



Newmarket

## CORPORATE POLICY

Sub Topic: Integrated Accessibility  
Standards Regulation  
(IASR) Policy

Policy No: CORP. 2-02

Topic: Accessible & Open Government Applies to: All Employees and  
Volunteers

Section: Corporate Services  
Commission

Council Adoption Date: September 30,  
2013

Effective Date: January 1, 2013

Revision No:            Date:

### Policy Statement & Strategic Plan Linkages

Newmarket is committed to meeting the needs of persons with disabilities in a timely manner through the implementation of this policy and to ensure that persons with disabilities shall have equitable access to all Town programs, goods, services and facilities allowing them to benefit from the same services, in the same place and in a similar way as other customers, respecting the four core principles of independence, dignity, integration and equal opportunity. This policy aligns with the Town's Strategic Plan directions through the enrichment of lives, increased accessibility, service excellence, improved inter-connectivity, and well respected in achieving balanced living.

### Purpose

Under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA), this policy establishes the Integrated Accessibility Standards Regulation in the areas of Employment, Information and Communications and Transportation for the Town of Newmarket in accordance with Ontario Regulation 191/11. This regulation came into effect July 1, 2011. The requirements of the regulation include:

- establishment, implementation, maintenance and the documenting 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.

## **Definitions** (refer to Appendix A)

ASCS

Accessibility Plan

Accessibility Standard

Accessible Formats

Accommodation

Agent

Barrier

Career Development and Advancement

Communication

Communication Supports

Conversion Ready

Disability

IASR (Integrated Accessibility Standards Regulation)

Individual Accommodation Plan (IAP)

Information

Internet Website

Mobility Aid

Mobility Assistive Device

Performance Management

Redeployment

Regulation

Unconvertible Information

Web Content Accessibility Guidelines (WCAG)

## **Procedures**

This policy supports the Town's commitment to meeting the requirements of accessibility standards developed under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA). The areas covered by this Policy under current legislation include, but are not limited to:

- General Standards (IASR, O. Reg. 191/11)
- Information and Communications Standards (IASR, O. Reg. 191/11)
- Employment Standards (IASR, O. Reg. 191/11)
- Transportation Standards (IASR, O. Reg. 191/11)
- Design of Public Spaces (Accessibility Standards for the Built Environment) (IASR, O.Reg. 191/11 as amended by O.Reg. 413/12)

Newmarket achieves compliance with the AODA as follows:

### **1) Multi-Year Accessibility Plan**

Newmarket's Multi-Year Accessibility Plan outlines a phased-in strategy to prevent and remove barriers and addresses the current and future requirements of the standards developed under the Integrated Accessibility Standards Regulation, O.Reg. 191/11. Newmarket is committed to reporting annually on the progress and implementation of the Multi-Year Accessibility Plan which outlines Newmarket's

strategy. The multi-year plan will be reviewed and updated at least every 5 years in consultation with persons with disabilities and the Newmarket Accessibility Advisory Committee.

An annual status report on the progress of measures taken to implement the Multi-Year Accessibility Plan will be prepared. The Multi-Year Accessibility Plan and accompanying status report will be posted to Newmarket's web-site and provided in an accessible format upon request.

## **2) Procurement**

Newmarket shall use accessibility criteria and features when procuring or acquiring goods, services, and facilities. If it is not practicable to do so, staff will provide an explanation, upon request. Should Newmarket institute self-service kiosks at its facilities or in appropriate locations across the Town accessible to the public, the design, procurement or acquisition of self-service kiosks shall have regard to this policy and Ontario regulations, as amended.

## **3) Training**

Newmarket will ensure that training is provided, as soon as practicable, 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 to: all employees, including regular full-time, regular part-time, casual, sessional, seasonal and contract staff; volunteers; and all persons who participate in developing Newmarket's policies. Newmarket will retain and maintain a record of the training provided, including the dates on which the training took place and the number of individuals trained.

If any changes are made to this policy or the AODA regulations, training will be provided.

Any agents, contractors, and persons who provide facilities on behalf of Newmarket and retained by Newmarket through the procurement process for goods and services, shall be trained in accordance with the AODA regulations.

## **4) Feedback**

Newmarket has processes 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. Newmarket's departments will ensure that these feedback processes are accessible to persons with disabilities by providing or arranging for the provision of accessible formats or communication supports upon request and will notify the public about the availability of accessible formats and communication supports.

