
Subject: Corporate Accessibility Policy

Scope: County Council, Library Board, County Employees, Including Strathmere Lodge and Middlesex County Library, and Volunteers

Issued: September 12, 2023

Revised:

HR Review:

Purpose:

The *Accessibility for Ontarians with Disabilities Act, 2005* ("AODA") requires all public organizations to meet the accessibility standards in this legislation. The purpose is to guide the review and development of Middlesex County goods, services, programs and facilities in an inclusive manner that considers the AODA and needs of people with disabilities.

Statement of Commitment:

The County of Middlesex (the "County") is committed to providing a barrier-free environment for all stakeholders, including clients, employees, job applicants, suppliers and any visitors who enter the premises, work for the County, access information provided by the County, or use the County's goods and services.

The County will work to remove the barriers that limit persons with disabilities from employment, accessing of goods and services, the built environment/public spaces and information and communication through the implementation of accessibility standards.

Policy:

This policy establishes a framework for compliance with the County's commitment to accessibility, requirements of the AODA requirements of Ontario Regulation 191/11 - *Integrated Accessibility Standards Regulation* ("IASR") under the AODA, The *Ontario Building Code*, the *Ontario Human Rights Code*, other applicable legislative requirements, and additional County requirements.

The AODA provides for the development, implementation and enforcement of accessibility standards in order to achieve accessibility for persons with disabilities in all aspects of society. The County must meet requirements in key areas including:

- General Requirements (Procurement, Training and Policy)
- Information and Communication
- Customer Service
- Employment
- Transportation
- Built Environment and Public Spaces.

All County policies, procedures, by-laws, standards and guidelines must comply with the AODA, and provide for dignity, independence, integration and equal opportunity for persons with disabilities. In all of the key areas listed above, the AODA requires the County to:

- Identify, prevent and remove barriers persons with disabilities face in accessing the County's goods, services, and facilities
- Accommodate the accessibility needs of persons with disabilities to ensure they can obtain, use or benefit from County goods, services, and facilities, and that they can do so in a timely manner, at a cost no greater than the cost for persons without disabilities
- Allow persons with disabilities to use their own personal assistive devices to obtain, use or benefit from the services offered by the County
- Communicate with persons with disabilities in a manner that takes into account the person's disability, and
- Develop and train County employees on providing accessible goods, services, and facilities.

Definitions:

Assistive Devices: refers to technical aids, communication devices, or medical aids modified or customized for use to increase, maintain or improve the functional ability of a person with a disability including but not limited to wheelchairs, walkers, white canes, note taking devices, portable magnifiers, recording machines, assistive listening devices, personal oxygen tanks and devices for grasping. Assistive devices may accompany the stakeholder or already be on the premises for the purpose of assisting persons with disabilities in carrying out activities or in accessing the services provided by the County.

Barriers: anything that prevents a person with a disability from fully participating in all aspects of society because of their disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy or a practice as defined by the AODA.

Customer: an individual or group of people who have a business relationship with the organization; those who receive and use or are directly affected by the products and services of the organization. Customers include direct recipients of products and services, internal customers who produce services and products for final recipients, and other organizations and entities that interact with an organization to produce products and services.

Customer Service: refers to efficiently satisfying a customer's needs by providing and delivering professional, helpful, high quality service and assistance before, during and after the customer's requirements are met. A customer can be internal or external to the organization.

Disability: as defined in Section 2 of the *Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11* and the *Ontario Human Rights Code, R.S.O. 1990, c. H.19*, as follows:

- 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.

Service Animal: as defined in Section 80.45(4) of the Ontario Regulation 191/11 - Integrated Accessibility Standards Regulation (IASR) under the AODA, an animal is a service animal for a person with a disability if,

- a. the animal can be readily 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 Audiologists and Speech-Language Pathologists of Ontario.
- ii. A member of the College of Chiropractors of Ontario.
- iii. A member of the College of Nurses of 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.

Support Person: a support person accompanies a person with a disability to assist with communication, mobility, personal care or medical needs or with access to goods or services.

1. General Requirements

The County will ensure the general requirements of the Ontario Regulation 191/11 - Integrated Accessibility Standards Regulation (IASR) under the AODA are met in order to achieve accessibility for persons with disabilities.

1.1 Accessibility Policies

The County will establish and maintain one or more policies governing how the organization will achieve the requirements of the IASR. The County will also ensure such documents are available to the public, and in accessible formats upon request. This Policy is adopted in compliance with this obligation.

