

THE CORPORATION OF THE TOWN OF SAUGEEN SHORES

BY-LAW 4 - 2013

Being a By-law to Establish an Integrated Accessibility Standards Policy for the Corporation of the Town of Saugeen Shores.

WHEREAS pursuant to the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c.11, the Lieutenant Governor in Council may make regulations establishing accessibility standards and the accessibility standard shall name or describe the persons or organization to which it applies;

AND WHEREAS Ontario Regulation 429/07, requires a Policy for Integrated Accessibility Standards under the said Act and applies to municipalities on and after January 1, 2013;

AND WHEREAS Section 9 of the *Municipal Act*, S.O. 2001, c. 25 (“the *Municipal Act*, 2001”), provides that a municipality has the capacity, rights, powers, and privileges of a natural person for the purpose of exercising its authority under the Act;

NOW THEREFORE the Council of the Corporation of the Town of Saugeen Shores hereby enacts as follows:

1. THAT this Council hereby adopts the Integrated Accessibility Standards Policy, attached hereto as Schedule “A” and that Schedule “A” forms part of this By-law.
2. THAT this By-law shall come into force and take effect immediately upon the final passing thereof.

READ A FIRST AND SECOND TIME THIS 14th DAY OF JANUARY, 2013

READ A THIRD TIME AND FINALLY PASSED AND SEALED THIS 14TH DAY OF JANUARY, 2013

Mike Smith, Mayor

Linda White, Clerk

**SCHEDULE “A”
BY-LAW 4 - 2013**

THE CORPORATION OF THE TOWN OF SAUGEEN SHORES

INTEGRATED ACCESSIBILITY STANDARDS POLICY

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 Communication and Transportation for the Town of Saugeen Shores 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 July 1, 2011.

SCOPE AND RESPONSIBILITIES

This Policy has been drafted in accordance with the Regulation and addresses how the Town of Saugeen Shores achieves accessibility through meeting the Regulation’s requirements. It provides the overall strategic direction that we will follow to provide accessibility supports to Ontarians with disabilities.

The requirements of the Regulation include:

- (a) 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;
- (b) Incorporation of accessibility criteria and features when procuring or acquiring goods, services or facilities;
- (c) Training; and
- (d) Other specific requirements under the Information and Communication, Employment and Transportation Standards.

POLICY STATEMENT AND ORGANIZATIONAL COMMITMENT

The Town of Saugeen Shores 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 Saugeen Shores shall use every effort to ensure that we meet the needs of people with disabilities, in a timely manner, through the implementation of this Policy.

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 persons’ 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.

IAP means Individual 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.

Mobility Assistive Device means a cane, walker, wheelchair, scooter 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:

- If it is not technically feasible to convert the information or communications;
- The 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, and entitled "Web Content Accessibility Guidelines (WCAG) 2.0".

GENERAL PROVISIONS

Multi-Year Accessibility Plan

The Town of Saugeen Shores' Multi-Year Accessibility Plan outlines a phased-in strategy to prevent and remove barriers and addresses the current and future requirements of the *Accessibility for Ontarians with Disabilities Act, 2005*. The Town of Saugeen Shores will report annually on the progress and implementation of the Plan, post the information on the Town's website and will provide it in alternative formats upon request. The Plan will be reviewed and updated at least once every five years.

Procuring or Acquiring Goods, Services or Facilities

The Town of Saugeen Shores will use accessibility 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 we will provide an explanation).

Training

The Town of Saugeen Shores will ensure that training is provided to all employees and regular fee-for-service staff on the requirements of the accessibility standards referred to in the Regulation and on 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 of Saugeen Shores shall maintain a record of the dates when training is provided and the number of individuals to whom it was provided. Training of our employees and volunteers on accessibility as it relates to their specific roles.

INFORMATION AND COMMUNICATION STANDARD

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

If the Town of Saugeen Shores determines that it is not technically feasible to convert the information or communications or the technology to convert the information or communication is not readily available, we will be obligated to provide the person that requires the information with:

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

EMERGENCY INFORMATION

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

FEEDBACK

The Town of Saugeen Shores has a process 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 of Saugeen Shores will notify the public about the availability of accessible formats and communication supports.

