



Overview of the Accessibility for Ontarians with Disabilities Act, 2005 (Bill 118)

APPENDIX VII
2005 ACCESSIBILITY PLAN

On June 13, 2005, the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) received Royal Assent. This new legislation will require the provincial government to work with the disability community and the public and private sectors to develop accessibility standards. Each standard will require those persons and organizations with obligations to implement measures, policies or practices in order to identify, remove and prevent the erection of barriers for people with disabilities. These barriers may be related to the goods, services, facilities, employment, accommodation, buildings, structures or premises received or encountered by people with disabilities.

Accessibility standards could cover such areas as: accessible buses, safe pedestrian routes into buildings, automatic doors at entrances, lower counter heights at cash registers, large-print menus, accessible washroom facilities, staff training in serving customers with learning disabilities, and adaptive technology in the workplace.

Standards will be developed by several Standards Development Committees in conjunction with representatives from specified industries or sectors, and representatives from the disability community and affected provincial ministries. These committees will determine long-term accessibility objectives as well as the first five-year targets for achieving them.

The proposed standards will be submitted to the provincial government for approval as regulations. Once a standard has been adopted as a regulation, all affected persons and organizations, including municipalities, will be required to comply with the standard within the time frames provided in the regulations. An Accessibility Report will also be filed annually or at other specified times with a Director appointed by the Deputy Minister. The Director will be responsible for exercising duties specified in the AODA and in the regulations. This Accessibility report will be made accessible to the public. Spot audits



Overview of the Accessibility for Ontarians with Disabilities Act, 2005 (Bill 118)

APPENDIX VII
2005 ACCESSIBILITY PLAN

will be conducted by inspectors to verify the report contents. To ensure compliance, the Director can order that the affected person or organization pay a fine, file a report, or comply with the Director's recommendations. Penalties shall apply to those who are convicted of an offence under the Act.

Until standards are in place, the Ontarians with Disabilities Act (ODA), 2001, will remain in effect. Public sector organizations and government ministries are still required to meet their planning obligations under this legislation, including municipalities. According to the AODA, municipalities of 10,000 inhabitants are still required to establish or continue an Accessibility Advisory Committee. Although the AODA does not require that an annual Accessibility Plan be developed, municipalities are required to file an annual Accessibility Standard Report. This Report would inform the Director and the general public about the compliance by the municipality with Accessibility Standards regulations.

An Accessibility Standards Advisory Council will be appointed to advise the provincial government on the progress made by the standards development committees, public information programs, and other matters. The recruitment process for this Council is currently underway.

Under the AODA, the Minister is also required to prepare an annual report on progress under the legislation. A comprehensive review of the effectiveness of the AODA must also be undertaken within four years of its enactment, with subsequent reviews every three years thereafter.