



POLICY

Human Resources

Policy #: 400.36

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AODA (Integrated Accessibility Standard Regulation)

1. INTENT

The Corporation of the City of Niagara Falls is committed to eliminating barriers and improving accessibility for persons with disabilities to afford equal opportunities of programs and services. This policy is intended to meet the requirements of the Integrated Accessibility Standards (IAS), Ontario Regulation 191/11 within the following areas, as set forth under the Accessibility for Ontarians with Disabilities Act (AODA), 2005:

- Accessible Employment Standards
- Accessible Information & Communication Standards
- Accessible Transportation Standards
- Accessible Built Environment

The AODA became law on June 13, 2005. Under this landmark legislation, the provincial government will develop required standards that will identify, remove and prevent barriers for people with disabilities. The vision of the act is to have an accessible Ontario by 2025.

The AODA Accessibility Standards address issues in five key areas which include the following:

- Customer Service
- Employment
- Information & Communication
- Transportation
- Built Environment

2. PROCEDURE

The Corporation of the City of Niagara Falls will develop policies, procedures and practices which address integration, independence, dignity and equal opportunity, to comply with the legislative requirements prescribed under the Accessibility for Ontarians with Disabilities Act (AODA) 2005, and to promote accessibility. All employment services provided by the City of Niagara Falls shall follow the principles of dignity, independence, integration and equal opportunity.

Submitted By: Director

Recommended By: CAO

Approved By Council On:

Report #:

3. SCOPE

This policy applies to Members of Council, Members of Boards and Committees, all City employees as well as volunteers, agents, contractors, third parties or any other individuals who interact with the public or other third parties, who represent or act on behalf of the Corporation of the City of Niagara Falls in any manner. It also applies to services, facilities and properties owned or operated by the City of Niagara Falls. The City shall incorporate accessibility criteria and features when procuring or acquiring goods, services or facilities, except where it is not practicable to do so.

4. GENERAL REQUIREMENTS

General requirements that apply across all of the three standards, *Employment, Information and Communication, and Transportation* are outlined as follows.

4.1 Establishment of Accessibility Policies and Plans

The City of Niagara Falls will develop, implement and maintain policies governing how it will achieve accessibility through these requirements. In addition, the City will establish, implement, maintain and document a multi-year accessibility plan outlining its strategy to prevent and remove barriers and meet its requirements under the IAS regulation. As well, the City will post its accessibility plans on their website, and provide the plan in an accessible format upon request.

The Accessibility Plan will be reviewed and updated annually and will establish, review and update its accessibility plans in consultation with persons with disabilities or an advisory committee. Annual status reports will be prepared to report on the progress of steps taken to implement the City's accessibility plan and this information will be posted on the City website.

4.2 Procuring or Acquiring Goods and Services, or Facilities

The City will incorporate accessibility design, criteria and features when procuring or acquiring goods, services or facilities. The only exception is in cases where it is impracticable to do so. If determined impracticable to do so, the City will provide an explanation upon request.

4.3 Training Requirements

The City will provide training for its employees and volunteers regarding the IAS and the Ontario *Human Rights Code*. Training will be provided for individuals who are responsible for developing Corporate Policies, and all other persons who have duties and or responsibility for providing goods, services or facilities on behalf of the City of Niagara Falls.

4.4 Self-Serve Kiosks

The City will incorporate accessibility features when designing, procuring or acquiring self-service kiosks. In addition, the City will always be aware of the accessibility features of self-service kiosks for persons with disabilities.

5. DEFINITIONS

- Accessible Formats – include but not limited to large print, recorded audio and electronic formats, braille and other formats usable by persons with disabilities.

