



Council Policy

Council Policy No.:	CP2018-006
Council Policy Name:	Accessibility Policy
Date Approved by Council:	November 27, 2012
Date revision approved by Council:	June 5, 2018
Related SOP, Management Directive, Council Policy, Form	Accessible Buildings and Outdoor Spaces Management Directive

Policy Statement and Rationale:

Purpose and Background:

The Accessibility for Ontarians with Disabilities Act (AODA), 2005 is a Provincial Act with the purpose of developing, implementing and enforcing accessibility standards to achieve accessibility for persons with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises by January 1, 2025.

The Accessibility Policy is a requirement of the Ontario Regulation 191/11, the Integrated Accessibility Standard as enacted under the Accessibility for Ontarians with Disabilities Act (AODA), 2005. It will serve as an overarching framework to guide the organization with the review and development of policies, operating procedures, standards, by-laws and guidelines and then adopted by the Corporation of the City of Kawartha Lakes. The policy provides the overall strategic direction for the City of Kawartha Lakes and demonstrates a corporate commitment to making accessibility an integral part of everyday business. By considering the principles that are contained within this policy when developing new policies, practices, and procedures, accessibility planning will become entrenched within the decision making process which will satisfy the spirit with which the AODA, 2005 was enacted.

Policy Statement:

The Corporation of the City of Kawartha Lakes is committed to providing quality goods and services that are accessible to all persons. The Corporation of the City of Kawartha Lakes will strive to provide its goods and services, in a manner that respects the dignity and independence of each individual. The City will integrate the needs of each individual, as fully as practicable into the method of service delivery; and will ensure that people with disabilities be given an equal opportunity to use and benefit from the goods, services and areas that are provided by the Corporation of the City of Kawartha Lakes.



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Scope:

This policy applies to all employees, members of Council, agents, or volunteers who provide goods and services to the general public on behalf of the Corporation of the City of Kawartha Lakes. This policy shall also apply to all persons who participate in the development of policies, practices and procedures which govern the provision of goods and services by the Corporation of the City of Kawartha Lakes.

Policy:

Definitions:

“Accessible Format” may include, but are not limited to, large print, recorded audio, electronic, braille or any other format that is usable by a person with a disability.

“Agent” means a person who is authorized to act or to do business for, or on behalf of, the City of Kawartha Lakes.

“Assistive Device” means a tool, technology or other mechanism that enables a person with a disability to maintain a level of independence at home, in the workplace or in the community. (i.e. wheelchair, screen reader, listening device, or walking cane);

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area.

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

“Dignity” means that a service is provided in a way that allows a person with a disability to maintain self-respect and the respect of other people.

“Disability” – is defined, per Section 2 of the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11 and the Human Rights Code, R.S.O. 1990, c. H.19, as follows:

- a) Any degree of physical 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 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,
- 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.

“Equal Opportunity” means that access to goods or services shall be equal for all persons.

“Independence” means doing things on your own without unnecessary help or interference from others.

“Integration” means benefiting from the same services, in the same place, and in the same or similar manner as another individual.

“Kiosk” means an interactive electronic terminal, including a point-of-sale device that is intended for public use to provide users with access to services or products.

“Public” means, all people seeking goods and services from the City;

“Regulated Health Professional” means, the person must provide documentation from one of the following regulated health professionals confirming that the person requires the animal for reasons relating to the disability:

- (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. O. Reg. 165/16, s. 16.



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“Service Animal” is defined by Section 4(9) of the Accessibility Standards for Customer Service, O. Reg. 429/07, as follows:

“An animal” is a service animal for a person with a disability:

- a) If it is readily apparent that the animal is used by the person for the reasons relating to their disability; or
- b) If the person provides a letter from a physician or nurse confirming that the person requires the animal for reasons relating to the disability.

“A “guide dog”, as defined in Section 1 of the ‘Blind Persons Rights’ Act R.R.O. 1990;

“Support Person” is defined by Section 4(8) Accessibility Standards for Customer Service, O. Reg. 429/07, as follows:

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

“Unconvertible” means that it is not technically feasible to convert information to another format or the technology that is needed to convert the information is not readily available.



Policy Requirements:

General

The City of Kawartha Lakes is committed to advancing accessibility for people with disabilities.

1.0 Multi-Year Accessibility Plans

- 1.1 Kawartha Lakes' Multi-Year Accessibility Plan ("the Plan") is established to outline a strategy to prevent and remove barriers to accessibility and to address the current and future requirements of the AODA legislation.
- 1.2 The Plan is created in consultation with the Kawartha Lakes Accessibility Advisory Committee.
- 1.3 The Plan will be reviewed annually through a report to Council and will be updated and approved at least once every five years by Council in consultation with the Kawartha Lakes Accessibility Advisory Committee.
- 1.4 The Plan will be posted on the Corporation of the City of Kawartha Lakes website and will be provided in alternate formats upon request.

