



Independent Living Services Simcoe County POLICIES and PROCEDURES MANUAL

CATEGORY A: Administration and Operations

SECTION 9: Employment Equity, Human Rights and Accommodations

POLICY: Corporate Accessibility

POLICY

The ILS Corporate Accessibility Policy (hereafter referred to as the "Policy") establishes a framework for compliance with the agency's commitment to accessibility, requirements of the Accessibility for Ontarians with Disabilities Act, 2005 (AODA), requirements of the Integrated Accessibility Standards Regulation (IASR) under the AODA, and additional ILS requirements.

ILS is committed to building an inclusive society that values the contributions of people with disabilities. It is committed to providing an accessible environment in which people with disabilities can access ILS, services, and facilities, including all buildings, public spaces, information and communications, in a way that meets their individual needs. ILS is committed to the identification, removal and prevention of accessibility barriers, including attitudinal, systemic, information, communications and technology, and built environment and physical barriers.

The AODA provides for the development, implementation and enforcement of accessibility standards in order to achieve accessibility for persons with disabilities in all aspects of society. ILS must meet requirements in key areas including:

- General Requirements (Procurement, Training and Policy)
- Information and Communication
- Customer Service
- Employment
- Transportation
- Built Environment and Public Spaces.

All ILS policies, procedures, bylaws, standards and guidelines must comply with the AODA, and provide for dignity, independence, integration and equal opportunity for people with disabilities. In all of the key areas listed above, the AODA requires ILS to:

- identify, prevent and remove barriers people with disabilities face in accessing ILS 's services, and facilities
- accommodate the accessibility needs of people with disabilities to ensure they can obtain, use or benefit from ILS's services, and facilities, and that they can do so in a timely manner, at a cost no greater than the cost for people without disabilities

- develop and train ILS employees on providing accessible goods, services, and facilities.

APPLICATION

This Policy applies to all ILS employees and volunteers.

Any individual or third-party organization that provides goods, services, and facilities on behalf of ILS is also required to demonstrate compliance with AODA.

The Employment Standards Requirements in Section 8 apply only to employees of ILS.

DEFINITIONS

Accessibility

A concept integral to human rights that refers to the absence of barriers that prevent individuals and/or groups from fully participating in all social, economic, political and cultural aspects of society. The term is often linked to people with disabilities and their rights to access, and also refers to design characteristics of products, devices, information, services, facilities or public spaces that enable independent use, or support when required, and access by people with a variety of disabilities.

Accessible

Refers to products, devices, information, services, facilities or public spaces that provide for independent, equitable and dignified access for people with disabilities, including but not limited to those with visual, auditory, sensory, cognitive and mobility related disabilities. The concept of accessible design ensures both "direct access" (i.e. unassisted) and "indirect access," referring to compatibility with a person's assistive technology.

Accessible Formats

Refers to formats that are usable by persons with disabilities including but not limited to: large print, recorded audio and electronic formats, and Braille.

Accommodation

In the context of Human Rights, accommodation means preventing and removing barriers caused by attitudinal, systemic, physical, information or communications, and technology barriers that unfairly exclude individuals or groups protected by Ontario's Human Rights Code from having equal access to full benefits available to others. Principles of accommodation include dignity, individualization and inclusion or integration. For more information refer to Ontario's Human Rights Code and ILS 's Accommodation Policy.

Assistive Devices

Refers to technical aids, communication devices, or medical aids modified or customized for use to increase, maintain or improve the functional ability of a person with a disability including but not limited to wheelchairs, walkers, white canes, note taking devices, portable magnifiers, recording machines, assistive listening devices, personal oxygen tanks and devices for grasping. Assistive devices

may accompany the customer or already be on the premises for the purpose of assisting persons with disabilities in carrying out activities or in accessing the services provided by ILS .

Barrier

Defined by the AODA as 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

Defined by the AODA as the provision of additional responsibility within an employee's current position or movement from one job to another within the organization that may be higher in pay, provide greater responsibility, or be at a higher level in the organization.

Communications

Refers to interaction between two or more persons or entities, or any combination of them, where information is provided, sent or received.

Communications Supports

Includes, but is not limited to, captioning, alternative and augmentative communications supports, plain language, sign language and other supports that facilitate effective communications.

Conversion Ready

An electronic or digital format that facilitates conversion into an accessible format such as Braille, large print, audio cassettes CDs DVDs, etc.

