

Human Resources Policies and Procedures

Accessibility Policy: C-1

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Approved by Chief Administrative Officer Mike Walters.



Commitment

Lake Simcoe Region Conservation Authority (the Authority) is committed to sound governance, accountability, diversity, inclusiveness and a focus on service excellence in fulfilling its vision of a thriving environment that inspires and sustains us for generations to come.

This commitment is reinforced through the establishment of the Accessibility Policy and supporting procedures and practices that respect the dignity and independence of persons with disabilities.

The Authority is committed to 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 Authority shall use every effort to ensure that it meets the needs of people with disabilities, in a timely manner, through the implementation of this policy.

Background and Purpose

The Accessibility for Ontarians with Disabilities Act, 2005 (AODA) was passed by the Ontario legislature with the goal of creating legislation to improve accessibility across the province. The Accessibility for Ontarians with Disabilities Act allowed the government to develop specific standards of accessibility that are designed to help make Ontario more accessible. Under the Accessibility for Ontarians with Disabilities Act, all public and private sector organizations must meet the requirements of accessibility standards established by regulation.

The Integrated Accessibility Standards Regulation (IASR) is a grouping of standards set out to define the Accessibility for Ontarians with Disabilities Act. This regulation establishes

accessibility standards specific to information and communications, employment, transportation, the design of public spaces and customer service standards for public and private sector organizations that provide goods, services or facilities to the public or other third parties. All five Standards have varying timelines for enactment and compliance.

In general, providers must deliver services in a way that respects the dignity and independence of people with disabilities. Providers must also integrate services and provide equal opportunities for persons with disabilities to access those services.

The purpose of this Accessibility Policy is to fulfill the requirements set out in Ontario Regulation 191/11 (Integrated Accessibility Standards) of the Accessibility for Ontarians with Disabilities Act, 2005.

Definitions

A11y – Abbreviation for Accessibility. The 11 represents the eleven characters between the first and last letter.

Accessibility for Ontarians with Disabilities Act, 2005 - An Ontario law mandating that organizations must follow standards to become more accessible to people with disabilities. The goal for the province is to be fully accessible by 2025. All levels of government, private sectors, and non-profits must comply with this legislation.

Accessible Formats – Alternate formats that may be available for persons with disabilities. May include, but are not limited to, large print, recorded audio and electronic formats, braille and other formats usable by persons with disabilities.

Accommodation - 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 person's unique needs.

Assistive Devices - An aid such as communication aids, cognition aids, personal mobility aids and medical aids (for example, canes, crutches, wheelchairs, or hearing aids, et cetera).

Barrier - Means anything that prevents a person with a disability from fully participating in all aspects of society because of the disability. Barriers may include a physical, architectural and attitudinal barrier as well as, information or communication barriers, technological barriers, a policy, procedure or a practice.

Communication Supports – Communication supports are alternative ways of communicating with people with disabilities. Examples of a communication support may include, but are not

limited to, captioning, alternative and augmentative communication supports, plain language, sign language through an interpreter and other supports that facilitate effective communications.

Communications - The interaction between two or more persons or entities, or any combination of them, where information is provided, sent or received.

Conventional Transportation Service Provider - A designated public sector transportation organization that provides conventional transportation services that operates solely within the Province of Ontario.

Disabilities - As per the *Ontario Human Rights Code* and from the *Guide to the Accessibility Standards for Customer Service, Ontario Regulation 429/07*

- 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 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, 1977*; (“handicapped”).

Employees - Every person who works on behalf of The Authority, whether the person does so as an employee, volunteer or otherwise.

Individualized Accommodation Plan (IAP) – Individualized Accommodation Plans are plans created for each employee with a disability to address their specific needs.

Integrated Accessibility Standards Regulation (IASR) - *Ontario Regulation 191/11* – A grouping of five standards that the Accessibility for Ontarians with Disabilities Act developed. The standard outlines requirements for organizations to create, provide, and receive information and communications that are accessible for people with disabilities.

Information - Includes data, facts and knowledge that exists in any format, including text, audio, digital or images, and that conveys meaning.

Internet Website - 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.

Maintenance of Public Spaces - Activities that are intended to keep existing public spaces and elements in existing public spaces in good working order or to restore the spaces or elements to their original condition, examples of which include painting and minor repairs.

Medical Aid - An assistive device including respirators, and portable oxygen supplies.

Mobility Aid - A device used to facilitate the transport, in a seated posture, of a person with a disability.

Mobility Assistive Device - A cane, walker, wheelchair, scooter or similar aid.