## **5) Accessible Formats and Communication Supports**

Newmarket's departments will, upon request, create, provide, and receive information and communications, or arrange for the provision of accessible formats or communication supports for persons with disabilities. This will be done in consultation with the person making the request, in a timely manner that takes into account the person's accessibility needs due to disability and (if the original product has a cost) at a cost that is no more than the regular cost charged to other

persons. If Newmarket 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, Newmarket will be obligated to provide the person that requires the information with:

- An explanation as to why the information or communications are unconvertible;
- A summary of the unconvertible information or communications; and
- Notify the public about the availability of accessible formats and communication supports.

#### **6) Emergency Information**

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

#### **7) Websites and Web Content Accessibility**

Newmarket shall make its internet websites and web content, controlled directly by the Town or outsourced to a third party that allows for modification of the product, to conform to the World Wide Web Consortium Web Content Accessibility Guidelines (WCAG) initially at Level A and increasing to Level AA. By January 1, 2014, any new web content will conform with WCAG 2.0 Level A. By January 1, 2021, all internet website and web content will conform with WCAG 2.0 Level AA.

#### **8) Employment Standards**

Newmarket will create an accessible work environment for all employees across the employment life cycle, in accordance with the requirements and timelines set out in the Employment Standards within the regulation and existing requirements under the Ontario Human Rights Code to accommodate persons with disabilities.

The Employment Standard builds upon the existing requirements under the Ontario Human Rights Code in relation to how to accommodate persons with disabilities throughout the job application process and the employment relationship. It applies to employees and does not apply to volunteers and other non-paid individuals.

The requirements of the Employment Standard shall be met by January 1, 2014 unless otherwise specified.

##### **a) Recruitment**

Newmarket shall notify employees and the public about the availability of accommodations for applicants with disabilities 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, Newmarket shall consult with the applicant and provide or arrange for the provision of a suitable accommodation that takes into account the applicant's disability. Newmarket shall notify successful applicants of the policies for accommodating employees with disabilities.

##### **b) Employee Notification**

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

**c) Accessible Formats and Communication**

In addition and where an employee with a disability requests it, Newmarket will consult with the employee to provide or arrange for the provision of accessible formats and communication supports for: 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 in determining the suitability of an accessible format or communication support.

**d) Individual Accommodation Plan (IAP)**

Newmarket shall develop and have in place a written process for developing a documented individual accommodation plan for employees with a disability.

The process shall consider:

- the manner in which an employee requesting accommodation can participate in the development of the individual accommodation plan.
- the means by which the employee is assessed on an individual basis.
- The manner in which the employer can request an evaluation by an outside medical or other expert, at the employer's expense, to determine if and how accommodation can be achieved.
- the manner in which the employee can request the participation of a representative from their bargaining agent, where the employee is represented by a bargaining agent, or other representative from the workplace, where the employee is not represented by a bargaining agent, in the development of the accommodation plan.
- the steps taken to protect the privacy of the employee's personal information.
- the frequency with which the individual accommodation plan will be reviewed and updated and the manner in which it will be done.
- if an individual accommodation plan is denied, the manner in which the reasons for the denial will be provided to the employee.
- the means of providing the individual accommodation plan in a format that takes into account the employee's accessibility needs due to disability.

**e) Return to Work**

Newmarket shall develop and 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 steps Newmarket will take to facilitate the return to work and include an IAP plan.

**f) Performance Management, Career Development and Advancement, Redeployment**

Newmarket shall take into account the accessibility needs and individual accommodation plans of employees when using performance management processes; providing career development and advancement information; and using redeployment procedures.

**g) Workplace Emergency Response Information**

Newmarket shall provide individualized workplace emergency response information to employees who have a disability:

- if the disability is such that the individualized information is necessary and the employer is aware of needs for accommodation due to the employee's disability;
- if the employee who receives the individualized workplace emergency response information requires assistance and with the employee's consent Newmarket shall provide the workplace emergency information to the person designated by Newmarket to provide assistance to the employee;
- as soon as practicable after becoming aware of the need for accommodation due to the employee's disability; and

- 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.

#### 9) **Accessible Transportation Standards**

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. Newmarket shall consult with the Newmarket Accessibility Advisory Committee, persons with disabilities and the public to determine the proportion of accessible taxis required in the community, including steps to meet the need however a minimum of at least three (3) accessible taxi vehicles shall be licensed for operation within Newmarket.

Newmarket is committed to ensuring licensed taxicabs are prohibited from charging a higher fare or an additional fee for persons with disabilities than for persons without disabilities for the same trip, including the storage of mobility aids or assistive devices, and that taxi vehicle registration and identification information be displayed on the rear bumper in an accessible format to passengers with disabilities.

### **Responsibilities of Employees**

- Act in accordance with this policy and related legislation as amended from time to time and be aware of consequences on non-compliance; and
- Participate fully in training as it relates to this policy.