1.2 Accessibility Plan

The County will establish, implement, maintain and make public a Joint Multi-Year Accessibility Plan (the "Joint MYAP") outlining the County and its Local Municipal Partner's strategy to identify, remove and prevent barriers and to meet the legislated requirements of the IASR. The Plan shall be developed in consultation with the Middlesex Accessibility Advisory Committee, the public and persons with disabilities. The County shall review and update the Joint MYAP at least once every five (5) years.

The County's Joint MYAP will be posted on the County's website, and will be available in an accessible format and/or with appropriate communication supports as soon as possible, upon request.

The County shall prepare a Joint Annual Accessibility Status Report on the progress of measures taken to implement the County's strategy to identify, remove and prevent barriers and to meet the legislated requirements of the IASR.

1.3 Procurement of Goods, Services and Facilities

As required by the AODA, when acquiring or procuring goods, services, and facilities, the County must incorporate accessibility criteria and features, and will do so as early as possible in the procurement process. Where it is not practicable to do so, an explanation must be provided upon request, in accordance with the County's Procurement Policy. Ensuring accessibility is incorporated into all procurement activities is the primary responsibility of the departments/divisions who manage these activities and contracts.

1.4 Training

The County will ensure that all employees, volunteers including Council and Committee Members, persons who participate in developing County policies and persons who provide goods, services or facilities on behalf of the County receive training on the AODA, the *Ontario Human Rights Code*, and Accessible Customer Service. Training must take place as soon as practicable.

Training must include:

- The purpose of the AODA and related County policies
- Requirements of AODA Standards under the IASR (as appropriate to the person's duties)
- The *Ontario Human Rights Code* as it pertains to persons with disabilities
- How to interact and communicate with persons with various types of disability
- How to interact with persons with disabilities who use an assistive device or require the assistance of a guide dog or other service animal or the assistance of a support person
- How to use equipment or devices available on the provider's premises or otherwise provided by the provider that may help with the provision of goods, services or facilities to a person with a disability
- What to do if a person with a particular type of disability is having difficulty accessing the provider's goods, services or facilities.

Training on specific accessibility standards according to the person's duties include:

1. Information and Communications Standards – for employees whose duties and responsibilities involve communicating with, giving information to or receiving information from others.
2. Employment Standards – for employees involved in any aspect of the employment cycle, including recruiting, hiring, retaining and exiting.
3. Transportation Standards – for employees who provide conventional and specialized transportation services, as well as to those who licence taxicabs and operate ferries.
4. Design of Public Spaces Standards – for employees who are involved in building on or making planned alterations to the public space.
5. Training may also include how to use and maintain assistive devices at a specific location (e.g. TTY, assistive listening devices).

The County will ensure training is provided on an ongoing basis in respect of any changes to this policy.

The County will maintain a record of the training, including the type of training, dates on which accessibility training took place and the names and number of individuals trained.

1.5 Self-Service Kiosks

The County shall incorporate accessibility features when designing, procuring or acquiring self-service kiosks.

2. Information and Communication

The County will provide accessible information and communication by preventing and removing barriers, and providing accessible formats and/or communication supports to individuals that identify a barrier to accessibility.

This section of the Policy addresses the County's requirements of the IASR Information and Communications Standards under the AODA.

2.1 Feedback

The County welcomes feedback on how it provides accessible customer service, and to comment on the goods, services, or facilities offered by the County. Customer feedback will help us identify barriers and respond to concerns. Feedback may be provided in the following ways:

a) By mail addressed to:

Legislative Services Department
Attention: Accessibility Coordinator
Middlesex County
399 Ridout Street North
London, ON N6A 2P1

b) By telephone: 519-614-0620

c) By website form using the [Feedback Form](#)

The Feedback Form is part of the County's Accessibility Standards for Customer Service and is available on the County website. Feedback is encouraged to help identify areas where changes need to be considered and ways the County can improve the delivery of goods, services and facilities.

All feedback, regardless of how it is received, should be directed initially to the Accessibility Coordinator for the feedback to be reviewed and identified as a complaint, suggestion or compliment. The feedback process is as follows:

- Customers may request assistance when providing feedback.
- Feedback should include the date, description, any suggestions by the customer on how to resolve if there was an issue, and personal contact information if they wish to be contacted.
- The Accessibility Coordinator will maintain a record outlining the details, follow-up and actions to be taken;
- If the feedback form indicates that the customer wishes to be contacted, Accessibility Coordinator will acknowledge receipt of the feedback within 5 business days;
- Where possible, complaints will be acknowledged and addressed immediately;
- The Accessibility Coordinator will forward feedback to appropriate Director/Manager;
- The Director/Manager will determine appropriate action;
- The Director/Manager will review barriers identified in the feedback and determine if it is feasible to remedy the barrier;
- The Director/Manager will advise the Accessibility Coordinator of the decision and reasons for it;
- The Accessibility Coordinator will advise the person who submitted the feedback of the decision and reasons for it within thirty (30) business days.
- If agreement on the resolution of a concern cannot be reached between the appropriate Manager/Director or designate, the complainant has the option of presenting the concern to County Council for final disposition.