- Communication Supports – include but not limited to captioning, alternative and augmentative communication supports, plain language, sign language and other supports that facilitate effective communications.
- Conversion Ready – an electronic or digital format that facilitates conversion into an acceptable format.
- Designated Public Sector Organization – refers to every municipality and every person or organization listed in Column 1 of Table 1 of *Ontario Regulation 146/10 (Public Bodies and Commission Public Bodies—Definitions)* made under the *Public Service of Ontario Act, 2006*.
- Employee - a person receiving or entitled to wages for work performed including but not limited to full-time, part-time, students, temporary and interns.
- Information – includes data, facts and knowledge that exists in any format, including text, audio, digital or images, and conveys meaning.
- Kiosk – an interactive electronic terminal, including a point-of-sale device, for public use that allows users to access one or more services or products.
- Large Organization – an organization with fifty (50), or more employees in Ontario.
- Mobility Aid – a device used to facilitate the transport, in a seated posture, of a person with a disability.
- Mobility Assistive Device – a cane, walker or similar aid.
- Obligated Organization – Organizations may include workplaces, businesses or services. Refers to the Government of Ontario, the Legislative Assembly, a designated public sector organization, a large organization and a small organization to which the standards of this Regulation apply.
- Performance Management – means activities related to assessing and improving employee performance, productivity and effectiveness, with the goal of facilitating employee success.
- Support Person – in relation to a person with a disability, another person who accompanies the person with a disability in order to help with communication, mobility, personal care or medical needs or with access to goods, services or facilities.
- User - for the purpose of this procedure may refer to potential employees, job applicants, and employees.

6. EMPLOYMENT STANDARDS OVERVIEW

The City of Niagara Falls is committed to fair and accessible employment practices. The Employment Standards regulation will expand the Province of Ontario's labour pool by ensuring people with disabilities are welcome and supported within all workplaces. Employment standards will assist organizations with employment recruitment, providing accessible information, plans for emergencies, individual accommodation, return to work, performance management, and career development and redeployment.

6.1 PROCEDURES

6.1.1 Recruitment, Assessment and Selection

The City of Niagara Falls must notify employees and the public about the availability of accommodation for job applicants who have disabilities. Applicants must be informed that these accommodations are available, upon request, for the interview process and other candidate selection methods. The City 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 as part of their offer of employment.

6.1.2 Accessible Formats and Communication Supports for Employees

The City will ensure that all employees are informed of the policies used to support employees with disabilities. The City will provide this information to new employees as part of the orientation program or as soon as practicable. All employees will be notified of any changes to existing policies on the provision of job accommodations that take into account an employee's accessibility needs due to disability.

Upon request by an employee, the City will consult with the employee to provide or arrange suitable provisions of accessible formats and communication supports for:

- a) Information that is needed in order to perform the employee's job; and
- b) Information that is generally available to employees in the workplace.

6.1.3 Documented Individual Accommodation Plans

The City will develop and have in place written processes for the following:

- a) any information regarding accessible formats and communications supports provided;
- b) individualized workplace emergency response information; and
- c) any other accommodation that is to be provided; and
- d) documenting individual accommodation plans for employees with disabilities which will include the following:
 - The ways in which the employee can participate in the development of the plan.
 - The means by which the employee is assessed on an individual basis.
 - The steps taken to protect the privacy of the employee's personal information.
 - The frequency with which the individual accommodation plan should be reviewed or updated determined, and how it should be done.
 - The manner in which the employer can request an evaluation by an outside medical or other expert, at the employers expense, to assist the employer in determining if accommodation can be achieved, and if so, how the accommodation can be achieved.

- The manner in which the employee can request the participation of a representative from their bargaining agent, or other representative from the workplace, where the employee is not represented by a bargaining agent, in the development of the accommodation plan.
- If an individual accommodation plan is denied, the manner in which the reasons for denial will be provided to the employee.

6.1.4 Workplace Emergency Response Information

If an employee's disability is such that workplace emergency response accommodation is necessary due to a disability and the City is aware of the need for accommodation, this information shall be provided to the employee as soon as practicable. In addition, this information shall, with the employee's consent, be provided to any person designated by the City to provide assistance. Should the employee move to a new position and/or location within the City, the information shall be reviewed, in accordance with the accommodation process and as part of the general emergency response plan review.

6.1.5 Return to Work and Redeployment

The City will develop and have return to work processes in place for employees who are absent from work due to a disability—and require disability-related accommodations in order to return to work. The return to work process must include an outline of the steps the City will take to facilitate the employee's return to work and use documented individual accommodation plans (as described in section 28 of the regulation).

6.1.6 Performance Management & Career Development & Advancement

The City shall take into account the accessibility needs of its employees with disabilities including any individual accommodation plans when using its performance management process and when providing career development and advancement to its employees with disabilities.