New Internet Website - Either a website with a new domain name or a website with an existing domain name undergoing a significant refresh.

Persons with Disabilities - Individuals who are afflicted with a disability as defined under the Ontario Human Rights Code.

Ready Format - An electronic or digital format that facilitates conversion into an accessible format.

Redeployment - 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.

Service Animals - Any animal individually trained to do work or perform tasks for the benefit of a person with a disability. Under the Ontario Human Rights Code and the Accessibility for Ontarians with Disabilities Act, service animals do not need to have certificates or identity cards. However, you may be asked to provide acceptable documentation. This includes documentation from a regulated health professional or an identification card from the Ontario Ministry of the Attorney General for people who are blind and use a guide dog.

Specialized Transportation Services - Public passenger transportation services that operate solely within the Province of Ontario, are provided by a designated public sector transportation organization and are designed to transport persons with disabilities.

Support Persons - Any person whether a paid professional, volunteer, family member or friend who accompanies a person with a disability in order to help with communications, personal care or medical needs or with access to goods or services.

Unconvertible - If it is not technically feasible to convert the information or communications. It also means if the technology to convert the information or communications is not readily available.

Web Content Accessibility Guidelines (WCAG) – World Wide Web Consortium Recommendation, dated December 2008, entitled “*Web Content Accessibility Guidelines (WCAG) 2.0*”. The acronym: “WCAG” is the international standard for web accessibility.

Roles and Responsibilities

All staff of the Authority shall use due diligence to ensure the Authority complies with legislation by acting in accordance with the provision of this policy and the supporting procedures and practices.

Responsibilities of Supervisors (inclusive of Coordinators, Managers, Directors, General Managers, and the Chief Administrative Officer):

- Educate employees and ensure compliance with all aspects of the policy.
- Demonstrate actions and behaviours that are consistent with the policy.
- Provide support and guidance to staff members in fulfilling the policy.
- Ensure all staff are trained according to the requirements of the legislation.
- When aware of areas of non-compliance ensure appropriate action is taken.

Responsibilities of Employees:

- Comply with all aspects of the policy.
- Demonstrate actions and behaviours that are consistent with the policy.
- Participate fully in training as it relates to this policy.
- When aware of areas of non-compliance ensure the supervisor or manager is notified.

Policy

General Provisions

This section covers the general requirements of the Integrated Accessibility Standards Regulation.

Multi-Year Accessibility Plan

The Authority 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. The Authority will post the information to its 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 Authority is not required under this legislation to ensure we use accessibility criteria and features when procuring or acquiring goods, services or facilities. The Authority will however, take into consideration accessibility criteria and features as much as possible when procuring or acquiring goods, services or facilities to show our commitment to accessibility.

Training

The Authority will ensure that training is provided to all employees, Board of Directors, and volunteers, and those that develop the organization's policies, 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 to include those changes. The Authority shall maintain a record of the dates when training was provided and the number of individuals to whom it was provided. The Authority shall ensure that others that provide goods, services or facilities on behalf of the organization have had training.

Customer Service Standard

The following is a summary of requirements for the Accessibility Standards for Customer Service Policy:

- Establish policies, practices and procedures on providing goods and services to people with disabilities.

- Use reasonable efforts to ensure that policies, practices and procedures are consistent with the core principles of independence, dignity, integration and equality of opportunity.
- Set a policy on allowing people to use their own personal assistive devices to access our goods and use our services and about any other measures our organization offers (assistive devices, services or methods) to enable them to access our goods and use our services.
- Communicate with a person who has a disability in a manner that takes into account their disability.
- Allow people with disabilities to be accompanied by their guide dog or service animal in those areas of the premises we own or operate that are open to the public, unless the animal is excluded by another law. If a service animal is excluded by law, use other measures to provide services to the person with a disability.
- Permit people with disabilities who use a support person to bring that person with them while accessing goods or services in premises open to the public or third parties.
- Provide notice when facilities or services that people with disabilities rely on to access or use our goods or services are temporarily disrupted.
- Train staff, volunteers, agents or other third parties on a number of topics as outlined in the customer service standards.
- Train staff, volunteers, agents and any other people who are involved in developing our policies, practices and procedures on the provision of goods or services on a number of topics as outlined in the customer service standard.
- Establish a process for people to provide feedback on how we provide goods or services to people with disabilities and how we will respond to any feedback and take action on any complaints. Make the information about the feedback process readily available to the public and accessible, upon request.
- Document in writing all our policies, practices and procedures for providing accessible customer service and meet other document requirements set out in the standard.
- Notify customers that documents required under the customer service standard are available upon request.
- When giving documents required under the customer service standard to a person with a disability, provide the information in a format that takes into account the person's disability.

