

THE CORPORATION OF THE CITY OF VAUGHAN

CORPORATE POLICY

POLICY TITLE: ACCESSIBILITY POLICY

POLICY NO.: 01.C.01

Section:	Accessibility		
Effective Date:	December 1, 2012	Date of Last Review:	May 24, 2022
Approval Authority: Council	Policy Owner: DCM, Corporate Services & CFO		

POLICY STATEMENT

The City of Vaughan strives to foster an environment that is accessible, diverse, inclusive and equitable. We will treat all people with dignity and respect.

The City is committed to ensuring equal access to City goods, services and facilities for people with disabilities. This includes ensuring an accessible environment for City buildings, spaces, and communications. The City will identify and remove accessibility barriers, including attitudinal, systemic, and physical barriers.

The City's mission is citizens first through Service Excellence and that includes providing accessible City goods, services and facilities.

We believe in integration and we are committed to meeting the needs of people with disabilities in a timely manner.

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 *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) and the *AODA Integrated Accessibility Standards*.

SCOPE

This Policy applies to all City Employees and Members of Council.

LEGISLATIVE REQUIREMENTS

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The City recognizes and commits to its obligations under the [Accessibility for Ontarians with Disabilities Act, 2005 \(AODA\)](#), [Integrated Accessibility Standards Regulation](#) and the [Ontario Human Rights Code](#).

DEFINITIONS

Accessible or Accessibility refers to providing independent, equitable and dignified access to products, devices, information, services, facilities or public spaces 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 include, but are not limited to, large print, recorded audio and electronic formats, braille and other formats usable by persons with disabilities.

Accommodation means preventing and removing barriers that may exclude individuals or groups protected by Ontario’s *Human Rights Code* from having equal access. Principles of accommodation include dignity, individualization and inclusion or integration.

Accessible Taxicab is 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 or scooters for a fee or other consideration and which has been approved by the City.

Assistive Devices are 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 the City.

Barrier is anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability. Examples of barriers include:

- **Physical and architectural barriers:** occur in the environment and prevent access for people with disabilities. Examples include narrow doorways, stairs, dim lighting or high glare surfaces.

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- **Information or communications barriers:** arise when a person with a disability cannot easily receive and/or understand information that is available to others (e.g., publications that are not available in large print, digitally, Braille or other accessible formats);
- **Technological barriers:** occur when technology or the way it is used does not meet the needs of people with disabilities (e.g., a website that does not support screen reading software);
- **Attitudinal barriers:** may result in people with disabilities being treated differently than people without disabilities (e.g., a receptionist who talks to an individual's support person rather than the individual with a disability); or
- **Systemic barriers** in policies, practices and procedures result in people with disabilities being treated differently than others or sometimes excluded altogether.

City or Employer is the Corporation of the City of Vaughan.

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:

- (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*.

Employee includes City employee, student, intern or volunteer.

Goods, Services and Facilities includes the City's 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

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kiosks, and all facilities, public spaces, and the public realm but does not include levy, fees, charges, tax or periodic payments imposed by the City.

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.

Service Animal is an animal for a person with a disability if the animal can be readily identified by visual indicators such as a vest or harness worn by the animal as one that is being used by the person for reasons relating to the person's disability or the person can provide documentation from a regulated health professional confirming that the person requires the animal due to a disability:

Support Person means another person who accompanies a person with a disability in order to help with communication, mobility, personal care or medical needs or to access to goods or services.

Unconvertible is information or communications where it is not technically feasible to convert the information or communications or the technology.

Roles and Responsibilities

City Employees:

- must comply and 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, where appropriate
- 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 the City 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

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- when serving customers that have competing accommodation needs, Employees will make every effort to accommodate in accordance with the *Ontario Human Rights Code*
- request support from supervisors, managers, directors, or Deputy City Managers as appropriate when accommodation requests are outside their area of responsibility, or beyond their capacity
- complete any training on the AODA, the *Human Rights Code* or accommodating persons with disabilities as required by the City.

City Council

- Promotes access to City goods, services and facilities for people with disabilities in accordance with the AODA and the *Human Rights Code*
- Ensure the City of Vaughan with a population over 10,000 has an Accessibility Advisory Committee, and that a majority of committee members must be persons with disabilities.

City Manager, Deputy City Managers and Directors:

- Promote awareness of AODA and this Policy
- Ensure resources are budgeted for identifying and preventing accessibility barriers and for barrier removal
- Provide oversight for implementation of this Policy and compliance with AODA within their respective area of responsibility
- Comply with the responsibilities of a manager or supervisor (below) as appropriate
- Provide AODA compliance updates when required.

