

# ACCESSIBILITY POLICY

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Accessibility for Ontarians with Disabilities Act, 2005 (AODA)



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**Vision, Mission and Commitment**

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**Vision**

The City of Vaughan is a city of choice that promotes diversity, innovation and opportunity for all citizens, fostering a vibrant community life that is inclusive, progressive, environmentally responsible and sustainable.

**Mission**

The mission of the City of Vaughan is citizens first through service excellence.

**Commitment**

The City of Vaughan is committed to treating all people in a way that allows them to maintain their dignity and independence. We believe in integration and equitable access for residents, visitors, and employees with visible or non-visible disabilities. We are committed to meeting the needs of people with disabilities in a timely manner, and will do so by preventing and removing barriers to accessibility, and by meeting the accessibility requirements under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA).

## **Purpose, Application and Principles**

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### **Purpose**

This Policy is intended to provide the overarching framework to guide the review and development of other City of Vaughan policies, standards, procedures, By-laws and guidelines to comply with the standards developed under the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA), the *Accessibility Standards for Customer Service, Ont Regulation 429/07* (ASCS), the *Integrated Accessibility Standards, Ont Regulation 191/11* (IASR) and future regulations, as amended.

### **Application**

This Policy applies to all City employees, volunteers, and to any individual or organization that provides goods, services or facilities to the public or other third parties on behalf of the City, in accordance with the AODA.

### **Principles**

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

- is free from discrimination;
- provides accessible formats and communication supports;
- seeks to provide integrated services; provides an opportunity equitable to others to obtain, use and benefit from the goods or services, and;
- takes into consideration a person's disability.

## Definitions

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### **Accessible Formats**

Include, but are not limited to, large print, recorded audio and electronic formats, braille and other formats usable by persons with disabilities.

### **Accessible Taxicab**

A motor vehicle which can be used for the transportation of passengers unable to board vehicles due to physical disability and for transporting of passengers in wheelchairs for hire or reward and which has been approved by the Licensing Officer for this purpose.

### **Communication Supports**

Include, but are not limited to, captioning, alternative and augmentative communication supports, plain language, sign language and other supports that facilitate effective communications.

### **Disability**

Per Section 2 of the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11 and the Human Rights Code, R.S.O. 1990, c. H.19:

- (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."

### **Service Animal**

Per section 4(9) of the Accessibility Standards for Customer Service, Ont Reg 429/07: "an animal is a service animal for a person with a disability:

- (a) if it is readily apparent that the animal is used by the person for reasons relating to his or her disability; or
- (b) if the person provides a letter from a physician or nurse confirming

that the person requires the animal for reasons relating to the disability.”

**Support Person**

Per section 4(8) of the Accessibility Standards for Customer Service, Ont Reg 429/07: “a support person means, in relation to a person with a disability, another person who accompanies him or her in order 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 or communications or the technology to convert the information or communications is not readily available.

**General Standards under the Accessibility for Ontarians with Disabilities Act, 2005**

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**Accessibility Advisory Committee (Vaughan Accessibility Advisory Committee)**

The City of Vaughan has established an advisory committee, the majority of members whom are persons with disabilities. The committee shall advise Council about the requirements and implementation of AODA accessibility standards, preparation of accessibility reports, including access for persons with disabilities to a building or premises, and other matters for which Council may seek advice.

**Accessibility Plan**

The City shall produce a multi-year Accessibility Plan. The plan will be posted on the City's website and shall be made available in an accessible format and with communication supports, upon request. Progress on the plan will be provided annually in the City of Vaughan's Municipal Accessibility Plan update report to Council. The Accessibility Plan shall be reviewed and, if necessary, updated at least once every five (5) years.

**Accessible Formats and Communication Supports**

Except as otherwise provided by the AODA, the City of Vaughan shall, upon request, and in consultation with the person making the request, provide or make arrangements to provide accessible formats and communication supports for persons with disabilities in a timely manner, taking into account the person's accessibility needs and at a cost that is no more than the regular cost charged to other persons.

This does not apply to products and product labels, unconvertible information or communications and information that the City does not control directly or indirectly through a contractual relationship. If it determined that information or communications are unconvertible, the department shall provide the person requesting the information or communication with:

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

**Documentation**

Documentation that describes this Policy and each of its requirements shall be maintained on the City of Vaughan's website ([www.vaughan.ca](http://www.vaughan.ca)) and provided to individuals, upon request, in the appropriate format or communication support.



### **Establishment of Policies, Practices and Procedures**

The City of Vaughan shall establish policies, practices and procedures in accordance with the AODA standards for Customer Service (Ont Reg 429/07); Information and Communications, Employment, and Transportation (Ont Reg 191/11); and Built Environment [Design of Public Spaces] (under development).

### **Feedback**

The City of Vaughan through the City Clerks Department shall make all processes for receiving and responding to feedback accessible to persons with disabilities, by providing or arranging for the provision of accessible formats and communication supports, upon request.

