



Moved By \_\_\_\_\_

Resolution No.:

Last Name Printed \_\_\_\_\_

Seconded By \_\_\_\_\_

Council Date:

Last Name Printed \_\_\_\_\_

November 23, 2020

**WHEREAS** at the Committee of the Whole Meeting on Monday October 26, 2020, Council considered a memo from the Accessibility Coordinator, regarding the proposed updated Integrated Accessible Standards Policy for the Town of Cobourg;

**NOW THEREFORE BE IT RESOLVED THAT** Council approve and adopt the Integrated Accessible Standards Policy for the Town of Cobourg as attached to the motion as Appendix "A".

# Appendix "A"



## Corporation of the Town of Cobourg

### Policy Title: Integrated Accessibility Standards Policy

**Division:** Corporate Services

**Department:** Legislative Services

**Effective Date:** December 1, 2020  
2021

**Revision Date:** December 1,

**Approval Level:** Town Council

**Contact Person:** Accessibility Coordinator and/or Clerk

**Contact Information:** [accessibility@cobourg.ca](mailto:accessibility@cobourg.ca)

**Section Number:** 3-1

**Policy Number:** LEG-ADM17

### Purpose

This policy is intended to provide the overarching framework to guide the review and development of other policies, standards, procedures, by-laws, and guidelines of the Town of Cobourg in order to comply with the standards developed under the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) and the *Integrated Accessibility Standards Regulation* (IASR) established by Ontario Regulation 191/11.

The AODA contains accessibility standards that assist organizations in the identification, prevention, and removal of barriers to accessibility for Persons with Disabilities.

These accessibility standards are in a variety of areas, including:

1. Customer Service,
2. Information and Communications,
3. Employment,
4. Transportation, and
5. Design of Public Spaces.

The AODA and its standards are not a replacement or substitution for the requirements of the *Ontario Human Rights Code*.

This policy can be provided in an alternative format upon request. Please contact the Accessibility Coordinator at [accessibility@cobourg.ca](mailto:accessibility@cobourg.ca) or 905-372-4301.

### Policy Statement

The Town of Cobourg is committed to identifying and meeting the needs of Persons with Disabilities and that all persons achieve accessibility standards as set out in the *AODA*, *Canadian Charter of Rights and Freedoms*, and the *Ontario Human Rights Code*.

The principles of the AODA include:

- Dignity,
- Independence,
- Integration, except when alternate measures are necessary to meet the needs of Persons with Disabilities, and
- Equal Opportunity.

## **Integrated Accessibility Standards Policy**

### **Definitions**

“**Accessible Formats**” includes, but are not limited to, large print, recorded audio and electronic formats, Braille and other formats usable by Persons with Disabilities.

“**Accommodation**” shall mean 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 needs.

“**Barrier**” is anything that prevents Persons with Disabilities from fully participating in one or more aspects of society, including a physical barrier, an architectural barrier, information or communications barrier, attitudinal barrier, technological barrier, policy, practice, or program.

“**Communication Supports**” are supports that Persons with Disabilities may need to access information. They 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 mean:

- 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 impairment, 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* (“handicap”).

“**Feedback**” includes any comments, compliments, suggestions, or complaints provided to the Town of Cobourg.

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

“**Mobility Aid**” is a device that is used to facilitate the transport, in a seated posture, of Persons with Disabilities.

“**Redeployment**” is 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.

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“**Self-Service Kiosk**” shall mean 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.

“**Third Party**” shall mean a representative of a business or organization who is receiving Town goods or services or acting in an official capacity.

### **Application**

This policy shall apply to all departments of the Town, Council, its boards and committees, and all persons who deal with members of the public or other third parties on behalf of the Town.

#### **1.0 General Provisions**

The general provisions are to assist organizations oversee all of the other accessibility standards and provide commitment to Persons with Disabilities.

#### **1.1 Accessibility Advisory Committee**

The Town of Cobourg Accessibility Advisory Committee is established and appointed by Municipal Council, and is a requirement under the *Accessibility for Ontarians with Disabilities Act* (AODA). The Accessibility Advisory Committee is responsible for advising Municipal Council on the development and implementation of the Multi-Year Accessibility Plan and advising Council on issues relating to citizens with a disability.

