

Terms of Reference

Essex County Accessibility Advisory Committee

1. Preamble

In recognition of the almost 1.9 million Ontarians that have disabilities, the Provincial government is moving towards a goal of creating a fully accessible Ontario. On December 14, 2001, Royal Assent was given to the Ontarians With Disabilities Act, 2001 (ODA). The stated purpose of that legislation was to improve opportunities for people with disabilities and to provide for their involvement in the identification, removal and prevention of barriers to their full participation in the life of the Province.

Under that legislation, onus was placed on all municipal governments, transportation providers, the Ontario Public Service, hospitals, universities, colleges, schools and various other agencies in the public sector to put accessibility issues on their agendas.

The municipal sections of the *Ontarians With Disabilities Act, 2001* (ODA) were proclaimed on September 30, 2002 at which time municipalities with populations of over 10,000 were required to establish an Accessibility Advisory Committee.

In early 2004, the Ministry of Citizenship and Immigration drafted new legislation to benefit all Ontarians by establishing a goal of achieving accessibility for people with disabilities by the year 2025. To achieve this goal, the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) legislates the development, implementation and enforcement of accessibility standards concerning goods, services, accommodation, facilities, buildings and employment. The *Accessibility for Ontarians with Disabilities Act, 2005*, was passed by unanimous vote by the Ontario Legislature on May 10, 2005. On June 14th, 2005 it received Royal Assent and came into force. The legislative provision requiring municipalities with populations over 10,000 to establish an Accessibility Advisory Committee continues under the AODA.

2. Definitions:

Within this Terms of Reference the term:

"the organizations" refers to The Corporation of the County of Essex and may refer to the Corporation's Agencies, Boards and Commissions. It is intended that the Essex County Accessibility Advisory Committee (ECAAC) shall advise comprehensively upon issues within the jurisdiction of the Corporation, related to the promotion of a barrier-free Essex County, which may entail forwarding recommendations to the Corporation's Agencies, Boards and Commissions and/or other outside organizations.

"barrier" means anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including: physical barrier, architectural barrier, information or communication barrier, attitudinal barrier, technological barrier, a policy or practices ("obstacle");

"disability" means 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 impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device;
- a condition of mental impairment;
- a condition of a developmental disability;
- a learning disability or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language, or
- an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

3. Mandate

In accordance with the *Ontarians for Disabilities Act, 2001* (ODA), the ECAAC shall advise and assist the organizations in promoting and facilitating a barrier-free County of Essex for citizens of all abilities (universal accessibility), including persons with disabilities. This aim shall be achieved through the review of policies, programs and services within the jurisdiction of the Corporation of the County of Essex and the identification, removal and prevention of barriers faced by persons with disabilities.

4. Duties

The Essex County Accessibility Advisory Committee (ECAAC) shall report to County Council and shall be responsible for the following:

Duties Required in Accordance with the *Ontarians with Disabilities Act, 2001*

- participating in the annual development and/or refinement of the organizations Accessibility Plan(s);
- advising the organizations of the implementation and effectiveness of the Corporation's annual Accessibility Plan to ensure that it addresses the identification, removal and prevention of barriers to persons with disabilities in the organizations by-laws, policies, programs, practices and services;
- selecting and reviewing, in a timely manner, the site plans of new and existing municipal buildings where approval is required by the Corporation of the County of Essex in accordance with section 41 of *The Planning Act*, as amended;
- reviewing and monitoring existing and proposed procurement policies of the organizations, for the purpose of providing advice with respect to accessibility for persons with disabilities to the goods or services being procured;

- once in each year, the Committee shall review the effectiveness of the Accessibility Plan, and assist/advise municipal staff on the preparation and presentation of an annual report to Council; reviewing access for persons with a disability to buildings, structures and premises (or parts thereof) that the Corporation purchases, constructs, significantly renovates, leases or funds.