Feedback on how services were delivered to people with disabilities shall be invited, forwarded to the appropriate personnel, responded to, documented and tracked. Feedback shall be collected by phone, Teletypewriter (TTY) and e-mail to the City Clerk's office, and in person at any of the City's service locations.

### **Procurement of Goods, Services, Facilities and Kiosks**

The City of Vaughan through the Purchasing Services Department shall incorporate accessibility criteria and features when procuring or acquiring goods, services or facilities when it is practicable to do so. If the City has determined that it is not practicable to incorporate accessibility criteria in its procurement of goods, services, or facilities, it shall provide an explanation upon request.

The City of Vaughan through the Information & Technology Management Department shall incorporate accessibility features when designing, procuring, or acquiring self-service kiosks.

### **Training**

The City of Vaughan, as soon as is practicable, through the Human Resources Department shall provide training to every person who deals with the public on behalf of the City of Vaughan, including employees, agents, volunteers, third parties, and management on Ontario's accessibility laws and on the Human Rights Code as it relates to people with disabilities. Training shall be provided in a way that best suits the duties of employees, agents, volunteers, third parties and management. Training records shall be kept, including the dates when the training is provided, content of training and the number of individuals to whom the training was provided.

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**Accessibility Standards for Customer Service – Ont Reg 429/07**

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The City of Vaughan shall use reasonable efforts to ensure that its policies, practices and procedures are consistent with the following principles:

- The goods or services will 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, will 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 disabilities shall be given an opportunity equal to that given to others to obtain, use and benefit from the goods or services.
- City of Vaughan employees, when communicating with a person with a disability, shall do so in a manner that takes into account the person's disability.

**Notice of Service Disruption (Planned / Unexpected)**

In the event that there is a temporary service disruption in the availability of facilities, services or goods used by persons with disabilities, the City of Vaughan shall give notice to the public of the reason for the disruption, the date(s) of disruption, its anticipated duration and a description of alternative facilities or services, if any, that are available. Such notice may be provided by a variety of methods depending on the circumstances, and may include postings in conspicuous places at the affected premises, other City facilities, and the City's website ([www.vaughan.ca](http://www.vaughan.ca)), as well as by other means such as a website that will ensure that the notice reaches those persons potentially affected by a planned and/or unexpected disruption.

**Use of Assistive Devices, Service Animals, and Support Persons**

- Persons with disabilities shall be permitted to use personal assistive devices, service animals and/or support persons in the access of goods and services.
- If a service animal is excluded by law from City premises, the City of Vaughan shall ensure that other measures are available to enable the person with a disability to obtain, use or benefit from the available goods and services.

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- If a person with a disability is accompanied by a support person, the provider of goods or services shall ensure that both persons are permitted to enter the premises together and that the person with a disability is not prevented from having access to the support person while on the premises. If an admission fee is charged in connection with a person's presence at the premises, the City of Vaughan shall ensure that notice is given in advance about the amount, if any, payable in respect of the accompanying support person.

## **Integrated Accessibility Standards - Ont Reg 191/11**

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### **Information and Communications Standards**

The City of Vaughan is committed to meeting the communication needs of people with disabilities. We will consult with people with disabilities to determine their information and communication needs.

#### **Accessible Formats and Communication Supports**

Except as otherwise provided by the AODA, the City of Vaughan shall, upon request, and in consultation with the person making the request, provide or make arrangements to provide accessible formats and communication supports for persons with disabilities.

Accessible formats and communication supports shall be provided in a timely manner, taking into account the person's accessibility needs and at a cost that is no more than the regular cost charged to other persons.

The City of Vaughan, through the Corporate Communications Department, shall develop Style Guides with standards for the various communication methods for use by all City departments.

#### **Accessible Websites and Web Content**

The City of Vaughan through the Information & Technology Management Department will take the following steps to make all new websites and content on those sites comply with World Wide Web Consortium - Web Content Accessibility Guidelines (WCAG) 2.0, Level A and Level AA in accordance with the schedule set out in the AODA Integrated Accessibility Standards.

#### **Emergency Procedures, Plans and Information**

The City of Vaughan shall provide all existing public emergency procedures, plans and public safety information, upon request in an accessible format or with appropriate communication supports in a timely manner.

### **Employment Standards**

The City of Vaughan through the Human Resources Department is committed to fair and accessible employment practices.

**Accessible Formats and Communication Supports for Employees**

Upon an employee's request, the City of Vaughan shall consult with the employee to provide or arrange for the provision of accessible formats and communication supports for:

- (a) information that is needed in order to perform the employee's job; and
- (b) information that is generally available to employees in the workplace.