The Authority shall use reasonable efforts to ensure the following:

Dignity: Service is provided in a way that allows the person with a disability to maintain self-respect and the respect of other people.

Equal Opportunity: Service is provided to a person with a disability in such a way that they have an opportunity to access the Authority's goods or services equal to that given to others.

Independence: When a person with a disability has the freedom to do things on their own without unnecessary help or interference from others.

Integration: Service is provided in a way that allows the person with a disability to benefit from the same services, in the same place and in the same or similar way as other customers, unless an alternate measure is necessary to enable a person with a disability to access goods or services.

Accessible Customer Service

The Authority shall make reasonable efforts to ensure that its policies, procedures and practices as amended from time to time are consistent with the following principles:

- The goods or services must be provided in a manner that respects the dignity and independence of persons with disabilities.
- The provision of goods or services to persons with disabilities and others must be integrated unless an alternate measure is necessary, whether temporarily or on a permanent basis, to enable a person with a disability to obtain, use or benefit from the goods or services.
- Persons with a disability must be given an opportunity equal to that given to others to obtain, use and benefit from the good, or services.

Assistive Devices

The Authority permits a person with a disability to use and keep with them their own personal assistive devices to obtain, use or benefit from the goods or services offered by The Authority.

Where the Authority owned assistive devices are available, appropriate staff within the applicable department will be knowledgeable of the presence and trained in the use of the assistive devices. Staff will be available to assist with the Authority owned assistive devices if requested for use by an individual.

Communication

Authority employees, when communicating with a person with a disability, shall do so in a manner that takes into account the person's disability.

Service Animals and Support Persons

The Authority shall allow a person with a disability, who requires to be accompanied by a support person into all Authority premises that are owned or operated public facilities. Both persons are permitted to enter the premises together and the person with a disability will have access to their support person.

A support person, when assisting a person with a disability to obtain, use or benefit from the Authority's goods and/or services, will be permitted to attend at no charge where an admission fee is applicable.

The Authority may require a person with a disability to be accompanied by a support person when accessing goods and services, but only if a support person is necessary to protect the health or safety of the person with a disability or the health and safety of others on the premises. Before making this decision, the Authority will consult with the person with a disability to understand their needs, consider health and safety reasons based on available evidence and determine if there is no other reasonable way to protect the health and safety of the person or others on the premises. In such a situation, the Authority will waive the admission fee for the support person, if one exists.

The Authority allows a person with a disability to be accompanied by a guide dog or other service animal onto all Authority owned and operated public facilities and will ensure that the person is permitted to keep the animal with them unless the animal is otherwise excluded by law. The service animal must be under the care and control of the person with a disability at all times while attending any Authority owned or operated facilities.

If the service animal is excluded by law from the facility, the Authority will ensure that other measures are available to enable the person with a disability to obtain, use or benefit from the Authority's goods and services.

Notice of Temporary Disruption

A Notice of Service Disruption shall be provided when facilities or services that people with disabilities usually use to access Authority goods or services are temporarily unavailable or if the goods or service are expected in the near future to be temporarily unavailable, in whole or in part.

The Notice must include the following information:

- the reason for and information about the disruption;
- anticipated duration;
- description of alternative facilities or services, if available; and
- contact information.

Notice may be given by posting information in a conspicuous place on the premises, on the Authority's website or any other such method as is reasonable in the circumstances.

Training

The Authority shall ensure the following persons will or have received training regarding the provision of its goods and services to persons with disabilities.

- All persons who are an employee of, a volunteer, or a Board of Director's member with the Authority, if not otherwise trained.
- Every person who participates in developing the Authority's policies, practices and procedures governing the provision of goods or services to members of the public or other third parties.
- All other persons who provide goods, services or facilities on behalf of the Authority.

The training shall include but is not limited to the following:

- review of the purpose of the Accessibility for Ontarians with Disabilities Act, 2005 and requirements of the Accessibility Standards for Customer Service Ontario Regulation 429/07 or 191/11;
- instruction on how to interact and communicate with people with various types of disabilities;
- instruction on how to interact with persons with disabilities who use assistive devices or require the assistance of a guide dog, other service animal or support person;
- instruction on how to use equipment or devices available at the Authority's premises or that are otherwise provided by the Authority, that may help persons with disabilities access Authority services, such as telephones, elevator, or other technology; and
- instruction on what to do if a person with a disability is having difficulty accessing the Authority's services.