Disability

"Disability" is defined, per Section 2 of the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11 and the Ontario Human Rights Code, R.S.O. 1990, c. H.19, as follows:

- (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.

Goods, Services and Facilities

All aspects of ILS as an employer and service provider, including delivery of goods, services, and programs, all information and communication including verbal, print, audio, video, websites, web applications and web content, and other digital technologies including kiosks, and all buildings, facilities, public spaces, and the public realm.

Information

Includes but is not limited to data, facts and knowledge that exists in any format, including text, audio, digital, or images that convey meaning.

New Internet Website

Refers to either a website with a new domain name or a website with an existing domain name undergoing a significant refresh.

Performance Management

Defined by the AODA as a program that defines and assesses employee performance, productivity and effectiveness, with the goal of facilitating employee success.

Practicable

Capable of being done or put into practice; capable of being used. Factors relevant to determining if accessibility is practicable may include:

- Availability of accessible services, goods including commercial software or tools, or facilities
- Technological compatibility between older products and newer ones being procured.

Redeployment

Assigning an employee to another job or department within the organization as an alternative to layoff when a particular job or department within the organization has been downsized or eliminated.

Service Animals

Defined by Section 80.45 (4) of the AODA Customer Service Standards (O.Reg 165/16) as follows:

“ an animal is a service animal for a person with a disability if the animal can be readily identified as one that is being used by the person for reasons relating to the person’s disability, as a result of visual indicators such as the vest or harness worn by the animal; or the person provides documentation from one of the following regulated health professional confirming that the person requires the animal for reasons relating to the disability:

- A member of the College of Audiologists and Speech Language Pathologists of Ontario
- A member of the College of Chiropractors of Ontario

- A member of the College of Nurses of Ontario
- A member of the College of Occupational Therapists of Ontario
- A member of the College of Optometrists of Ontario
- A member of the College of Physicians and Surgeons of Ontario
- A member of the College of Physiotherapists of Ontario
- A member of the College of Psychologists of Ontario
- A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario.”

Support Person

An individual who accompanies a person with a disability to help with communication, mobility, personal care or medical needs or with access to goods or services.

Unconvertible

Information or communications are unconvertible if it is not technically feasible to convert the information and communication, or the technology to convert the information and communication is not readily available.

CONDITIONS

ILS goods, services and facilities are to be available to people with disabilities in a manner that:

- is free from discrimination
- strives at all times to respect the individual’s dignity and independence
- is integrated with the provision of service to others, except when alternative measures are necessary to meet the needs of people with disabilities
- takes individual needs into account where a uniform response is inappropriate, to ensure that there are no barriers to access or participation, and that individuals with disabilities are treated equitably.

IMPLEMENTATION

Roles and Responsibilities

Accessibility is a shared responsibility, and everyone has a part to play in making ILS accessible to clients, visitors, and co-workers, as described in the following roles and responsibilities.

1. Employees, Volunteers and Third Parties

All employees and other persons acting on behalf of ILS must:

- have thorough knowledge of and maintain compliance with this Policy
- be familiar with their rights and responsibilities under this Policy
- prevent accessibility barriers by including accessibility considerations in the development of goods, services and facilities
- participate in identifying accessibility barriers and planning for barrier removal
- provide a welcoming environment for people with disabilities, including any person with a disability using assistive devices or accompanied by a support person or service animal

- communicate with persons with disabilities in a manner that takes into account their disability
- provide information and communications in accessible formats upon request, or with communication supports, consulting with the requestor about their preferred format
- facilitate the process of receiving and responding to feedback about the manner that ILS provides goods, services, and facilities to persons with disabilities, and ensure all feedback processes are accessible to persons with disabilities by providing or arranging for accessible formats and communication supports upon request
- facilitate requests for accommodation by members of the public and employees with disabilities in a timely manner, to the point of undue hardship, in accordance with the Ontario Human Rights Code and ILS 's Accommodation Policy
- when serving customers that have competing accommodation needs, staff will make every effort to meet the needs of all individuals according to the Ontario Human Rights Code and ILS 's Accommodation Policy
- request support from supervisors, managers, directors or the People & Culture department when accommodation requests are outside their area of responsibility, or beyond their capacity
- attend mandatory training and any additional training appropriate to the duties of their role, which may include acquiring skills and competencies necessary to identify, prevent and remove accessibility barriers. Training may also include how to use and maintain assistive devices and technologies.