Other Duties

- reviewing the organizations policies and standards for the purpose of advising on issues and concerns (barriers) faced by persons with disabilities and the means by which the organizations may work towards the elimination of these barriers;
- reviewing and advising the organizations on universal transportation issues, policies and standards, and how to enable barrier-free access for persons with disabilities;
- advising, consulting and reporting findings and recommendations to the organizations on matters related to the status of persons with disabilities. The ECAAC shall be informed on matters of policy (municipal, provincial or federal and the Canadian Standards Association) affecting persons with disabilities and shall inform the organizations about the impact of these policies on the Corporation of the County of Essex;
- reviewing and making recommendations on barriers faced by persons with disabilities to existing facilities owned, leased, or operated (in full or part) by the Corporation of the County of Essex;
- coordinating the immediate and ongoing dissemination of information in various formats to persons with disabilities, and to the public at large regarding issues faced by persons with all types of disabilities and regarding the work undertaken by the ECAAC; and,
- supporting, encouraging and being an ongoing resource to the organizations, individuals, agencies and business community through education and building community awareness about measures (such as employment accommodations, business accessibility, etc.) for improving the quality of life for persons with disabilities, through the removal of physical barriers, incorporation of universal design standards and education to overcome attitudinal barriers.

5. Membership

- 5.1 The Committee shall consist of seven (7) voting members appointed by resolution of Essex County Council. The composition of the Committee shall be as follows:
- a) A majority of members (4) shall be people with disabilities and, where feasible, will represent a range of disabilities as defined in Section 2 of the Terms of Reference;
 - b) 1 member of Essex County Council to act as a champion for accessibility for persons with disabilities; and
 - c) 2 members who are professionals from the stakeholder community.

- 5.2 The term of the Committee shall coincide with the term of Council.
- 5.3 A Chairperson and Vice Chairperson shall be elected from Committee members on an annual basis at the first meeting of the year to preside over meetings and committee business.
- 5.4 The ECAAC may form sub-committees to address specific issues. These sub-committees shall draw upon members from the ECAAC, as well as outside resource members, as deemed necessary. The Chair of a sub-committee shall be a voting member of the ECAAC.
- 5.5 If a committee member is absent for three consecutive meetings, they have forfeited their membership, unless their absence is deemed justifiable by the Chair.

6. Membership Responsibilities

- 6.1 Members shall be familiar with applicable legislation and the Terms of Reference of the ECAAC.
- 6.2 Each Member of the Committee is an independent representative to the Committee and does not represent the concerns of only one disability or group. The members shall work together for the purpose of developing a common approach that is reasonable and practical.
- 6.3 Members are expected to contribute their expertise actively during ECAAC meetings.
- 6.4 Members shall declare any situation that is, or has the potential to be, a conflict of interest.

7. Staff Support

The Director of Council Services/Clerk, Director of Corporate Services /Treasurer, County Engineer, Manager of Planning Services and any other County staff deemed necessary shall also attend meetings for technical support to the committee.

Administrative support to the committee including the recording of minutes, staff support with meeting preparation, support necessary to convening an accessible meeting and other required supports shall be provided by the Council Services Department of the County of Essex.

8. Budget

The ECAAC shall have an annual operating budget to be used for valid Committee purposes as detailed in the budget approved by the Council of the Corporation of the County of Essex for the current year. The Committee shall submit a budget request each year to the County of Essex for consideration and approval by Essex County Council.

9. Committee Procedures

The Committee shall meet quarterly at a time and location to be determined by the Committee or more frequently, if required.

The Corporation of the County of Essex rules of parliamentary procedure and meeting conduct stipulated in the County of Essex Procedural By-law, shall be adhered to by the Committee.

Agendas shall be distributed to committee members in advance of the scheduled meeting date and shall be provided in an alternate format, upon request.

Committee members shall be compensated with a meeting stipend equal to the current Essex County Council's meeting stipend established in the County of Essex Procedure By-law and reimbursement for mileage expenses at the rate established in Policy No. 94-001. Additional expenses related to travel and attending meetings for people with disabilities will be considered for reimbursement upon submission of receipts.