### **Responsibilities of Employer**

- Ensure all requirements of the IASR, O. Reg. 191/11 under the AODA are met on an ongoing basis within the timelines set out in the regulation.

### **Appendices**

Appendix 'A' - Definitions

Appendix 'B' - Guidelines for Compliance with Integrated Accessibility Standards Regulation (IASR)

### **Cross-References**

AccessOn: [www.accesson.ca](http://www.accesson.ca)

Accessibility Advisory Committee Terms of Reference

Accessibility for Ontarians with Disabilities Act

Canadian Charter of rights and Freedoms

Canadian National Institute for the Blind (CNIB)

<http://www.cnib.ca/en/services/resources/Pages/default.aspx>

Compliance Manual: Accessibility Standards for Customer Service, Ontario Regulation 429/07

Guide to the Accessibility Standards for Customer Service, Ontario Regulation 429/07

Integrated Accessibility Standards Regulation 191/11  
Newmarket's Procedures to Accessible Customer Service Policy - CORP.2-01  
Newmarket's Accessibility Plan  
Newmarket's Multi-Year Accessibility Plan  
Notice Policy - CORP.1-02  
Ontario Human Rights Code  
Records Retention Policy - CORP.1-06  
Return to Work Policy - HR.8-06  
Web Content Accessibility Guidelines (WCAG)  
Workplace Safety and Insurance Act, 1997

## Appendix 'A'

### Definitions to Newmarket's Integrated Accessibility Standards Regulation (IASR) Policy CORP.2-02

**ASCS:** Accessibility Standards for Customer Service

**Accessibility Plan:** a document approved by Newmarket Council and made available to the public that includes:

- a) Newmarket's strategy to identify, remove and prevent barriers to persons with disabilities and meet its requirements under the enacted regulations of the Accessibility for Ontarians with Disabilities Act, 2005 (AODA); and
- b) All other information and actions required under the Ontarians with Disabilities Act, 2001 (ODA) and AODA.

**Accessibility Standard:** a rule that persons and organizations must follow to identify, remove and prevent barriers to accessibility.

**Accessible Formats:** formats that are an alternative to standard print and are accessible to persons with disabilities. Accessible formats may include large print, Braille, and audio electronic formats such as DVDs, CDs.

**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.

**Agent:** a third party individual or organization who deals directly with members of the public to provide a program, service or facility on behalf of Newmarket.

**Barrier:** anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy or a practice.

**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.

**Communication:** interaction between two or more persons or entities, or any combination of them, where information is provided, sent or received.

**Communication Supports:** a support that persons with disabilities may need to access information. Some examples include plain language formats, sign language, as well as reading out loud, captioning, or using written notes to communicate.

**Conversion Ready:** an electronic or digital format that facilitates conversion into an accessible format.

**Disability:**

- (a) 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,
- (b) a condition of mental impairment or a developmental disability,
- (c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- (d) a mental disorder, or
- (e) an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

**IASR:** Integrated Accessibility Standards Regulation.

**Individual Accommodation Plan (IAP):** a document which outlines the details of individual accommodations for an employee with a disability.

**Information:** includes data, facts and knowledge that exists in any format (text, audio, digital or images) and that convey 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.

**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 or similar aid.

**Newmarket:** the "Corporation of the Town of Newmarket".

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

**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 by the organization.

**Regulation:** the regulations contained under the Integrated Accessibility Standards Regulation, Ontario Regulation 191/11.

**Unconvertible Information:** any information that cannot be converted into accessible formats. For instance, some sectors or organizations might not have easy access to technology that allows them to convert some material into accessible formats. In other

cases, certain information such as that in a textbook might be difficult to convert into accessible formats or conversion ready formats without losing the meaning of the material.

**Web Content Accessibility Guidelines (WCAG):** the World Wide Web Consortium Recommendation, dated December 2008, entitled "Web Content Accessibility Guidelines (WCAG) 2.0.

## **Appendix 'B'**

### **Guidelines for Compliance to Newmarket's Integrated Accessibility Standards Regulation (IASR) Policy CORP.2-02**

#### **Responsibilities**

##### **Employees**

- Support the Town's core values of Respecting each other and the public whom we serve, and Accountability and Accessibility in the provision of accessible programs, facilities and services.
- Act in accordance with this policy, related legislation as amended from time to time and be aware of consequences of non-compliance; and
- Participate fully in training as it relates to this policy.