Training shall be provided to each person as soon as practicable and training records shall be maintained to ensure compliance with the legislation. The Authority will provide training in respect of any changes to the Integrated Accessibility Standards Regulation on an ongoing basis.

Feedback

The Authority shall establish a process for receiving and responding to feedback regarding the manner in which the Authority provides goods or services to persons with disabilities and shall make information about the process readily available to the public.

The feedback process shall permit persons to provide feedback in person, by telephone, in writing, on our website or by e-mail. The Authority will ensure that the feedback processes are accessible to persons with disabilities by providing or arranging for the provision of accessible formats and communications supports, upon request and in consultation with the requestor.

Please refer to the Appendices to review the feedback process.

Notice of Availability of and Format of Documents

The Authority shall provide notice that, upon request, it will provide a copy of the following policies, procedures and practices required under Ontario Regulation 191/11 Integrated Accessibility Standards to any person.

- The Authority policies, procedures and practices on the provision of goods or services to persons with disabilities – including a policy on the use of personal assistive devices by persons with disabilities to access Authority goods or services.
- Service animals and support persons – policy, procedures and practices with respect to the entry of service animals and support persons to those areas of the premises that are owned or operated by the Authority, where such are open to the public.
- Notice of temporary disruption – the steps that will be taken in connection with a temporary planned or unexpected disruption to facilities or services that persons with disabilities usually use to access the Authority's goods or services.
- Training – description of the Authority policy on providing training on accessible customer service.
- Feedback process – description of the process for receiving and responding to feedback on the manner in which the Authority provides goods or services to people with disabilities.

Should the Authority be requested to provide a person with a disability any document noted in this section, the Authority will give the person the information contained in the document, in a format that takes into account the person's disability.

If a person with a disability asks for a document in a different format, staff will discuss what options are available to the individual and then agree upon the format the Authority will provide.

Information and Communications Standard

The Authority will provide or arrange for the provision of accessible formats and communication supports for persons with disabilities in a timely manner and at no additional cost to the individual. The Authority will take into account the person's accessibility needs when customizing individual requests.

The Authority will create, provide and receive information and communications in ways that are accessible to people with disabilities.

Emergency Information

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

Feedback

The Authority 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 Authority will notify the public about the availability of accessible formats and communication supports.

Accessible Formats and Communication Supports

The Authority shall be obligated to provide or arrange for accessible formats and communication supports for persons with disabilities by following the four bullets listed below:

- upon request in a timely manner that takes into account the person's accessibility needs due to a disability;
- at a cost that is no more than the regular cost charged to other persons;

- consult with the person making the request and determine suitability of an accessible format or communication support;
- notify the public about the availability of accessible formats and communication supports.

Website Accessibility

The Authority shall make their internet website and web content conform with the World Wide Web Consortium Web Content Accessibility Guidelines 2.0 initially at Level A and increasing to Level AA. By January 1, 2021 all internet website and web content backdated to 2012 will conform with Web Content Accessibility Guidelines 2.0 Level AA.

Undue Hardship

The Authority shall strive to ensure that all publicly available information meets the organization's acceptable level of accessibility. All efforts shall be taken up to the point of undue hardship. Undue Hardship is an action requiring significant difficulty or expense when considering a number of factors. The factors that should be considered when assessing undue hardship include financial ability, health and safety requirements, and technical feasibility.

Third-Party Documents and Information

The Authority shall ensure that documents and information that are delivered to the organization from a third-party (e.g. vendor, contractor, etc.) are provided in accessible format. The Authority and the third-party shall work together to reach the Authority's acceptable level of accessibility.

Employment Standard

The Employment Standard builds upon the existing requirements under the Ontario Human Rights Code in relation to how the Authority will provide accessibility throughout the entire employment cycle. 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 Authority.

Recruitment

The Authority shall notify employees and the public about the availability of accommodations for applicants with disabilities as per three bullets below:

- during the recruitment process when job applicants are individually selected to participate in an assessment or selection process;

- if a selected applicant requests an accommodation, the Authority shall consult with the applicant and provide or arrange for the provision of a suitable accommodation that takes into account the applicant's disability;
- notify successful applicants of the policies for accommodating employees with disabilities.

Employee Notification

The Authority shall inform its employees of its policies used to support its employees with disabilities, including but not limited to, policies on the provision of job accommodations that take into account an employee's accessibility needs due to a disability for the two situations below:

- as required to new employees as soon as practicable after they begin their employment;
- whenever there is a change to existing policies on the provision of job accommodations that take into account an employee's accessibility needs due to a disability.

