

Integrated Accessibility Standards Regulation Training Guide



If you require this information in an alternate accessible format, please contact Service Oshawa at service@oshawa.ca or call 905-436-3311.

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About the Accessibility for Ontarians with Disabilities Act, 2005 and the Integrated Accessibility Standards Regulation

The *Accessibility for Ontarians with Disabilities Act, 2005* (A.O.D.A.) was passed by the Ontario legislature with the goal of creating standards to make Ontario accessible by 2025.

Under the A.O.D.A., the government developed five standards in the areas of Information and Communication, Employment, Transportation, Design of Public Spaces and Accessible Customer Service. These standards, combined under one regulation called the Integrated Accessibility Standards Regulation (I.A.S.R.), are legal requirements that businesses and organizations in Ontario must follow to identify, remove and prevent barriers so that people with disabilities can participate in activities with dignity, independence, integration and equal opportunity.

Compliance

Who has to comply with the regulation?

Every business and organization operating in Ontario that:

- provides goods, services or facilities to the public or other organizations, and
- has at least one employee in Ontario.



Human Rights Code and the Duty to Accommodate

The Ontario *Human Rights Code* (the *Code*) provides for equal rights and opportunities, and freedom from discrimination. The *Code* recognizes the dignity and worth of every person in Ontario and that includes people with disabilities. It applies to the areas of employment, housing, facilities and services, contracts; and membership in unions, trade or professional associations.



At work, employees with disabilities are entitled to the same opportunities and benefits as people without disabilities. In some cases, they may need special arrangements or “accommodations” so they can do their job duties. Customers, clients and tenants with disabilities also have the right to equal treatment and equal access to facilities and services. Examples of facilities and services are restaurants, shops, hotels and movie theatres, as well as apartment buildings, transit and other public places.

Public and private education providers must also make sure their facilities and services are accessible, and that students with disabilities are accommodated.

What is disability?

“Disability” covers a broad range and degree of conditions, some visible and some not visible. A disability may have been present from birth, caused by an accident, or developed over time. There are physical, mental and learning disabilities, mental disorders, hearing or vision disabilities, epilepsy, drug and alcohol dependencies, environmental sensitivities, and other conditions.

The *Code* protects people from discrimination because of past, present and perceived disabilities. For example:

- a person who has a broken leg; and
- a person whose condition does not currently limit workplace abilities, but is believed to cause future limitations.

Removing barriers and designing inclusively

Persons with disabilities face many kinds of barriers every day. These can be physical, attitudinal or systemic. It is best to identify and remove barriers voluntarily instead of waiting to answer individual accommodation requests or complaints.

Identifying and removing barriers also makes good business sense. In addition to meeting the needs of customers or employees with disabilities, removing barriers can help others such as older persons and families with young children.

Employers, unions, landlords and service providers can start by doing an accessibility review of their facilities, services and procedures to see what barriers exist. They can then make an accessibility plan and begin to remove the barriers.

It is also helpful to create an accessibility policy and a complaints procedure. These steps will help remove existing barriers and avoid making new ones. The best way to prevent barriers is to design inclusively. This means that when planning new facilities, renovating, buying computer systems or other equipment, launching websites, setting up policies and procedures, or offering new services, make sure choices avoid creating new barriers for people with disabilities.

Barriers are not just physical. Taking steps to prevent “ableism” – attitudes in society that devalue and limit the potential of persons with disabilities – will help promote respect and dignity, and help people with disabilities to fully take part in community life.

The duty to accommodate

Even when facilities and services are designed as inclusively as possible, you may still need to accommodate the individual needs of some people with disabilities. Under the *Code*, unions, landlords and service providers have a legal “duty to accommodate” persons with disabilities. The goal of accommodation is to allow people with disabilities to equally benefit from and take part in services, housing or the workplace.

Accommodation is a shared responsibility. Everyone involved, including the person asking for accommodation, should work together to exchange relevant information and look for accommodation solutions. There is no set formula for accommodating people with disabilities. Even though some accommodations can benefit many people, you still need to consider individual needs each time a person asks to be accommodated.

Some examples of accommodations include:

- Increased flexibility in work hours or break times;
- Providing reading materials in alternative formats including digitized text, Braille or large print;
- Providing sign language interpreters or real time captioning for persons who are deaf, deafened or hard of hearing so they can take part in meetings;
- Installing automatic entry doors and making washrooms accessible in the workplace or the common areas of a condominium; and
- In some cases, changing job duties, retraining or assigning a person to another job.

Many accommodations can be made easily, and at low cost. In some cases, putting the best solution in place right away may result in “undue hardship” because of costs or health and safety factors. Even if this happens, you still have a duty to look at and take next-best steps that would not result in undue hardship. Such steps should be taken only until more ideal solutions can be put in place or phased in.

Accommodation responsibilities

As a person with a disability:

- tell your employer, union, landlord or service provider what your disability-related needs are related to your job duties, tenancy or the services being provided;
- provide supporting information about your disability-related needs, including medical or other expert opinions where needed; and
- take part in looking at possible accommodation solutions.

As an employer, union, landlord or service provider:

- accept requests for accommodation from employees, tenants, and clients in good faith;
- ask only for information that you need to provide the accommodation. For example, you would need to know that an employee's loss of vision prevents him or her from using printed material, but you do not need to know he or she has diabetes;
- take an active role in looking at accommodation solutions that meet individual needs;
- deal with accommodation requests as quickly as possible, even if it means creating a temporary solution while you develop a long-term one;
- respect the dignity of the person asking for accommodation, and keep information confidential; and
- cover the costs of accommodations, including any needed medical or other expert opinion or documents.

General Requirements:

In addition to setting out the requirements for each of the five standards — Information and Communications, Employment, Transportation, Design of Public Spaces and Accessible Customer Service — the I.A.S.R includes general requirements that apply across all five standards.