2. Supervisors, Managers and Directors

In addition to the roles and responsibilities above of, individuals with management and supervisory roles must:

- provide leadership in building an inclusive and accessible environment for the public and employees
- facilitate requests for accommodation by members of the public and employees with disabilities in a timely manner, to the point of undue hardship, in accordance with the Ontario Human Rights Code and ILS 's Accommodation Policy
- prevent barriers by including accessibility considerations in the development of new policies, practices, procedures or bylaws.
- ensure that the Policy is communicated to all ILS employees and those acting on behalf of ILS
- promote awareness of the Policy within their area of responsibility
- monitor current practices and ensure that management and staff are held accountable for their responsibilities under the Policy
- act on non-compliant issues within their area of responsibility
- attend training and ensure staff receive training appropriate to the duties of their role, including any skills and competencies required to identify, prevent and remove accessibility barriers
- ensure volunteers and other third parties providing goods, services, and facilities on behalf of ILS have been provided training, either by ILS or their own organization
- consult with the People & Culture Department for assistance with accessibility issues

3. Executive Director

In addition to roles and responsibilities above, the Executive Director must:

- ensure resources are budgeted for identifying and preventing accessibility barriers (including attitudinal, systemic, information, communications and technology, and built environment and public space barriers) and for planning for barrier removal
- provide oversight for implementation of this Policy and compliance with AODA within area of responsibility
- provide AODA compliance assurance when required.

The ILS Executive Director is responsible for promoting awareness of the Policy and for reporting compliance to the Province, in accordance with AODA reporting deadlines, with support from the Director, People & Culture Department.

General Requirements

ILS will ensure the general requirements of the Integrated Accessibility Standards Regulation (IASR) under the AODA are met in order to achieve accessibility for persons with disabilities.

1. Accessibility Policies

The AODA requires ILS to maintain one or more policies governing how the organization will achieve the requirements of the IASR. ILS must also make such documents available to the public, and in accessible formats upon request. This Policy is adopted in compliance with this obligation.

2. Multi-Year Accessibility Plan

The AODA requires ILS to establish, implement, maintain and make public a Multi-Year Accessibility Plan outlining the corporate strategy to identify, remove and prevent barriers and to meet the legislated requirements of the IASR. The plan must be developed in consultation with people with disabilities. It must be posted on ILS 's website and made available in an accessible format or with appropriate communications supports as soon as possible upon request.

3. Procurement of Goods, Services and Facilities

As required by the AODA, when acquiring or procuring goods, services, and facilities, ILS must incorporate accessibility criteria and features, and will do so as early as possible in the procurement process. Where it is not practicable to do so, an explanation must be provided upon request.

Ensuring accessibility is incorporated into all procurement activities is the primary responsibility of the departments who manage these activities and contracts. Any third parties that provide goods, services and facilities on ILS 's behalf must ensure their staff has received appropriate training as required by the IASR.

ILS requires any third-party that is contracted to provide a service on behalf of ILS to sign a 'Declaration of Compliance with Anti-Harassment/Discrimination Legislation and ILS Policy' form confirming that they will uphold ILS policies and their obligations under provincial legislation, including

the provision of accessibility training. Third parties may be required to provide records to show training has been done.

4. Training

The AODA requires that all employees, volunteers and persons who participate in developing ILS policies must receive training on the AODA, the Ontario Human Rights Code, and Accessible Customer Service. Training must take place as soon as possible and be appropriate to the person's role. ILS must keep a record of the training provided to employees and volunteers, including the dates on which accessibility training took place and the names of individuals trained.

Training must include:

- A review of the purpose of the AODA
- Requirements of AODA Standards under the IASR
- The Ontario Human Rights Code as it pertains to persons with disabilities
- Accessible Customer Service.

Information and Communication Requirements

ILS will provide accessible information and communication by preventing and removing barriers, and providing accessible formats or communication supports to individuals that identify a barrier to accessibility. This section of the Policy addresses ILS 's requirements of the IASR Information and Communications Standards under the AODA.

1. Accessible Formats and Communication Supports

The AODA requires that all information and communications that ILS produces, directly or indirectly through contractual relationships, must be made available in accessible formats upon request.

When an accessible format or communication support is requested, ILS must consult with the person making the request to determine which format or support is required and provide or make arrangements to provide the material in a reasonable amount of time and at no additional cost to the requestor.

IASR Information and Communication Standards do not apply to products and product labels, unconvertible information or communications, and information that ILS does not control directly or indirectly through a contractual relationship.

