee to another job or department within the organization as an alternative to layoff, when a particular job or department within the organization has been down-sized or eliminated.

Third Party Service Provider - an individual, an agency or an organization that is responsible for delivering goods or services on behalf of the Region. These may include, but are not limited to, contractors and vendors.

Unconvertible Information or Communications - occurs when it is not technically feasible to convert the information or communications or when the technology to convert the information or communications is not readily available.

D. GENERAL

1. Statement of Organizational Commitment

The Region is committed to implementing, maintaining and enhancing accessibility with respect to delivery of services to customers and employees and for the use of all Regional goods and services, programs and facilities by the persons with disabilities in a manner that:

- Respects each person's dignity and independence and is sensitive to their individual needs.

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- Ensures reasonable efforts are made to provide service outcomes that would be the same for persons with disabilities as for those without disabilities.
- Allows persons with disabilities to benefit from the same services, in the same place, in a similar way to others, and in a timely manner, considering the nature of the service and accommodations required.

2. Policy Statement(s)

Staff shall utilize this policy to ensure that the Region meets the accessibility needs of its employees during their employment life cycle and ensure that accessibility is considered in its delivery of services.

a. [Ontario Regulation 429/07 Accessibility Standards for Customer Service](#)

As a service provider of goods or services the Region has established [Policy G00-18 Accessible Customer Service](#) which governs service delivery to persons with disabilities.

b. [Ontario Regulation 191/11 Integrated Accessibility Standards](#)

i. General Requirements

The Region shall comply with the general requirements of the [IASR](#), with compliance dates from 2012 to 2021 by taking the following steps.

- 1. Accessibility Plan** - The Region shall produce a Multi-Year Accessibility Plan. The plan shall outline the Region's strategy to prevent and remove barriers for persons with disabilities. The plan shall be posted on the Region's website and shall be available in an accessible format and with communication supports, upon request. Progress on the activities reported in the plan shall be provided annually in a report to Regional Council. The Multi-Year Accessibility Plan shall be reviewed and, updated at least once every five years.
- 2. Procurement of Goods, Services and Facilities** - The Region is committed to incorporating accessibility criteria and features when procuring or acquiring goods, services, or facilities. Accessibility criteria shall be considered when developing the design specifications for the procurement of any goods, services or facilities. When it is not

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practicable to do so, the Region shall document and provide an explanation, upon request.

The Region shall incorporate accessibility criteria and features when designing, procuring or acquiring self serve kiosks.

3. **Training** - The Region shall deliver training on the [IASR](#) and on the [Human Rights Code](#) as it pertains to persons with disabilities.
 - a. Training shall be provided to all employees, volunteers and third party service providers.
 - b. Training shall be provided in a way that best suits the duties of employees, volunteers and third party service providers.
 - c. Training shall occur as soon as possible after an employee is hired or when changes are made to accessibility policies.

Training shall also occur when an employee moves to another role which warrants additional accessibility training.

- d. Training records shall be kept, including the dates when the training has been provided, content of the training and number of individuals to whom the training was provided.

ii. **Employment Standards**

The Region is committed to fair, equitable and accessible employment practices. The Region shall identify, prevent and remove barriers across the employment life cycle for persons with disabilities. The Employment Standards requirements only apply to paid staff.

1. **Accessible Formats and Communication Supports for Employees**

Upon an employee's request, the Region shall consult with the employee to provide or arrange for the provision of accessible formats and communication supports for information that is:

- a. Specifically needed in order to perform the employee's job.
- b. Generally available to employees in the workplace.