ACCESSIBLE FORMATS AND COMMUNICATION SUPPORTS

The Town of Saugeen Shores 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 persons 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 suitability of an accessible format or communication support;
- (d) Notify the public about the availability of accessible formats and communication supports.

WEBSITE ACCESSIBILITY

The Town of Saugeen Shores has made their internet website and web content conform to the World Wide Web Consortium Web Content Accessibility Guidelines (WCAG) 2.0 Level A. 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.

EMPLOYMENT STANDARD

The Employment Standard builds upon the existing requirements under the *Ontario Human Rights Code* in relation to how to accommodate individuals with disabilities throughout the job application process and the employment relationship. It applies in respect to employees and does not apply to volunteers and other non-paid individuals. The requirements of the Employment Standard shall be met by the Town of Saugeen Shores by January 1, 2014 unless otherwise specified.

RECRUITMENT

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

- (a) During the recruitment process when job applicants are individually selected to participate in an assessment or selection process;

- (b) If a selected applicant requests an accommodation, the Town of Saugeen Shores shall consult with the applicant and provide or arrange for the provision of a suitable accommodation that takes into account the applicant's disability;
- (c) Notify successful applicants of the policies for accommodating employees with disabilities.

EMPLOYEE NOTIFICATION

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

- (a) Information that is needed in order to perform the employee's job;
- (b) Information that is generally available to employees in the workplace; and
- (c) Consult with the employee making the request in determining the suitability of an accessible format or communication support.

ACCESSIBLE FORMATS

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

- (a) Information that is needed in order to perform the employee's job;
- (b) Information that is generally available to employees in the workplace; and
- (c) Consult with the employee making the request in determining the suitability of an accessible format or communication support.

INDIVIDUAL ACCOMMODATION PLAN (IAP)

The Town of Saugeen Shores shall have in place a written process for the development of a documented Individual Accommodation Plan for employees with a disability. Process to include:

- (a) The employee's participation in the development of the IAP;
- (b) Assessment on an individual basis;
- (c) Identification of accommodations to be provided;
- (d) Timelines for the provision of accommodations;
- (e) The Town of Saugeen Shores may request an evaluation by outside medical or other expert, at our expense, to assist with determining accommodation and how to achieve accommodation;
- (f) Employee may request the participation of a representative from their bargaining agent, where represented, or otherwise a representative from the workplace not from a bargaining agent;
- (g) Steps taken to protect the privacy of the employee's personal information;
- (h) Frequency with which the Individual Accommodation Plan will be reviewed and updated and the manner in which it will be done;
- (i) If denied, the reasons for denial are to be provide to the employee;
- (j) A format that takes into account the employee's disability needs;

- (k) If requested, any information regarding accessible formats and communication supports provided;
- (l) Identification of any other accommodation that is to be provided.

RETURN TO WORK

The Town of Saugeen Shores 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. Such processes must be documented and must outline the steps that the Town of Saugeen Shores will take to facilitate the return to work and include an Individual Accommodation Plan.

PERFORMANCE MANAGEMENT, CAREER DEVELOPMENT AND ADVANCEMENT AND REDEPLOYMENT

The Town of Saugeen Shores will take into account the accommodation needs and individual accommodation plans of employees when:

- (a) Using performance management processes;
- (b) Providing career development and advancement information;
- (c) Using redeployment procedures.

WORKPLACE EMERGENCY RESPONSE INFORMATION

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

- (a) 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;
- (b) If the employee who receives an individual workplace emergency response information requires assistance, and with the employee's consent, the Town of Saugeen Shores shall provide the workplace emergency information to the person designated by the Town of Saugeen Shores to provide assistance to the employee;
- (c) As soon as practicable after becoming aware of the need for accommodation due to the employee's disability;
- (d) Review the individualized workplace emergency response information when the employee moves to a different location in the organization, when overall accommodations needs or plans are reviewed and when the employer reviews its general emergency response policies.

TRANSPORTATION STANDARD

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

- (a) Ensure taxicabs do not charge a higher fare or additional fee to persons with disabilities;
- (b) Ensure taxicabs do not charge a fee for mobility assistive devices;
- (c) Ensure taxicabs have appropriate information displayed on the rear bumper and business cards available in an accessible format;
- (d) Ensure contracted Specialized Transportation Service Providers are aware of their obligations to comply with the *Accessibility for Ontarians with Disabilities Act, 2005* and its Regulations.