The Accessibility Advisory Committee meets on a monthly basis and provides advice on the implementation of the accessibility legislation as required through the regulation and standards.

To learn more about the mandate of the [Town of Cobourg's Accessibility Advisory Committee](https://www.cobourg.ca/en/town-hall/Accessibility-Advisory-Committee.aspx), as well as past Agendas and Minutes, please see our website here: <https://www.cobourg.ca/en/town-hall/Accessibility-Advisory-Committee.aspx>.

#### **1.2 Accessibility Plan and Policies**

The Town of Cobourg shall prepare a Multi-Year Accessibility Plan which will be:

- Reviewed and updated at least every five (5) years; and
- Established, reviewed, and updated in consultation with Persons with Disabilities and the Town of Cobourg Accessibility Advisory Committee.

The Town of Cobourg will report annually on the progress and the implementation of the Plan, post the information on the Town of Cobourg website and will provide it in accessible formats upon request.

If through public consultation, feedback, and the Town's own accessibility action and planning processes, it is determined that the Multi-Year Accessibility Plan needs

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revision, the Town of Cobourg will update the plan to reflect this new information. This will be done on an ongoing and annual basis.

Please read the [Town of Cobourg's Multi-Year Accessibility Plan](#) for more information.

### **1.3 Procurement and Self-Service Kiosks**

The Town will use accessibility criteria and features when procuring or acquiring goods, services, or facilities. If the Town determines that it is not practicable to incorporate an accessibility criteria or features when procuring or acquiring goods, services, or facilities, an explanation will be provided.

Although the Town of Cobourg does not currently use self-service kiosks, the Town will have regard to the accessibility for Persons with Disabilities should it design, procure, or acquire self-service kiosks by considering what accessibility features could be built into kiosks to best meet the needs of Persons with Disabilities.

### **1.4 Training**

All Town of Cobourg Employees, volunteers and third parties providing goods and services on the Town's behalf shall be required to undergo training on the requirements of the AODA accessibility standards and on the *Human Rights Code* as it pertains to Persons with Disabilities as well as all Human Resources AODA policies and procedures.

The training provided shall be appropriate to the duties of the employee, volunteer, or third party and shall be done before or within ten (10) days of hire. Any specific or niche training that is required for certain positions will be conducted within thirty (30) days of hire. Training shall take place as soon as it is practicable and upon completion, the Town shall keep a record of the training provided including the dates on which accessibility training took place.

## **2.0 Information and Communications Standard**

To help organizations make their information accessible to Persons with Disabilities.

### **2.1 Feedback on Town Services**

The Town of Cobourg has established a process for receiving and responding to feedback on the manner in which the Town provides goods and services to Persons with Disabilities and will ensure that these processes are provided in accessible formats and with communication supports upon request.

A member of the public may [provide feedback through the Town of Cobourg website](#), as well as by telephone at 905-372-4301, [email](#), and in-person at:

Legislative Services (Clerks Department)  
Victoria Hall

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55 King Street West  
Cobourg, Ontario

### **2.2 Accessible Formats and Communications**

Except as otherwise provided by the AODA, the Town of Cobourg 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.

The Town of Cobourg will use best practices for creating accessible documents and content for the information that is consistently provided to the public.

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.

### **2.3 Emergency Information**

When the Town of Cobourg prepares emergency procedures, plans, or public safety information and makes the information available to the public, the information will be available in an accessible format or with appropriate communication supports, as soon as practicable, upon request.

The most current and up-to-date information will always be available on [the Emergency Planning and Preparedness webpage](#).

### **2.4 Website Accessibility**

All Town internet websites, and any website and web content controlled directly by the Town, will conform to the [World Wide Web Content Accessibility Guidelines \(WCAG\) 2.0 Level AA](#) in accordance with the schedule set out in the Information and Communication Standards of the IASR.

Except where meeting this requirement is not practicable, this conformity applies to websites, web content, and web-based applications that are controlled directly or through a contractual relationship that allows for the modification of the product and web content.

New documents (PDF, Word, PowerPoints, etc.) posted to the municipal website will be presented in an accessible format as defined by the WCAG 2.0 standards.

