

County of Essex Policy Manual

Integrated Accessibility Policy

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Approved by:	County Council
Department:	All Departments
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1.0 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 Regulation in the areas of Information and Communications and Employment for the Corporation of the County of Essex (hereafter referred to as "the County"), 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.

2.0 Scope and Responsibilities

2.1 This policy has been drafted in accordance with the Regulation and addresses how the County achieves accessibility through meeting the Regulation's requirements. It provides the overall strategic direction that the County will follow to provide accessibility supports to Ontarians with disabilities.

2.2 The requirements of the Regulation include:

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

3.0 Policy Statement and Organizational Commitment

- 3.1 The County is committed and guided by the four core principles of dignity, equal opportunity, integration and independence 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.
- 3.2 The County 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.

4.0 Definitions

- 4.1 **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.
- 4.2 **Communications**-means the interaction between two or more persons or entities, or any combination of them, where information is provided, sent or received.

Excluded from the Information and Communications Standards:

- Products and product labels, except as specifically provided by Part II of. O. Reg. 191/11, s. 9 (2)
- Unconvertible information or communications.

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- Information that the County does not control directly or indirectly through a contractual relationship, except as required under sections 15 and 18. O. Reg. 191/11, s. 9 (2).
- 4.3 **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.
- 4.4 **Disability** - For the purposes of this policy 'disability' is defined according to the Accessibility for Ontarians with Disabilities Act 2005 as:
- 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 co-ordination, 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 or 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,
 - a mental disorder, 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;
- 4.5 **Information** - includes data, facts and knowledge that exists in any format, including text, audio, digital or images, and that conveys meaning. O. Reg. 191/11, s. 9 (1).

Excluded from the Information and Communications Standards:

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- Products and product labels, except as specifically provided by Part II of. O. Reg. 191/11, s. 9 (2).
- Unconvertible information or communications.
- Information that the County does not control directly or indirectly through a contractual relationship, except as required under sections 15 and 18. O. Reg. 191/11, s. 9 (2)

4.6 **Unconvertible** - For the purposes of this Policy, information or communications are unconvertible if it is not technically feasible to convert the information or communications or the technology to convert the information or communications is not readily available. O. Reg. 191/11, s. 9 (4).

4.7 **Performance Management** - Means activities related to assessing and improving employee performance, productivity and effectiveness, with the goal of facilitating employee success.

4.8 **Career Development and Advancement** – includes 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.

4.9 **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 by the organization.

5.0 Application

This policy applies to all County employees, volunteers and to any other individual or organization that provides goods, services or facilities to the public or other third parties on behalf of the County.

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6.0 Responsibility

6.1 Chief Administrative Officer

Ensures that the Corporation implements and updates this policy and related procedures as appropriate.

6.2 Senior Management and Managers

Ensures employees, volunteers and any third parties who report to them or conduct business on their behalf are trained on the Integrated Accessibility Standards.

Ensures that procedures under this policy are communicated to staff and are carried out consistently.

Ensures that feedback from the public regarding the Integrated Accessibility Standards is addressed in accordance with this Policy.

6.3 Employees

Ensures that they comply with the Policy and any procedures related with this policy.

Are responsible to treat residents, visitors and other employees in a respectful manner consistent with this policy and the County of Essex Accessible Customer Service Policy.

6.4 Records

Documents generated as a result of this policy will be maintained in accordance with the County's Records Retention By-Law #27-2005.

7.0 General Provisions

7.1 Multi-Year Accessibility Plan

7.1.1 The County's Multi-Year Accessibility Plan outlines a phased-in strategy to prevent and remove barriers and addresses the current and future requirements of the AODA.

7.1.2 The County will report annually on the process and implementation of the plan. The plan will be posted on the

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County website and will be provided in alternate formats, upon request.

- 7.1.3 The Plan will be reviewed and updated not less than once every five years.

