



# The Corporation of the Township of Hamilton Accessibility Policy

## 1. Policy Statement

The Township of Hamilton is committed to complying with the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) and all of the standards under it in order to create a barrier-free Ontario. The Township is committed and guided by the four core principles of Dignity, Independence, Integration and Equal Opportunity and supports the full inclusion of persons as set out in the *Canadian Charter of Rights and Freedoms*, and the AODA.

This policy establishes the requirements in the areas of Employment, Information and Communication and Transportation for the Township, in accordance with the *Integrated Accessibility Standard Regulation, Ontario Regulation 191/11* (IASR).

The requirements set out in this policy and the IASR are not a replacement or substitution for the requirements established under the *Human Rights Code* nor do the standards or policy limit any obligation owed to persons with disabilities under any other legislation.

The Township shall use every effort to ensure that we meet the needs of people with disabilities, in a timely manner, through the implementation of this policy.

This policy has been developed in accordance with the IASR and addresses how the Township will achieve accessibility. It provides the overall strategic direction that the Township will follow to provide accessibility supports to Ontarians with disabilities. All policies relevant to the accessibility policy will be updated in 2014 to reflect the changes herein.

The requirements of the Regulation include:

- Establishment, implementation, maintenance and documentation of a multi-year accessibility plan, which outlines the Township's actions planned to prevent and remove barriers and meet its requirements under the Regulation;
- Incorporation of accessibility criteria and features when procuring or acquiring goods, services, or facilities;
- Training; and
- Other specific requirements under the Information and Communication, Employment and Transportation Standards.

## **2. Implementation**

### **General Provisions**

#### **Multi-Year Accessibility Plan**

The Township's multi-year accessibility plan outlines a phased-in strategy to prevent and remove barriers and addresses the current and future requirements of the AODA (See: *Township Multi-Year Accessibility Plan*). The Township will update progress annually and post the information on the Township's website. Information will be provided in alternative formats upon request. This plan will be reviewed and updated at least once every five years.

#### **Procuring or Acquiring Goods, Services or Facilities**

The Township will incorporate accessibility design, criteria and features when procuring or acquiring goods, services or facilities, except where it is not practical to do so. In the case where it is not practical, an explanation will be provided, if requested.

#### **Self-Service Kiosk**

The Township shall include accessibility features when designing or buying self-service kiosks. The Township will consider the needs of all our customers and clients in order to make any kiosks accessible to the widest range of users.

#### **Training**

The Township will ensure that training is provided to all individuals as outlined in the IASR on the requirements of the standards referred to in the IASR and in the *Human Rights Code* as it pertains to persons with disabilities. Training will be developed and implemented by January 1, 2014. Ongoing training will be provided to new employees as soon as practicable. If any changes are made to this policy or the requirements, training will be provided. The Township shall maintain a record of the dates when training is provided and the number of individuals to whom it was provided.

## **Information & Communication Standard**

The Township will create, provide and receive information and communications (including invoices, order forms, flyers, brochures, etc.) in ways that are accessible to people with disabilities.

If the Township determines that it is not technically feasible to convert the information or communications, or the technology to convert the information or communication is not readily available, that person who requires the information will be provided with:

- an explanation as to why the information or communications are not convertible; and
- a summary of the unconvertible information or communications.

## **Emergency Information**

The Township will provide its emergency procedures, plans or public safety information which is made available to the public, in an accessible format or with appropriate communication supports, as soon as practicable, upon request.

## **Feedback**

The Township will ensure that our processes for receiving and responding to feedback are accessible to people with disabilities by providing or arranging for the provision of accessible formats and communication supports upon request. Feedback can be provided:

- In person
- By telephone
- In writing
- Electronic text, email ([info@hamiltontownship.ca](mailto:info@hamiltontownship.ca))

When accessible formats and communication supports are requested, the Township will consult with the individual making the request to determine the most appropriate method.

The Township will notify the public about the availability of accessible formats and communication supports as required.

## **Accessible Formats and Communication Supports**

The Township will provide or arrange for the provision of accessible formats and communication supports for persons with disabilities:

- Upon request, in a timely manner that takes into account the person's accessibility needs due to a disability;
- At a cost that is no more than the regular cost charged to other persons;
- In consultation with the person making the request to determine the suitability of an accessible format or communication support.

The public shall be notified about the availability of accessible formats and communication supports.

## **Website Accessibility**

The Township shall make any new web content on its internet website conform to the World Wide Web Consortium Web Content Accessibility Guidelines (WCAG) 2.0 Level A, by January 1, 2014. By January 1, 2021 all internet websites and web content will conform to WCAG 2.0 Level AA.

## **Employment Standard**

The Employment Standard builds upon the existing requirements under the *Ontario Human Rights Code* in relation to how to accommodate individuals with disabilities across all stages of the employment cycle and applies in respect to paid employees and does not apply to volunteers and other non-paid individuals however, as a best practice, the Township will make every effort to accommodate volunteers and other non-paid positions, upon request. The requirements of the Employment Standard shall be met by the Township by January 1, 2014 unless otherwise specified.