Training

The City of Oshawa must provide training on the requirements of the regulation and on the Ontario Human Rights Code as it relates to people with disabilities. Training must be updated when accessibility policies and processes change.

The City must train:

- all existing and new employees and volunteers;
- people who participate in developing our policies, practices and procedures; and
- other people who provide goods, services or facilities on our behalf.

The City of Oshawa is also required to keep a record of the training provided, including the dates the training took place and the number of individuals trained.

Accessibility policy

The City of Oshawa has developed an accessibility policy describing what the city does, or intends to do, to meet the requirements of the regulation. This policy serves as rules that guide the City's everyday practices for providing goods, services and facilities to people with disabilities. The City of Oshawa Integrated Accessibility Standards Regulation Policy is publicly available, and in an accessible format on the City's website.



Accessibility plan

The City of Oshawa has established an accessibility plan that outlines the steps that the City will take to prevent and remove barriers to accessibility and how the requirements of the regulation will be met. The plan will be reviewed and updated at least every five years. Annual Status reports will also be published.

Procuring or acquiring goods, services or facilities

Incorporating accessibility criteria into procurement and buying practices will prevent new accessibility barriers and address existing ones. The City of Oshawa will:

- incorporate accessibility criteria and features when procuring or acquiring goods, services and facilities, except where it is not practicable to do so; for example, when accessible goods, services or facilities are not available; and
- provide an explanation, on request, as to why accessibility criteria and features were not practicable to incorporate in a procurement.

Self-service kiosks

A self-service kiosk is an interactive electronic terminal, such as a point-of-sale device used at a grocery store checkout or for parking or fare payment. People with disabilities should be able to use a self-service kiosk as independently and securely as possible. The City will incorporate accessibility criteria and features when designing, procuring or acquiring self-service kiosks.

Information and Communications Standard:

In the information age, we all rely on easy access to information. The Information and Communications Standard outlines how organizations will be required to create, provide and receive information and communications in ways that are accessible for people with disabilities.

Accessible formats and communication supports

When a request is received, the City of Oshawa must consult with the person and provide information and communications appropriate to his or her accessibility needs. The City has the flexibility to determine the most appropriate accessible format or communication support depending on the accessibility needs of the person and the capability of the City to deliver.

Accessible formats and communication supports must be provided in a timely manner and at a cost that is not more than the regular costs charged to other people.

This requirement does not apply to:

- products and product labels;
- information that the city does not control directly or indirectly through a contract, unless the City is involved in education or training as defined in the regulation; and
- information or communications that cannot be converted.

When it is not possible to convert requested material, the City of Oshawa needs to provide the individual making the request with the following:

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

Feedback processes

The City of Oshawa has established a customer service feedback process for receiving and responding to feedback about how the city provides goods or services to people with disabilities.

Under the Information and Communications Standard, if the City of Oshawa has feedback processes in place, the city must make them accessible. This may include:

- arranging for accessible formats and communication supports on request
- notifying the public about the availability of accessible formats and communication supports.

Accessible websites and web content

The City of Oshawa must conform with the World Wide Web Consortium's Web Content Accessibility Guidelines (W.C.A.G.) 2.0, as outlined in the standard:

- all new Internet websites and web content on city sites must conform with W.C.A.G. 2.0 Level A – the most basic level of accessibility; and

- by **January 1, 2021**, all Internet websites must conform with W.C.A.G. 2.0 Level AA – a more extensive level of accessibility. All web content on City sites developed after January 1, 2012 must also conform. Exceptions are live captioning and pre-recorded audio descriptions.

For more information about the levels of accessibility outlined in the W.C.A.G. 2.0 guidelines, please visit the World Wide Web Consortium's (W.3.C.) website.

Employment Standard:

The Ontario Human Rights Code requires all employers to meet the accommodation needs of employees with disabilities to the point of undue hardship.

The Employment Standard builds on this requirement. The standard requires employers to have processes in place to determine an employee's accommodation needs, and it addresses key processes in the life cycle of a job. Requirements apply only to paid employees, not volunteers and non-paid individuals.



Informing employees of supports

The City of Oshawa must inform all employees, both new and existing, of the City's accessible employment practices. This includes, but is not limited to, policies on providing job accommodations that take into account an employee's accessibility needs due to disability. This will make all employees aware of how the City will support them if they have a disability – or should they acquire a disability later in their career.

Recruitment, assessment or selection process

When planning the City of Oshawa's accessible recruitment process, there are three requirements to follow:

1. when advertising job positions, notify employees and the public that accommodations for job applicants with disabilities are available on request for the city's recruitment process;
2. when inviting job applicants to participate in the selection process, inform them that accessibility accommodations are available on request for interviews and other selection processes; and
3. when offering a job to successful applicants, inform them of the City of Oshawa's policies on accommodating employees with disabilities.

Accessible formats and communication supports for employees

When hired, employees may request accessible formats and communication supports for information required to perform their job and information generally available to all employees.

The City of Oshawa must consult with employees to determine their accessibility needs and how best to accommodate them.

Workplace emergency response information

The City of Oshawa must provide individualized workplace emergency response information to employees with disabilities if their disability makes it necessary and if the City is aware of the employees' need. With the employees' consent, the City must ensure the information is shared with anyone designated to assist them in an emergency.

This information must be reviewed when:

- the employee moves to a different location in the City of Oshawa;
- the employee's overall accommodation needs or plan are reviewed; and
- when the City's emergency response policies are reviewed.

Documented individual accommodation plans

The City of Oshawa must have a written process to document individual accommodation plans for employees with disabilities. This will help the City have a clear and consistent approach for accommodating employees with disabilities.

Return to work process

The City of Oshawa must develop a process that supports employees who have been absent due to a disability and require disability-related accommodations when they return to work. The return to work process does not replace or override any other return to work processes created under any other law.

