

	POLICY	<u>Policy No:</u> GOV-COR-217
<u>Policy Title:</u> ACCESSIBILITY <u>Policy Type:</u> COUNCIL <u>Category:</u> Governance <u>Sub-Category:</u> Corporate <u>Author:</u> Inclusion Services <u>Dept/Div:</u> Community Services Department, Program & Resource Services	<u>Approval Date:</u> November 23, 2009 <u>Next Review Date:</u> June 2021 <u>Reviewed Date:</u> June 2016 <u>Last Amended:</u> May 15, 2017 <u>Replaces:</u> I-217, Accessibility	
<u>Related Policies, Procedures and/or Guidelines:</u> Accessibility for Ontarians with Disabilities Act, 2005		

1. POLICY PURPOSE:

The Accessibility Policy will act as an all-encompassing policy to guide the actions of the Corporation in fulfilling the requirements of the Standards developed under the Accessibility for Ontarians with Disabilities Act, 2005

The requirements set out in the Accessibility Policy are not a replacement or a substitution for the requirements established under the Human Rights Code nor does the Policy limit any obligations owed to persons with disabilities under any other legislation.

Further amendments to the Accessibility Policy may occur if Standards are amended or developed and will be brought forward for Council approval based on timelines and compliance requirements.

2. DEFINITIONS:

For the purposes of this policy:

“Accessible Formats” may include, but are not limited to, large print, recorded audio and electronic formats, braille and other formats usable by persons with disabilities.

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“Act” means the Accessibility for Ontarians with Disabilities Act, 2005, S.O.2005, c.11.

“Assistive Devices” means any piece of equipment or product that is used to increase, maintain or improve functional capabilities of persons with disabilities.

“City” means The Corporation of the City of Kitchener.

“Communication Supports” may include, but are not limited to, captioning, alternative and augmentative communication supports, plain language, sign language and other supports that facilitate effective communications.

“Disability” shall have the meaning set out in section 10 of the Human Rights Code, R.S.O 1990 c. H.19.

“Kiosk” means an interactive electronic terminal, including a point-of-sale device, intended for public use that allows users to access one or more services or products or both.

“Regulation” means Ontario Regulation 191/11, Integrated Accessibility Standards.

“Service Animal” is defined as either:

- A) A ‘guide dog’ as defined in section 1 of the Blind Persons Rights’ Act, R.S.O 1990, c.B.7; or
- B) A ‘service animal’ can be readily identified as one that is being used by the person for reasons relating to the person’s disability.

“Service Disruption” shall mean the planned or temporary disruption of goods, services or facilities operated or provided by the City of Kitchener including but not limited to washroom facilities, elevators and websites.

“Service Provider” means every person who deals with members of the public or other third parties on behalf of the City.

“Standards” shall mean the regulations under the Act.

“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, services or facilities.

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“Third Party” means any person or entity that provides goods, services or facilities on the City’s behalf.

3. SCOPE:

POLICY APPLIES TO THE FOLLOWING:	
<input checked="" type="checkbox"/> All Employees	
<input type="checkbox"/> All Full-Time Employees	<input type="checkbox"/> All Union
<input type="checkbox"/> Management	<input type="checkbox"/> C.U.P.E. 68 Civic
<input type="checkbox"/> Non Union	<input type="checkbox"/> C.U.P.E. 68 Mechanics
<input type="checkbox"/> Temporary	<input type="checkbox"/> C.U.P.E. 791
<input type="checkbox"/> Student	<input type="checkbox"/> I.B.E.W. 636
<input type="checkbox"/> Part-Time Employees	<input type="checkbox"/> K.P.F.F.A.
<input type="checkbox"/> Specified Positions only:	<input type="checkbox"/> Other:
<input type="checkbox"/> Council	<input checked="" type="checkbox"/> Local Boards & Advisory Committees

The Accessibility for Ontarians with Disabilities Act, 2005 and the Ontario Regulation 191/11, Integrated Accessibility Standards, requires that every provider of goods, services or facilities shall develop, implement and maintain policies governing its provisions of goods, services or facilities to persons with disabilities.

The Accessibility Policy will be posted on the City website and Intranet. Staff will be advised of the policy during staff AODA training. Any amendments to this policy will be communicated to all staff of the City’s organization.

4. POLICY CONTENT:

a) Accessible Formats and Communication Supports

The City will upon request provide or arrange for the provision of accessible formats and communication supports for persons with disabilities. The City will provide this in a timely manner that takes into account the person’s accessibility needs due to disability.

b) Accessibility Plans

The City will establish, implement, maintain and document a multi-year accessibility plan, which will outline the ways the City will prevent and remove barriers and meet the requirements of the Act. The multi-year Accessibility Plan will be posted on the City website.

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c) Assistive Devices

The City and Service Providers shall use reasonable efforts to facilitate the use of assistive devices to goods, services or facilities provided by the City.

It is the responsibility of the person with a disability to ensure that his or her assistive device is operated in a safe and controlled manner at all times.

The City provides a variety of assistive devices at various facilities. A list will be available on the City's website.

d) Communication with Persons with a Disability

When communicating with a person with a disability, the City and Service Providers will do so in a manner that takes into account the person's disability. Any person with a disability may request an accommodation and/or alternate formats to facilitate their interaction with the City, in which case the City will work with the person with a disability to provide a timely and appropriate accommodation and/or alternate format at a cost that is no more than the regular cost charged to other persons.

e) Emergency Information

The City shall provide publicly available emergency procedures, plans or public safety information in an accessible format or with appropriate communication supports, upon request, as soon as practicable.

f) Feedback

The City values the feedback from its citizens. Feedback from a member of the public about the delivery of goods, services or facilities to persons with disabilities may be submitted by telephone, in person, in writing, in electronic format, through TTY or through other methods to accommodate a person's disability.

Response to the feedback will be provided in the same method it was received and will outline the actions taken to resolve the concern, if any.

The City shall ensure that feedback processes are accessible to persons with disabilities by providing or arranging for the provision of accessible formats and communication supports, upon request.

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g) Notice of Temporary Service Disruptions

The City is aware that the operation of its goods, services or facilities is important to the public. However, temporary disruptions in the City's goods, services or facilities may occur.

The City will make reasonable effort to provide notice to the public of the disruption. The notice will include information about the reason for the disruption, its anticipated duration and a description of alternative facilities or services, if any, that may be available. The City will make reasonable effort to provide advance notice of any planned disruption. In situations of unplanned disruption, advance notice may not be possible. In such instances, the City will provide notice as soon as possible.

The City will provide notice by posting the information in visible places and/or on the City's website as soon as reasonably possible.

h) Procuring or acquiring goods, services or facilities

The City shall incorporate accessibility design criteria and features when procuring or acquiring goods, services or facilities, except where it is not practicable to do so.

If the City determines that it is not practicable to incorporate accessibility design criteria and features when procuring or acquiring goods, services or facilities, it shall provide, upon request, an explanation.

i) Provision of Goods and Services to Persons with Disabilities

The City shall provide the provision of goods, services or facilities to persons with disabilities as provision of goods, services or facilities are provided to others, unless an alternative 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, services or facilities.

j) Self-service kiosks

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

k) Service Animals

The City is committed to welcoming people with disabilities who are accompanied by a guide dog or other service animal on all City facilities that

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are open to the public. The City will ensure that the person is permitted to keep the service animal with him or her unless the animal is otherwise excluded by law from the premises.

If a service animal is excluded by law from the premises, the City will ensure that alternate means are available to enable the person with a disability to obtain, use or benefit from the city's goods, services or facilities.

If it is not readily apparent that the animal is a service animal, the person with the disability may be requested to provide documentation from a regulated health professional confirming that the person requires the animal for reasons relating to the disability.

- i) A member of the College of Audiologists and Speech-Language Pathologists of Ontario.
- ii) A member of the College of Chiropractors of Ontario.
- iii) A member of the College of Nurses of Ontario.
- iv) A member of the College of Occupational Therapists of Ontario.
- v) A member of the College of Optometrists of Ontario.
- vi) A member of the College of Physicians and Surgeons of Ontario.
- vii) A member of the College of Physiotherapists of Ontario.
- viii) A member of the College of Psychologists of Ontario.
- ix) A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario. O. Reg. 165/16, s. 16.

It is the responsibility of the person with a disability to ensure that his or her service animal is kept in control at all times.

I) Support Persons

A person with a disability may participate in City programs and services accompanied by a support person. To facilitate the attendance of a support person, the City recognizes the Personal Attendant for Leisure (PAL) Card.

A support person, when assisting a person with a disability to obtain, use or benefit from the City's goods, services or facilities will be permitted to accompany the person with a disability at no additional charge upon provision of the PAL card.

The City may require a person with a disability to be accompanied by a support person while on City premises in situations where it is necessary to protect the

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health or safety of the person with a disability or the health or safety of others on the premises; and there is no other reasonable way to protect the health or safety of the person with the disability and the health or safety of others on the premises.

If in the presence of a support person, personal information is being discussed, City staff must ensure that the individual consents to the support person being present. Consent can be given verbally or in writing.

m) Training

The City will ensure that the following persons receive training 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.

- i) All City employees and volunteers
- ii) Any person who participates in developing the City's policies
- iii) Any person who provides goods, services or facilities on behalf of the City.

Training will be provided as soon as practicable upon a person being assigned the applicable duties and on an ongoing basis in connection with changes to City policies governing the provision of goods, services or facilities to persons with disabilities.

n) Workplace emergency response information

The City shall provide individualized workplace emergency response information to employees who have a disability.

The City shall notify all staff that they have the right to customized emergency response plans for those staff who need assistance during an emergency.

The City shall work with the employee to develop an emergency response plan to respond to the employees individualized needs.

Availability of Accessibility Standards Documents

This policy and any other documents key to the delivery of goods, services or facilities to persons with disabilities will be made available on the City's website and available through the City Clerk's Office. This document can be provided in alternate formats, upon request.

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5. **HISTORY OF POLICY CHANGES**

Administrative Updates

No administrative history to date.

Formal Amendments

2012-12-03 – I-217 was repealed and replaced with an updated version of the policy that was also numbered I-217.

2016-06-01 – I-217 policy template re-formatted to new numbering system and given number GOV-COR-217.

2017-05-01 – Amended by Council resolution to reflect Provincial legislation.

2017-05-15 - Amended by Council resolution to reflect Provincial legislation.