

Policy Title: Accessibility**Policy Number: 03-08-05**

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| Section: | Corporate Administration | Subsection: | Provision Of City Services |
| Effective Date: | January 5, 2017 | Last Review Date: | December, 2016 |
| Approved by: Council | Owner Division/Contact: Facilities Development and Accessibility, Facilities and Property Management, Corporate Services | | |

Policy Statement – Statement of Commitment

The City of Mississauga is committed to implementing, maintaining and enhancing accessibility with respect to employment and the use of all City goods, services, programs and facilities in a timely manner for all persons with disabilities in a manner that:

- Respects their dignity and independence
- Ensures reasonable efforts are made to provide an opportunity equal to that given to others, and
- Allows persons with disabilities to benefit from the same services, in the same place and in a similar way to others, to the greatest extent possible

Purpose

The purpose of this policy is to outline the requirements developed under the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA), specifically Ontario Regulation 191/11, the Integrated Accessibility Standards ([IASR](#)), which establishes the accessibility standards pertaining to information and communications, employment, transportation, the built environment (design of public spaces) and customer service, as well as additional general requirements that the City must comply with.

This policy will provide the framework for compliance with the requirements. All City Corporate Policies and Procedures, by-laws standards and guidelines must comply with the standards developed under the AODA.

Legislative Requirements

The *Accessibility for Ontarians with Disabilities Act, 2005* requires organizations to establish policies, practices and procedures governing how the organization will achieve accessibility through meeting its requirements and compliance dates under the Regulations, e.g. Ontario Regulation 191/11, the Integrated Accessibility Standards ([IASR](#)).

The requirements set out in the AODA Regulations are not a replacement or a substitution for those established under the Ontario *Human Rights Code*, nor do the standards limit any obligations owed to persons with disabilities under any other legislation.

Scope

This policy applies to the employment life cycle and the provision of goods, services or facilities to employees and members of the public or other third parties by, or on behalf of, the City of Mississauga.

This policy and its related procedures apply to all staff, elected officials, citizen members of committees and volunteers acting on behalf of the City of Mississauga or third parties who are responsible for delivering services to employees, members of the public or other third parties, unless otherwise stated.

Definitions

The definitions used in this policy are based on the definitions provided in the AODA.

“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.

“Assistive Devices” means technical aids, communication devices, or medical aids modified or customized for use in increasing, maintaining or improving the functional ability of a person with a disability and may include, but are not limited to, wheelchairs, walkers, white canes used by people who are blind or who have low vision, note taking devices, portable magnifiers, recording machines, assistive listening devices, personal oxygen tanks and devices for grasping. Assistive Devices may accompany the customer or already be on the premises and are used to assist persons with disabilities in carrying out activities or in accessing the services provided by the City of Mississauga.

“Bus” means a motor vehicle designed for carrying 10 or more passengers and used for the transportation of persons.

“Career Development and Advancement” means the provision of additional responsibility within an employee’s current position or movement from one job to another within the organization that may be higher in pay, provide greater responsibility, or be at a higher level in the organization.

“Communication Supports” may include, but are not limited to, captioning, alternative and augmentative communication supports, plain language, assistive listening devices (ALD), American Sign Language (ASL) interpreters and other supports that facilitate effective communications.

“Conventional Transportation Services” means any public passenger transportation services on transit buses, motor coaches or rail-based transportation that operate solely within the Province of Ontario and that are provided by a designated public sector transportation organization.

“Disability” is defined by the Ontario *Human Rights Code* and the AODA as:

- 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 a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language
- A mental disorder, or
- An injury or disability for which benefits were claimed or received under the insurance plan established under the workplace safety and insurance act, 1997

“Performance Management” means a program that defines and assesses employee performance, productivity and effectiveness, with the goal of facilitating employee success.

“Public Spaces” means outdoor recreational trails, beach access routes, boardwalks, ramps, outdoor public use eating areas, outdoor play spaces, outdoor paths of travel (including ramps, stairs and curbs, accessible pedestrian signals and rest areas), accessible parking, service counters and includes maintenance and restoration of these public spaces.

“Redeployment” means assignment of an employee to another job or department within the organization as an alternative to layoff, when a particular job or department within the organization has been down-sized or eliminated.

A “Service Animal” is any animal that provides essential assistance to a person with a visible or invisible disability.

“Support Person” means, in relation to a person with a disability, another person who accompanies them in order to help with communication, mobility, personal care or medical needs or with access to goods or services.

