

CORPORATION OF THE TOWN OF PETAWAWA

BY-LAW 821/13

**BEING A BY-LAW TO ESTABLISH POLICIES AND PROCEDURES
FOR INTEGRATED ACCESSIBILITY STANDARDS FOR
THE TOWN OF PETAWAWA**

WHEREAS the Integrated Accessibility Standards, in the areas of Employment, Information and Communications, and Transportation in accordance with *Ontario Regulation 191/11*, permits the Council of a municipality to enact a by-law to establish policies and procedures for Integrated Accessibility Standards;


AND WHEREAS the Town of Petawawa deems it desirable to establish policies and procedures relating to Integrated Accessibility Standards;

NOW THEREFORE BE IT ENACTED BY THE COUNCIL OF THE CORPORATION OF THE TOWN OF PETAWAWA AS FOLLOWS:

1. That the “Town of Petawawa Integrated Accessibility Standards Policy” attached hereto as Schedule “A” be and is hereby adopted.
2. That Schedule “A” is deemed to form part of this by-law.
3. This by-law shall come into force and take effect following third reading.

By-law read a first and second time this 4th day of March, 2013.

By-law read a third time and passed this 4th day of March, 2013.



Deputy Mayor



Chief Administrative Officer/Clerk

SCHEDULE “A” TO BY-LAW 821/13

TOWN OF PETAWAWA INTEGRATED ACCESSIBILITY STANDARDS POLICY

1. Purpose

Under the *Accessibility for Ontarians with Disabilities Act, 2005* all public and private sector organizations must meet the requirements of accessibility standards established by regulation. This policy establishes the Integrated Accessibility Standards in the areas of Employment, Information and Communications, and Transportation for the Town of Petawawa in accordance with *Ontario Regulation 191/11* and with the Ministry of Community and Social Services’ intent to “streamline, align and phase-in accessibility requirements and allow for progress on accessibility and reduce the regulatory burden for obligated organizations”. This regulation came into force on July 1, 2011.

2. Scope and Responsibilities

This policy has been drafted in accordance with the *Regulation* and addresses how the Town of Petawawa achieves accessibility through meeting the *Regulation’s* requirements. It provides the overall strategic direction that the Town will follow to provide accessibility supports to Ontarians with disabilities. The requirements of the *Regulation* include:

- Establishment, implementation, maintenance and documentation of a multi-year accessibility plan, which outlines the organization’s strategy to prevent and remove barriers and meet its requirements under the *Regulation*.
- Incorporation of accessibility design, criteria and features when procuring or acquiring goods, services, or facilities.
- Training.
- Other specific requirements under the Employment, Information and Communications, and Transportation Standards.

3. Policy Statement and Organizational Commitment

The Town of Petawawa is committed and guided by the four core principles of dignity, independence, integration and equal opportunity and supports the full inclusion of persons as set out in the *Canadian Charter of Rights and Freedoms* and the *Accessibility for Ontarians with Disabilities Act, 2005*.

The Town of Petawawa shall use every effort to ensure that the Town meets the needs of people with disabilities, in a timely manner, through the implementation of this policy.

4. 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” – means the 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.

“Communication Supports” – may include, but are not limited to, captioning, alternative and augmentative communication supports, plain language, sign language and other supports that facilitate effective communications.

“Communications” – means the interaction between two or more persons or entities, or any combination of them, where information is provided, sent or received.

“Conversion Ready” – means an electronic or digital format that facilitates conversion into an accessible format.

“Designated Public Sector Organization” – means every municipality and every person or organization listed in Column 1 of Table 1 of *Ontario Regulation 146/10* (Public Bodies and Commission Public Bodies – Definitions) made under the *Public Service of Ontario Act, 2006*.

“IAP” – means Individualized Accommodation Plan.

“Information” – includes data, facts and knowledge that exists in any format, including text, audio, digital or images, and that conveys meaning.

“Internet Website” – means a collection of related web pages, images, videos or other digital assets that are addressed relative to a common Uniform Resource Identifier (URI) and is accessible to the public.

“Kiosk” – means 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.

“Large Designated Public Sector Organization” – means a designated public sector organization with 50 or more employees.

“Mobility Aid” – means a device used to facilitate the transport, in a seated posture, of a person with a disability.

“Mobility Assistive Device” – means a cane, walker, or similar aid.

“New Internet Website” – means either a website with a new domain name or a website with an existing domain name undergoing a significant refresh.

“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.

“Unconvertible” – means:

- (a) not technically feasible to convert the information or communications;
- (b) that technology to convert the information or communications is not readily available.

“Web Content Accessibility Guidelines” – means the world wide web consortium recommendation, dated December 2008, entitled “Web Content Accessibility Guidelines (WCAG) 2.0”.

5. General Provisions

5.1 Multi-Year Accessibility Plan

The Town of Petawawa Multi-Year Accessibility Plan outlines a phased-in strategy to prevent and remove barriers and addresses the current and future requirements of the AODA. The Town of Petawawa will report annually on the progress and implementation of the plan, will post the information on its website and will provide it in alternative formats upon request. The plan will be reviewed and updated at least once every five (5) years.

5.2 Procuring or Acquiring Goods, Services or Facilities

The Town of Petawawa will use accessibility design, criteria and features when procuring or acquiring goods, services or facilities, except where it is not practical to do so (in which case, if requested, the Town will provide an explanation).

5.2.1 Self-Service Kiosks

The Town of Petawawa shall incorporate accessibility features when designing, procuring or acquiring self-service kiosks.