If, in consultation with the People & Culture Department, the information or communication is determined to be unconvertible, ILS must provide the person requesting the information or communication with:

- an explanation as to why the information or communications are unconvertible, and
- a summary of the unconvertible information or communications.

2. Notice of Availability of Documents

This Policy will be maintained by the People & Culture Department and available on ILS 's website. The Policy must be provided to individuals, upon request, in the appropriate format or with communication supports.

3. Accessible Websites and Web Content

The AODA requires that ILS 's internet website and web content, controlled directly by ILS or through a contractual relationship that allows for modification of the product, must conform to World Wide Web Consortium (W3C) Web Content Accessibility Guidelines (WCAG) 2.0 at Level AA, in accordance with the timelines set out in the IASR.

4. Emergency Procedures, Plans or Public Safety Information

The AODA requires that ILS emergency procedures and plans that are available to the public must be made available in an accessible format or with appropriate communication supports as soon as possible upon request.

5. Feedback

ILS must have a process in place for receiving and responding to feedback, including feedback on how services are delivered to people with disabilities. ILS must make feedback processes accessible to persons with disabilities by providing or arranging for the provision of accessible formats and communication supports upon request.

Feedback will be collected by:

Phone by dialing 1-800-465-1133 /705-737-3263, x230, TTY: 705-737-3242

Mail to and in person: 44 Cedar Point Drive, Unit 1102, Barrie ON L4N 5R7

Email to: quality@ilssimcoe.ca

Customer Service Requirements

ILS will strive for excellence in serving all customers including people with disabilities and is committed to meeting obligations under the Ontario Human Rights Code and the AODA.

1. Fees

Persons with disabilities must not be charged more to access ILS programs or services.

2. Assistive Devices

The AODA requires ILS to allow persons with disabilities to use their own assistive devices to obtain, use or benefit from the goods, services, and facilities offered by ILS .

In circumstances where a person with a disability is unable to access ILS 's services through the use of their own personal assistive device, ILS must assess service delivery and potential service options to meet the needs of the individual, in accordance with the Ontario Human Rights Code and ILS 's Accommodation Policy.

Where ILS owned assistive devices are available, the AODA requires that they must be kept in good working order and the public must be informed of their availability. Employees within the applicable department must be trained in the application and use of the devices.

3. Support Persons

Where a person with a disability accessing ILS goods, services, or facilities is accompanied by a support person, the AODA requires ILS to ensure that both persons are permitted to enter the premises together and the person with a disability is not prevented from having access to the support person while on the premises.

4. Service Animals

The AODA requires that persons with disabilities accompanied by their service animal must be permitted to keep that animal with them in premises that members of the public are permitted to enter. Please see the definition of service animal.

In the event the animal is excluded by law, such as in a food preparation area, ILS must ensure other measures are available to enable the person with a disability to obtain, use or benefit from ILS goods, services, and facilities. Staff will respectfully explain why the animal is excluded and determine what other arrangements can be made.

When serving two customers that have different needs, such as serving a customer that has a service animal and a customer that has an allergy to animals, staff will determine how to best meet the needs of both individuals and observe the rights of all individuals involved, according to the Ontario Human Rights Code and ILS 's Accommodation Policy.

A person with a disability is responsible for the control of their service animal at all times. If the service animal is not kept under control, has bitten another person or animal, or is a menace to the safety of other persons or animals, the service animal may be required to leave the premises. If this occurs the person will be permitted to continue to access ILS goods or services without the animal. In addition, ILS employees will, upon request, consider alternate accommodations for the person in such circumstances. ILS may refuse to permit the service animal to accompany the person until steps have been taken to correct the situation, and the issue has been resolved.

5. Notice of Service Disruptions

The AODA requires ILS to give notice of any temporary planned or unplanned service disruption of facilities, services or systems that are relied upon by people with disabilities to access ILS goods, services or facilities, such as accessible washrooms. In the event of an unexpected disruption, notice must be provided as soon as possible.

Notice must include information about the reason for the disruption, its anticipated duration and a description of alternative facilities, services or systems that are available.

Notice must be given by posting the information in a prominent place on premises owned or operated by the provider, posted on ILS 's website or social media, included on telephone recordings, or by other methods as is reasonable under the circumstances.

