

The Regional Municipality of York

Accessibility Policy

Policy No.: 7953120

Original Approval Date: November 15, 2012

Policy Last Updated: October 19, 2017

Policy Statement:

The Regional Municipality of York (York Region) is committed to meeting the accessibility needs of people with disabilities in a timely and proactive manner and will use reasonable efforts to provide equitable access to Regional programs, goods, services and facilities in a way that respects a person's dignity and independence.

Application:

To all York Region Employees, Students, Volunteers and Agents who provide goods, services or facilities on behalf of York Region, or who help develop policies for York Region.

Purpose:

The Accessibility for Ontarians with Disabilities Act, 2005 (AODA) requires York Region, as a public sector organization, to establish accessibility policies. This Accessibility Policy governs how York Region achieves and maintains compliance with the requirements of the accessibility standards of the AODA and the *Integrated Accessibility Standards*, Ontario Regulation 191/11 (IASR).

Definitions:

Accessibility:

The degree of ease that goods, services and facilities can be used by a person with a disability (see Disability).

Accessibility Plan:

A document approved by Regional Council and made available to the public that includes:

- (a) the Region's strategy to identify, remove and prevent barriers to people with disabilities and meet its requirements under the enacted regulations of the AODA, and
- (b) all other information and actions required under the *Ontarians with Disabilities Act, 2001* (ODA) and AODA.

Accessibility Policy:

The policy approved by Regional Council that governs how York Region achieves and maintains accessibility requirements of the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) and the *Integrated Accessibility Standards*, Ontario Regulation 191/11 (IASR).

Accessibility Standard:

Minimum requirements set out in the AODA that persons and organizations must follow to identify, remove and prevent barriers to accessibility.

Accessible Customer Service Guidelines:

Provide technical guidance on how to implement the requirements of the *Customer Service Standards* under *the Integrated Accessibility Standards*, Ontario Regulation 191/11, consistent with the Council approved Accessibility Policy. The Accessible Customer Service Guidelines provide guidance on how York Region offers goods, services and facilities to people with disabilities.

Accessible Formats:

Refers to formats that are an alternative to standard print and are accessible to people with disabilities. Accessible Formats may include, but are not limited to, large print,

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recorded audio and electronic formats, Braille and other formats usable by people with disabilities.

Agent:

A third party individual or organization who deals directly with members of the public to provide a program, service or facility on behalf of York Region.

AODA:

Accessibility for Ontarians with Disabilities Act, 2005 as may be amended.

Assistive Devices:

Technical aids, communication devices, or medical aids that are used to increase, maintain, or improve how a person with a disability can function. An assistive device may be as simple as a pen and paper. Other examples may include, but are not limited to, wheelchairs, walkers, note taking devices, portable magnifiers, recording machines, and assistive listening devices.

Barrier:

Anything that prevents a person with a disability from fully participating in society because of his or her disability, including physical, architectural, information and communications, attitudinal, technological, policy or practice barriers.

Communication Supports:

Supports that individuals with disabilities may need to access information. Communication Supports may include, but are not limited to, captioning, augmentative sound devices, plain language, sign language and other supports that facilitate effective communications.

Conventional Transportation Services:

Public passenger transportation services on transit buses, motor coaches or rail-based transportation that are provided by a designated public sector transportation organization.

Designated Public Sector Transportation Organization (as defined in the *Integrated Accessibility Standards Regulation*):

Every public transportation organization in Ontario, including any municipally operated transportation services for persons with disabilities, that provides services for which a fare is charged for transporting the public by vehicles that are operated,

- i. by, for or on behalf of the Government of Ontario, a municipality, a local board of a municipality or a transit or transportation commission or authority,
- ii. under an agreement between the Government of Ontario and a person, firm, corporation, or transit or transportation commission or authority, or
- iii. under an agreement between a municipality and a person, firm, corporation or transit or transportation commission or authority.

Disability (as defined in the Ontario *Human Rights Code*):

- (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*.

IASR

Integrated Accessibility Standards, Ontario Regulation 191/11 as may be amended.

Regional Department:

A “Regional Department” refers to each of the following:

- Community and Health Services Department

- Corporate Services Department
- Environmental Services Department
- Finance Department
- Legal and Court Services
- Office of the Chief Administrative Officer
- Office of the Regional Chair
- Transportation Services Department

Regulated Health Professional:

A “Regulated Health Professional” refers to one of the following:

- (i) A member of the College of Audiologists and Speech-Language Pathologists of Ontario.
- (ii) A member of the College of Chiropractors of Ontario.
- (iii) A member of the College of Nurses of Ontario.
- (iv) A member of the College of Occupational Therapists of Ontario.
- (v) A member of the College of Optometrists of Ontario.
- (vi) A member of the College of Physicians and Surgeons of Ontario.
- (vii) A member of the College of Physiotherapists of Ontario.
- (viii) A member of the College of Psychologists of Ontario.
- (ix) A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario.

Service Animal:

A service animal is a guide, hearing, or signal dog or other animal trained to assist a person with a disability. Service animals can often be easily identified by visual indicators such as the vest or harness worn by the animal. Alternatively, a service animal can be identified as one if the person provides documentation from a Regulated Health Professional confirming that the person requires the animal for reasons relating to the person’s disability.

Specialized Transportation Services:

Public passenger transportation services that are provided by a designated public sector transportation organization 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.

Temporary Disruption:

A temporary disruption means a short term planned or unplanned interruption that prevents people with disabilities from obtaining, using or benefiting from a provider's goods, services or facilities.

York Region Employee:

For the purpose of this policy a York Region employee includes both union and non-union employees, as well as employees of corporate entities established by Regional Council including York Region Transit Corporation (YRRTC), Housing York Incorporated (HYI) and York Telecom Network.

Description:

York Region is required to have a policy governing how the organization achieves and maintains accessibility through meeting its requirements of the accessibility standards of the *Integrated Accessibility Standards*, Ontario Regulation 191/11 (IASR, O. Reg. 191/11) under the AODA. The AODA sets out General and Compliance requirements and has five accessibility standards:

1. Information and Communications Standards
2. Employment Standards
3. Transportation Standards
4. Design of Public Spaces Standards
5. Customer Service Standards

York Region achieves compliance with the AODA and IASR through the following:

General Requirements:

- **Accessibility Planning**

York Region will establish, implement, maintain and document a multi-year accessibility plan in accordance with the AODA. The multi-year accessibility plan will outline the ways York Region will prevent and remove barriers and meet the requirements of the standards developed under the AODA.

The multi-year accessibility plan will be:

- Reviewed and updated at least every five years, and
- Established, reviewed and updated in consultation with persons with disabilities through the York Region Accessibility Advisory Committee
- Approved by Regional Council.

An annual status report on the progress of measures taken to implement the multi-year accessibility plan will be prepared. The multi-year accessibility plan and accompanying status report will be posted to the Region's website and provided in an accessible format upon request.

- **Procurement**

Where possible, Regional Departments will incorporate accessibility design, criteria and features when procuring or acquiring goods, services, and facilities. If it is not practicable to do so, staff will provide an explanation, upon request.

- **Self-Service Kiosks**

Where possible, Regional Departments will incorporate accessibility features when designing, procuring or acquiring self-service kiosks. If it is not practicable to do so, staff will provide an explanation, upon request.

- **Training**

All individuals to whom this policy applies will be trained in accordance with the AODA and its regulations. York Region will keep a record of the training provided, including the dates on which training is provided and the number of individuals trained.

Information and Communication Standards:

- **Feedback**

York Region has processes for receiving and responding to feedback on the manner in which the Region provides goods, services and facilities to customers. Regional Departments will ensure that these feedback processes are accessible to people with disabilities by providing or arranging for the provision of accessible formats or communication supports upon request, in accordance with the Information and Communications Standards.

- **Accessible Formats and Communication Supports**

Regional Departments will provide or arrange for the provision of accessible formats or communication supports for people with disabilities upon request, in accordance with the Information and Communications Standards. This will be done in consultation with the person making the request, in a timely manner that takes into account the person's accessibility needs and (if the original product has a cost) at a cost that is no more than the regular cost charged to other persons.

- **Website and Web Content**

Internet websites and web content controlled directly by York Region or through a contractual relationship that allows for modification of the product will conform to the World Wide Web Consortium Web Content Accessibility Guidelines (WCAG) 2.0, at Level A and AA in accordance with the schedule set out in the Information and Communications Standards.

Employment Standards:

York Region will create an accessible work environment for all employees across the employment life cycle, in accordance with the requirements and timelines set out in the Employment Standards and existing requirements under the Ontario *Human Rights Code* to accommodate people with disabilities.

Transportation Standards:

York Region is committed to providing accessible public transportation services through both conventional and specialized transit services, in accordance with the Transportation Standards. Some specialized services have eligibility requirements.