8.0 Procurement

- 8.1 The County will use accessibility criteria and features when procuring or acquiring goods, services or facilities, except where it is not practicable to do so. If requested, the County will provide an explanation as to why it is not practicable.
- 8.2 Refer to the County Purchasing Policy #04-002, as amended for additional information regarding the County Procurement process.

9.0 Training

- 9.1 All County employees, volunteers, persons who participate in developing the organization's policies and third parties providing goods, services and facilities on the County's behalf shall be required to undergo training on the requirements of the Integrated Accessibility Standards and on the Human Rights Code as it pertains to persons with disabilities.
- 9.2 The training provided shall be appropriate to the duties of the employee, volunteer or other persons.
- 9.3 Training shall take place as soon as practicable and on-going whenever there are policy changes. Upon completion, the Corporation shall keep a record of the training provided including the dates on which accessibility training took place and the number of individuals trained.

10.0 Accessibility Policies Available to the Public

- 10.1 The County's accessibility policies are available on the [County website](#), and in print at the County Administration Office located at the Essex County Civic and Education Centre, 360 Fairview Avenue West, Suite 202 Essex, Ontario, N8M 1Y6 and in alternate accessible formats, upon request.

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11.0 Information and Communications Standard

11.1 Requests for Accessible Formats and Communication Supports

- 11.1.1 The County will create, provide and receive information and communications in ways that are accessible to people with disabilities.
- 11.1.2 If the County 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, the County will be obligated to provide the person that requires the information with an explanation as to why the information or communication is unconvertible and will provide a summary of the unconvertible information and communication.
- 11.1.3 When a person with a disability makes a request for information to be provided in an accessible format or with communication supports, the County will consult with the person making the request to determine a suitable format that takes the person's accessibility needs into account.
- 11.1.4 The County will make the final decision about the accessible format or communication support to be provided or arranged for.
- 11.1.5 Once the decision is made, the information will be provided or arranged for in a timely manner.
- 11.1.6 If there is a fee normally charged for the information, the person making the request for information in an accessible format or with communication supports, will not be charged more than the standard fee for the information.

12.0 Feedback Process

- 12.1 The County will continue to ensure that its process for receiving and responding to feedback, as established in the County of Essex Accessible Customer Service Policy #09-001 is accessible to persons

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with disabilities by providing, or arranging for the provision of accessible formats and communications supports, upon request.

- 12.2 Feedback is accepted in the following formats: in person, by telephone, by mail or via email.
- 12.3 Notice regarding the availability of the County's Accessibility Feedback process is available on the County website, and in print, or alternate formats upon request, at the County Administration Office located at the Essex County Civic and Education Centre, 360 Fairview Avenue West, Suite 202 Essex, Ontario, N8M 1Y6.

13.0 Accessible Emergency Procedure, Plans or Public Safety Information

- 13.1 The County is committed to providing our emergency procedures, plans and public safety information, that are available to the public, in an accessible format or with communication supports, as soon as possible, after a request has been made.

14.0 Accessible Websites and Web Content

- 14.1 The County is committed to providing accessible websites and web content to persons with disabilities.
- 14.2 The County's internet sites and web content will conform with the World Wide Consortium Web Content Accessibility Guidelines (WCAG 2.0) initially at Level A and increasing to Level AA, according to the following schedule, unless it is not practicable:
- January 1, 2014 – New internet websites and web content on those sites must conform with Level A.
 - January 1, 2021 – All internet websites and web content must conform with Level AA [not Captions (live) and Audio Description (Pre-recorded) 1.2.4 and 1.25]
- 14.3 Factors to be considered, among others, in determining whether it is not practicable to meet the requirements of Section 11.2 of this policy include:
- availability of commercial software or tools or both

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- significant impact on an implementation timeline that was planned or initiated before January 1, 2012.

14.4 For more information about the World Wide Consortium Web Content Accessibility Guidelines (WCAG 2.0 visit the [World Wide Consortium Website](#)).

15.0 Accessible Employment Standard

The County will provide equal employment opportunities for persons with disabilities and meet the accessibility and accommodation needs of employees with a disability in a timely manner.