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- 2. Document Individual Accommodation Plans for Employees - The Region shall review its existing employee accommodation processes to ensure the accommodation plan includes the following elements.**
- a.** The manner in which a Regional employee requesting accommodation can participate in the development of the individual accommodation plan.
 - b.** The means by which the employee is assessed on an individual basis.
 - c.** The manner in which the Region can request an evaluation or assessment by an outside medical or other expert, at the Region's expense, to assist the Region in determining if the accommodation can be achieved and, if so, how the accommodation can be achieved.
 - d.** The manner in which the employee can request the participation of a representative from their bargaining agent or other representative from the workplace, where the employee is not represented by a bargaining agent, in the development of the accommodation plan.
 - e.** The steps taken by the Region to protect the privacy of the employee's personal information as it relates to the accommodation plan.
 - f.** The frequency with which the individual accommodation plan will be reviewed and updated and the manner in which it will be done.
 - g.** The means of providing the individual accommodation plan in a format that takes into account the employee's accessibility needs due to a visible or invisible disability.
 - h.** The manner in which the denial of an individual accommodation plan will be provided to the employee.

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Individual accommodation plans shall include, if requested, all information regarding accessible formats and communication supports provided by the Region. They should also include, if required, individualized workplace emergency response information.

- 3. Employee Supports** - The Region shall inform all employees of the policies used to support employees with disabilities, including policies on the provisions of job accommodations that take into account an employee's accessibility needs due to a disability.

The Region shall provide this information to new employees as soon as practicable after they are hired and communicate updated information to all employees whenever there is a change to existing accommodation policies on the provision of job accommodations. The Region shall provide this information in a manner that takes into consideration an employee's accessibility needs due to disability.

- 4. Performance Management, Career Development, and Redeployment** - The Region shall take into account the accessibility needs of employees with disabilities and individual accommodation plans when managing performance, when providing career development and/or advancement opportunities or when redeploying the employee.

The Region shall review and take appropriate steps to prevent and remove barriers that pertain to employment, and upon employment, during career development and redeployment.

- 5. Recruitment** - The Region shall notify employees and the public of the availability of accommodations for applicants with disabilities in its recruitment process. Job applicants selected for an interview and/or testing shall be notified of availability of accommodations. The Region shall consult with the job applicants requesting accommodations in a manner that takes into account the applicants' disabilities. Successful applicants shall be notified of the Region's policies for accommodating employees with disabilities as part of its offer of employment.
- 6. Return-to-Work Process** - The Region shall review its return-to-work process and ensure it addresses the needs of employees who have been absent from work due to a disability and/or who require disability-related accommodation in order to return to work.

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This process shall include the steps to be taken to facilitate the return to work of employees whose absence was related to their disability. Documented individual accommodation plans shall be part of the process.

- 7. Workplace Emergency Response Information** - If an employee's disability is such that individualized workplace emergency response information is necessary and the Region is made aware of the need for accommodation, this information shall be documented.

This documentation shall be provided to the person designated to provide assistance to the employee during the emergency, with the employee's consent.

The information shall be reviewed when the employee moves to a different location or job, when the employee's overall accommodation needs and accommodation plans are reviewed or when the Region reviews its organizational emergency response plan.

iii. Information & Communication Standards

The Region is committed to meeting the communication needs of persons with disabilities.

- 1. Accessible Formats and Communication Supports** - The Region is committed to providing materials in an accessible format or with communication supports to persons with disabilities, upon request. Upon such request, the Region shall:
- a.** Consult with the person making the request to determine a suitable format or support that takes the person's accessibility needs into account.
 - b.** Determine whether or not the accessible format or communication support is available.
 - c.** Provide the information, where available, in a timely manner.
 - d.** Provide an explanation to the requester as to why the materials are not convertible if Regional staff are unable to convert the

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requested information or communications and provide a summary of the information to the requester.

- e. Charge the standard fee, if any, for the information.

This policy does not apply to products and product labels, unconvertible information or communications and information that the Region does not control directly or indirectly through a contractual relationship.

Refer to [Policy G00-18 Accessible Customer Service](#) for the feedback process.

2. **Emergency Procedures, Plans and Information** - The Region shall provide upon request all existing public emergency plans, procedures and public safety information, in an accessible format or with appropriate communication supports in a timely manner.
3. **Accessible websites and web content** - The Region shall ensure that its websites and web contents conform to the World Wide Web Consortium's Web Content Accessibility Guidelines (WCAG), in accordance with the schedule set out in the [IASR](#).

iv. **Transportation Standards**

This section of the policy applies to staff, volunteers and third party service providers who deliver specialized transportation services.