2.0 Accessible Formats and Communication Supports

- 2.1 The Corporation of the City of Kawartha Lakes will provide information that is produced or controlled by the City to members of the public in an alternate format upon request and in a timely manner, at no additional cost. In the event that the City is unable to provide an alternate format the City will provide an explanation regarding same. Cost cannot be a factor when determining whether or not an alternate format can be provided.
- 2.2 The City will provide communication supports to members of the public upon request, in a timely manner. If City staff are unable to obtain the requested communication support they will work with the requestor to determine a practicable and appropriate method for communication.

3.0 Procurement of Goods, Services, Facilities and Kiosks

When procuring goods, services, self-service kiosks or facilities, the City shall incorporate accessibility criteria and features into the procurement as per the [Purchasing Management Directive MD 2017 - 020](#), unless it is not feasible (practicable). In the event that it is not practicable to incorporate accessibility criteria into a particular procurement, the City shall provide an explanation regarding same, upon request.

4.0 Training

Training of all City employees, volunteers and third parties who provide goods and services on the City's behalf is a **mandatory** requirement of the Accessibility for Ontarians with Disabilities Act and the Standards enacted under that legislation. Each individual will be required to undergo training about the requirements of the AODA accessibility standards and on the Human Rights Code as it pertains to persons with disabilities. The training shall include all aspects addressed within this Accessibility Policy. Additional training will be required as is deemed appropriate to satisfy the duties of the employee, volunteer or third party. Training shall take place as soon as is practicable.

The City shall keep a record of the training provided, including dates on which accessibility training took place and the names of the individuals trained. A record of the names of individuals provided with the training retained for administration purposes, subject to the Municipal Freedom of Information and Protection of Privacy Act. ("MFIPPA").

5.0 Feedback

All individuals will have the opportunity to submit feedback regarding the provision of accessible goods and services by or on behalf of the City of Kawartha Lakes.

The feedback process will permit feedback to be provided in person, by telephone, by mail, e-mail, fax, or otherwise.

Information about the feedback process will be readily available to the public will be posted on the City's website at kawarthalakes.ca.

Feedback information will be analyzed, addressed and utilized in Accessibility Planning and Reporting.

6.0 Customer Service Standards

6.1 Assistive Devices

City employees, volunteers and third party contractors shall have regard for persons with disabilities when they use their personal assistive devices to obtain, use, or benefit from the services that offered by the City of Kawartha Lakes.

City employees, volunteers and third party contractors shall inform persons with disabilities of known accessibility features in the immediate environment that are available for use (e.g. automatic doors, accessible washrooms, assistive listening devices, etc.).

It is the responsibility of the person with a disability to ensure that they use their assistive device in a safe and controlled manner at all times.

6.2 Service Animals

The Corporation of the City of Kawartha Lakes welcomes service animals into all City-owned or operated facilities where the public is allowed. A person with a disability may be accompanied by their service animal when accessing a facility or obtaining goods and services unless the animal is otherwise excluded by law, such as food preparation areas as prohibited by Food Premises, R.R.O. 1990, Reg.562 under the Health Protection and Promotion Act, R.S.O. 1990, c.H.7.

If a Service Animal is excluded from the premises by law, the City shall ensure that other measures are available to enable the person with a disability to obtain, use or benefit from the goods or services that are provided by the City.

If it is not readily apparent that an animal is a service animal the City may ask the person with a disability for a letter from a regulated health professional confirming that the person requires the animal for reasons relating to their disability. The City may alternatively, ask for a valid identification card signed by the Attorney General of Canada or a certificate of training from a recognized guide dog or service animal training school as confirmation that an animal is a service animal.

The care and control of the service animal is the responsibility of the owner.

6.3 Support Persons

After consultation with the person with a disability to understand their needs, the City of Kawartha Lakes may require that a support person accompany a person with a disability if there is no other reasonable way to protect the health or safety of the person or others on the premises.

The City will not charge a support person an admission fee when accompanying a person with a disability.

Third parties contracting the use of City facilities and public spaces may have a contradicting policy on fees. The City is not responsible for the policies of said third party.

6.4 Notice of Temporary Service Disruption

Temporary disruptions in City services or facilities may occur due to reasons that may or may not be within the City's control or knowledge. The City will make every reasonable effort to provide notice of a service disruption to the public. The notice will include the reason for the disruption, its anticipated duration, and a description of any alternative services that are available.

If feasible, notice of the service disruption will be given by posting the information at a conspicuous place on the premises experiencing the disruption, by posting it on the City's website or by such other method that is determined to be reasonable in the circumstances.

7.0 Information and Communication Support Standards

7.1 Communication

When communicating with a person with a disability, City employees, volunteers and third party contractors shall do so in a manner that takes into account the person's disability. Guidelines for communicating with people who have various types of disabilities are provided at AccessOn.ca.

7.2 Emergency Procedures, Plans and Information

The City shall provide all existing public emergency procedures, plans and public safety information, upon request in an accessible format or with appropriate communication supports in a timely manner.

7.3 Accessible Websites and Web Content

The Corporation of the City of Kawartha Lakes is committed to ensuring accessibility of its website for people with disabilities. All the pages on our website will conform to W3C WAI's [Web Content Accessibility Guidelines](http://www.w3.org/WAI/standards-guidelines/webcontent/) 2.0 at Level A and AA conformance with the time schedule set out in the AODA Integrated Accessibility Standard Ontario Regulation 191/11.