6.1.7 Responsibilities

Departments are responsible for:

- Ensuring the accessible employment standards procedure, guidelines and practices are followed.
- Taking into account accessibility needs of individuals during the recruitment process, return to work process, performance management, career development, and redeployment.

Employees (person with disability) is responsible for:

- Requesting accommodation and providing relevant information to assist the City in providing the required accessibility needs, including participating in the development of individual accommodation plans.
- Requesting accessible formats and communication supports for information that is needed in order to perform their job.

Job applicant(s) is responsible for:

- Requesting an accommodation during the recruitment process.

Human Resources department is responsible for:

- Identifying, removing and preventing barriers to persons with disabilities when posting jobs, during the recruitment and selection process, when implementing occupational health and safety programs and during the rehabilitation and placement of employees with disabilities.

7. INFORMATION & COMMUNICATION STANDARDS OVERVIEW

The City of Niagara Falls will provide or arrange for the provision of accessible formats and communication supports for persons (members of the public), with disabilities in a timely manner. The City will take into account the person's accessibility needs when customizing individual requests.

7.1 PROCEDURES

7.1.1 Accessible Websites and Web Content

The City will ensure to make its web content conform to the Web Content Accessibility Guidelines (WCAG) 2.0 at Level A and Level AA, as per the compliance timelines set out in O Reg 191/11. Web content includes any information which resides on an internet or intranet web site.

7.1.2 Emergency Procedures, Plans or Public Safety Information

Upon request, the City will provide existing public emergency procedures, plans and public safety information in an accessible format or with appropriate communication supports in a timely manner.

7.1.3 Emergency Formats & Communication Supports

Upon request, the City will provide or arrange for the provision of accessible formats and communication supports for persons with disabilities in a timely manner that takes into account the person's disability and at a cost that is no more than the regular cost charged to other persons. The City will also notify the public about the availability of accessible formats and communication supports.

7.1.4 Feedback

The City has established an accessible customer service feedback process as required under the *Accessibility Standards for Customer Service (Corporate Policy # 400.34)*. The City also

receives and responds to other feedback and will ensure that the process is accessible to persons with disabilities by providing or arranging for the provision of accessible formats and communication supports upon request.

7.1.5 Responsibilities

Information Systems:

- Administration of and ensuring compliance with this procedure.
- Reviewing of communications materials to ensure plain language techniques are incorporated where possible.
- Developing and/or reviewing all major published materials and information prior to release.
- Developing and managing content for the City's websites.
- Developing, supporting and maintaining the technology for the City's websites.
- Supporting requests for technical-related accessible formats and communications supports.

Departments are responsible for:

- Being knowledgeable about accessibility requirements.
- Tracking accessibility requests.
- Communicating program information to stakeholders.
- Reviewing sections of the website and updating new content in a timely manner.
- Preparing public notices if and when necessary.
- Dealing with inquiries or forwarding to the appropriate department in accordance with the City's Communications Standards.

8. TRANSPORTATION STANDARDS OVERVIEW

This procedure addresses the accessible transportation standards requirements of Ontario Regulation 191/11 for the Integrated Accessibility Standards Regulation under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA). This procedure applies to the provision of transportation services, including conventional and specialized transit services to members of the public by or on behalf of the City of Niagara Falls, its employees, volunteers and third party agents.

The requirements set out in this procedure are being implemented by the City in accordance with the standards and timelines established in the AODA.

8.1 PROCEDURES

8.1.1 Accessibility Plans

In addition to its corporate accessibility plan, the City's Transportation Services Department shall develop a plan for its conventional and specialized transit services. The plan shall outline measures to identify, remove and prevent barriers to persons with disabilities and shall be reviewed through an annual public meeting including persons with disabilities.

8.1.2 Accessibility Training

The City's Transportation Services Department shall conduct employee and volunteer accessibility training related to the standards' requirement and keep a record of the training.

8.1.3 Accessible Bus Stops & Shelters

With respect to bus stops and shelters, the City shall:

- Consult with the Mayor's Accessibility Advisory Committee (MAAC) in the development of accessible design criteria for bus stops and shelters.
- Ensure that persons with disabilities can board and de-board its conventional transit vehicles in a safe location, other than the designated transit stop if the stop is deemed to be inaccessible.
- When identifying the safe location, the City shall take into consideration the preference of the persons with disabilities.
- Develop a process/procedure for promptly reporting to the City's Transportation Services Department when a transit stop is temporarily inaccessible or when a temporary barrier exists.