Accessible Formats and Communication Supports

In addition and where an employee with a disability requests it, the Authority will consult with the employee to provide or arrange for the provision of accessible formats and communication supports as per the following three bullets below:

- information that is needed in order to perform the employee's job;
- information that is generally available to employees in the workplace; and
- consult with the employee making the request to determine the suitability of an accessible format or communication support.

Individual Accommodation Plan (IAP)

The Authority shall have in place a written process for developing a documented individual accommodation plan for employees with a disability. Process to include the twelve points below:

- the employee's participation in the development of the individual accommodation plan;
- assessment on an individual basis;
- identification of accommodations to be provided;
- timelines for the provision of accommodations;

- The Authority may request an evaluation by an outside medical or other expert, at the Authority's expense, to assist with determining accommodation and how to achieve accommodation;
- employee may request the participation of a representative from the workplace;
- steps taken to protect the privacy of the employee's personal information;
- frequency with which the individual accommodation plan will be reviewed and updated and the manner in which it will be done;
- if denied, the reasons for denial are to be provided to the employee;
- an individual accommodation plan format that takes into account the employee's disability needs;
- if requested, any information regarding accessible formats and communication supports provided;
- identification of any other accommodation that is to be provided.

Return to Work

The Authority 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 shall be documented and must outline the steps that the Authority will take to facilitate the return to work and include an individual accommodation plan.

Performance Management, Career Development and Advancement and Redeployment

The Authority will take into account the accommodation needs and/or individual accommodation plans of employees for the three points below when:

- using performance management processes;
- providing career development and advancement information;
- using redeployment procedures.

Workplace Emergency Response Information

The Authority shall provide individualized workplace emergency response information to employees who have a disability as per the following four points below:

- 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;

- if the employee who receives an individual workplace emergency response information requires assistance and, with the employee's consent, the Authority shall provide the workplace emergency information to the person designated by the Authority to provide assistance to the employee;
- as soon as practicable after becoming aware of the need for accommodation due to the employee's disability;
- review the individualized workplace emergency response information when the employee moves to a different location in the organization, when overall accommodation 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 traveling with children in strollers.

The Authority is not affected by the Transportation Standard but will provide updates to staff of the positive steps being made towards better accessible transit.

Design of Public Spaces Standard

The Authority shall incorporate accessibility into public spaces that are newly constructed or redeveloped on and after January 1, 2017. The Authority will ensure that it follows the existing requirements stated under the Design of Public Spaces Standards (Accessibility Standards for the Built Environment) for recreational trails and beach access routes, outdoor public use eating areas, outdoor play spaces, exterior paths of travel, accessible parking, and service related elements. The Authority shall also provide maintenance and restoration of public spaces by ensuring the Authority's multi-year accessibility plan includes procedures for preventative and emergency maintenance of accessible elements in public spaces and procedures for dealing with temporary disruptions when accessible elements required under this section are not in working order.

Exclusions

Declaration of an Emergency

This Policy shall not apply during any period where an emergency has been declared by the Board of Directors.

Unconvertible Documents

Information is regarded as unconvertible if it is not technically feasible to convert the information or communications; or if the technology to convert the information is not readily available.

If the Authority determines that information or communications are unconvertible, the organization shall provide the person requesting information or communication with the following:

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

Compliance

This Policy shall apply to every person who deals with members of the public or other third parties on behalf of The Authority.

Failure to comply with this Policy may result in disciplinary action up to and including termination.

An Administrative Monetary Penalties scheme is being established under the Accessibility for Ontarians with Disabilities Act. The scheme will allow a director or a designate to issue an order against a person, organization or corporation to pay a penalty amount as a result of non-compliance with the Accessibility for Ontarians with Disabilities Act or the accessibility standards. The largest penalty amount that can be issued to an individual or an organization that is not a corporation is \$50,000.

Use of administrative monetary penalties will be considered an avenue of last resort when all other compliance assistance and improvement options have been exhausted.

The License Appeal Tribunal will hear appeals from organizations of director's orders, but not individual complaints. Individuals who feel their human rights have not been met would continue to complain to the Ontario Human Rights Commission.

Appendices

Appendix A: Practices and Procedures for Customer Service

Appendix B: Sample Forms and Processes

Appendix C: Accessible Document Guidelines – Advanced Accessibility

Appendix D: Accessible Document Guidelines – Basic Accessibility

Appendix E: Accessible Document Guidelines – Web and eDocuments

Appendix F: 2012-2021 Multi-Year Accessibility Plan