## **Recruitment and Retention**

The Township will:

- Ensure that qualifications are reasonable and pertain to the job. Qualifications shall focus on education, experience, skills and abilities that reflect the bona fide occupational requirements of the job.
- When posting an employment opportunity, notify internal and external job applicants about the availability of recruitment-related accommodations for

applicants with disabilities to support their full participation in the recruitment process;

- Notify job applicants when they are individually selected to participate in an assessment or selection process, that accommodations are available upon request in relation to the materials or processes to be used;
- Applicants must identify their needs up front and provide timely information about how their situation or condition may affect their abilities to perform in an interview or test in order to receive employment accommodation;
- If a selected applicant requests an accommodation, consult with the applicant and provide or arrange for the provision of a suitable accommodation that takes into account the applicant's accessibility needs;
- Design accommodations to allow for equitable assessment of candidates with accommodation needs without placing them at an advantage or disadvantage when comparing them to other candidates.
- Notify successful applicants of our policies for accommodating employees with disabilities.

### **Employee Notification**

The Township will inform all new and existing employees of our policies for supporting employees with disabilities, including but not limited to, policies on the provision of job accommodations that take into account an employee's accessibility needs due to a disability:

- As required, to new employees, as soon as practicable after they begin their employment;
- 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 a disability.

### **Accessible Formats**

When an employee with a disability requests it, the Township will consult with the employee to provide or arrange for the provision of accessible formats and communication supports:

- For information that is needed in order to perform the employee's job;
- For information that is generally available to employees in the workplace (i.e. agendas, meeting minutes, newsletters, forms, etc.); and
- In consultation with the employee making the request, determine the suitability of an accessible format or communication support.

If the employee has an individual accommodation plan, then the accessible formats and/or communication supports that will be provided to the employee should be included in the plan.

### **Individual Accommodation Plan**

The Township will have in place a written process for the development of a documented individual accommodation plan for employees with a disability. The process will include:

- Encourage employees to submit their request in writing;
- The employee's participation in the development of the accommodation plan;
- A representative from the bargaining unit or other workplace representative can be present during this process;
- Assessment on an individual basis;
- Identification of accommodations to be provided;
- Timelines for the provision of accommodations;
- Upon request of the Township, an evaluation by outside medical or another expert, at the Township's expense, to assist with determining accommodation needs and how to best achieve accommodation;
- Steps taken to protect the privacy of the employee's personal information;
- Frequency with which the accommodation plan will be reviewed and updated and the manner in which it will be done;
- If denied, the reasons for denial are to be provided to the employee;
- A format that takes into account the employee's disability needs;
- If requested, any information regarding accessible formats and communication supports provided.

### **Return to Work**

The Township will have a return to work process in place for employees who have been absent from work due to a disability and require disability-related accommodations in order to return to work. Such processes will be documented and will outline the steps that the Township will take to facilitate the return to work and include an individual accommodation plan.

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

The Township will take into account the accessibility needs and/or individual accommodation plans of employees during the performance management process, when providing career development and advancement or when redeploying employees with disabilities.

## **Workplace Emergency Response Information**

The Township will 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;
- With the employee's consent, to the person designated by the Township and the employee to provide assistance to the employee, if required;
- As soon as practicable after becoming aware of the need for accommodation due to the employee's disability;
- And will review the individualized workplace emergency response information when the employee moves to a different location in the organization, when overall accommodations needs or plans are reviewed and when the employer reviews its general emergency response policies.

## **Transportation Standard**

The Transportation Standard will make it easier for people to travel on specialized and public transit and in taxicabs in Ontario, including persons with disabilities, older Ontarians and families traveling with children in strollers.

The Township is not a provider of specialized or public transit and does not license taxicabs; therefore the transportation standard requirements do not apply. However, the Township will promote accessibility with respect to specialized providers for persons with disabilities.

### **3. Responsibility/Monitoring**

CAO

**Resolution: 2013-448**

## Definitions

**“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.

**“Accommodation”** means the special arrangement made or assistance provided so that persons with disabilities can participate in the experiences available to persons without disabilities. Accommodation will vary depending on the person’s unique needs.

**“Communications”** means the interaction between two or more persons or entities, or any combination of them, where information is provided, sent or received.

**“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.

**“Conversion Ready”** means an electronic or digital format that facilitates conversion into an accessible format.

**“Disabilities”** shall mean the same as the definition of disability found in the Ontario Human Rights Code:

- (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

**“Employees”** shall mean every person who deals with members of the public or other third parties on behalf of the Township, whether the person does so as an employee, agent, volunteer or otherwise



**“Information”** includes data, facts and knowledge that exists in any format, including text, audio, digital or images, and that conveys meaning.

**“Internet Website”** means a collection of related web pages, images, videos or other digital assets that are addressed relative to a common Uniform Resource Identifier (URI) and is accessible to the public.

**“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.

**“Mobility Aid”** means a device used to facilitate the transport, in a seated posture, of a person with a disability.

**“Mobility Assistive Device”** means a cane, walker, wheelchair, scooter or similar aid.

**“New Internet Website”** means either a website with a new domain name or a website with an existing domain name undergoing a significant refresh.

**“Persons with Disabilities”** shall mean those individuals that are afflicted with a disability as defined under the Ontario Human Rights Code

**“Redeployment”** means the reassignment of employees to other departments or jobs within the organization as an alternative to layoff, when a particular job or department has been eliminated.

**“Unconvertible”** means

- (a) It is not technically feasible to convert the information or communications;
- (b) The technology to convert the information or communications is not readily available.

**“Web Content Accessibility Guidelines”** means the world wide web consortium recommendation, dated December 2008, entitled “Web Content Accessibility Guidelines (WCAG) 2.0.