16.0 Accessible Formats and Communication Supports for Job Applicants and Employees with Disabilities

16.1 When an employee or a job applicant with a disability makes a request for information to be provided in an accessible format or with communication supports, such as information that is needed in order to perform the employee's job or information that is generally available to employees in the workplace, the County will consult with the person making the request to determine a suitable format that takes the employee's or job applicant's accessibility needs into account.

16.2 The County makes the final decision about the accessible format or communication support to be provided or arranged for. Once the decision is made, the information will be provided or arranged for in a timely manner.

17.0 Recruitment, Assessment, Selection and Hiring

17.1 When recruiting, the County will provide accommodations for applicants with disabilities. The County will notify existing employees and the public about the provision of accommodations on the County of Essex website and in both internal and external job postings.

17.2 When a job applicant is selected to participate in an assessment or selection process, the County will notify the person that accommodations are available, upon request.

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- 17.3 If a selected job applicant requests an accommodation, the County will consult with the applicant and provide a suitable accommodation that takes the person's accessibility needs into account.
- 17.4 The County makes the final decision about the accommodation to be provided.

18.0 Notice to Successful Job Applicants and Employees about Accommodations

- 18.1 When making offers of employment, the County will notify the successful applicant of its policies for accommodating employees with disabilities, as soon as practicable after commencing employment.
- 18.2 The County will continue to inform its employees of its policies (and any updates to those policies) used to support employees with disabilities, including policies on the provision of job accommodations that take into account an employee's accessibility needs.

19.0 Accessible Workplace Emergency Response Information

- 19.1 The County will provide individualized workplace emergency response information to employees who have a disability, if the disability is such that the individualized information is necessary, and if the County is aware of the need for accommodation due to the employee's disability. The County will provide this information as soon as practicable after becoming aware of the need for accommodation.
- 19.2 Where the employee requires assistance, the County will, with the consent of the employee, provide the workplace emergency response information to the person designated by the County to provide assistance to the employee.
- 19.3 The County will review the individualized workplace emergency response information when the employee moves to a different location in the organization, when the employee's overall

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accommodation needs or plans are reviewed, and, when the County reviews its general emergency response policies.

20.0 Individual Employee Accommodation Plans

- 20.1 The County will continue to develop and document individual accommodation plans for employees with disabilities in accordance with County of Essex Accommodation Policy #08-003.
- 20.2 If requested, information regarding accessible formats and communications supports provided will also be included in individual accommodation plans.
- 20.3 In addition, the plans will include individualized workplace emergency response information (where required), and will identify any other accommodation that is to be provided.

21.0 Return to Work Process

- 21.1 The County will continue to administer a return to work process for its employees who have been absent from work due to a disability in accordance with the County of Essex Early and Safe Return to Work Policy # 08-001.
- 21.2 The return to work process will outline the steps County will take to facilitate the return to work and will include documented individual accommodation plans as part of the process.
- 21.3 This return to work process will not replace or override any other return to work process created by or under any other statute (i.e., the Workplace Safety Insurance Act, 1997).

22.0 Performance Management, Career Development and Advancement and Redeployment

- 22.1 The County will continue to take into account the accessibility needs of employees with disabilities, as well as individual accommodation plans, when conducting performance management, providing career development and advancement to employees, or when redeploying employees.

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23.0 References and Related Documents

- [Accessibility for Ontarians with Disabilities Act, 2005](#)
- [Ontario Human Rights Code, 1990](#)
- [Ontario Regulation 429/07–Accessibility Standards for Customer Service](#)
- [Ontario Regulation 191/11–Integrated Accessibility Standards](#)
- County of Essex Accessible Customer Service Policy 09-001
- [Records Retention By-law #27-2005](#)
- [WCAG 2.0](#)
- County of Essex Accommodation Policy #08-0003
- County of Essex Early and Safe Return to Work Policy # 08-001
- County of Essex Purchasing Policy #04-002
- County of Essex website - <http://www.countyofessex.ca/>