8.1.4 Availability of Information on Accessibility Equipment

The City shall provide current information on the accessibility features of its conventional and specialized vehicles, routes and services, and shall make this information available on the City website and in an accessible format, upon request.

8.1.5 Priority Seating

Clearly marked priority seating for persons with disabilities shall be provided.

8.1.6 Emergency Preparedness & Response Policies

The City shall establish, implement, maintain and document emergency preparedness and response policies that provide for the safety of persons with disabilities.

8.1.7 Fares (Support Persons)

There shall be no charge for a Support Person accompanying a person with a disability.

8.1.8 Fares

Persons with disabilities shall not pay a higher fare than persons without disabilities. T

8.1.9 General Responsibilities

The following services shall be offered, upon request, and information related to these services shall be available in an accessible format, upon request:

- Deploy lifting devices and ramps.
- Allow adequate boarding and de-boarding time.
- Provide assistance with assistive devices.
- Ensure that assistive devices are stored in the passenger compartment within reach of the person with the disability who uses the aid or device.
- Allow a person with a disability to travel with a medical aid.

8.1.10 Non Functional Accessibility Equipment

Reasonable steps shall be taken to accommodate persons with disabilities if the accessibility equipment on a vehicle is not functioning and an equivalent service cannot be provided. The equipment shall be repaired as soon as practicable.

8.1.11 Pre-boarding Announcements

Upon request, verbal pre-boarding announcements of routes, direction, destination or next stop shall be provided. Electronic pre-boarding announcements shall be available.

8.1.12 On-board Announcements

An audible verbal announcement of all destination points or available route stops on which the vehicle is being operated shall be provided. All destination points shall be announced through electronic means, and be legibly and visually displayed through electronic means.

8.1.13 Storage of Mobility Aids

Mobility aids and mobility assistive devices shall be safely stored within reach of the person with the disability. No fees shall be charged for the storage of an aid or device.

8.1.14 Service Disruptions

Where a route or service is temporarily changed and the change is known in advance, alternative arrangements shall be made available to transfer persons with disabilities to their route destination and information on alternative arrangements shall be communicated in a manner that takes into account the person's disability.

8.1.15 Technical Requirements

All City transportation vehicles shall meet the technical requirements for features such as grab bars, safe, non-slip surfaces and steps, storage for assistive devices, stop-requests and

emergency response controls, suitable lighting and signage, indicators and alarms for mobility aids such as lifts, etc. as prescribed by the regulation 191/11.

9. SPECIALIZED TRANSPORTATION

9.1 Specialized Transportation

Persons with disabilities must register with the City of Niagara Falls Chair A Van in order to be provided specialized transportation service. Applications for specialized transit may be requested by persons with disabilities through Niagara Falls Transit.

9.2 Bookings – general requirements

The City shall:

- Allow companions and children to ride, space provided, at the applicable fare
- Not restrict the number of rides
- Provide same day booking service to the extent that is available; or when not available, accept booking requests up to three hours before end of service period each business day.

9.3 Coordination

The City will facilitate coordination of services with neighboring municipalities/specialized providers.

9.4 Eligibility

There will be three (3) categories of eligibility for specialized services:

- a) Unconditional;
- b) Temporary; and
- c) Conditional

Eligibility may be granted for emergency uses or on compassionate grounds. A process will be established for use of specialized services by visitors. Personal information collected for the purposes of determining eligibility in this section shall be collected under the authority of the Municipal Act.

9.5 Hours of Service

Where conventional service is provided, the hours of specialized transportation shall be the same hours of operation.

9.6 Origin to Destination Services

Origin to destination services shall be provided within its service area that takes into account the abilities of its passengers and that accommodates their abilities.

9.7 Service Disruptions and Delays

Disruptions and delays shall be communicated with the customer, prior to trip, using the contact method provided by the user.

9.8 Responsibilities

Niagara Falls Transit is responsible for:

- Administration of and ensuring compliance with the transit sections of this procedure.

Persons with disabilities are responsible for:

- Providing relevant information to assist service providers (Niagara Falls Transit, taxi owners and operators) by providing the required accessibility needs.
- Proof of requirement for a support person, if applicable.