**Documented Individual Accommodation Plans for Employees**

The City of Vaughan shall develop and implement a written process for the development of documented individual accommodation plans for employees with disabilities. The written process shall include the following elements:

- 1. The manner in which an employee requesting accommodation can participate in the development of the individual accommodation plan.
- 2. The means by which the employee is assessed on an individual basis.
- 3. The manner in which the employer can request an evaluation by an outside medical or other expert, at the employer's expense, to assist the employer in determining if the accommodation can be achieved and, if so, how accommodation can be achieved.
- 4. 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.
- 5. The steps taken to protect the privacy of the employee's personal information.
- 6. The frequency with which the individual accommodation plan will be reviewed and updated and the manner in which it will be done.

7. The means of providing the individual accommodation plan in a format that takes into account the employee's accessibility needs due to disability. Alternatively, if an individual accommodation plan is denied, the manner in which the reasons for the denial will be provided to the employee.

Individual accommodation plans shall include, if requested, any information regarding accessible formats and communications supports provided. They shall also include, if required, individualized workplace emergency response information.

### **Employee Supports**

The City of Vaughan will inform employees of the policies used to support employees with disabilities, including policies on the provision of job accommodations that take into account an employee's accessibility needs due to disability. The City of Vaughan will provide this information to new employees as soon as practicable after they begin their employment and 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.

### **Performance Management, Career Development, and Redeployment**

When using its performance management process, or when providing career development and/or advancement opportunities, or when redeploying, the City of Vaughan shall take into account the accessibility needs of its employees with disabilities, as well as individual accommodation plans.

The City of Vaughan will take the following steps to prevent and remove accessibility barriers identified that pertain to employment.

### **Recruitment**

The City of Vaughan shall post information about the availability of accommodations for applicants with disabilities in its recruitment process. Job applicants who are individually selected for an interview and/or testing shall be notified that accommodations for material to be used in the process are available, upon request. The City of Vaughan shall consult with any applicant who requests an accommodation in a manner that takes into account the applicant's disability. Successful applicants shall be notified about the City's policies for accommodating employees with disabilities as part of their offer of employment.

## **Return-to-Work Process**

The City of Vaughan shall develop and have in place a documented return to work process for its employees who have been absent from work due to a disability and require disability-related accommodations in order to return to work.

The process shall outline the steps taken to facilitate the return to work of employees whose absence was related to their disability. Documented individual accommodation plans shall be part of the process.

The City of Vaughan shall take the following steps to develop and put in place a process for developing individual accommodation plans and return-to-work policies for employees that have been absent due to a disability.

- Determine accessible formats and communications supports requirements.
- Establish a process for the development of documented individual accommodation plans.
- Establish a process for returning to work from a leave of absence related to a disability
- Include individualized workplace emergency response information.

## **Workplace Emergency Response Information**

If an employee's disability is such that workplace emergency response information is necessary and the City of Vaughan is aware of the need for accommodation, this information shall be provided to employees. In addition, this information shall be provided, with the employee's consent, to the person designated to provide assistance. The information shall undergo review when the employee moves to a different location, with the employee's overall accommodation needs or plans are reviewed and when the City reviews its general emergency response plan.

## **Transportation Standards**

### **Taxicabs**

The City of Vaughan shall consult with the Vaughan Accessibility Advisory Committee, the public and persons with disabilities to determine the proportion of on-demand accessible taxicabs required in the community.

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Owners and operators of taxicabs licensed by the City of Vaughan are prohibited from charging additional fees or fees to persons with disabilities than for persons without disabilities, or for the storage of mobility aids or mobility assistive devices. Taxicabs licensed by the City are required to make available vehicle registration and identification information in an accessible format.



## **Monitoring and Contraventions Legislative and Administrative Authorities References**

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### **Monitoring and Contraventions**

This policy shall apply to every person who deals with members of the public or other third parties on behalf of the City of Vaughan, whether the person does so as an employee, agent, volunteer or otherwise.

Supervisors and managers shall monitor current practices to ensure compliance with this Policy and all supporting legislative and administrative authorities.

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

### **Legislative and Administrative Authorities**

- Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c.11
- Accessibility Standards for Customer Service, Ont Reg 429/07
- Accessibility for Ontarians with Disabilities Act, 2005 – Ont Reg 415/12 (amending Ont Reg 429/07 – Accessibility Standards for Customer Service)
- Integrated Accessibility Standards, Ont Reg 191/11
- Accessibility for Ontarians with Disabilities Act, 2005 – Ont Reg 413/12 (amending Ont Reg 191/11 – Integrated Accessibility Standards)
- Human Rights Code, R.S.O. 1990, c. H. 19

### **References**

- City of Vaughan, Accessibility Standards for Customer Service Policy, adopted by Council on May 5, 2009.
- City of Vaughan, Inclusive Customer Service Reference Guide
- City of Vaughan, Accessibility Plans
- City of Vaughan, Bylaw 329-94 – a bylaw to amend Bylaw 73-92, Section 68.1 – Accessible Taxicabs