Performance management, career development and advancement, and redeployment

The standard requires that processes for performance management, career development, and redeployment take into account the accessibility needs of employees with disabilities and their individual accommodation plans. These requirements apply only if the City of Oshawa currently has these processes in place.

Design of Public Spaces Standard

The Design of Public Spaces Standard establishes requirements for identifying, removing and preventing barriers, principally physical and information barriers, in newly constructed or significantly renovated public spaces such as sidewalks, recreational trails and playgrounds.

Recreational Trail and Beach Access Routes

The City of Oshawa must meet minimum requirements for recreational trails and beach access routes. This includes, but is not limited to, clear width, clear height, surfacing, slope, edge protection, colour contrasting and signage.

Outdoor Public Use Eating Areas

The accessibility requirements to outdoor public use eating areas apply to tables that are found in public areas, such as in public parks, on hospital grounds and on university campuses.

Outdoor Play Spaces

The accessibility requirements to outdoor play spaces apply to areas that may contain play equipment, such as swings, or features such as logs, rocks, sand or water where the equipment or features are designed to provide play opportunities and experiences for children and caregivers.

Exterior Paths of Travel

The accessibility requirements to exterior path of travel apply to outdoor sidewalks or walkways designed for pedestrian travel that serve a functional purpose and are not intended to provide a recreational experience. However, it does not apply to barrier free paths of travel regulated under Ontario Regulation 350/06 made under the **Building Code Act, 1992**.

Accessible Parking

The accessibility requirements for accessible parking include the design and number of parking spaces in off-street parking areas, and on-street parking.

Obtaining Services

The accessibility requirements for obtaining services in respect of service counters, fixed queuing guides and waiting areas apply whether the services are obtained in buildings or out-of-doors.

Maintenance

This requirement is to ensure accessibility-related equipment and features are maintained.

Accessible Customer Service

What is Accessible Customer Service?

The City of Oshawa is committed to providing customer service to persons with disabilities in a manner that:

- respects their **dignity** and **independence**;
- is **integrated** as fully as practicable into the method of service delivery;
- ensures an **opportunity equal** to that given to other customers to obtain and use the City's goods, services and facilities; and
- allows persons with disabilities to benefit from the same services, in the same place and in a similar way to other customers.

Accessible customer service can mean many things. Mostly, it is the understanding that each individual may need a slightly different type of accommodation.

For example, a person who is blind may need to have information read aloud to them; an individual with a learning disability may need to have instructions written down; and someone who uses a wheelchair may need help in finding a route they can use.

Accessible customer service is **good** customer service -- courteous, helpful and prompt.

How may I help you?

Always start with people first. In language, that means saying "person with a disability", rather than "a disabled person". In any interaction, it means addressing the person's service needs, rather than focusing on the disability.

Let's take some time to understand the definition of different disabilities and some tips to assist you in providing accessible customer service.

Each table below defines a specific category of disability and outlines some tips to help you provide service to your customers:

Hearing Disabilities:

Definition:	Tips For Serving Customers:
<ul style="list-style-type: none"> • <i>Deaf</i> - severe to profound hearing loss • <i>Hard of Hearing</i> - a person who uses their residual hearing and speech to communicate • <i>Deafened</i> - caused to hear poorly or not at all 	<ul style="list-style-type: none"> • Speak directly to your customer, not the support person • Identify yourself to the support person • Do not put your hands in front of your face when speaking • If necessary, ask if another method of communication would be easier, for example, using a pen and paper

Deafblind Disability:

Definition:	Tips For Serving Customers:
<ul style="list-style-type: none"> • Cannot see or hear to some degree • Many will be accompanied by a support person (A professional who helps with communication by using sign language that involves touching the hands of the client) 	<ul style="list-style-type: none"> • Speak directly to your customer, not the support person • Identify yourself to the support person The customer is likely to explain to you how to communicate with an assistance card or a note • explaining how to communicate with them.

Intellectual or Developmental Disabilities:

Definition:	Tips For Serving Customers:
<ul style="list-style-type: none"> • Intellectual development and capacity that is below average • Can mildly or profoundly limit ability to learn, communicate, do everyday activities and live independently • May be an invisible disability • They may understand you more than you know 	<ul style="list-style-type: none"> • Don't assume what customer can or cannot do • Use plain language • Take your time, be patient • Ask: "Do you understand this?" • Provide one piece of information at a time – step-by-step instruction • Offer information in simple concepts

Learning Disabilities:

Definition:	Tips For Serving Customers:
<ul style="list-style-type: none">• Affects how a person acquires, interprets, retains or takes in information• In many cases an individual has average or above-average intelligence• May affect:<ul style="list-style-type: none">• Language based learning• Mathematics• Writing, fine motor skills	<ul style="list-style-type: none">• Take some time, be patient• Demonstrate a willingness to assist• Speak normally, clearly and directly to your customer• Provide information in a way that works for your customer (i.e. pen and paper)• Be prepared to explain any materials you provide

Mental Health Disabilities:

Definition:	Tips For Serving Customers:
<ul style="list-style-type: none">• Functional limitations associated with mental health disabilities can vary from mild to severe, and may fluctuate in time.• Mental health disabilities may interfere with a person's abilities in the following three areas:<ul style="list-style-type: none">• Mental alertness• Concentration and organization• Dealing with stress and anxiety	<ul style="list-style-type: none">• Treat customer with the same level of respect and consideration as everyone else• Be confident, reassuring and calm• Do not be confrontational• If the customer is in crisis, ask them to tell you the best way to help• Take the customer seriously• Don't take things personally

Speech or Language Disabilities:

Definition:	Tips For Serving Customers:
<ul style="list-style-type: none">• May have problems communicating• May be difficult to pronounce words, slurring or stuttering• May use communication boards or other assistive devices	<ul style="list-style-type: none">• Don't make assumptions• Give whatever time they need to get their point across• Ask questions that can be answered 'yes' or 'no', if possible• Don't interrupt or finish your customer's sentences• May have to use pen and paper• Say: "I don't understand, can you repeat that please?"