Website users are encouraged [to contact the municipality](#) if they are unable to access a document posted on the municipal website.

### **2.5 Public Libraries**

The [Town of Cobourg's Public Library Board](#) will provide access to, or arrange for the provision of access to, accessible materials where they exist. Accessible materials may

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include conversion ready format of print, digital, multimedia resources, or materials. The variety of these resources will be available upon request.

Due to the fragile nature of some special collections, archival materials, and rare books, these may not be available in accessible formats.

Through regular communication channels, the Town and the Cobourg Public Library Board will notify public about the availability of accessible formats of library materials.

### **3.0 Employment Standards**

To help make hiring and employee support practices more accessible.

#### **3.1 General Statement**

The Town of Cobourg is committed to creating an inclusive work environment for all and providing accessibility for Persons with Disabilities throughout their employment in accordance with the requirements and timelines set out in the Employment Standards of the *Integrated Accessibility Standards Regulation* and the existing requirements under the *Ontario Human Rights Code*.

The Town of Cobourg 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 Town policies on the provision of job accommodation that takes into account an employee's accessibility needs due to a disability.

#### **3.2 Recruitment**

Throughout the recruitment process, all interested applicants will be notified about the availability of accommodations for Persons with Disabilities. A standard statement of commitment will be provided on all Town job postings.

During the recruitment process, applicants selected for the assessment or selection process will be notified that accommodations are available. If an applicant requests an accommodation, the Town will arrange for a suitable accommodation in a manner that takes into account the applicant's accessibility needs. The decision as to which accommodation is to be provided rests with the Town.

When making an offer of employment, the Town will notify the successful applicant of its policies for accommodating Employees with a Disability.

#### **3.3 Accessible Formats and Communication Support of Employees**

The Town will inform its employees of policies developed for those with a disability. This information will be provided to new employees as soon as practicable after they begin their employment.

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Any changes to policies will be communicated through communication channels or through formats that take into account the employee's disability.

### **3.4 Workplace Emergency Response Information**

At the request of the employee, the Town will provide Individualized Workplace Emergency Response Plans to employees. If an employee requests an Individualized Workplace Emergency Response Plan and identifies the need for assistance from a colleague(s), the Town will provide the information to the designated colleague(s). This information will be provided to the designated colleagues as soon as practicable after the Town becomes aware of the need for accommodation.

The employee's Individualized Workplace Emergency Response Plan will be reviewed when:

- The employee moves to a different location in the organization,
- The overall accommodation needs of the employee changes (as notified to the Town by the employee), and/or
- The Town's general emergency response policies are reviewed.

### **3.5 Documented Individual Accommodation Plans**

The Individual Accommodation Plan template outlines the development process for individual accommodation plans for Employees with Disabilities. The following is included within the template:

- The manner in which an employee requesting an accommodation can participate in the development of their individualized accommodation plan,
- The means by which the employee is assessed on an individual basis,
- The manner in which the Town can request an evaluation by an outside medical or other expert, at the Town's expense, to determine if an how accommodation can be achieved,
- The frequency with which the individual accommodation plan will be reviewed and updated,
- The manner in which the individual accommodation plan will be reviewed,
- The manner which the reasons for the denial will be provided, if an accommodation plan is denied, and
- The means of providing the individual accommodation plan in a format that takes into account the employee's accessibility needs.

Individual accommodation plans will, if requested, include any information regarding accessible formats and communication supports. If required, information regarding the Individualized Workplace Emergency Response Plan may be included.

### **3.6 Return to Work Process**

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The Town has in place an Early and Safe Return to Work Policy which outlines the Town's commitment to make every reasonable effort to provide temporary modified or suitable alternative duties to a worker who had been absent from work due to a disability.

The Early and Safe Return to Work Policy outlines the steps the Town takes to facilitate the return of employees who were absent because of their disability. Individual Accommodation Plans are used during this process.

When employees are redeployed into the workplace, the Town will take into account the accessibility needs of the employee as well as the accommodations identified within the Individual Accommodation Plan.

### **3.7 Performance Management**

The Town will take into account the accessibility needs of Employees with Disabilities and the documented Individual Accommodation Plan during all performance management processes.