##### **Members of the Newmarket Accessibility Advisory Committee**

- Review and advise Newmarket Council through the Corporate Services Commission on how Newmarket is complying with the regulations under the AODA;
- Encourage and facilitate accessibility for all persons with disabilities in Newmarket;
- Educate the public about accessibility to improve community sensitivity to the need for accessibility;
- Advise Council about accessibility of facilities and services;
- Assist Council with improving opportunities for persons with disabilities;
- Advise Council on the Committee's annual Multi-Year Accessibility Plan as required under the AODA and IASR to identify, remove and prevent barriers to persons with disabilities; and
- Provide advice and information to the Town in determining the proportion of on-demand accessible taxicabs required in the community.

##### **Corporate Coordinator**

- Ensure all requirements of the ASCS, O.Reg.429/07 under the AODA are met on an ongoing basis;
- Ensure all requirements of the IASR, O. Reg. 191/11 under the AODA are met on an ongoing basis and within the timelines set out in the regulation;
- Complete and file the annual accessibility report of the Multi-Year Accessibility Plan as required by the legislation;
- Prepare an annual status report on the progress of measures taken to implement the strategy;
- Post the Multi-Year Accessibility Plan on Newmarket's website in an accessible format;
- Establish, review and update accessibility plans in consultation with persons with disabilities and the Newmarket Accessibility Advisory Committee;
- Ensure the status report is posted on Newmarket's website, if any;

- Provide the report in an accessible format; and
- Identify the progress made toward meeting the need for on-demand accessible taxicabs, including any steps that will be taken to meet the need, in its Multi-Year Accessibility Plan required under Part I of the IASR of the AODA.

#### **Human Resources Department**

- Educate employees and ensure compliance with all aspects of the policy;
- Provide individualized workplace emergency response information to employees who have a disability, 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;
- Review the needs of the employee should they move to a different location in the organization;
- Provide training on the requirements of the accessibility standards referred to in the IASR and on the Human Rights Code as it pertains to persons with disabilities to all employees, volunteers, all persons who participate in developing the organization's policies, and all other persons who provide goods, services or facilities on behalf of the organization, and to be trained as soon as practicable, and shall provide training in respect of any changes to the policies;
- Review the individualized workplace emergency response information; and
- Record and retain information on training provided under this section, including the dates on which the training is provided and the number of individuals to whom it is provided.

#### **Directors/Managers/Supervisors**

- Ensure all departmental policies, practices and procedures are aligned with all requirements of the IASR, O. Reg. 191/11 under the AODA;
- Demonstrate 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;
- Ensure that accessibility requirements related to the implementation of this policy are considered in the annual business planning and budget process;
- In coordination with Human Resources, provide the information required under this section as soon as practicable after the employer becomes aware of the need for the accommodation due to the employee's disability;
- In coordination with Human Resources, provide the workplace emergency response information to the person designated by the employer to provide assistance to the employee;
- In coordination with Human Resources, review the employee with disabilities' needs when their overall accommodations, needs or plans are reviewed;
- In coordination with Human Resources, review the employee with disabilities' needs when the general emergency response policies are reviewed; and
- In coordination with Human Resources, provide or arrange for the provision of accessible formats and communication supports for persons with disabilities in a timely manner that takes into account the person's accessibility needs due to

disability, at a cost that is no more than the regular cost charged to other persons and shall consult with the person making the request in determining the suitability of an accessible format or communication support.

### **Chief Administrative Officer/Commissioners**

- Demonstrate behaviours that are consistent with the policy;
- Appoint a Corporate Coordinator for designated standards under the AODA who is responsible for the corporate coordination, development of policies and procedures, implementation and monitoring of the compliance for all regulations under the AODA, including the General Standards under the IASR as follows:
  - Corporate Services Commission: Accessibility Standards for Customer Service
  - Office of the CAO: Information and Communications Standards
  - Corporate Services Commission: Information and Communications Standards
  - Office of the CAO: Employment Standards
  - Corporate Services Commission: Transportation Standards
  - Development and Infrastructure Services Commission: Design of Public Spaces (Accessibility Standards for the Built Environment)
- Ensure all necessary policies and procedures developed in accordance with the regulations under the AODA and IASR are processed and approved in a timely manner to meet the deadlines imposed by the regulations;
- Recommend to Council, the allocation of funds in Newmarket's operating and capital budgets required to achieve compliance with the AODA and IASR;
- Oversee the establishment, implementation, maintenance and documentation of a Multi-Year Accessibility Plan, which outlines the organization's strategy to prevent and remove barriers and meet the organization's requirements under the Regulation;
- Oversee the review and update of the Multi-Year Accessibility Plan at least once every five years;
- Ensure emergency procedures, plans and/or public safety information are prepared and make the information available to the public, in an accessible format or with appropriate communication supports, as soon as practicable, upon request; and
- Ensure the public is notified about the availability of accessible formats and communication supports.