Physical Disabilities:

Definition:	Tips For Serving Customers:
<ul style="list-style-type: none">• May restrict a person in the following ways:<ul style="list-style-type: none">• Control or speed of movements• Coordination and balance• Ability to grasp some objects• Ability to walk long distances• Ability to sit or stand for prolonged periods• May be present at birth; as a result of disease or injury and may be temporary or permanent in nature	<ul style="list-style-type: none">• Speak directly to the customer• Ask before you help• Respect personal space• Don't move any items they may have• Describe what you are going to do beforehand• Don't leave your customer in an awkward, dangerous or undignified position

Vision Disabilities:

Definition:	Tips For Serving Customers:
<ul style="list-style-type: none">• Most individuals who are legally blind have some remaining vision - very few are totally blind• Low or no vision can restrict ability to read signs, locate landmarks, or see hazards• May use guide dog or white cane• May need to view written documents in large print, or with help of magnifier	<ul style="list-style-type: none">• Don't assume customer cannot see you• Speak directly to the customer• Offer your elbow to guide; if they accept, walk slowly, wait for permission• Identify landmarks• Be precise and descriptive with information• Don't leave your customer in an awkward, dangerous or undignified position

Most importantly, recognize your nervousness and relax! People with disabilities are generally aware they may need some accommodations and will work with you. Just remember to ask how you can help.

How should I interact with persons with disabilities who use assistive devices, the assistance a service animal or a support person?

1. **First**, let's take some time to understand what these different assistive options are:

- **“assistive device”** are any devices or mechanisms that assists a person with a disability in accessing and benefiting from the services provided.

Assistive devices include, but are not limited to: wheelchairs, walkers, white canes used by people who are blind or who have low vision, note taking devices, portable magnifiers, recording machines, assistive listening devices, personal oxygen tanks and devices for grasping.

- **“service animal”** is an animal which is specially trained to assist an individual with disabilities.

An animal is a “service animal” for a person with a disability that can be readily identified as one that is being used by the person for reasons relating to the person's disability, as a result of visual indicators such as a vest or harness worn by the

animal; or if the person provides documentation from one of the regulated health professionals identified in the legislation confirming the person requires the animal for reasons relating to the disability.

Regulated health professionals include a member of the College of:

- Audiologists and Speech Pathologists of Ontario;
 - Chiropractors of Ontario;
 - Nurses of Ontario;
 - Occupational Therapists of Ontario;
 - Optometrists of Ontario;
 - Physicians and Surgeons of Ontario;
 - Physiotherapists of Ontario;
 - Psychologists of Ontario; and
 - Registered Psychotherapists and Registered Mental Health Therapists of Ontario.
- **“support person”** means in relation to a person with a disability, another person who accompanies him or her in order to help with communication, mobility, personal care or medical needs or with access to goods, services or facilities.

The individual may be a paid professional, a volunteer, a family member or a friend.

2. **Next**, let's take some time to understand how you should interact with persons with disabilities who may use one or more of these assistive options.

Customers using assistive devices:

- inappropriate to lean on or reach over them;
- ensure that the person is permitted to enter the premises with the device and to utilize the device unless excluded by law;
- potential barriers to the use of assistive devices must be removed where possible;
- ensure persons with disabilities are aware of assistive devices available on the providers' premises or otherwise supplied by the provider; and
- assistive devices must be offered in a manner that respects the person's dignity and independence

Customers with service animals:

- allowed anywhere the public has access;
- are responsible for the care and supervision of the service animal;
- are permitted to keep the animal with him or her unless the animal is otherwise excluded by law from the premises (e.g. a kitchen where food is prepared.); and
- people should avoid talking to, touching or making eye contact with the service animal.

If a person is excluded by law from keeping their guide dog or service animal with them, City staff shall consult with the individual to provide other measures to enable the person to obtain, use or benefit from the goods, services or facilities.

It is not necessary for City staff to request documentation for verification of a guide dog or service animal if it is readily apparent that the animal is used by the person for reasons relating to his or her disability.

In circumstances where it is not apparent that the guide dog or service animal is used by a person for reasons relating to his or her disability, City staff may ask the person to provide documentation from one of the regulated health professionals listed above to confirm that the person requires the animal for reasons relating to the disability:

City staff and/or designated representatives are required to ensure that this request is made in a format that respects the dignity and independence of the person.

Additional factors to consider include:

- not all disabilities are visible;
- not all service animals wear identifying gear, such as harnesses or tags;
- a person is not to be separated from their guide dog or service animal;
- a guide dog or service animal is not to be touched;
- a guide dog or service animal is not to be fed or deliberately startled; and,
- respecting confidentiality of the person and circumstances related to his/her guide dog or service animal.

Reasonable behaviour is expected from those interacting with service animals. The owners of disruptive and aggressive service animals and those who interact with service animals in a negative way may be asked to leave the premises.

Customers with support persons:

- Both persons are permitted to enter the premises together;
- The person with a disability is not prevented from having access to the support person while on the premises;
- Documented consent is required if confidential information is going to be shared when a support person is present; and
- Speak directly to your customer, not the support person.

City staff may require a person with a disability to be accompanied by a support person when on the premises, but only if, after consulting with the person with a disability and considering the available evidence, it is determined that a support person is necessary to:

- protect the health or safety of the person with a disability or the health or safety of others on the premises; and,
- that there is no other reasonable way to protect the health and safety if the person with a disability or of others on the premises.

If the City requires a person with a disability (as noted above) to be accompanied by a support person when on the premises, the City shall waive payment of the amount, if any, payable in respect of the support person's admission or presence on the premises.

If an amount is payable for a person's admission to the premises or in connection with a support person's presence on the premises, the City shall ensure advance notice of applicable fees is provided. A number of methods are available for posting a notice of fees, including but not limited to, the City's website, publications and signage.

What happens if for some reason we cannot serve a person with a disability?

It is possible that from time to time there will be disruptions in service, such as an elevator under repair, renovations that limit access to an area, or technology that is temporarily unavailable. If a disruption in service is planned, and expected, it is important to provide reasonable notice. Refer to the City of Oshawa Integrated Accessibility Standards Policy for details.

People with disabilities may often go to a lot of trouble to access services, such as booking transit or arranging a ride. By providing notice, you can save that person an unnecessary trip. Notice can be provided on the City's website, by telephone, or in writing.

In the event of an unexpected disruption in service, provide notice in a variety of ways and as quickly as possible. Please refer to the City of Oshawa Integrated Accessibility Standards Policy in this publication and on the City's website. Consider offering alternative methods of service while informing those that may be impacted personally.

Resources

It is important to recognize that there are available internal & external resources for you to use to assist you in delivering service to persons with disabilities:

- Review the City of Oshawa Integrated Accessibility Standards Regulation Policy located on the City of Oshawa Website under the Accessibility Quick Link :
- Speak to your Supervisor and/or Manager
- Visit the Government of Ontario's (Accessibility Directorate of Ontario) website
- The Bell Relay Service Operator is available to assist in placing or receiving calls to/from persons who use a T.T.Y. There is no charge for local calls. To place a call through the Bell Canada Relay Service, call: 1-800-855-0511 (Voice to T.T.Y.).
- To hire an American Sign Language-English/French interpreter visit the Canadian Hearing Society's Ontario Interpreting Services website or call 1-855-656-3748; fax 1-855-656-3750; or email requests@oischs.ca. Please note that advanced notice is required (available on a first come—first served basis). For emergency situations call 1-866-256-5142 or email OIS@answerplus.ca.
- Contact the Accessibility Program Coordinator by email at access@oshawa.ca or call 905-436-3311 ext. 2288.
- View training videos related to the Integrated Accessibility Standards.
- Read the full Integrated Accessibility Standards Regulation.
- Policy and Guidelines on Disability and the Duty to Accommodate and Human Rights at Work brochure follow the rights and obligations included in the United Nations Convention on the Rights of Persons with Disabilities_(CRPD).
- To file a complaint – called an application – contact the Human Rights Tribunal of Ontario:Toll Free: 1-866-598-0322 T.T.Y. Toll Free: 1-866-607-1240.
- If you need legal help, contact the Human Rights Legal Support Centre: Toll Free: 1-866-625-5179 T.T.Y. Toll Free: 1-866-612-8627.

Appendix 1 - City of Oshawa Integrated Accessibility Standards Policy

1. Statement of Organizational Commitment

The Corporation of the City of Oshawa (the “**City**”) is committed to meeting the accessibility needs of persons with disabilities in a timely manner and shall develop, implement and maintain policies as set out under the *Accessibility for Ontarians with Disabilities Act, 2005* (the “**A.O.D.A.**”) and its standards in a manner that addresses integration, independence, dignity and equal opportunity.

2. Purpose

The purpose of this policy is to establish and commit to the City’s compliance with requirements of the Ontario Regulation 191/11 “Integrated Accessibility Standards Regulation” (the “**I.A.S.R.**”) enacted under the A.O.D.A. The regulation references requirements for accessibility standards in the areas of information and communication, employment, transportation, design of public spaces and customer service.

3. Scope

The requirements set out in this policy and the I.A.S.R. are not a replacement or a substitution for the requirements established under the *Human Rights Code* nor do the standards or policy limit any obligations owed to persons with disabilities under any other legislation.

This policy applies to all City employees and volunteers as well as to other third parties acting on behalf of the City for the provision of goods, services and facilities.

4. Definitions

“**Accessible customer service**” means service is provided in a manner that is capable of being easily understood or appreciated, easy to get at, capable of being reached or entered and obtainable.

“**Accessible format**” may include, but is not limited to, large print, recorded audio and electronic formats, braille and other formats usable by persons with disabilities.

“**Assistive Device**” means any device or mechanism that assists a person with a disability in accessing and benefiting from the services provided.

Assistive devices may include, but are not limited to a wheelchair, walker, cane, assistive listening device, visual alarms or assistive software programs.

“Barrier” means anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability. This includes a physical, architectural, information or communication, attitudinal or technological barrier, policy or practice.

“Career development and advancement” means 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, or any combination of them, and, for both additional responsibilities and employee movement, is usually based on merit or seniority or a combination of them.

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

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

“Disability” means:

- 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 coordination, blindness or visual impairment, 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” means a dog trained as a guide for a blind person and having the qualifications prescribed by the regulations to the Blind Persons’ Rights Act.

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

“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.

“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.

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

“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 within the organization.

“Service Animal” means an animal for a person with a disability that can be readily identified as one that is being used by the person for reasons relating to the person’s disability, as a result of visual indicators such as a vest or harness worn by the animal or an animal for which the person provides documentation from one of the regulated health professionals identified in the legislation confirming that the person requires the animal for reasons relating to the disability.

“Support Person” means in relation to a person with a disability, another person who accompanies him or her in order to help with communication, mobility, personal care or medical needs or with access to goods, services or facilities.

“Taxicab” means a motor vehicle as defined in the *Highway Traffic Act*, other than a car pool 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 a 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.

5. Policy Requirements

5.1 General

5.1.1 Establishment of Accessibility Policies

The City is committed to compliance with the I.A.S.R.

The City shall develop, implement and maintain policies governing how it achieves or will achieve accessibility through meeting the requirements referred to in the I.A.S.R. and reflect the values set out in the Human Rights Code. Copies of accessibility policies and documents required by this legislation are available on request and will be posted to the City's website. Alternate accessible formats or with communication supports are available on request and in consultation with the person making the request in a timely manner at a cost that is no more than the regular cost charged to other persons.

