

Accessibility for Ontarians with Disabilities Act, 2005 (Bill 118) Accessibility Standards Development Overview

Appendix VII
2006 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.

What is an Accessibility Standard?

An accessibility standard is a rule that persons and organizations have to follow to identify, remove and prevent barriers. By definition, a standard is an agreed way of doing something. They may be voluntary or regulated by law, and they can be local or international in scope.

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, signage, accessible washroom facilities, staff training in serving customers with learning disabilities and adaptive technology in the workplace.

Process for Standards Development under the AODA (2005)

Under the act, standards set out the rules that will help make Ontario more accessible. Proposed accessibility standards will be developed and recommended to the Minister of Community and Social services by two Standards Development Committees (SDCs). The SDCs will be made up of members of the community, business, broader public sector, affected provincial ministries, people with disabilities and their representatives.

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The public will be given an opportunity to review and make comments on the proposed standards developed by SDCs. A notice will be posted on the Ministry website when proposed accessibility standards are ready for public review and comments.

Following the public comment period, the Minister will decide that the proposed standards will be recommended to become a regulation. Once adopted by regulation under the AODA 2005, these standards will provide rules, guidelines or procedures for activities related to the ability of goods and services for all Ontarians.

The SDCs have flexibility. They can set different proposed timelines to achieve standards for different kinds of organizations. Economic conditions or costs are two reasons why a committee might set different proposed timelines. Some requirements will be easier to implement, others may take longer.

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 will be conducted by inspectors to verify the report contents. To ensure compliance, the Director can order the affected person or organization to 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.

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Standards Development Committees (SDCs)

Following a public recruitment process in Fall 2005, members were selected for the following two Standards Development Committees:

- **Transportation Standards Development Committee**
- **Customer Service Standards Development Committee**

The Customer Service SDC has 26 voting members and the Transportation SDC has 27 members. In addition, a Chair has been assigned to each committee. Minutes of the committee meetings are posted on the Ministry website. In addition to these two committees, the intention is to develop common standards in the following areas:

- **Built Environment**
- **Employment**
- **Information and Communications**

Accessibility Standards Advisory Council (ASAC)

Twelve citizen members were appointed to the Accessibility Standards Advisory Council (ASAC) ([hyperlink](#)) by the Minister for a three year renewable term, to advise the provincial government on the progress made by the standards development committees, public information programs and other matters.

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.

** Above information was obtained from the Ministry of Community and Social Services website.