“Taxicab” means a motor vehicle as defined in the *Highway Traffic Act*, other than a car pool vehicle, having a seating capacity of not more than six persons, exclusive of the driver, hired for one specific trip for the transportation exclusively of one person or group of persons, one fare or charge only being collected or made for the trip and that is licensed as a taxicab by a municipality.

Compliance

City staff will comply with the requirements of the AODA in accordance with the requirements outlined below. Staff with direct responsibility for any of the requirements of the Regulations shall receive additional training appropriate to their duties.

Ontario Regulation 191/11 - Integrated Accessibility Standards

1. General Requirements

- 1.1. Establish accessibility policies - develop, implement and maintain policies governing how the organization achieves or will achieve accessibility through meeting its requirements referred to in the Regulation
- 1.2. Establish accessibility plans - establish, implement, maintain and document a multi-year accessibility plan and review it every five years. Progress on the plan will be provided annually to the Mississauga Accessibility Advisory Committee (AAC) and Council
- 1.3. Procurement - incorporate accessibility criteria and features, except where it is not practical to do so. If not practical, the City shall provide an explanation, upon request
- 1.4. Incorporate accessibility features when designing, procuring or acquiring self-service kiosks (interactive electronic terminals, including point-of-sale devices), intended for public use that allow users to access services and/or products
- 1.5. Provide training on the requirements of the AODA Regulations and on the Ontario *Human Rights Code* as it pertains to persons with disabilities

2. Information and Communications Standards

- 2.1 Upon request, provide or arrange for the provision of Accessible Formats and Communication Supports for persons with disabilities in a manner that takes into account the person's accessibility needs and at a cost that is no more than the regular cost charged to other persons, including:
 - 2.1.1 The processes for receiving and responding to feedback - forward feedback to the applicable department or section for action (e.g. rectify a physical barrier); respond in a timely manner and copy staff in Accessibility Planning, Facility Development & Accessibility Section, Facilities & Property Management Division, Corporate Services Department ; provide updates if the resolution involves multiple steps or is lengthy
 - 2.1.2 Information (text, audio, digital or images) available to the public regarding emergency procedures, plans or public safety information
 - 2.1.3 Accessible websites and web content - web content must conform to the Worldwide Web Consortium's Web Content Accessibility Guidelines (WCAG), in accordance with the Regulations' timelines
 - 2.1.4 Public libraries - provide access to or arrange for the provision of access to accessible materials where they exist

3. Employment Standards

- 3.1 The Employment Standards requirements do not apply to volunteers and other unpaid individuals
- 3.2 Recruitment process – notify employees and the public about the availability of accommodation for applicants with disabilities during the assessment or selection process
- 3.3 Notify successful applicants of City policies and any other additional supports pertaining to the accommodation of employees with disabilities
- 3.4 Consult with employees, upon request, to provide or arrange for the provision of accessible formats and communication job supports that meet their accessibility needs
- 3.5 Provide individualized workplace emergency response information to employees whose disability is such that it is necessary and the City is aware of the need for accommodation. Provide this information, with the employee's consent, to the person designated to provide assistance. Review this information when the employee moves to a different location, when the employee's overall accommodations needs or plans are reviewed and when the City reviews its general emergency response plans
- 3.6 Develop and have in place a written process for the development of documented individual accommodation plans for employees with disabilities. Include individualized workplace emergency response information, if requested
- 3.7 Develop and have in place a return to work process for employees who have been absent due to a disability and require disability-related accommodations in order to return to work
- 3.8 Performance Management - take into account the accessibility needs of employees with disabilities, as well as documented individual accommodation plans
- 3.9 Career Development and Advancement or Redeployment - take into account the accessibility needs of employees with disabilities, as well as documented individual accommodation plans

4. Transportation Standards - Mississauga is a provider of Conventional Transportation Services and Taxicab licences only.

- 4.1 Make current information on accessibility equipment and features of vehicles, routes and services available to the public
- 4.2 Take reasonable steps to accommodate persons with disabilities if the accessibility equipment on a vehicle is not functioning
- 4.3 Conduct employee and volunteer accessibility training related to the standards' requirements, including any revisions, and keep a record of the training
- 4.4 Hold at least one annual public meeting involving persons with disabilities
- 4.5 Establish, implement, maintain and document emergency preparedness and response policies that provide for the safety of persons with disabilities
- 4.6 Fares for persons with disabilities cannot exceed normal fares. If a Support Person travels with a person with a disability, only a single fare is required

