

Accessibility for Ontarians with Disabilities Act (AODA) Training Program

General Requirements under IASR



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Module 1: General Requirements

General Requirements under IASR

Welcome to the General Requirements under IASR!

Introduction

Customer service representative: “Sometimes I serve people who have disabilities. I have heard that there is legislation about accessibility and it details how we accommodate people with disabilities, but I am not sure what it is all about. What are the policies and standards I should be following?”



Narrator: Welcome to the City of Burlington Accessibility for Ontarians with Disabilities Act Training Program. This module will provide you with an overview of accessibility legislation in Ontario, including the Accessibility for Ontarians with Disabilities Act, the Ontario Human Rights Code, and the general requirements of the five standards in the Integrated Accessibility Standards Regulation.

As part of your training you will also be taking a module about the Customer Service standards. The remaining standards, Information and Communications, Employment, Design of Public Spaces, and Transportation will be discussed in other modules. Should your job responsibilities require knowledge about those standards, the additional modules will be assigned to you.



Accessibility Legislation in Ontario



Established in 1962, the Ontario Human Rights Code (or “the Code”) provides for equal rights and opportunities, and freedom from discrimination. The Code applies to the areas of employment, housing, facilities, services, contracts, and membership in unions, trade or professional associations. A person with a disability, whether they are an employee, volunteer, customer, client or resident

“ A person with a disability, whether they are an employee, volunteer, customer, client or resident is entitled to the same opportunities and benefits as people without disabilities when they receive goods or services or use facilities ”

is entitled to the same opportunities and benefits as people without disabilities when they receive goods or services or use facilities. In some cases, they may need unique arrangements or “accommodations” so that they can participate fully. For example, a person who is Deaf may request a sign language interpreter be available when they delegate to Council or a person with fragrance sensitivity may request that a public meeting be advertised as being “scent free.”



In 2005, the Government of Ontario passed the Accessibility for Ontarians with Disabilities Act, also known as the AODA. Its goal is to make Ontario accessible for people with disabilities by 2025 by creating, implementing, and enforcing accessibility standards. The AODA and its standards apply to every business or organization that has one or more employees in Ontario. These standards are rules that businesses and organizations in Ontario must follow to identify, remove, and prevent barriers so that people living with disabilities will have more opportunities to participate in everyday life. The Code takes priority over the AODA; however, when there is a conflict between the Code and the AODA, the law offering the higher level of accessibility applies. It's important to know that even when an organization is fully compliant with the AODA, it could still be at risk for a human rights complaint. If you have questions about how the Code and the AODA work together to improve accessibility, contact the Accessibility Coordinator.