8.0 Employment Standards

The Corporation of the City of Kawartha Lakes Human Resources Division, in consultation with the appropriate Department Director and/or Division Manager/Supervisor will provide equal opportunity to employment and ensure compliance is achieved as outlined within the Integrated Accessibility Standard Ontario Regulation 191/11 under the AODA.

8.1 Recruitment, Assessment or Selection Process

During the recruitment process, Human Resources Division Staff will notify its employees and the public about the availability of accommodation for applicants with disabilities in its recruitment process. If a selected applicant requests an accommodation, the City of Kawartha Lakes 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.

8.2 Employee Supports

The Human Resources Division Staff will inform its employees of its policies used to support its employees with disabilities, including, but not limited to, policies on job accommodation that take into account the employee's accessibility needs due to a disability. New employees will be informed as soon as practicable after they begin their employment. Where there are changes to existing policies on the provision of job accommodation, all employees will be provided updated information.

8.3 Accessible Formats and Communication Supports for Employee

Upon request, the City shall consult with the employee to provide or arrange for the provision of accessible formats and communication supports for:

- Information that is needed in order for the employee to perform the employee's job; and
- Information that is generally available to employees in the workplace.

The Director/Manager/Supervisor will consult with the employee making the request in determining the suitability of an accessible format or communication support.

8.4 Workplace Emergency Response Information

The provision of Individualized workplace emergency response information to employees who have a disability:

- Where the disability is such that individualized information is necessary, and
- Where the City of Kawartha Lakes Manager/Supervisor is aware of the need for accommodation due to the employee's disability.
- If an employee with individualized information requires assistance and provides consent, The City of Kawartha Lakes will provide the individualized information to the person designated by The City of Kawartha Lakes to provide assistance to the employee.
- Individualized information is provided as soon as practicable after The City of Kawartha Lakes becomes aware of the need for accommodation due to an employee's disability.

The City of Kawartha Lakes will review the individualized workplace emergency response information:

- When the employee moves to a different location,
- When the employee's overall accommodation needs or plan are reviewed (minimum every 5 years), and
- When the City of Kawartha Lakes reviews its general emergency response policies.

8.5 Documented Individual Accommodation Plans

A written process for the development and maintenance of documented individual accommodation plans shall be developed for employees with disabilities if requested, these plans shall include information regarding accessible formats and communication supports. If requested, the plans shall include individualized workplace emergency response information.

8.6 Return to Work

The Human Resources Division staff will ensure that a documented return to work process is completed for its employees who have been absent from work due to a disability and require disability-related accommodations in order to return to work. The return to work process as outlined in the Integrated Accessibility Regulation Ontario Regulation 191/11 does not replace or override any other return to work process created by or under any other statute.

8.7 Performance Management, Career Development and Redeployment

The Human Resources Division staff shall take the accessibility needs of its employees with disabilities as well as any individual accommodation plans into account when providing career development, performance management and when considering redeployment.

9.0 Transportation Standards

9.1 Conventional and Specialized Transportation Services

The Corporation of the City of Kawartha Lakes program for conventional and specialized transit services are committed to providing excellence in accessible transportation services to all residents and visitors and in doing so are committed to meeting the requirements of the Integrated Accessibility Standards, O.Reg. 191/11 made under the Accessibility for Ontarians with Disabilities Act 2005, S.O. 2005, c. 11.in particular, Part IV, Transportation Standards, of such Regulation. This will be accomplished through the development and

implementation of policies, practices, procedures, resources, equipment, and training in the provisions as outlined.

9.2 Transportation Services Licenced by the City

Owners and operators of taxicabs licensed by the City will operate in accordance with the Accessibility Standards for Customer Service (Ontario Regulation 429/07) and the Integrated Accessibility Standards (Ontario Regulation 191/11) under the AODA. Without limitation, the City requires that taxicabs licensed by the City make available vehicle registration and identification information in an accessible format.

10.0 Built Environment

10.1 The Corporation of the City of Kawartha Lakes will continue to plan and advance with the provision of increased accessibility for persons with disabilities to City owned facilities, parks and other publicly used areas.

11.0 Responsibilities

11.1 The Corporation of the City of Kawartha Lakes Council and Staff are responsible for adhering to the parameters of this policy and for ensuring the needs of people with disabilities is addressed as described in each section of this Corporate Accessibility Policy and Policy Statement.

Enquiries

For further information regarding this policy or to request other accessible formats, contact:

The Accessibility Officer
accessibility@kawarthalakes.ca

References

[Accessibility for Ontarians with Disabilities Act, 2005 S.O. 2005 c.11](#)

[Accessibility Standards for Customer Service Regulation Ont. Reg 429/07](#)

[Integrated Accessibility Standards Regulation Ont. Reg 191/11](#)

[AccessON - Making Ontario Accessible](#)

[Ontario Human Rights Code](#)



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Revision History:

Proposed Date of Review:

Revision	Date	Description of changes	Requested By
1.0	June 5/18	Second Release Updated to reflect changes to the AODA	B. Condie