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- 4.7 Identify the process for managing, evaluating and taking action on customer feedback in accessibility plans. Ensure the feedback is accessible by providing or arranging for accessible formats and communication supports, upon request
 - 4.8 General responsibilities, upon request - deploy accessible devices; allow adequate boarding/deboarding time; assist with safe storage of mobility aids/mobility assistive devices
 - 4.9 Transit stops - ensure that persons with disabilities are able to board/deboard a transportation vehicle at the closest available safe location, if the official stop is not accessible and the safe location is along the same transit route
 - 4.10 Ensure that Assistive Devices are stored in the passenger compartment within reach of the person with the disability who uses the aid or device.
 - 4.11 Priority seating - ensure that there is clearly marked priority seating for persons with disabilities
 - 4.12 Service disruptions - when aware in advance, make alternate accessible arrangements known as soon as possible
 - 4.13 Announcements - pre-boarding announcements (on request) of the route, next stop, etc.; onboard audible verbal announcement of all destination points is required
 - 4.14 Technical requirements – 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 (refer to Regulation 191/11 for complete details).
 - 4.15 Consult with the AAC in the development of accessible design criteria for bus stops and shelters
 - 4.16 Taxicabs
 - 4.16.1 Consult with the AAC to determine the proportion of on-demand accessible Taxicabs required in the community
 - 4.16.2 Ensure higher fares for persons with disabilities are not charged
 - 4.16.3 Ensure a fair for the storage and transportation of Assistive Devices is not charged
 - 4.16.4 Place vehicle registration and identification information on the rear bumper of the Taxicab and make the information available in alternative formats, upon request.
5. Built Environment – Design of Public Spaces Standards – applies to new construction and major changes to existing features after December 31, 2012. The *Ontario Building Code* (OBC) governs new construction and renovations, mainly for interior design. The Ministry of Municipal Affairs and Housing is responsible for administering the OBC
- 5.1 Recreational trails/beach access routes - meet minimum requirements for trails and beach access routes (i.e. clear width), post signs with specific information at the start of trails
 - 5.2 Outdoor public eating areas like rest stops or picnic areas – provide a minimum number of accessible tables
 - 5.3 Outdoor play spaces (e.g.) playgrounds in parks and local communities – consult with persons with disabilities to assist in incorporating accessibility for children with various disabilities into play spaces

- 5.4 Outdoor paths of travel (e.g.) sidewalks, ramps, stairs, curb ramps, rest areas and accessible pedestrian signals – meet minimum requirements for sidewalks; install accessible pedestrian signals at intersections
- 5.5 Accessible parking (on and off street) – refer to Accessible Parking requirements in the [IASR](#) for off street parking, which includes Type A (van accessible) and Type B (standard space). Consult with the AAC on the need, location and design of accessible on-street parking spaces.
- 5.6 Service-related elements like service counters, fixed queuing lines and waiting areas – have a minimum of one accessible counter when providing services to the public
- 5.7 Maintenance and restoration of public spaces – ensure accessibility-related equipment and features are maintained.

6. Customer Service Standard

6.1 Use of Assistive Devices

- 6.1.1 A person with a disability must be permitted to enter the premises with the device and to utilize the device, unless excluded by law
- 6.1.2 Where excluded by law, staff must provide an explanation and other arrangements must be explored in order to provide service
- 6.1.3 Assistive Devices that are available for access to specific services and programs must be kept in good working order and appropriate staff must know how to use the equipment or device
- 6.1.4 The public must be informed of their availability

6.2 Use of Service Animals

- 6.2.1 Care and control of Service Animals are the responsibility of the person using them
- 6.2.2 If it is not readily apparent that the animal is a Service Animal, then documentation from a regulated health professional confirming that the person requires the animal for reasons relating to the disability is required
- 6.2.3 A person with a disability must be permitted to enter those areas of the premises that are open to the public or third parties with the Service Animal and to keep the animal with them unless otherwise excluded by law from the premises (e.g. animals are not allowed in places where food is manufactured, prepared or processed)
- 6.2.4 Where excluded by law, or where the Service Animal may affect the health and safety of other customers, other arrangements must be explored in order to meet the needs of both customers while providing service to the person with a disability

6.3 Use of Support Persons

- 6.3.1 If assisted by a Support Person, the person with a disability must not be prevented from having access to the Support Person