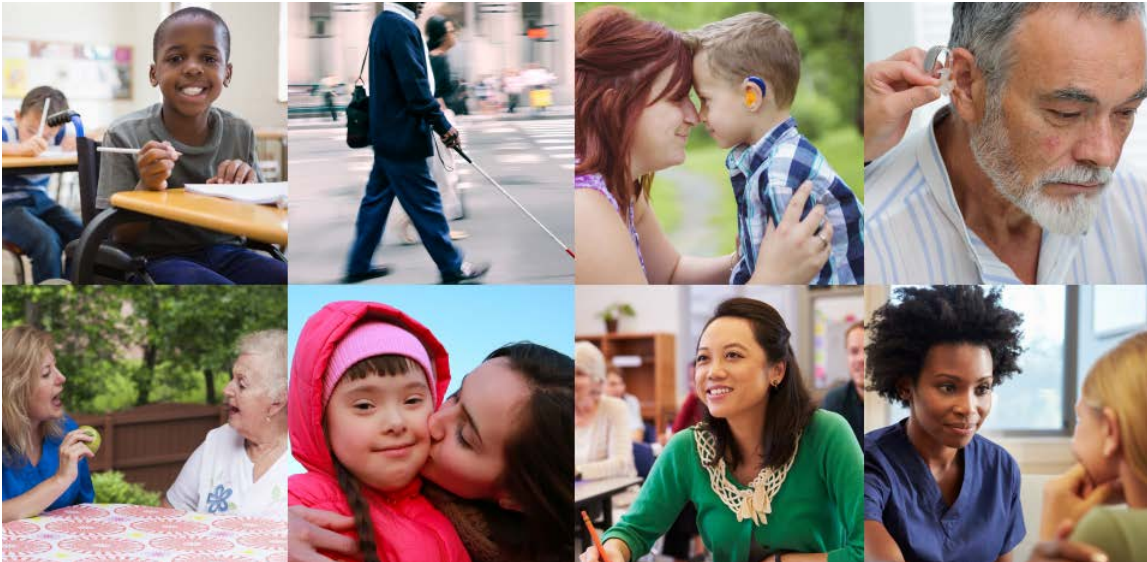
Definition of Disability

Disabilities protected under the AODA and the Code includes physical, blindness/vision loss, deafness/hearing loss, deafblindness, speech/language, intellectual, learning disabilities, and mental illness. Some disabilities may be invisible, a term commonly used to describe an illness or health issue not typically apparent from the outside like chronic pain, arthritis, heart, or lung conditions.



Current estimates put the number of people in Ontario with disabilities at around 15%, or 1 in 7



**Under the Code, a disability is defined as:**

- Any degree of physical disability, infirmity, malformation or disfigurement caused by bodily injury, birth defect or illness
- 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 Workplace Safety Insurance Board, or WSIB

Current estimates put the number of people in Ontario with disabilities at around 15%, or 1 in 7. And because this number is expected to increase as the population ages, you must know how to best serve people with a broad range of abilities.



Duty to Accommodate

At the City of Burlington, we do our best to remove barriers before they present a problem, instead of waiting for requests for accommodation or complaints. However, not all situations can be planned for because every person's disability is different. As previously mentioned, under the Code, organizations have a duty to accommodate, which means that we must respond to a request for accommodation on a situational basis. Everybody's needs are unique, so you will need to serve every individual in a unique and personalized way and that is your duty to accommodate.



The duty to accommodate involves eliminating or changing rules, policies, practices and behaviours that discriminate against persons based on a person's disability. Accommodation must be provided in a respectful and dignified way. It is also a shared responsibility - everyone involved, including the person requiring accommodation, has a role in finding the solution.

Undue Hardship

At the city, we have a responsibility to accommodate to the point of "undue hardship" and the threshold to claim undue hardship is extremely high, especially for the public sector. We cannot claim undue hardship because the accommodation may have a cost attached to it, may be difficult or inconvenient to organize, or may be something that is not normally done or may result in customer or staff complaints. Undue hardship would only be considered if the accommodation would significantly interfere with the financial viability of our organization or create a significant health and safety risk.

Compliance of the AODA and its Regulations

Under the AODA, you are expected to take all reasonable steps to accommodate people with disabilities. What this really means is that you should be finding ways to remove any barriers before they arise, and if they do arise, you should come to a solution that works for each individual need.





For example, a person who is blind may request that a PowerPoint presentation be made accessible with appropriate headings and the addition of alternative text for images, and be sent to them ahead of time so that they can study the presentation and come to a meeting prepared to participate.

If, for some reason, you are unsure of what accommodation the person is requesting or need recommendations of where to find resources, talk to the Accessibility Coordinator.



For example, a person who is hard of hearing may request CART be provided at an upcoming workshop.

CART stands for Computer Assisted Realtime Translation, and is the instant translation of spoken words and sounds into text and displayed in various forms, like projected on a screen at the front of a meeting room. CART is also sometimes called Realtime Captioning. You may be familiar with sign language interpretation but not CART, and unsure why this accommodation has been requested instead of sign language- the Accessibility Coordinator can help you learn more.



... the City of Burlington is expected to already be meeting and continue to meet its obligations under the Act. And we are!



The AODA has a number of compliance timelines, meaning that certain services and training needed to be in place by certain dates. Most of those dates have already passed and as a public sector organization with 50 or more employees, the City of Burlington is expected to already be meeting and continue to meet its obligations under the Act. And we are!

Scenario: What should I do?

Read this scenario and then enter your answer in the space below.

The Capital Works Department is going to hold a number of public information meetings about an upcoming development project. What accommodations for citizens with disabilities should be considered when they select the location and prepare the presentation materials?

Write down some accommodations that you can consider below, and check the next page when you are ready.

