



CORPORATE POLICY MANUAL

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PART I - GENERAL

1. Purpose

The *Accessibility for Ontarians with Disabilities Act, 2005* (the “AODA”) is a Provincial Act with the purpose of developing, implementing and enforcing accessibility standards in order to achieve accessibility for persons with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures, and premises.

Under the AODA, Ontario Regulation 191/11 entitled “Integrated Accessibility Standards” came into force on July 1, 2011. This regulation establishes accessibility standards specific to information and communications, employment, transportation, the design of public spaces and customer service standards for public and private sector organizations that provide goods, services or facilities to the public or other third parties.

This policy identifies the measures that the Town intends to undertake to fulfill the requirements of the standards established under the IASR within the required timelines. This policy recognizes that the IASR does not replace or affect existing legal obligations under the *Human Rights Code* or other laws respecting the accommodation of people with disabilities and that both pieces of legislation.

2. Policy Statement

The Town of Midland is committed to promoting independence, dignity, integration and equality of opportunity of persons with disabilities. Our goal is to provide quality goods, services, and facilities that are accessible to all persons we serve. We will continue to work with the community and allocate appropriate resources toward the elimination of accessibility barriers in customer service, information and communication, employment, transportation and the design of public spaces and are committed to meeting the requirements of applicable legislation, including the *Accessibility for Ontarians with Disabilities Act* and the *Ontario Human Rights Code*.

3. Definitions

Accessible Formats

May include, but are not limited to, large print, recorded audio and electronic formats, braille and other formats usable by persons with disabilities.

Accommodation

Special arrangement made or assistance provided so that persons with disabilities can participate in the experiences available to persons without disabilities. Accommodation will vary depending on the person's unique needs.

Assistive Device

A device used to assist persons with disabilities in carrying out activities or in accessing the services of persons or organizations covered by the Customer Service Standard.

Communications

The interaction between two or more persons or entities, or any combination of them, where information is provided, sent, or received.

Communication Supports

Communication supports are alternative ways of communicating with people with disabilities. Examples of a communication support may include, but are not limited to, captioning, alternative and augmentative communication supports, plain language, sign language through an interpreter and other supports that facilitate effective communications.

Conventional Transportation Service

Public passenger transportation services on transit buses that operate solely within the Province of Ontario that are provided by a designated public sector organization but does not include specialized transportation services.

Council

Council of the Town of Midland

Disability

- 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 on 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.

Guide Dog

A guide dog as defined in section 1 of the *Blind Persons' Rights Act* is a dog trained as a guide for a blind person and having qualifications prescribed by the regulations under the *Blind Persons' Rights Act*.

Information

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

Self Service Kiosk

An interactive electronic terminal, including a point-of-sale device, intended for public use that allows users to access one or more services or products or both.

Mobility Aid

A device used to facilitate the transport, in a seated posture, of a person with a disability

Redeployment

The reassignment of employees to other departments or jobs within the organization as an alternative to a layoff, when a particular job or department has been eliminated.

Service Animal

Animal used by a person with a disability for reasons relating to the disability where it is readily identified that the animal is used by the person for reasons relating to their disability as a result of visual indicators such as the vest or harness worn by the animal or where the person provides documentation from one of the following regulated health professionals confirming that the person requires the animal for reasons relating to their disability;

- A member of the College of Audiologists and Speech-Language Pathologists of Ontario
- A member of the College of Chiropractors of Ontario
- A member of the College of Nurses of Ontario
- A member of the College of Occupational Therapists of Ontario
- A member of the College of Optometrists of Ontario
- A member of the College of Physicians and Surgeons of Ontario

- A member of the College of Physiotherapists of Ontario
- A member of the College of Psychologists of Ontario
- A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario

Specialized Transportation Services

Public passenger transportation services that operate solely within the Province of Ontario, are provided by a designated public sector transportation organization, and are designed to transport persons with disabilities

Support Person

A person who accompanies a person with a disability in order to help with communication, mobility, personal care, or medical needs or with access to goods, services or facilities. Examples of a support person may include, but are not limited to, sign language interpreters, intervenors, a guide for a person with vision loss, and personal care assistants.