Employment Standards Requirements

ILS will foster an inclusive workforce and provide equitable treatment and accommodation to ensure barrier-free employment. The requirements in this section apply only to employees of ILS. Volunteers and other non-paid individuals are not captured under this section. This section addresses ILS 's requirements of the IASR Employment Standards under the AODA.

1. Recruitment, Assessment and Selection Process

ILS must post information about the availability of accommodations for internal and external job applicants with disabilities in its recruitment process. Job applicants who are individually selected for an interview and/or testing must be notified that accommodations are available on request. ILS must consult with an applicant who requests an accommodation and, in accordance with the Ontario Human Rights Code and ILS's Accommodation Policy, will provide or arrange for the provision of a suitable accommodation in a timely manner that takes into account the applicant's accessibility needs due to disability. Successful applicants must be notified about ILS 's policies for accommodating employees with disabilities as part of their offer of employment.

2. Employee Supports

ILS employees must be made aware of the policies used to support employees with disabilities and accommodations available in accordance with the Ontario Human Rights Code ILS's Accommodation Policy. ILS provides this information to new employees through employment agreements and orientation materials and must provide updated information to all employees 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 disability.

3. Accessible Formats and Communication Supports for Employees

In accordance with the Ontario Human Rights Code and ILS's Accommodation Policy, upon an employee's request, ILS must consult with the employee to provide or arrange for the provision of accessible formats and communication supports for:

- information that is needed to perform the employee's job
- information that is generally available to employees in the workplace.

ILS must consult with the employee making the request in determining the suitability of an accessible format or communications support.

4. Workplace Emergency Response Information

ILS will provide individualized emergency response information to employees who identify potential accessibility barriers when responding to emergency situations. If the employee requires assistance, ILS must receive consent from the employee to provide the individualized emergency response information to the person(s) designated to provide assistance. The information must be reviewed when

the employee moves to a different location, when the employee's accommodation needs change, when overall accommodation plans are reviewed and when ILS reviews its general emergency response plan.

5. Individual Accommodation Plans

ILS 's Accommodation Policy describes the mandatory process for the development and maintenance of documented individual accommodation plans to support employees with disabilities. The process set out in the policy meets requirements of the AODA. If applicable, individual accommodation plans may include information regarding plans for accessible formats and communication supports, as well as individualized workplace emergency response information.

6. Return to Work Process

ILS must have in place a documented return to work process for employees returning to work following an illness or injury where disability-related accommodations are required. This requirement is met through return to work processes and is consistent with the collective agreements and return to work protocols.

7. Performance Management, Career Development, and Redeployment

ILS will ensure employees with disabilities or individual accommodation plans are provided equitable access to career development, performance management and redeployment opportunities.

Built Environment and Public Spaces Requirements

ILS will strive to provide barrier free facilities and accessible public spaces by designing with accessibility in mind. These standards establish the minimum threshold for accessibility in the built environment in new and redeveloped spaces.

1 Accessibility Requirements in Codes and Standards

The Ontario Building Code, which has a section on Barrier-Free Design, and the AODA, IASR Design of Public Spaces Standards are both standards to which ILS must adhere. These standards establish the minimum threshold for accessibility in the built environment.

2. Obtaining Services

When constructing or replacing various aspects of facilities, the AODA requires ILS to make them accessible to people with disabilities.

AODA Reporting Requirements

ILS must submit completed compliance reports to the Province every two years, in accordance with the schedule set out in the AODA.

Contraventions

Failure to comply with this Policy may result in disciplinary action, up to and including dismissal. ILS 's failure to comply with AODA may result in significant fines and reputational damage.

RELATED LEGISLATION

Accessibility for Ontarians with Disabilities Act (AODA), 2005, S.O. 2005, c.11 (AODA)

AODA, Integrated Accessibility Standards Regulation, O. Reg. 191/11

Ontario Building Code, O. Reg. 332/12

Ontario Human Rights Code, R.S.O. 1990, c.H.19

Health Protection and Promotion Act, R.R.O. 1990, Reg. 562

Food Safety and Quality Act, 2001, O. Reg. 31/05

The Blind Person's Rights Act, R.R.O. 1990, Regulation 58

RELEVANT DOCUMENTS

ILS Strategic Plan

ILS Multi-Year Accessibility Plan

ILS's Human Rights and Anti-Harassment/Discrimination Policy

ILS's Accommodation Policy

APPROVED BY: ILS Leadership Team

DATE APPROVED: March 30, 2021

DATE REVIEWED:

DATE REVISED: