



# Regional Municipality of Durham

## Corporate Policy and Procedures Manual

<b>Title: Accessibility Policy</b>	
<b>Approved By: Chief Administrative Officer's (CAO's) Office</b>	<b>Page #: 1 (of 9)</b>
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<b>Responsibility: Corporate Services – Human Resources</b>	
<b>Section: General</b>	

This policy is intended for both internal employees and members of the public. As such, some items may be specific to internal procedures that are not available for members of the public to access.

### 1. Policy statement

The Region of Durham (the “Region”) is committed to ensuring accessibility for persons with disabilities throughout its goods, services, employment and facilities. Accessibility shall be addressed in a manner that upholds the principles of dignity and independence, strives to provide integrated services and provides equal opportunity.

### 2. Purpose

The purpose of this policy is to comply with the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)* in the implementation of its accessibility standards. This legislation ensures the identification, removal, and prevention of accessibility barriers throughout the organization’s goods and services, facilities and employment.

This policy includes requirements of the Region’s Accessible Customer Service Policy, adopted by Council in 2008, and covers other changes and wording that have been updated since that time.

This policy and/or the implementation of accessibility standards do not replace organizational obligations and requirements of the *Ontario Human Rights Code*.

This policy aligns with the 2020-2024 [Durham Region Strategic Plan](#) (goal 2.5) to build a healthy, inclusive, age-friendly community where everyone feels a sense of belonging.

### 3. Definitions

The following nine definitions should be used when reading this policy:

#### **Accessibility**

Ensures equal participation for persons with disabilities.

**Accessible barrier**

Barriers to accessibility are obstacles that make it difficult, sometimes impossible, for persons with disabilities to do things in daily living (e.g. open doors, enter buildings, read small print or walk far distances). Barriers can be visible or non-visible, such as attitudinal barriers.

**Accessibility standards**

AODA involves the development of province-wide mandatory standards on accessibility in all areas of daily life. The five standards are:

- Customer Service
- Information & communications
- Employment
- Transportation
- Design of public spaces

**Accessibility formats**

These may include, but are not limited to, large print, recorded audio and electronic formats, Braille, and other formats used by persons with disabilities.

**Assistive devices**

Auxiliary aids that provide support and/or assistance to persons with disabilities which include, but are not limited to, wheelchairs, canes, scooters, walkers, screen readers and listening devices.

**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**

Pursuant to the *Ontario Human Rights Code*:

- 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.
- A condition of mental impairment or a developmental disability.

- A learning disability or dysfunction in one or more of the processes involved in understanding or using symbols or spoken language.
- A mental disorder.
- An injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

### **Public documents**

Documents produced by a Regional department for the purpose of providing information to the public about goods, services or facilities (e.g. web content, brochures, applications, reports, business plans).

### **Service disruption**

A service that needs repair or is temporarily out of order, such as an elevator or powered door. It can also be a meeting or appointment that is cancelled, or an altered bus route.

## **4. Procedures**

### **Accessible customer service**

- 4.01 Goods and services provided by the Region will be delivered in a manner that takes into account persons with disabilities and will be provided in a manner that respects their dignity and independence.
- 4.02 Provisions of goods and services to persons with disabilities, and others, will be integrated unless an alternate measure is necessary, whether temporarily or permanently, to enable a person with a disability to obtain, use or benefit from the goods and services.
- 4.03 Further information on the Region's accessible customer service may be found in the [Accessible Customer Service brochure](#).

### **Accessibility feedback**

- 4.04 Feedback will be received on accessibility barriers within Regional facilities, employment processes, goods and/or services. Feedback can be provided by the public or employees. Information on barriers will be sent to the appropriate department for necessary action and actions taken shall be reported to the Accessibility Coordinator.

The [Accessibility feedback form](#) can be completed, or feedback can be directly submitted via:

- Mail: Accessibility Coordinator at P.O. Box 623, Whitby, ON L1N 6A3
- Phone: 905-668-7711 extension 2009
- In person: CAO's Office at 605 Rossland Road East, Level 5, in Whitby Ontario.
- Email: [Accessibility Coordinator](#)

The Region ensures our feedback process is accessible to people with disabilities by providing or arranging for accessible formats and communication supports, upon request.

### **Accessible formats statement**

- 4.05 Documents provided to the public that are developed by a Regional department must indicate the statement, "If you require this information in an accessible format, please contact 'appropriate (originating) departmental employee contact' or 'the Accessibility Coordinator at accessibility@durham.ca or 905-668-4113 extension 2009'."
- 4.06 The following must also be adhered to when developing public documents:
- The accessible formats statement indicated above must be placed on the front of public documents.
  - Statements must be clearly identified using Arial font and 12-point text size at minimum, where possible.

### **Examples of exceptions to this procedure:**

The following are examples of exceptions to the above-mentioned commitment to place the accessible format statement on the Region's public documents:

- The accessible format statement will not be required on Regional billboards or other large marketing displays where the intended aim is primarily graphic in nature and does not include detailed information.
- Where the exchange of information is provided in person and ensures the individual understands and comprehends material (e.g. personal consents for information or declarations).
- Product and product labels.
- Unconvertible information or communications (e.g. maps into Braille).
- Information that the Region does not control directly or indirectly through a contractual relationship (e.g. information provided from the province or an external agency).

### **Accessible procurement**

- 4.07 Accessibility features and criteria will be considered and incorporated for all Regional procurement, where possible. Accessibility features include technical features (e.g. software), and structural features (e.g. physical design, including hardware or product specifications).
- 4.08 Each Regional department is responsible for ensuring accessibility considerations have been made. Employees must follow the guidelines outlined in the internal Accessible Procurement Statement. Procurements for items or services intended for use by the public must always incorporate accessibility where these options are available.

**Assistive devices**

- 4.09 Persons with disabilities will be permitted to use their assistive devices in Regional facilities, as part of the Accessible Customer Service Standard. In cases where the assistive device presents a significant and unavoidable health or safety concern or may not be permitted for other reasons, other measures will be used to ensure the person with a disability can access our goods, services or facilities.

**Employment**

- 4.10 The Corporate Services Department – Human Resources Division shall ensure that employees, job applicants and the public are made aware throughout the application, competition and onboarding processes that the Region of Durham will provide suitable, reasonable accommodation, upon request and further consultation, for persons with disabilities.
- 4.11 Successful applicants are notified of accommodation policies during the onboarding process and/or as soon as practicable after they begin their employment. Updated information is provided to employees whenever there is a change to existing policies on the provision of job accommodation that take into account an employee's accessibility needs due to a disability.
- 4.12 Consultation with employees is undertaken when arranging for the provision of suitable accommodation in a manner that takes into account the accessibility needs due to disability. Consulting with the person making the request is arranged to determine the suitability of an accessible format or communication supports specifically for:
- a) Information that is needed to perform the employee's job.
  - b) Information that is generally available to employees in the workplace.
- 4.13 The Region has a documented process that outlines individual employee accommodation plans. It includes a process for employees who have been absent from work due to a disability and require disability-related accommodations to return to work.
- 4.14 The Employee Feedback and Development Program, Succession Management Program and redeployment process at the Region will incorporate the accessibility needs of all employees.

**Training**

- 4.15 All employees and volunteers will be trained in accessible customer service, other Ontario accessibility standards and aspects of the Ontario Human Rights Code that relate to persons with disabilities.
- 4.16 Training on AODA and/or the Accessibility Policy (including notification of changes) will be provided by the Accessibility Coordinator and/or through on-line or printed modules to employees, volunteers and contract workers as soon as practicable. Mandatory accessibility training is required and will vary depending on specific job functions and duties.

Training includes, but is not limited to, the following:

- Purpose of the *Accessibility for Ontarians with Disabilities Act, 2005* and the requirements of the Customer Service Standards.
- Our policies related to the Customer Service Standards.
- How to interact and communicate with people with various types of disabilities.
- How to interact with people with disabilities who use an assistive device or require the assistance of a service animal or a support person.
- How to use the equipment (e.g. wheelchair) or devices (e.g. counter loop system) available on-site or otherwise that may help with providing goods, services or facilities to people with disabilities.
- What to do if a person with a disability is having difficulty in accessing our organization's goods, services or facilities.

4.17 Training is provided in a variety of ways, such as lunch and learns, e-Learning modules, in-person class settings and/or virtual classes.

4.18 Records of the training provided will be maintained including the dates on which the training was conducted and the number of individuals to whom it was provided.

#### **Workplace emergency response**

4.19 Employees may require an emergency response plan that takes into account their disability (temporary or permanent). Where needed and upon request, a customized workplace emergency response plan will be completed to help an employee with a disability during an emergency. This plan will be provided as soon as practicable after becoming aware of the need for an accommodation.

4.20 The information will be kept by the manager/supervisor and will remain confidential unless otherwise outlined by the employee. With the employee's consent, the workplace emergency response plan will be provided to a designated person who is providing assistance to that employee during an emergency. The information shared will be the employee's need for and details of their emergency response plan and not details regarding the disability.

4.21 Review of the individualized workplace emergency response plan/information will take place upon notification by the employee that they require accommodation in any of the following circumstances:

- When the employee moves to a different location in the organization.
- When the employee's overall accommodation needs or plans are reviewed.
- When the employer reviews its general emergency response policies.

### Information and communications

- 4.22 Upon request, employees and the public will be provided with information in an accessible format that takes into account their disability. The information must be provided in a timely manner.
- 4.23 Where requested, communication supports will be provided (e.g. sign language interpreter or captioning). The Region will work with the person with disabilities to determine what method of communication works for them. Where an accessible format or communication support cannot be provided, a mutual agreement will be made with the person making the request to provide accommodation in another manner.

### Multi-year accessibility plan

- 4.24 The Region will develop a multi-year accessibility plan, outlining strategies to prevent and remove barriers to accessibility, led by the Office of the Chief Administrative Officer. The plans and annual accessibility reports are found on the [Durham Region website](#).

### Service animals

- 4.25 As part of the Accessible Customer Service Standard, service animals and/or guide dogs are permitted in all Regional facilities. A guide dog is defined in section 1 of the *Blind Persons' Rights Act*. An animal is a service animal for a person with a disability if it is visibly apparent that the animal is used by the person for reasons relating to their disability; or if the person provides documentation (letter or form) from a regulated health professional that confirms the person needs the service animal for reasons relating to their disability, as described in subsection 4 of the *Accessibility for Ontarians with Disabilities Act, 2005 Act* outlined below:

For the purposes of this Part, an animal is a service animal for a person with a disability if,

- a) The animal can readily be 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
- b) The person provides documentation from one of the following regulated health professionals confirming that the person requires the animal for reasons relating to the disability:
  - i. A member of the College of Audiologist and Speech-Language Pathologists of Ontario.
  - ii. A member of the College of Chiropractors of Ontario.
  - iii. A member of the College of Nurses on 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.

### **Service disruption notification**

- 4.26 In the event of a planned/scheduled or unexpected disruption to services or facilities for customers with disabilities, the Region will notify customers/clients promptly. A clearly posted, easily read, Notice of Service Disruption Form will include information about the reason for the disruption, its anticipated length of time, and a description of alternative facilities or services, if available.
- 4.27 Within Regional buildings, information should be printed on the form before it is placed in a prominent area, with a height location that is visible from wheelchairs and/or scooters. Service disruption notification forms are in accordance with the Customer Service Standards of the AODA and are available to employees on the Regional intranet. This procedure is outlined in the internal Protocol for Notice of Planned Service Disruption and the Protocol for Notice of Unforeseen Service Disruption.

### **Support persons**

- 4.28 When a person with a disability is accompanied by a support person, Regional employees 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. A support person might accompany someone with a disability to help with communication, mobility, personal care or medical needs, or with access to goods or services.
- 4.29 In certain cases, the Region may require a person with a disability to be accompanied by a support person for the health or safety reasons of the person with a disability or others on the premises.

Before determining if a support person is required, the Region of Durham will:

- Consult with the person with a disability to understand their needs.
  - Consider health or safety reasons based on available evidence.
  - Determine if there is no other reasonable way to protect the health or safety of the person or others on the premises.
- 4.30 If the Region determines that a support person is required, the admission fee or fare (if applicable) that is normally charged to a customer for accessing our goods, services or facilities, such as on Durham Region Transit, will be waived for the required support person. Further information can be found on the [Durham Region Transit](#) website.

### **Design of public spaces**

- 4.31 The Region of Durham will incorporate accessibility features when building new or making planned significant alterations to existing Region-controlled public spaces, in accordance with the design of public spaces standards.
- 4.32 Procedures are put in place when possible to prevent service disruptions to the accessible parts of our public spaces.

### **5. Application**

This policy applies to all employees, volunteers and contract workers.

### **6. References**

- Corporate Policy and Procedures Manual including the following two policies (internal):
  - Accommodation – Permanent or Temporary Restrictions Policy
  - Recruitment and Selection Policy
- [Accessibility for Ontarians with Disabilities Act](#), 2005
- Accessibility Reports and Multi-year Accessibility Plan (internal)
- Accessible Procurement - Regional Procurement Accessibility Checklist (internal)
- [Blind Persons' Rights Act](#), R.S.O. 1990, c. B.7
- Intranet – Forms and Accessibility Logo: Accessibility forms outlined in this policy (internal)
- Notice of Service Disruption – Planned (internal)
- Notice of Service Disruption – Unforeseen (internal)
- [Ontario Human Rights Code](#)
- [Ontarians with Disabilities Act](#), 2001
- Workplace Emergency Employee Plan (internal)

### **7. Inquiries**

For further information regarding this policy, contact your manager or the Region's Accessibility Coordinator at 905-668-7711 extension 2009 or by email to [Accessibility Coordinator](mailto:accessibility@durham.ca) at [accessibility@durham.ca](mailto:accessibility@durham.ca).