Taxicab

A motor vehicle as defined in the Highway Traffic Act, other than a carpool vehicle, having a seating capacity of not more than six persons, exclusive of the driver, hired for one specific trip for the transportation exclusively of one person or group of persons, one fare or charge only being collected or made for the trip and that is licensed as a taxicab by a municipality.

Town

The Corporation of the Town of Midland, excluding boards and commissions.

Web Content Accessibility Guidelines (WCAG)

World Wide Web Consortium Recommendation, dated December 2008, entitled “Web Content Accessibility Guidelines (WCAG) 2.0”

4. General Provisions

a) Establishment of Policies, Procedures and Best Practices

The Town shall develop, implement and maintain policies governing how it achieves, or will achieve accessibility through meeting the requirements referred to in the Regulation. Specifically, all policies shall include a corporate commitment for meeting the accessibility needs of persons with disabilities in a timely manner.

To fulfil the requirements set out in the policy, standard operating procedures/processes will be developed or amended accordingly.

b) Multi-Year Accessibility Plans

The Town shall develop, implement and document a Multi-Year Accessibility Plan outlining the corporate strategy for identifying, removing and preventing barriers, and meeting the requirements set out in the Regulation.

The Plan will be reviewed by the Town's Accessibility Advisory Committee for input and formally adopted by Town Council.

The Plan will be reviewed at least once every five years, with an annual report to be prepared on the progress of the Multi-Year Accessibility Plan.

The Plan and annual reports will be posted on the Township's website and provided in an accessible format upon request.

c) Procurement or acquiring goods, services or facilities

When procuring or acquiring goods, services or facilities, the Town shall incorporate accessibility guidelines or standards into relevant policies, procedures and by-laws.

d) Self Service Kiosks

The Town shall incorporate accessibility features when designing, procuring or acquiring self-service kiosks. Accessibility features may include, but are not limited to:

- › Braille and or tactile buttons and numbers
- › An earphone plug-in for audio commands
- › Large screen displays
- › Adequate clearance for a wheelchair or scooter under the kiosk.

e) Training - Requirements of this Standard & Ontario Human Rights Code

The Town shall ensure that the content of the training will include the requirements of the Accessibility Standards referred to Ontario Regulation 191/11 and the Human Rights Code as it pertains to persons with disabilities to the following:

- › All employees and volunteers;
- › All persons who participate in developing the organization's policies;
- › All other persons who provide goods, services or facilities on behalf of the Town.

The Human Rights Code training shall be appropriate to the duties of the employees, volunteers and other persons.

Training will be provided as soon as practicable, as well as on an ongoing basis if changes to this policy occur. The Town will keep records of the training, including the date on which training is provided and the number of individuals to who it is provided.

The names of individuals trained will be recorded for training administration purposes, subject to the *Municipal Freedom of Information and Protection of Privacy Act*. (“MFIPPA”).

In addition to the above, conventional and specialized transit operators (employees and volunteers) will receive training on the safe use of accessibility equipment and features, acceptable modifications to procedures in situations where temporary barriers exist or accessibility equipment on a vehicle fails, and emergency preparedness and response procedures.

Timing of Training: Training will be provided to all new Level 1 members on a quarterly basis. The Town will also provide ongoing training with respect to changes in policies, practices and procedures. The Human Resources Department will keep records of the training provided, including the dates and names of persons attending.

Level 1 Training - Municipal: Individuals in the following positions will be provided with in-house training: Council Members, Committee Members, Board Members, All Municipal Staff, and Volunteers.

Level 2 Training - Third Parties & Contract Agencies: The training requirement for these individuals will be met by requiring that they provide copies of their policy and procedures regarding Accessible Customer Service to the municipality as proof of training being provided.

Part II Information and Communications Standards

5. Information and Communications

a) Standard

The Town will create, provide and receive information and communications in ways that are accessible to people with disabilities.

If it is determined that it is not technically feasible to convert the information or communications, or the technology to convert the information or communication is not readily available, the person requiring the information will be provided with:

- an explanation as to why the information or communications are unconvertible; and
- a summary of the unconvertible information or communications.

b) Feedback

The Town of Midland's Accessible Customer Service Policy is available on the Town's website and provides an overview of the process in place for receiving feedback on the accessibility of its goods and services.

The Town shall ensure that its process for receiving and addressing feedback is accessible for persons with disabilities by providing or arranging for the provision of any document related to this service in an accessible format and communication supports upon request. The Town shall consult with the person making the request in determining the suitability of an accessible format or communication support. This shall be done in a timely fashion and the Town shall not charge a cost that is more than the regular cost charged to other persons.

c) Accessible Formats and Communication Supports

The Town shall, upon request, provide or arrange for the provision of its documents, where appropriate, in an accessible format or communication support in a timely manner. When providing accessible formats, the Town shall consider the person's disability and individual communication needs by consulting the person directly.

The Town shall not charge a cost that is more than the regular cost charged to other persons.

The Town shall notify the public about the availability of accessible formats and communication supports through its various communication tools (website, community page, Facebook, newsletter, signage at front reception), e.g. "Documents are available in an accessible format, upon request."

The Town shall maintain a list of contacts for the provision of accessible formats.

d) Emergency Procedure, Plans or Public Safety Information

The Town shall provide emergency procedures, plans or public safety information that are available to the public in an accessible format upon request.

e) Accessible Websites and Web Content

The Town will make its website and web content conform to the World Wide Web Consortium Web Content Accessibility Guidelines (WCAG) 2.0, initially at Level A and increasing to Level AA. All new websites and new web content shall conform to Level A by January 1, 2014 and Level AA by January 1, 2021.

A new website means:

- › a site with a new domain name
- › a site with an existing domain name undergoing a significant refresh (e.g. new look and feel, changes to navigability, majority of content being updated or changed.)

f) **Public Libraries**

The Midland Public Library Board shall:

- Provide access to or arrange for the provision of access to accessible materials where they exist;
- Make information about the availability of accessible materials publicly available and shall provide information in accessible format or with appropriate communication supports upon request.

Part III Accessible Employment

6. Employment Standard

The Employment Standard builds upon the existing requirements under the Ontario Human Rights Code in relation to how to accommodate individuals with disabilities throughout the job application process and the employment relationship. It applies in respect to employees and does not apply to volunteers and other non-paid individuals.

a) **Recruitment (General, Selection Process)**

The Town shall notify its employees and the public about the availability of accommodation for applicants with disabilities in its recruitment process. This notification shall be included at the following stages of the recruitment process:

- › Employment postings
- › Selection process
- › When an offer of employment is made

If an accommodation request is received, the Town will consult with the applicant and provide or arrange for the provision of a suitable accommodation in a manner that considers the applicant's accessibility needs due to disability.

b) **Informing Employees of Supports**

The Town shall inform its employees of its policies and procedures used to support employees with disabilities, including but not limited to, policies on the provision of job accommodations that take into account an employee's accessibility needs due to a disability.

This information shall be provided to new employees as soon as practicable after they begin their employment and shall be updated for all employees whenever there is a change to the existing policies.

c) **Accessible Formats and Communication Supports for Employees**

Upon request, the Town shall consult with the employee with a disability when providing or arranging for the provision of accessible formats or communication supports for information that is needed in order to perform the employee's job and information that is generally available to employees in the workplace.

d) **Workplace Emergency Response Information**

The Town shall provide individualized workplace emergency response information to employees who have a disability, if the disability is such that individualized information is necessary and the Town is aware of the need for accommodation due to the employee's disability.

The Town shall advise existing employees of this section of O. Reg. 191/11 and shall include information on this matter in new employee orientation packages.

The Town shall review the individualized workplace emergency response information:

- when the employee moves to a different location in the organization,
- when overall accommodation needs or plans are reviewed, and
- when the employer reviews its general emergency response policies.

e) **Documented Individual Accommodations Plans**

The Town shall develop and have in place a written process for the development of documented individual accommodation plans for employees with disabilities that includes the specific elements as mandated under Section 28(2) of the Ontario Regulation 191/11.

Individual accommodation plans shall:

If requested, include any information regarding accessible formats and communications supports provided; if requested, include individualized workplace emergency response information; and identify any other accommodation that is to be provided.

f) **Return to Work Process**

The Town shall have in place a documented return to work process for employees who have been absent from work due to a disability and require disability-related accommodation in order to return to work. The process shall outline the steps the Town will take to facilitate the return to work of employees absent due to disability and include documented individual accommodation plans.

g) **Performance Management**

The Town shall take into consideration the accessibility needs of employees with disabilities, as well as individualized accommodations plans when using its performance management process in respect of employees with disabilities.