Goods, services or facilities will be provided in a manner that respects the dignity and independence of people with disabilities and will be integrated unless an alternate measure is necessary, whether temporarily or on a permanent basis, to enable a person with a disability to obtain, use or benefit from the goods, services or facilities.

Accessibility Plans

The City shall establish, implement, maintain and document a multi-year accessibility plan outlining a corporate strategy for identifying, removing and preventing barriers and meeting the requirements set out in the I.A.S.R.

The multi-year plan will be:

- posted on the City's website and be provided in an accessible format, on request, as soon as it is practicable;
- reviewed and updated at least once every five years; and
- established, reviewed and updated in consultation with persons with disabilities and the Oshawa Accessibility Advisory Committee (O.A.A.C.).

The City will:

- prepare an annual status report on the progress of measures taken to implement the multi-year accessibility plan; and
- post the status report on its website and provide the report in an accessible format, upon request, as soon as it is practicable.

5.1.2 Procuring or Acquiring Goods, Services or Facilities

The City shall incorporate accessibility criteria and features when procuring or acquiring goods, services or facilities, except where it is not practicable to do so. If it is not practicable to do so, the City shall provide, on request, an explanation.

5.1.4 Self Service Kiosks

The City 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; and,
- Adequate clearance for a wheelchair or scooter under the kiosk.

5.1.5 Training

The City shall provide training on the requirements of the accessibility standards within the I.A.S.R., and the *Human Rights Code* as it pertains to persons with disabilities, to all persons who are an employee of or volunteer with the corporation.

All persons who participate in developing the City's policies and other persons who provide goods, services or facilities on behalf of the City are required to meet these same obligations as part of the City's procurement process.

The training information shall be provided to employees, volunteers and other persons as soon as practicable. Training with respect to changes to policies related to the I.A.S.R. and the *Human Rights Code* will be provided on an ongoing basis.

The City shall keep a record of the training provided under this section, including dates on which the training is provided and the number of individuals to whom it is provided.

5.2 Information and Communication

5.2.1 Feedback

Receiving Feedback

The City shall ensure its process for receiving and addressing feedback is accessible for persons with disabilities by providing, or arranging for, the provision of accessible formats or communication supports on request.

City of Oshawa customers may submit feedback through a variety of methods including:

- telephone: 905-436-3311 or 1-800-667-4292
- in person at most City facilities
- fax: 905-436-5642
- email: service@oshawa.ca
- website: www.oshawa.ca
- mail: Service Oshawa, 50 Centre Street South Oshawa, ON L1H 3Z7

Staff working in City facilities (other than Service Oshawa) are requested to access the feedback form at [www.oshawa.ca /service](http://www.oshawa.ca/service) and submit the feedback on behalf of the customer. Alternatively, the form may be printed and provided to the customer for manual completion. Manually completed forms should be date stamped and forwarded to Service Oshawa via inter-office mail.

Staff working outside of City facilities (i.e. Parks or Forestry) or those unable to access the internet for the form are to direct customers to the nearest reception counter or provide Service Oshawa contact information.

If feedback is received directly by Service Oshawa staff, all pertinent information is collected and a case is created in the Customer Relationship Management (C.R.M.) software.

Responding to Feedback

When feedback is received in the mail or via feedback forms, Service Oshawa staff are to create a case in the C.R.M. software. The Customer Service Coordinator or Manager will respond to the customer directly or refer the complaint to the Director, Supervisor or Manager in the appropriate Branch. Customers will receive an initial response to any complaint within 2 business days which will include anticipated action and timeframe for full response where appropriate.

The Branch Director, Supervisor or Manager will update the case in the C.R.M. software and/or advise Service Oshawa by phone or email of any follow up action which will be recorded in C.R.M. software.

Actions to be taken in the event of a Complaint

City of Oshawa staff will have many tools available to allow them to respond to a complaint. Possible opportunities for resolving issues include:

- apologizing for any City error;
- taking corrective measures to prevent reoccurrence;
- using the complaint or feedback as an opportunity to coach staff;
- considering the complaint for future program enhancements; and,
- providing the customer with alternative service methods.

5.2.2 Accessible formats and communication supports

The City shall notify the public about the availability of accessible formats, communication supports and the feedback process. The City shall, on request and in consultation with a person with a disability, provide, or arrange for the provision of accessible formats and communication supports for a person with disabilities in a timely manner that takes into account their accessibility needs due to disability and at a cost that is no more than the regular cost charged to other persons.

Exceptions apply to the following as outlined in the I.A.S.R.:

- product and product labels
- unconvertible information or communications
- information that the City does not control directly or indirectly through a contractual relationship.

If the City determines that information or communications is unconvertible, the City shall provide the person requesting the information or communications with an explanation as to why the information or communications are unconvertible and provide a summary of the unconvertible information or communications.

5.2.3 Emergency Procedure, Plans or Public Safety Information

The City shall provide its emergency procedures, plans and public safety information that it makes available to the public in an accessible format or with appropriate communication supports as soon as practicable on request.

5.2.4 Accessible Websites and Web Content

The City shall make its internet and intranet websites and web content conform to the Worldwide Web Consortium's Web Content Accessibility Guidelines (W.C.A.G.) 2.0, initially at Level A and increasing to Level AA. All new websites and web content shall conform to Level A and Level AA by January 1, 2021 other than a) success criteria 1.2.4 Captions (live) and b) success criteria 1.2.5 Audio Descriptions (prerecorded).

Except where meeting the requirements is not practicable, this section applies to:

- websites, web content and web based applications that the City controls directly or indirectly through a contractual relationship that allows for modification of the product; and
- to web content published on a website after January 1, 2012.

In determining whether meeting the requirements of this section is not practicable, the City may consider, among other things, the availability of commercial software and/or tools and the significant impact on an implementation timeline that was planned or initiated before January 1, 2012.

5.3 Employment Requirements

The requirements found in this section only apply to employees of the City and do not apply in respect of volunteers and other non-paid individuals.

5.3.1 Recruitment, Assessment Selection and Notification

The City shall notify employees and the public about the availability of accommodations for applicants with disabilities throughout its recruitment processes.

During the recruitment process, the City shall notify job applicants, when they are individually selected to participate in an assessment or selection process, that accommodations are available upon request in relation to materials or processes to be used.

If a selected applicant requests an accommodation, the City shall consult with the applicant and provide or arrange for the provision of a suitable accommodation in a manner that takes into account the applicant's accessibility needs due to disability.

The City, when making offers of employment, shall notify the successful applicant of its policies for accommodating employees with disabilities.

5.3.2 Informing Employees of Supports

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

The City shall provide this information to new employees as soon as practicable after they begin their employment. The City shall provide updated information to its employees 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 disability.

5.3.3 Accessible Formats and Communication Supports for Employees

When requested, the City shall consult 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.

The City shall consult with the employee making the request in determining the suitability of an accessible format or communication support.

5.3.4 Workplace Emergency Responses Information

The City shall provide individualized workplace emergency response information to employees who have a disability upon request if the disability is such that the individualized information is necessary.

If an employee who receives individualized workplace response information requires assistance, with the employee's consent, the City shall provide the workplace emergency response information to the person designated by the City to provide assistance to the employee.

The City shall provide the information required under this section as soon as practicable after the City becomes aware of the need to provide assistance to the employee.

The City shall review the individualized emergency response information when:

- the employee moves to a different location in the City;
- the employee's overall accommodation needs or plans are reviewed; and

- the City reviews its general emergency response policies.

5.3.5 Individualized Accommodation Plans

The City shall develop and have in place a written process for the development of individualized accommodation plans for employees with disabilities.

The process for the development of documented individual accommodation plans shall include the following elements:

- the manner in which an employee requesting accommodation can participate in the development of the individual accommodation plan;
- the means by which the employee is assessed on an individual basis;
- the manner in which the City can request an evaluation by an outside medical or other expert, at the City's expense, to assist the City in determining if accommodation can be achieved and, if so, how accommodation can be achieved;
- the manner in which the employee can request the participation of a representative from their bargaining agent, where the employee is represented by a bargaining agent, in the development of the accommodation plan;
- the steps taken to protect the privacy of the employee's personal information;
- the frequency with which the individual accommodation plan will be reviewed and updated, and the manner in which it will be done;
- if an individualized accommodation plan is denied, the manner in which the reasons for denial will be provided to the employee; and,
- the means of providing the individual accommodation plan in a format that takes into account the employee's accessibility needs due to disability.

Individual accommodation plans shall:

- if requested, include any information regarding accessible formats and communication supports provided as per the I.A.S.R.;
- if required, include individualized workplace emergency response information as per the I.A.S.R.; and,
- identify any accommodation that is to be provided.

5.3.6 Return to Work Process

The City shall develop, and have in place, a return to work process for employees who have been absent from work due to a disability and require disability related accommodations in order to return to work, and shall document the process.

The return to work process shall:

- outline the steps the City will take to facilitate the return to work of employees absent because their disability required them to be away from work; and,
- use documented individualized accommodation plans, as per the I.A.S.R., as part of the process.

The return to work process referenced in this section does not replace or override any other return to work process created by or under any other statute.

5.3.7 Performance Management

The City shall take into consideration the accessibility needs of employees with disabilities, and all individualized accommodation plans, when developing performance management documents, tools and resources.

5.3.8 Career Development and Advancement

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

5.3.9 Redeployment

The City shall take into account the accessibility needs of its employees with disabilities, as well as individualized accommodation plans, when redeploying employees with disabilities.

5.4 Transportation

5.4.1 Duties of Municipalities – Accessible Taxicabs

The City shall consult with the O.A.A.C., the public and persons with disabilities to determine the proportion of on-demand accessible taxicabs required in the community. The City shall identify the progress made toward meeting the need for on-demand accessible taxicabs in its accessibility plan.

5.4.2 Duties of Municipalities – Taxicabs

By licensing taxicabs, the City will ensure that owners and operators of taxicabs are prohibited from:

- charging a higher fee to persons with disabilities than the fee charged to

- persons without disabilities for the same trip; and,
- charging a fee for the storage of mobility aids or mobility assistive devices.

In addition, the City shall ensure that owners and operators of taxicabs:

- place vehicle registration and identification information on the rear bumper of the taxicab, and make available vehicle registration and identification information in an accessible format, to persons with disabilities who are passengers.

5.5 Design of Public Spaces

Except as otherwise specified, the City will ensure that public spaces that are newly constructed or redeveloped meet the general and technical requirements for trails, beach access routes, outdoor public use eating areas, outdoor play spaces, exterior paths of travel, and accessible parking as outlined in the I.A.S.R.

Requirements with respect to service counters, fixed queuing guides and waiting areas also will be met by the City as identified in the I.A.S.R.

Procedures for preventative and emergency maintenance, and temporary disruptions of the accessible elements of public spaces, shall be a part of the City's multi-year accessibility plan.

5.6 Accessible Customer Service

The provision of services to persons with disabilities will be integrated unless an alternative measure is necessary, whether temporarily or on a permanent basis. Persons with disabilities, including those who use or need the use of assistive devices and/or support persons, will be given an opportunity equal to that given to others, to obtain, use or benefit from the goods, services or facilities provided by and on behalf of the City. When communicating with a person with a disability, the City shall do so in a manner that takes into account the person's disability.