The County ensures the feedback process is accessible to persons with disabilities by providing or arranging for accessible formats and communication supports, on request.

2.2 Accessible Formats and Communication Support

The AODA requires that all information and communications that the County produces directly, that is available online for the public to access, must be made accessible. Information and communications that is directly or indirectly produced through contractual relationships, may be made available in an alternate accessible format and/or communication supports, upon request.

The County will advise the public of the availability of accessible formats and/or communication supports in the County Accessibility Policy, Joint Multi-Year Accessibility Plan, and other documents where it is deemed necessary to include. The public can make a request by submitting the Accessible Formats and Communication Supports Request Form located on the County [Accessibility](#) page, or contacting the Accessibility Coordinator.

When an alternate accessible format and/or communication support is requested, the County must consult with the person making the request to determine which format or support is required, and provide or make arrangements to provide the material in a reasonable amount of time and at no additional cost to the requestor.

IASR Information and Communication Standards do not apply to products and product labels, unconvertible information or communications, and information that the County does not control directly or indirectly through a contractual relationship.

If the information or communication is determined to be unconvertible, the County must provide the person requesting the information or communication with:

- An explanation as to why the information or communications are unconvertible, and
- A summary of the unconvertible information or communications.

2.3 Emergency Procedures, Plans or Public Safety Information

The County shall provide all existing public emergency procedures, plans and public safety information, upon request in an accessible format or with appropriate communication supports, as soon as practicable, upon request.

2.4 Accessible Websites and Web Content

The AODA requires that the County's Internet website and web content, controlled directly by the County or through a contractual relationship that allows for modification of the product, must conform to World Wide Web Consortium Web Content Accessibility Guidelines (WCAG) 2.0 at Level AA, in accordance with the schedule set out in the IASR.

The County's Legislative Services Department is responsible for establishing and maintaining procedures, standards and guidelines to ensure all Internet websites and web content is accessible.

Any County department or division that manages their content on the County's website are responsible for ensuring accessibility based on approved procedures, standards and guidelines, with support from the Legislative Services Department.

2.5 Middlesex County Libraries

Middlesex County Libraries will provide access to or arrange for the provision of access to accessible materials where they exist. Middlesex County Libraries will make information about the availability of accessible materials publicly available and will provide the information in accessible formats and/or with appropriate communication supports, upon request.

3. Employment

The County will foster an inclusive workforce and provide equitable treatment and accommodation to ensure barrier-free employment.

3.1 Recruitment and Selection

The County must post information about the availability of accommodations for internal and external job applicants with disabilities in its recruitment process. Job applicants who are individually selected for an interview and/or testing must be notified that accommodations are available on request. The County must consult with an applicant who requests an accommodation and, in accordance with the *Ontario Human Rights Code* and the County's Accommodation Policy, will provide or arrange for the provision of a suitable accommodation in a timely manner that takes into account the applicant's accessibility needs due to disability. Successful applicants must be notified about the County's policies for accommodating employees with disabilities as part of their offer of employment.

3.2 Employee Supports

County employees must be made aware of the policies used to support employees with disabilities and accommodations available in accordance with the *Ontario Human Rights Code* and the County's Accommodation Policy. The County provides this information to new employees through employment agreements and orientation materials, and must provide updated information to all employees 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 disability.

3.3 Accessible Formats and Communication Supports for Employees

In accordance with the *Ontario Human Rights Code* and the County's Accommodation Policy, upon an employee's request, the County must consult with the employee to provide or arrange for the provision of accessible formats and communication supports for:

- Information that is needed to perform the employee's job
- Information that is generally available to employees in the workplace.

The County must consult with the employee making the request in determining the suitability of an accessible format or communications support.

3.4 Workplace Emergency Response Information

The County will provide individualized emergency response information to employees who identify potential accessibility barriers when responding to emergency situations. Information on Individualized Workplace Emergency Response Plan must be provided to the employee as soon as practicable after becoming aware of the need for accommodation due to the employee's disability.

If the employee requires assistance, the County must receive consent from the employee to provide the individualized emergency response information to the person(s) designated to provide assistance. The information must be reviewed when the employee moves to a different location, when the employee's accommodation needs change, when overall accommodation plans are reviewed and when the County reviews its general emergency response plan.