Performance management refers to the activities related to assessing and improving employee performance, productivity and effectiveness, with the goal of facilitating employee success.

h) **Career Development and Advancement**

When providing career development and advancement opportunities, the Town shall take into account the accessibility needs of its employees with disabilities as well as any individual accommodation plans.

Career development and advancement includes providing additional responsibilities within an employee's current position and the movement of an employee from one job to another in an organization that may be higher in pay, provide greater responsibility or be at a higher level in the organization and is usually based on merit or seniority.

i) **Redeployment**

The Town shall take into consideration the accessibility needs of its employees with disabilities as well as individual accommodation plans when redeploying employees with disabilities.

Redeployment means the reassignment of employees to other departments or jobs within the organization as an alternative to layoff, when a particular job or department has been eliminated by the organization.

Part IV Transportation Standards

7. Transportation Standard

Conventional Transportation

As a conventional transportation service provider, the Town will:

- Hold annually at least one public meeting involving persons with disabilities to ensure that they have an opportunity to review and provide feedback on the accessibility plan.
- Provide, upon request, current information on accessibility equipment and

- features of their vehicles, routes and services;
- In the event of an accessible equipment malfunction, take reasonable steps to accommodate persons with disabilities who would otherwise use the equipment and ensure equipment is repaired as soon as practicable;
 - Conduct employee and volunteer accessibility training on the safe use of accessible equipment and features, acceptable modifications to procedures where temporary barriers exist, or accessible equipment fails; emergency preparedness and response procedures that provide for the safety of persons with disabilities.
 - Refrain from charging a fare to a support person who is accompanying a disabled person if the person with the disability has demonstrated their need for a support person;
 - Include in its Accessibility Plan a description of the procedures for dealing with accessible equipment failure, and the process for managing, evaluating and acting on customer feedback (conventional);
 - Upon the request of a person with a disability, deploy lifting devices, ramps or portable bridge plates, ensure adequate time to safely board, be secured and deboard, provide assistance for these activities, and if possible, provide for the safe and careful storage of mobility assistive devices.
 - Ensure that persons with disabilities are able to board or deboard at the closest available safe location, that is not an official stop, as determined by the operator and taking into consideration the disabled person's preferences, if the official stop is not accessible and the safe location is along the same transit route.
 - Ensure that transit operators promptly report to the Manager of Maintenance Operations where a transit stop is temporarily inaccessible or temporary barrier exists.
 - Ensure courtesy seating is located as close as practicable to the entrance door of the transit vehicle, is clearly marked, and that a communication strategy is in place that informs the public about the purpose of courtesy seating.
 - Where a route or scheduled service is temporarily changed and the change is known in advance of the commencement of the trip, make available alternate

accessible arrangements to transfer persons with disabilities to their route destination where alternate arrangements for persons without disabilities are inaccessible, and communicate this information in a manner that takes into account the person's disability.

- Ensure the provision of pre-boarding and on-board audible verbal announcements of the route, direction, destination, destination points, or next major stop. Pre-boarding and on-board announcements will be provided electronically, in accordance with IASR standards.
- Ensure all conventional transportation vehicles manufactured on or after January 1, 2013, fulfill the technical requirements mandated under sections 53-61 of the IASR.
- Allow a person with a disability to travel with a medical aid.

Specialized Transportation

Specialized transportation services in the Town are provided by an alternate service provider - Community Reach. The Town is committed to working in cooperation with Community Reach to strive for full compliance with the IASR timelines mandated.

In its provision of specialized transportation service, Community Reach will:

- Use the three qualifying categories of eligibility: Unconditional, Temporary and Conditional, in conjunction with an Eligibility Application, in determining a person's eligibility for specialized transportation services. A person whose eligibility has not been determined within 14 calendar days of applying will be considered to have temporary eligibility until a decision on his or her eligibility has been made.
- Develop procedures for granting temporary eligibility earlier than 14 calendar days when the applicant needs specialized transportation services because of an emergency or on compassionate grounds. This applies only when no other accessible transportation services are available to meet the individual's need.
- Make specialized transportation services available to visitors and develop criteria to determine who falls into the category of visitor including policies respecting the collection, use and disclosure of personal information collected to determine eligibility.