5.6.1 Use of Service Animals

An animal is a "service animal" for a person with a disability:

- if the animal can be readily identified as one that is being used by the person for reasons relating to the person's disability, as a result of visual indicators such as a vest or harness worn by the animal; or
- if the person provides documentation from one of the following regulated health professionals:

- 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

If a person with a disability is accompanied by a guide dog or other service animal, the City shall permit that person to enter premises open to the public or third parties with the animal and to keep the animal with him or her unless the animal is otherwise excluded by law from the premises; and,

If a person is excluded by law from keeping their guide dog or service animal with them, City staff shall consult with the individual to provide other measures to enable the person to obtain, use or benefit from the goods, services or facilities.

It is not necessary for City staff to request documentation for verification of a guide dog or service animal if it is readily apparent that the animal is used by the person for reasons relating to his or her disability.

In circumstances where it is not apparent that the guide dog or service animal is used by a person for reasons relating to his or her disability, City staff may ask the person to provide documentation from one of the regulated health professionals listed above to confirm that the person requires the animal for reasons relating to his or her disability:

City staff and/or designated representatives are required to ensure that a request for documentation is made in a manner that respects the dignity and independence of the person.

Additional factors to consider include:

- not all disabilities are visible;
- not all service animals wear identifying gear, such as harnesses or tags;
- a person is not to be separated from their guide dog or service animal;
- a guide dog or service animal is not to be touched;

- a guide dog or service animal is not to be fed or deliberately startled; and,
- respect the confidentiality of the person and circumstances related to his/her use of a guide dog or service animal.

Reasonable behaviour is expected from those interacting with service animals. The owners of disruptive or aggressive service animals and those who interact with service animals in a negative way may be asked to leave the premises.

5.6.2 Use of Support Persons

Under this policy:

- when a person with a disability is accompanied by a support person, both persons are permitted to enter the premises together and the person with a disability should not be prevented from having access to the support person while on the premises;
- City staff may require a person with a disability to be accompanied by a support person when on the premises, but only if, after consulting with the person with a disability and considering the available evidence, it is determined that a support person is necessary to protect the health or safety of the person with a disability or the health or safety of others on the premises; and,
- that there is no other reasonable way to protect the health and safety of the person with a disability or of others on the premises.

If the City requires a person with a disability (as noted above) to be accompanied by a support person when on the premises, the City shall waive payment of the amount, if any, payable in respect of the support person's admission or presence on the premises.

If an amount is payable for a person's admission to the premises or in connection with a support person's presence on the premises, the City shall ensure advance notice of applicable fees is provided. A number of methods are available for posting a notice of fees, including but not limited to, the City's website, publications and signage.

It may be necessary for the support person to provide consent to City policies specific to the service provided and agree to a confidentiality clause when City staff are discussing information concerning the person they are assisting. (Refer to Attachment 1).

5.6.3 Notice of Temporary Disruptions

If there is a temporary disruption in City of Oshawa facilities or services in whole or in part, the City staff member responsible for overseeing the provision of a service and/or facility, or their designate, is responsible for providing public notice in at least one of the following three methods:

- notice physically posted at the site of the disruption;
- notice on the City website; or,
- notice in local media.

Staff are encouraged to consider the potential length and location of the disruption when determining the method(s) and location(s) of notice. Due to the nature of their requirements, people with disabilities often plan transportation and other details related to their visit well in advance of attending a City facility or program.

Signage strategically placed also assists people by offering alternate solutions prior to travelling to their destination (i.e. a sign posted at a cross section in advance of the obstruction allows a person to make an alternate plans rather than travelling to the barrier and then having to go back to their point of origin or making additional road crossings). Examples of a temporary disruption include but are not limited to the following:

- a pool closing
- a section of sidewalk or trail closure
- an elevator malfunction.

Any Notice of Disruption should contain the following information:

- reason for the disruption;
- anticipated duration; and,
- alternative facilities or services.

In order to post a notice of disruption in the City's facilities or services on the City's website, the City staff person responsible for overseeing the service and/or facility, or their designate, shall:

- provide the details noted above to their Branch web representative (see intranet for staff listing);
- in the event that the Branch web representative is not available, information can be provided to a City's webmaster; and,
- the Branch web representative or webmaster will post the notice on the

City's website.

Consent for Presence of Support Person

I, _____, consent to _____

Name of Individual Consenting

Name of Support Person

being present during my meeting with the staff of The Corporation of the City of Oshawa. I understand that the above named support person may hear private and confidential information about me during any such meetings.

I may revoke this Consent at any time by providing such revocation to The Corporation of the City of Oshawa in writing.

SIGNED at the City of Oshawa this ____ day of _____, 20__.

The Corporation of the City of Oshawa

Individual

Declaration of Confidentiality

I, _____, agree at all times to treat as confidential all information

Name of Support Person

discussed by _____ and staff of The Corporation of the City of Oshawa.

SIGNED at the City of Oshawa this ____ day of _____, 20__.

The Corporation of the City of Oshawa

Individual

Checkpoint

Please select true or false for each of the statements below, sign the acknowledgement on the back of this sheet and remit it for record retention.

The City of Oshawa has responsibilities under the Integrated Accessibility Standards Regulation.

T or F

“Disability” covers a wide range and degrees of conditions, some visible and some not.

T or F

Website accessibility is now standardized and we must meet specific deadlines.

T or F

“Accessible employment” includes the process from recruitment to career advancement.

T or F

Mandatory Training Registration

First and Last Name: _____

Department: _____

Organization: _____

Signature: _____

Date: _____

By signing above and submitting this registration card, I hereby confirm my acceptance of the booklet titled *"Integrated Accessibility Standard Training Guide"* for the City of Oshawa.

Further, I have read and understand the booklet material which constitutes completion of the mandatory training as required under the *Accessibility for Ontarians with Disabilities Act, 2005* (The Act).

Please register my compliance with the Act.

Please remit to Human Resources/Supervisor for record retention.