Managers and Supervisors:

- 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
- Prevent Barriers by including accessibility considerations in the development of new policies, practices, procedures or bylaws
- Promote awareness and ensure compliance with the AODA and this Policy within their area of responsibility
- Ensure Employees complete mandatory training requirements
- Ensure third parties providing goods, services, and facilities on behalf of the City have been provided with AODA training, either by the City or their own organization

Accessibility Advisory Committee:

- Established by the City in accordance with the AODA; the majority of members whom are persons with disabilities.

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- To be consulted by the City as follows:
 - when establishing, reviewing and updating the multi-year accessibility plan
 - when determining the proportion of on-demand accessible taxicabs needed in the community
 - on the need, location and design of accessible on-street parking spaces when building new or making major changes to existing on-street parking spaces
 - before building new or making major changes to existing recreational trails to help determine particular trail features
 - on the needs of children and caregivers with various disabilities in their community when building new or making major changes to existing outdoor play spaces
 - site plans and drawings in section 41 of the *Planning Act* when requested
 - buildings, structures or premises (or part thereof) that City Council purchases, constructs or significantly renovates, enters into a new lease or where there is agreement for the provision of municipal capital facilities in accordance with section 110(1) of the *Municipal Act*
 - as otherwise required by the AODA or other legislation.

POLICY

1. General Requirements

The City 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.

1.1. Establishment of Policies, Practices and Procedures

The City of Vaughan shall establish policies, practices and procedures in accordance with the AODA and the IASR.

1.2. Multi-Year Accessibility Plan

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

1.3. Procurement of Goods, Services and Facilities

When acquiring or procuring goods, services, and/or facilities, the City will incorporate accessibility criteria, and will do so as early as possible in the procurement process. If the City has determined that it is not practicable to

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incorporate accessibility criteria in a procurement proposal or process, the City shall provide, upon request, an explanation as to why it was not practicable.

The City requires any third-party that is contracted to provide a service on behalf of the City to comply with applicable legislation, including the AODA. Any third parties that provide goods, services and/or facilities on the City's behalf must ensure their employees have received appropriate AODA training.

1.4. Self-Serve Kiosks

The City shall incorporate accessibility features when designing, procuring, or acquiring self-service kiosks.

1.5. Training

The AODA requires that all Employees receive training on the AODA, the Ontario *Human Rights Code*, and Accessibility Standards for Customer Service Policy based on the person's duties and responsibilities.

The City through the Office of the Chief Human Resources Officer shall provide the training Employee. Training records shall be kept, including the dates when the training is provided, content of training and the names of the individuals to whom the training was provided in accordance with the City's Retention Schedule.

2. Customer Service Standards

The City shall use reasonable efforts to ensure:

- 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 equal access to obtain, use and/or benefit from City goods or services.
- City Employees, when communicating with a person with a disability, shall do so in a manner that takes into account the person's disability when appropriate.

2.1. Assistive Devices

In circumstances where a person with a disability is unable to access the City's services through the use of their own personal assistive device, the City must assess service delivery and accommodate in accordance with the Ontario *Human Rights Code*.

Where City owned assistive devices are available, the devices must be kept in good working order and the public must be informed of their availability. Staff within the respective Department must be trained in the application and use of the devices.

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2.2. Support Persons

Where a person with a disability accessing City goods, services, or facilities is accompanied by a support person, the AODA requires the City 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.

If the City requires a support person to accompany an individual for health and safety reasons, any applicable admission fees or fares will be waived for the support person.

The City may require a support person to accompany a person with a disability for reasons of health and safety – either for the person with a disability or others on the premises. This should only occur where, after consulting with the person, it is determined that based on the person’s needs and available evidence:

- a. A support person is necessary to protect the health and safety of the person with a disability or the health and safety of others on the premises.
- b. Any considerations on protecting health and safety must be based on reasonable evidence and not on assumptions.

2.3. Service Animals

If a person with a disability is accompanied by their guide dog or service animal, they must be permitted to keep that animal with them in premises that members of the public are permitted to enter, unless the animal is otherwise excluded by law.

In the event the animal is excluded by law, the City must ensure other measures are available to enable the person with a disability to obtain, use or benefit from City goods, services, and/or facilities. The Employee will respectfully explain why the animal is excluded and consider other measures to access the goods, services or facilities

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, the Employee will determine how to best meet the needs of both individuals and accommodate in accordance with the Ontario *Human Rights Code*.

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 the City goods or services without the animal. In addition, City employees will, upon request, consider alternate accommodations for the person in such circumstances. The City may refuse to permit the service animal to accompany

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the person until steps have been taken to correct the situation, and the issue has been resolved.

2.4. 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 access to 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), or by other means that will reach those persons potentially affected by a planned and/or unexpected disruption.

2.5. Internal Service Disruption Process

During a service disruption, staff from the appropriate department shall prepare a notice of service disruption for posting. The notice of service disruption may be posted on the City's website (www.vaughan.ca) or posted by Facility Management staff at all impacted facilities. As well, communication regarding the service disruption may be sent electronically to all staff by the appropriate department.

3. Information and Communications Standards

The City will provide accessible information and communication by removing barriers, and providing accessible formats or communication supports to individuals that identify a barrier to accessibility. The City will consult with people with disabilities to determine their information and communication needs.

3.1 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 or appropriate 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:

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

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3.2. Accessible Websites and Web Content

The City of Vaughan 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 AA unless otherwise set out in the IASR.

3.2.1. Feedback

The City 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.

3.3. 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.

4. Employment

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

4.1. Recruitment, Assessment and Selection Process

The City 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 accommodation is 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 upon hire.

4.2. Employee Supports

The City will inform employees of the policies to support employees with disabilities, including policies to support accommodation. The City will post these policies on its onboarding and internal websites and provide copies in other formats when requested.

4.3. Accessible Formats and Communication Supports for Employees

Upon an employee's request, the City shall consult with the employee to provide or arrange for the provision of accessible formats or communication supports for information that is needed in order to perform the employee's job or information that is generally available to employees in the workplace.

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4.4. Documented Individual Accommodation Plans for Employees

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

4.5. 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 shall take into account the accessibility needs of its employees with disabilities, as well as individual accommodation plans.

4.6. Return-to-Work Process

The City shall develop 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. Employees can obtain more information by reviewing the City's Disability Management Program.

4.7. Workplace Emergency Response Information

The City 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 the need for accommodation due to the employee's disability.

If an employee who receives individualized workplace emergency response information requires assistance and with the employee's consent, the employer shall provide the workplace emergency response information to the person designated by the employer to provide assistance to the employee.

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 the City reviews its general emergency response plan.

5. Transportation Standards

5.1 Accessible Taxicabs

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

Owners and operators of taxicabs licensed by the City 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.

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6. Built Environment and Public Spaces Requirements

The City will ensure accessibility at all its facilities and public spaces by designing with accessibility in mind.

6.1. 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 the City must adhere. These standards establish the minimum threshold for accessibility in the built environment.

6.2. Inclusive Design Standards

The [Inclusive Design Standards](#) (IDS) acts as a guiding standard of excellence in accessibility for newly constructed buildings, renovated City facilities and public spaces. The [IDS](#) aims to meet or exceed the [Ontario Building Code \(OBC\) Barrier-Free Requirements](#), and the [AODA Design of Public Spaces Standards](#).

7. AODA Design of Public Spaces, Additional Requirements

In addition to technical design requirements for making public spaces accessible, the AODA also establishes requirements for service environments, maintenance of accessible elements and for the consultation of people with disabilities on accessibility of public spaces.

7.1. Obtaining Services

When constructing or replacing service counters, fixed queuing guides and waiting areas, the City shall make them accessible to people with disabilities.

7.2. Maintenance of Accessible Elements

The City shall develop and implement procedures for preventative and emergency maintenance and temporary disruptions of accessible elements in public spaces.

7.3. Public Consultation

The City shall provide an opportunity for public consultation on the development or re-development of public spaces, including:

- recreation trails
- outdoor play spaces
- rest areas along exterior paths
- on-street parking.

8. AODA Reporting Requirements

The City must submit compliance reports to the Ontario Government every two years, in accordance with the AODA.

9. Monitoring and Contraventions

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Failure to comply with this Policy may result in additional training or disciplinary action, up to and including dismissal. Violation of the AODA is an offence and may result in a fine against the individual and/or the City.

10. Complaints

Members of the public that have a concern with this Policy or a complaint with the accessibility of City goods, services or facilities, should contact Access Vaughan. Employees who have a complaint, should contact their supervisor or manager, or, if not resolved, Human Resources.

ADMINISTRATION

Administered by the Office of the City Clerk.

Review Schedule:	Other (specify) As required	Next Review Date:	As required
Related Policy(ies):	<ul style="list-style-type: none">• City of Vaughan, Accessibility Standards for Customer Service Policy• City of Vaughan, Multi Year Accessibility Plans		
Related By-Law(s):	City of Vaughan, Bylaw 329-94 – a bylaw to amend Bylaw 73-92, Section 68.1 – Accessible Taxicabs		
Procedural Document:			

Revision History

Date:	Description:
24-May-22	Changes made to include regrouping of the information, reformatting to meet the current format and style for City of Vaughan policies and updates to reflect changes to the <i>Accessibility for Ontarians with Disabilities Act (2005)</i> and minor administrative updates regarding City's internal service disruption process.
Click or tap to enter a date.	
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Accessible Formats available upon request.