- Ensure the provision of origin to destination services within the Town's service area considering and accommodating its passengers' abilities.
- Ensure the same hours and days of service as its conventional transportation services.
- Provide same day service to the extent that is available, and where not available, accept booking requests through an accessible means up to three hours before the published end of the service period on the day before the intended day of travel.
- Where service delays may occur, provide information on the duration of the service delay to affected passengers by a method agreed to by the specialized transportation service provider and passenger.
- Ensure that no restrictions, policies or operational practices are implemented that limit the number of trips a person with a disability is able to request or unreasonably limits the availability of the specialized transportation services.
- Ensure, where space is available, that dependents are able to travel with a person with disabilities provided such an accommodation does not result in the denial of service to other persons with disabilities.
- Provide, upon request, current information on accessibility equipment and features of their vehicles, routes and services;
- In the event of an accessible equipment malfunction, take reasonable steps to accommodate persons with disabilities who would otherwise use the equipment and ensure equipment is repaired as soon as practicable;
- Conduct employee and volunteer accessibility training on the safe use of accessible equipment and features, acceptable modifications to procedures where temporary barriers exist, or accessible equipment fails; emergency preparedness and response procedures that provide for the safety of persons with disabilities.
- Refrain from charging a fare to a support person who is accompanying a disabled person if the person with the disability has demonstrated their need for a support person;

- Include in its Accessibility Plan a description of the procedures for dealing with accessible equipment failure, and the process for managing, evaluating and taking action on customer feedback (conventional);
- Include in its Accessibility Plan the process for estimating the demand for specialized transportation services including the development of steps to reduce wait times.

- Ensure fare parity, consistent fare structure and payment options for its conventional and specialized transportation services, including the provision of alternative options to persons with disabilities who cannot, due to their disability, use a fare payment option.

Accessible Taxicabs

In addition to conventional and specialized transportations services provided in the Town, taxis (licensed by the Municipality) play a key role in the provision of transportation to residents and visitors by providing door-to-door service, 24-hours a day; seven days a week. Currently there are no on-demand accessible taxicabs licensed by the Town.

In meeting the requirements mandated under the IASR, the Town will:

- Consult with the Midland Accessibility Advisory Committee, persons with disabilities and the public to determine the proportion of accessible taxicabs required in the community, including steps to meet the need;
- Include in its Accessibility Plan the progress made by the municipality to meet the accessible taxi needs of the Community;
- Ensure that Town licensed taxicabs do not charge a higher fare or additional fee to persons with disabilities;
- Ensure that Town licensed taxicabs do not charge a fee for the storage of assistive devices;
- Ensure that Town licensed taxicabs have appropriate information displayed both on the rear bumper and available in an accessible format to passengers.

Part IV.1 Design of Public Spaces Standards (Accessibility Standards for the Built Environment)

8. Design of Public Spaces

The Design of Public Spaces standard is specific to new construction and significant redevelopment of public spaces that the Town intends to maintain.

The Town recognizes that an accessible built environment is key to ensuring full participation and independence for persons with disabilities. The Town continues to be proactive in its approach to ensuring accessibility for people with disabilities and has been modifying existing exterior infrastructure (parks, roads, sidewalks, etc.) for several years now to permit full accessibility.

The Town shall meet accessibility requirements when constructing and maintaining **new or redeveloped** elements of public spaces including:

- Recreational trails and beach access routes
- Outdoor eating areas for public use
- Outdoor play spaces (such as playgrounds)
- Exterior paths of travel (such as walkways across parks or between buildings, ramps, stairs, curb ramps, depressed curbs, accessible pedestrian signals)
- Accessible on and off-street parking
- Service counters and waiting areas
- Fixed Queuing Guides

When undertaking new construction or redevelopment in any of the above categories, the Town shall refer to and comply with the legislative requirements for that category. Depending on the project, consultation with people with disabilities shall be required.

As per the legislation, the Town is not required to make changes to existing public spaces. The standard only applies when organizations build new or make major changes to existing elements of public spaces.