Design of Public Spaces Standards:

York Region will incorporate accessibility features when building new, or making planned significant alterations to existing, Region-controlled public spaces, in accordance with the Design of Public Spaces Standards.

Customer Service Standards:

York Region is committed to providing excellent customer service to people of all abilities in accordance with the requirements set out in the Customer Service Standards. When serving customers with disabilities, reasonable efforts shall be made to provide the same level of service given to other customers. The provision of goods, services or facilities shall be provided in a manner that respects the dignity and independence of persons with disabilities. This includes:

- Accommodating the use of assistive devices, support persons, and service animals where allowed by law
- Giving notice of temporary disruptions
- Training all members of our organization on accessible customer service
- Establishing a process for receiving and responding to feedback on how we provide accessible customer service
- Providing documents in an accessible format or with communications support upon request.

The Accessible Customer Service Guidelines for employees offers tips, processes and templates to best serve our customers with disabilities and meet the requirements of the Customer Service Standards under the IASR.

Responsibilities:

Regional Council will adopt policies as required under the AODA.

York Region (including all Departments, Senior Management and Staff) will make sure that:

- All requirements of the IASR, O. Reg. 191/11 under the AODA are met on an ongoing basis in accordance with the timelines set out in the regulation.
- Departmental policies, practices and procedures are aligned with all requirements of the IASR, O. Reg. 191/11 under the AODA.
- Accessibility requirements related to implementation of this policy are part of the annual budget and planning processes.

AODA departmental leads are designated for each Standard. The AODA departmental leads will act as corporate coordinators for designated standards under the AODA and are responsible for the coordination, implementation and monitoring of the legislated requirements of the AODA as follows:

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- Corporate Services Department: Information and Communications Standards
- Corporate Services Department: Employment Standards
- Transportation Services Department: Transportation Standards
- Corporate Services Department: Design of Public Spaces
- Office of the Chief Administrative Officer: Customer Service Standards

The Community and Health Services Department will act as the corporate coordinator for the AODA and is responsible for:

- The corporate coordination, development of policies and procedures, monitoring and reporting of compliance for all regulations under the AODA, including the General Standards under the IASR.

York Region Commissioners, General Managers, Directors, Managers, Supervisors and other leadership staff, as appropriate, will be responsible for ensuring that:

- The requirements of this Accessibility Policy are being implemented within their departments, branches and units.

An internal Staff Committee comprised of senior staff representatives from each Department is responsible for:

- Leading their respective department in achieving compliance with the regulations under the AODA.

York Region Accessibility Advisory Committee (YRAAC) advises Regional Council and York Regional Police on how to make it easier for people with disabilities to use York Region's programs and services. Committee members come from different backgrounds and most members must be people with disabilities. YRAAC is responsible for:

- Reviewing and advising Regional Council through the Committee of the Whole on accessibility (compliance) reports and the AODA and its regulations.

All Regional Employees, Students, Volunteers and Agents must comply with this policy.

Non-Compliance with Policy:

Failure to comply with the AODA Regulations can result in administrative penalties as defined in Part V: Compliance of the *Integrated Accessibility Standards*, Ontario Regulation 191/11. Employees who fail to comply with this Accessibility Policy may be subject to disciplinary action, up to and including dismissal. Agents and volunteers who fail to comply with the policy may be subject to service termination.

Reference:

- Clause 17 of Committee of the Whole Report No. 13, authorized by Regional Council on October 19, 2017
- Accessible Customer Service Guidelines, 2017
- <Accessibility>: MyPortal
- Internal Staff Committee Terms of Reference
- Clause 17 of Committee of the Whole Report No. 17, authorized by Regional Council on November 19, 2015
- York Region Accessibility Design Guidelines, 2014
- York Region Accessible Information and Communication Guidelines, 2014
- York Region Accommodation Process Guidelines, 2014
- York Region Accessible Recruitment Guidelines, 2014
- Clause 3 of Community and Health Services Committee Report No. 9, authorized by Regional Council on November 15, 2012
- *Integrated Accessibility Standards*, Ontario Regulation 191/11 made under the AODA, 2011
- *Accessibility for Ontarians with Disabilities Act*, 2005
- *Ontarians with Disabilities Act*, 2001
- *Building Code Act*, 1992
- *Ontario Human Rights Code*, 1962

Contact:

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Approval Information:

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Accessible formats or communication supports are available upon request.