5.3 Training

The Town of Petawawa will ensure that training is provided to all employees, volunteers, and regular fee-for-service staff on the requirements of the accessibility standards referred to in the *Regulation* and the *Human Rights Code* as it pertains to persons with disabilities. Training will be provided as soon as practicable. If any changes are made to this policy or the requirements, training will be provided. The Town shall maintain a record of the dates when training is provided and the number of individuals to whom it was provided.

6. Information and Communications Standard

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

If the Town of Petawawa determines that it is not technically feasible to convert the information or communications, or the technology to convert the information or communications is not readily available, the Town will be obligated to provide the person requesting the information with:

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

7. Emergency Information

The Town of Petawawa prepares emergency procedures, plans and/or public safety information and makes the information available to the public. The Town shall provide the information in an accessible format or with appropriate communication supports, as soon as practicable, upon request.

8. Feedback

The Town of Petawawa has processes in place for receiving and responding to feedback and will ensure that those processes are provided in accessible formats, and with communication supports, upon request. The Town will notify the public about the availability of accessible formats and communication supports.

9. Accessible Formats and Communication Supports

The Town of Petawawa shall be obligated to provide or arrange for accessible formats and communication supports for persons with disabilities:

- (a) upon request, in a timely manner, that takes into account the person's accessibility needs due to a disability;
- (b) at a cost that is no more than the regular cost charged to other persons;
- (c) consult with the person making the request and determine the suitability of an accessible format or communication support;
- (d) notify the public about the availability of accessible formats and communication supports.

10. Website Accessibility

The Town of Petawawa shall make its internet website and web content conform with the World Wide Web Consortium Web Content Accessibility Guidelines (WCAG) 2.0 initially at Level A and increasing to Level AA. By January 1, 2014, any new web content will conform to WCAG 2.0 Level A. By January 1, 2021 all internet website and web content will conform to WCAG 2.0 Level AA.

11. 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 with respect to employees and does not apply to volunteers and other unpaid individuals.

The requirements of the Employment Standard shall be met by January 1, 2014, unless otherwise specified, and will be included in the Town of Petawawa Human Resources Corporate Policies and Procedures Manual.

12. Recruitment

The Town of Petawawa shall notify employees and the public about the availability of accommodations for applicants with disabilities:

- During the recruitment process when job applicants are individually selected to participate in an assessment or selection process.
- If a selected applicant requests an accommodation, the Town of Petawawa shall consult with the applicant and provide and/or arrange for the provision of a suitable accommodation that takes into account the applicant's disability.
- Notify successful applicants of the policies for accommodating employees with disabilities.

13. Employee Notification

The Town of Petawawa shall inform its employees of the policies used to support its 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:

- As required, to new employees as soon as practicable after they begin their employment.
- Whenever there is a change to existing policies on the provision of job accommodations that take into account an employee's accessibility needs due to a disability.

14. Accessible Formats

In addition, where an employee with a disability requests it, the Town of Petawawa will consult with the employee to provide and/or arrange for the provision of accessible formats and communication supports for:

- Information that is needed in order to perform the employee's job.
- Information that is generally available to employees in the workplace.
- Consult with the employee making the request to determine the suitability of an accessible format or communication support.

15. Individual Accommodation Plan

The Town of Petawawa shall have in place a written process for developing a documented individual accommodation plan (IAP) for employees with a disability. The process will include:

- The employee's participation in the development of the IAP.
- Assessment on an individual basis.
- Identification of accommodations to be provided.
- Timeline(s) for the provision of accommodations.
- The Town of Petawawa may request an evaluation by an outside medical or other expert, at its expense, to assist with determining accommodation and how to achieve accommodation.
- Steps to be taken to protect the privacy of the employee's personal information.
- Frequency with which the IAP will be reviewed and updated and the manner in which it will be done.
- If denied, the reasons for denial are to be provided to the employee.
- A format that takes into account the employee's disability needs.
- If requested, any information regarding accessible formats and communication supports provided.
- Identification of any other accommodation that is to be provided.

16. Return to Work

The Town of Petawawa will have in place a 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. This process must be documented and must outline the steps that the Town of Petawawa will take to facilitate the return to work and include an IAP.

17. Performance Management, Career Development and Advancement, and Redeployment

The Town of Petawawa will take into account the accommodation needs and/or IAPs of employees when:

- Using performance management processes.
- Providing career development and advancement information.
- Using redeployment procedures.

18. Workplace Emergency Response Information

The Town of Petawawa shall provide individualized workplace emergency response information to employees who have a disability:

- If the disability is such that the individualized information is necessary and the employer is aware of the need for accommodation due to the employee's disability.
- If the employee who receives individual workplace emergency response information requires assistance and with the employee's consent, the Town of Petawawa shall provide the workplace emergency information to the person designated by the Town of Petawawa to provide assistance to the employee.
- As soon as practicable after becoming aware of the need for accommodation due to the employee's disability.
- 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.

19. Transportation Standard

The Transportation Standard will make it easier for people to travel in Ontario, including persons with disabilities, older Ontarians and families traveling with children in strollers. The Town of Petawawa will:

- Ensure taxicabs do not charge a higher fare or additional fee to persons with disabilities.
- Ensure taxicabs do not charge a fee for storage of assistive devices.
- Ensure taxicabs have appropriate information displayed on the rear bumper and available in an accessible format to passengers.

20. Regulatory Requirements

An Administrative Monetary Penalties scheme is being established under the AODA. The scheme will allow the Accessibility Directorate or a designate to issue an order against a person, organization or corporation to pay a penalty amount as a result of non-compliance with the AODA or the accessibility standard.