### **3.8 Career Development and Advancement**

The Town will take into account the accessibility needs of Employees with Disabilities and the documented Individual Accommodation Plan when providing career development and advancement.

## **4.0 Transportation**

The Town of Cobourg is committed to providing Accessible Transit Services through conventional transit and specialized transit in accordance with the *Integrated Accessibility Standards* (Ontario Regulation 191/11) under the AODA and in particular, Part IV, Transportation Standards, of such Regulation.

This will be accomplished through the development and implementation of policies, practices, procedures, resources, equipment and training in the provisions outlined in the IASR under the AODA.

More information is available in the Town of Cobourg's Transportation Standard Multi-Year Accessibility Plan.

## **5.0 Built Environment**

The Town of Cobourg shall comply with the AODA Design of Public Spaces Standards (Accessibility Standards for The Built Environment) when undertaking new construction and redevelopment of public spaces in the following areas:

- Recreational Trails and Beach Access Routes;
- Outdoor Public Use Eating Areas;
- Outdoor Play Spaces;
- Exterior Paths of Travel;

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- Accessible Parking;
- Obtaining Services; and
- Maintenance of Accessible Elements.

The following policy does not apply to construction that is external to the Town of Cobourg for which the Town has provided a permit, however compliance with the AODA Built Environment Standards should be encouraged. The Town of Cobourg shall ensure that the Town's Accessibility Design Standards reflect the AODA Built Environment Standards.

### **6.0 Customer Service**

To help remove barriers for people with disabilities so they can access goods, services or facilities.

#### **6.1 General Statement**

The Town of Cobourg is committed to the delivery of excellent customer service. The contents of this Policy are included in this document where appropriate.

#### **6.2 Guide Dogs and Service Animals**

If a Person with a Disability is accompanied by a guide dog or other service animal, the Town of Cobourg will permit the person to enter the premises with the animal and keep it with him or her. On request by Staff, the owner of the guide dog, service animal shall provide proof of registration and with an accreditation.

#### **6.3 Support Persons**

If a Person with a Disability is accompanied by a support person, they are permitted to enter the premises together and are not prevented from having access to each other while on the premises.

The Town may require a Person with a Disability to be accompanied by a support person while on its premises, but only if a support person is necessary to protect the health or safety of the Person with a Disability or the health or safety of others on the premises.

Where fees for goods and services are advertised or promoted by the Town, it will provide advance notice of the amount payable, if any, in respect of the support person.

#### **6.4 Disruption of Services**

If there is a temporary disruption in a particular facility or service used to allow a Person with a Disability to access goods or services, the Town will give notice of the disruption to the public.

#### **6.5 Assistive Devices**

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If a Person with a Disability requires assistive devices to access goods or services of the Town, they are allowed to use such devices.

### **7.0 Review Period**

This policy shall be reviewed annually and will be revised in light of any legislative changes. If there are legislative changes, review of this policy will be done within ninety (90) days of the legislation becoming law.

### **8.0 Regulatory Requirements**

Failure to comply with the AODA regulations can result in administrative penalties as defined in Part V: Compliance of the *Integrated Accessibility Standards, Ontario Regulation 191/11*.

The Accessibility Directorate or a designate may issue an order against a person, organization or corporation to pay a penalty amount as a result of non-compliance with the AODA or the accessibility standard.

### **Scope**

This Policy and its related procedures apply to the following, unless otherwise stated:

- All Town 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 Town, in accordance with the legislation.

### **Administration**

The Chief Administrative Officer shall implement and administer the terms of this policy with the assistance of the Accessibility Coordinator.

### **Cross Reference**

Other relevant documents and legislation:

- [Accessibility for Ontarians with Disabilities Act, 2005](#),
- [Accessible Customer Service Policy](#),
- [Accessible Workplace Policy](#),
- [Early and Safe Return to Work](#),
- [Integrated Accessibility Standards, Ontario Regulation 191/11](#),
- [Ontario Human Rights Code](#),
- [Town of Cobourg's Accessibility Advisory Committee](#),
- [Town of Cobourg's Multi-Year Accessibility Plan](#), and
- [Town of Cobourg's Transportation Multi-Year Accessibility Plan](#).