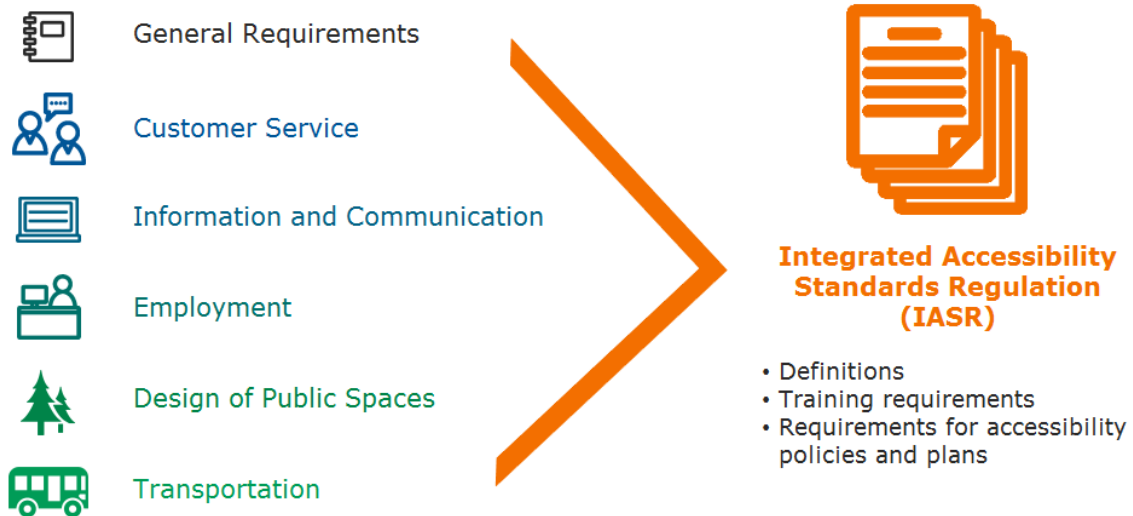


If you thought of the following accommodations, then you are on the right track:

- Accessible parking/passenger drop-off area
- Located near public transportation
- Outdoor and indoor paths of travel free of barriers
- Doors that are easy to open
- Accessible washrooms
- Adjustable lighting
- Good acoustics (with minimal echo)
- Presentation materials that can be made available in an alternative format for people with vision loss or hearing loss upon request

General Requirements of the IASR

As we mentioned in the introduction, the AODA currently has five standards - Customer Service, Information and Communication, Employment, Design of Public Spaces, and Transportation. These five standards are combined in one document called the Integrated Accessibility Standards Regulation (or IASR).



There are several general requirements that reach across all of the standards, such as definitions, training requirements, and requirements for establishing accessibility policies and plans. You are taking this training, not only to learn about how to improve accessibility for people with disabilities but also because it



must be provided for all existing and new city employees and volunteers, people who participate in developing the city’s policies, and people who provide goods, services, and facilities on behalf of the city as a requirement of the AODA.

Accessible Policies and Plans

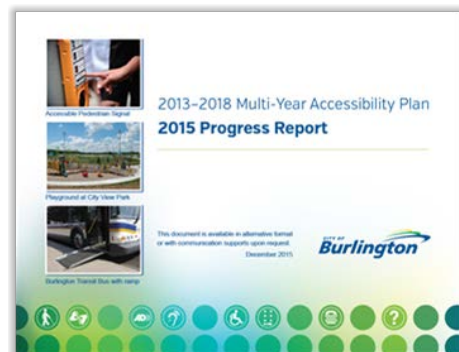
Under the IASR, we are required to develop accessibility policies, as well as a multi-year accessibility plan and annual progress reports. Our Corporate Accessibility Policy provides a framework of how the city will apply the requirements of the Accessibility for Ontarians with Disabilities Act and its regulations. It also states the rules that the city has put in place to achieve our accessibility goals.



Our Multi-Year Accessibility Plan describes the actions that we will take to prevent and remove barriers, with timelines for implementation. The plan supports our accessibility policy and our accessibility goals. The plan is available on our website in an accessible format and we review it regularly and update it every five years. It can also be found on the City’s 360 site and in the Resources tab in the top-left corner.



