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ALERT N° 09/037

MEMBER COMMUNICATION

To the attention of the Clerk and Council
 May 15, 2009

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AMO Continues to Push for Successful Implementation of AODA

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Issue:

AMO will be raising concerns to the Minister of Community and Social Services, Madeleine Meilleur, in its response to the draft proposed Employment standard on the ability of municipalities to meet the obligations of the of this and all other AODA standards.

AMO is also reminding members that the deadline to respond to the draft proposed Employment standard is **May 22, 2009**.

Background:

AMO has consistently expressed support for the principles espoused by the AODA recognizing that that Ontario's municipal sector has led the move toward improved accessibility in the province.

In general, AMO supports the principle of the employment standard and that it attempts to provide a degree of flexibility in the implementation of the standard.

Overall, however, we remain concerned with the government's piecemeal approach to the standard development process which makes it extraordinarily difficult to analyze the full impact of implementing the Act. It also makes it difficult to analyze when and how standards may be working at cross purposes to one another-specifically in the areas of definitions, classes and compliance timelines. We will continue to strongly urge the government that no new standards be passed into regulations until the final review period of the final standard - the built environment.

AMO will be providing comment and recommendations on the following issues:

- **Lack of harmonization across standards**

AMO is recommending that all AODA standards need to be harmonized, preferably prior to any becoming regulation. Harmonization supports consistency of class definition, compliance dates, terminology, definitions, requirements and presentation for all standards. Further harmonization recognizes the clear connections and interdependency of the standards, for example requirements under the transportation standard are linked or influenced by requirements under the information and communication standard, and may also be linked to the built environment standard.

ALERT

- ***The Impact of Implementing the Proposed Employment Standard***

AMO is concerned with the troubling analysis and approach of the Deloitte costing analysis particularly because the initiative will have significant fiscal and human resource demands attached to it. On page 12 of the costing report it is assumed that implementing the standard will be carried out through existing human resources and, if necessary through the support of the Government. AMO does not agree with this and would argue that while expanding access to employment in fact provides opportunity, the capacity of doing so is balanced against all other existing municipal responsibilities.

In addition, the exclusion of the cost impact of all AODA standards is problematic.

AMO is recommending that a further costing analysis be conducted that is reflective of size and capacity of organizations to comply with the requirements and all other related requirements under the proposed standard.

In addition, AMO argues that it is critical to consider not only the financial impact of the Employment Standard, but all standards when setting compliance dates. The financial impact has to be balanced against competing fiscal needs and fiscal capacity to meet those needs. The fiscal issue is heightened in light of the current economic climate. All standards require new long term supportive sustainable related funding, or at the very least, clarification on how existing Provincial funding programs are to be amended to accommodate the new costs associated with the respective standards; including identifying the impacts of the amendments on the original programs

- ***Classes of obligated sector and compliance with the Employment Standard***

AMO responds that, as currently drafted, compliance with the Standard may be particularly onerous for smaller public sector organizations that should be afforded the same time frame opportunity and exemption from certain requirements as smaller private sector organizations.

AMO is recommending that the compliance dates be revised to reflect a reasonable and fiscally sustainable implementation process. This should include consideration of a phased approach up until 2025.

Action:

AMO will continue to work with the government and municipalities to ensure the implementation of the AODA is fiscally responsible and manageable and to ensure the intent and objectives of the Act are achieved by 2025.

This information is available in the Policy Issues section of the AMO website at www.amo.on.ca.