- 6.3.2 If a participant fee is charged (e.g. admission or registration fee) the fee must be waived for the accompanying Support Person
- 6.3.3 A person with a disability may be required to be accompanied by a Support Person if it is the only means available to allow the person to access the provider's goods or services and, at the same time, protect the health and/or safety of the person with a disability or others on the premises. The City 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 way to protect the health or safety of the person or others on the premises
- 6.4 Notice of Temporary Disruptions
- 6.4.1 Notice of the disruption must be provided to the public in a timely manner
- 6.4.2 Notice must include information about the reason for the disruption, its anticipated duration and a description of alternative facilities or services, if any, that are available
- 6.4.3 Notice will be given by posting the information at a conspicuous place on the premises (on doors, at service counters, on bulletin boards, etc.); by posting it on the City's website or by such other method as is reasonable in the circumstances
- 6.5 Notice of Availability of Documents
- 6.5.1 The City will provide notice to the public that this policy and any documents that describe practices and procedures with respect to the Regulations are readily available in an alternative format upon request
- 6.5.2 Notice will be posted at a conspicuous place (e.g. the City's external web site)

Framework for Compliance

The City of Mississauga is committed to removing and preventing barriers for persons with disabilities. The City meets the requirements of the Regulations through the following methods, processes and actions:

1. Strategic Plan - The City of Mississauga's Strategic Plan defines the City's priorities, processes and short and long-term plans and prioritizes budget and resource allocations. One of the Plan's key Strategic Goals is to Ensure Affordability and Accessibility "to provide a range of affordable and accessible housing, transit and service options."
2. City of Mississauga's Official Plan - The Official Plan ensures that all changes within the urban environment will be considered for their capacity to create successful places where all people will collectively thrive.

3. City of Mississauga Accessibility Plan – available to the public on the City’s external website and filed annually, the plan identifies barriers to persons with disabilities and the initiatives the municipality will take for the removal of those barriers.
4. MiWay – Mississauga Transit’s Accessibility Plan - This report provides an annual update on activities MiWay has undertaken to meet the goal of improving accessibility in its services and facilities. The Plan is in conformance with the requirements of the AODA and related Regulations and is available to the public on the City’s external website.
5. Mississauga Accessibility Advisory Committee (AAC) - The AAC, an advisory committee to Council, makes recommendations and advises and assists the City in promoting and facilitating a barrier-free Mississauga for citizens of all abilities (universal accessibility), including persons with disabilities. A majority of the members of the AAC are persons with disabilities.
6. The City of Mississauga incorporates accessibility into its By-Laws and Corporate Policies. Examples of By-Laws and Policies with reference to accessibility planning include:

By-Laws

- Accessible Parking By-Law 134-83
- Parks By-Law 186-05
- Public Vehicle Licensing By-Law 420-04
- Purchasing By-Law 374-06
- Traffic By-Law 550-00
- Transit By-Law 425-03

Policies

Human Resources:

- Employee Recruitment
- Health and Safety Management System
- Short and Long Term Accommodation
- Salary Administration

Corporate Administration:

- Access to and Acceptable Use of Information Technology Resources
- Documentation Standards
- Employee Records
- Provision of Audio Visual Equipment

Note: All Corporate Policies, regardless of whether or not they specifically address accessibility, are reviewed with an accessibility lens.

7. Training - The following persons shall receive training on the requirements of the Regulations and on the Ontario *Human Rights Code* as it pertains to persons with disabilities:
- all employees and volunteers
 - all persons who participate in developing the organization's policies, and
 - all other persons who provide goods, services or facilities on behalf of the organization

Training must be provided as soon as practical and on an ongoing basis in connection with changes to the policies, practices and procedures governing the Regulations. The City will maintain records of the training provided, including the dates and the number of individuals to whom it was provided.

8. Transportation and Works Operator Standard Practice Instruction Manual – The Manual, comprised of a series of standard operating procedures for transit employees, outlines the requirements of the AODA and related Regulations and how the requirements will be met.
9. Procurement Request Form (PRF) and Contract Managers Guidebook – The Guidebook includes a checklist to ensure accessibility considerations and requirements are part of the procurement cycle, including the planning and document development stages.
10. City of Mississauga Facility Accessibility Design Standards - In recognition of the diverse needs of employees, residents and visitors to the City, the mandate of the Facility Accessibility Design Standards is to outline design criteria which are intended to generate built environments that are more inclusive. The City recognizes that the application of the criteria is dependent on the ability of the City to apply the criteria in compliance with legislation such as the *Ontario Building Code* and the *Planning Act*.

Revision History

| Reference | Description |
|---------------------------|---|
| GC-0859-2012 – 2012 12 12 | |
| June 17, 2013 | Mayor & Council and LT approval to add Built Environment |
| January, 2017 | Scheduled review – revised to reflect legislated changes to the IASR; other minor housekeeping edits. |