Each year we develop a Progress Report about the activities undertaken that year to improve accessibility in our community and to report on the progress we have made to implement the activities in our Multi-Year Accessibility Plan.



Links to our Accessibility Policy and the Multi-Year Accessibility Plan and Annual Progress Reports are available in the Resources tab.

There are also links available to a number of procedures that may help you when providing goods, services or facilities to people with disabilities.



Procurement

As part of our approach to accessibility, we must incorporate accessibility criteria and features when purchasing new services or equipment, to prevent the creation of new barriers. For example, any future self-service kiosks (such as a credit/debit payment machines or pay parking kiosks) offered by the city must incorporate accessibility features, such as a tactile number pad, high colour contrasting buttons, an earphone plugin for audio commands, and adequate clearance space for a person using a personal mobility device.

Accessibility must also be considered when procuring consulting services. If a project will result in a report or document that will be posted to the city's website, the requirement that the final document be provided in an accessible format should be part of the terms in your request for proposal.

Scenario: Is This Area Accessible?

Think about this situation: You have been put in charge of procuring new items for your office area. As part of the AODA requirements, you must take accessibility into consideration when you choose the items. Which of the following items require accessibility considerations?

- A. Paper towel dispenser
- B. Phone system
- C. Computer equipment
- D. Signage



All of these items require accessibility considerations:

- Someone with a physical disability may have difficulty using a traditional paper towel dispenser
- Someone with hearing loss may have trouble with a traditional phone
- Someone with blindness or low vision may need special software to use a computer
- Someone with a physical disability may need to have signs placed at an accessible height and someone with vision loss may need Braille to be included on the sign



Areas that Deliver Services

A common problem for people with mobility disabilities is accessing areas that deliver services. All our service areas, such as service counters at City Hall, our arenas, and community centres must be usable by someone who uses a personal mobility device like a wheelchair or medical scooter or someone who prefers to be seated when making a transaction.



All our service areas ... must be usable by someone who uses a personal mobility device like a wheelchair or medical scooter or someone who prefers to be seated when making a transaction.



Where we have areas with fixed queuing guides that may have permanent or built-in fixtures guiding lineups, they must be wide enough to be accessible by someone who uses a personal mobility device and must be detectable by someone who is blind or has low vision.

In our waiting areas, at least 3% of any new seating space must be accessible with at least one accessible seating space provided.



Other Standards

In addition to the General Requirements, the other standards included under IASR are:



1. Customer Service, which contains requirements for serving customers with different types of disabilities



2. Information and Communications, which contains requirements for accessible formats and communication supports, including websites and web content



3. Employment, which contains requirements for recruitment and accommodating employees with disabilities



4. Design of Public Spaces, which contains requirements for outdoor publicly-accessible areas, and



5. Transportation, which contains requirements for accessible transportation

You will learn more about each of these standards, depending on the modules you are assigned because of your job responsibilities.

Summary

Customer service representative: "Now I understand it better. I need to provide the same level of service for everyone I encounter, regardless of whether or not they may have a disability. And I always need to consider the needs of people with disabilities, no matter what I am doing in my job. For example, when we are buying new items for the office. If I'm ever not sure what to do in a situation, there are procedures that I can refer to. Our city seems to be well prepared with the Accessibility Policy and the Multi-Year Accessibility Plan. I'm going to check them out to learn more!"



To complete the training, please use the sign-off on the next page.



Please check the appropriate box:

Employee

Volunteer

First and Last name (please print): _____

Department or Volunteer Activity: _____

By signing and submitting this registration card, I hereby confirm my acceptance of the booklet titled 'Accessibility for Ontarians with Disabilities Act (AODA) Training Program, Module 1: General Requirements under IASR'.

Further, I have read and understand the booklet material which constitutes completion the mandatory training as required under the Accessibility for Ontarians with Disabilities Act, 2005 and O. Reg. 191/11: Integrated Accessibility Standards.

Please register my compliance.

Signature: _____

Date: _____

Employee – Deliver to:

City of Burlington
Human Resources Department
426 Brant Street, P.O. Box 5013
Burlington, ON L7R 3Z6
Attention: AODA Mandatory Training Registration

Volunteer – Please return this form to your Supervisor or Committee Clerk