The Region is committed to providing accessible transportation services that will assist people with disabilities to live, work and participate in their communities. This service will assist persons with disabilities living in, or visiting, Peel Region.

The Region is also committed to working with third party service providers to meet the requirements of the [IASR](#).

1. **Availability of Information on Accessibility Equipment** - The Region shall document and provide information to the public about its accessible vehicles and services.

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The Region, upon request, shall provide this information in alternate formats without charging more than the standard fee, if any.

- 2. Non-Functioning Accessibility Equipment** - The Region shall take reasonable steps to accommodate its clients if accessible equipment on its vehicles does not function.

The Region shall repair accessible equipment that is not functioning as soon as it is practicable.

- 3. Transportation Specific Accessibility Training** - In addition to the general training requirements of the [IASR](#), the Region shall provide transportation-specific accessibility training.
- a. Training shall be provided to all employees, volunteers, and third party service providers.
 - b. Training shall be provided in a way that best suits the duties of employees, volunteers and third party service providers.
 - c. Training shall occur as soon as possible after an employee is hired or when changes are made to the accessibility policies.

Training shall also occur when an employee moves to another role which warrants additional accessibility training.

- d. Training records shall be kept, including the dates when the training has been provided, content of the training and the number of individuals to whom the training was provided.

- 4. Transportation Specific Emergency Preparedness and Response Policies** - The Region shall establish, implement and document emergency preparedness and rider evacuation procedures that provide for the safety of its accessible transportation clients. These procedures are in addition to the Information and Communication Standards requirements of this policy.

- a. The Region shall make this information available to the public.
- b. Upon request, this information shall be provided in an accessible format or with appropriate communication supports.

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- 5. Fares and Support Persons** - The Region shall not charge a fare to a support person accompanying the primary user. This support person must meet the necessary criteria of a support person as defined by the Region.
- 6. Accessibility Plans for Specialized Transit** - The Region shall develop a multi-year accessibility plan. The Transportation section of the multi-year accessibility plan shall:

 - a. Identify the process for estimating the demand for accessible transportation services; and
 - b. Develop steps to reduce wait times for accessible transportation services.
- 7. Categories of Eligibility and Eligibility Application Process** - The Region shall have the following three categories of eligibility criteria for specialized transportation services:

 - a. Unconditional eligibility
 - b. Temporary eligibility
 - c. Conditional eligibility

The Region shall establish an independent appeal process to review eligibility decisions.
- 8. Emergency or Compassionate Grounds Eligibility** - The Region shall develop procedures respecting the provision of temporary specialized transportation services if services are required because of an emergency or on compassionate grounds and if there are no other accessible transportation services to meet the person's needs.
- 9. Fare Parity** - The Region shall not charge more than the highest fare charged for conventional transportation services in the same jurisdiction. The Region shall comply with this requirement by January 1, 2017.
- 10. Visitors' Eligibility** - The Region shall offer specialized transportation services to visitors who can confirm that they are eligible for specialized transportation services in the jurisdiction in which they reside or if they meet the eligibility requirements of the Region.

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- 11. Origin to Destination Services** - The Region shall provide origin to destination services within its service area in a manner that best meets the needs of persons with disabilities.
- 12. Coordinated Service Delivery** - Where services are provided in adjacent municipalities within contiguous urban areas, the Region shall participate in facilitating connections between the respective services.
- 13. Hours of Service** - The Region shall ensure that it has, at a minimum, the same hours and days of services as any one of the conventional transportation service providers.
- 14. Bookings** - The Region shall provide same day service to the extent that it is available but if same day service is not available, the Region shall accept booking requests up to three hours before the published end of the service period on the day before the intended day of travel.
- 15. Trip Restrictions** - The Region shall not restrict the number of trips a person with a disability is able to request or implement any policy or operational practice that unreasonably limits the availability of specialized transportation services.
- 16. Companions and Dependents** - The Region shall allow companions to travel with persons with disabilities if space is available and if doing so will not result in the denial of service to other persons with disabilities.

The Region shall allow dependants to travel with their parent or guardian, if the parent or guardian is a person with a disability.

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