3.5 Individual Accommodation Plans

The County's HR 5.02 Accommodation Policy describes the mandatory process for the development and maintenance of documented individual accommodation plans to support

employees with disabilities. The process set out in the policy meets requirements of the AODA. If applicable, individual accommodation plans may include information regarding plans for accessible formats and communication supports, as well as individualized workplace emergency response information.

3.6 Return to Work Process

The County must have in place a documented return to work process for employees returning to work following an illness or injury where disability-related accommodations are required. This requirement is met through return to work processes supported by the Occupational Health and Safety staff consistent with the collective agreements and return to work protocols.

3.7 Performance Management, Career Development, and Redeployment

The County will ensure employees with disabilities or individual accommodation plans are provided equitable access to career development, performance management and redeployment opportunities.

4. Transportation

4.1 Middlesex Connect

The County shall establish policies, practices, and procedures that ensure the County and the contracted service provider remains an inclusive and accessible conventional transportation provider. These policies, practices, and procedures shall:

- Ensure non-functioning accessibility equipment is repaired as soon as possible, and persons with disabilities are accommodated.
- Take into account the technical requirements if purchasing a replacement vehicle on or after July 1, 2011.
- Appropriately accommodate persons with disabilities on Middlesex Connect in the areas of:
 - Fares, fare parity, storage of mobility aids, priority seating, service disruptions, pre-boarding and on-boarding announcements (verbal, electronic), availability of information on accessible equipment, emergency preparedness and response policies, general responsibilities (deploying lift devices, ramps, safe boarding time, assistance provided, upon request, assist with storage of mobility aids or devices, allow persons to travel with medical aids), technical requirements of vehicles (grab bars, floors and carpeted surfaces, allocated mobility aid spaces, stop-requests and

emergency response controls, lighting features, signage, lifting devices, steps, indicators and alarms).

- Consultation with the MAAC, the public and persons with disabilities on the development of accessible design criteria in the construction of bus stops/shelters.
- Ensure that Middlesex Connect is included in the County's Multi-Year Accessibility Plan and progress reports as well as identify the process for managing, evaluating and taking action on customer feedback.

The County will ensure that a public meeting is held annually involving persons with disabilities to ensure that they have had an opportunity to participate in a review of the accessibility plan and that they are given the opportunity to provide feedback on the accessibility as it relates to Middlesex Connect.

5. Built Environment and Public Spaces

The County will ensure accessibility at all its facilities and public spaces by designing with accessibility in mind.

5.1 Accessibility Requirements in Codes and Standards

The *Ontario Building Code*, which has a section on Barrier-Free Design, and the AODA, IASR Design of Public Spaces Standards are both standards to which the County must adhere. These standards establish the minimum threshold for accessibility in the built environment.

5.2 Obtaining Services

When constructing or replacing service counters, fixed queuing guides and waiting areas, the AODA requires the County to make them accessible to persons with disabilities.

5.3 Maintenance of Accessible Elements

The AODA requires the County to develop and implement procedures for preventative and emergency maintenance and temporary disruptions of accessible elements in public spaces.

5.4 Public Consultation

The AODA requires the County to provide opportunity for public consultation on the development or re-development of public spaces, including:

- Recreation trails

- Outdoor public eating areas like rest stops or picnic areas
- Outdoor play spaces, like playgrounds in provincial parks and local communities
- Accessible off-street parking
- Accessible on-street parking

6. Customer Service

6.1 Assistive Devices

The County shall allow persons with disabilities to use their own assistive devices to obtain, use or benefit from the goods, services, and facilities offered by the County.

In circumstances where a person with a disability is unable to access the County's services through the use of their own personal assistive device, the County must assess service delivery and potential service options to meet the needs of the individual, in accordance with the *Ontario Human Rights Code* and the County's Accommodation Policy.

Where County-owned assistive devices are available, the AODA requires that they must be kept in good working order and the public must be informed of their availability. Employees within the applicable division must be trained in the application and use of the devices.

6.2 Support Person

The County allows persons with disabilities to be accompanied by a support person in all County-owned and operated public facilities. Where fees are charged, County employees shall ensure the fee is waived for the support person. If there is confidential information to be disclosed, consent must be received from the person with the disability.

The County reserves the right to request a person with a disability to be accompanied by a support person, in the event that it is considered necessary to protect the health and safety of the person with a disability or others on the premises.

This should only occur where after consulting with the person it is determined that based on the person's needs and available evidence:

1. A support person is necessary to protect the health and safety of the person with a disability or the health and safety of others on the premises, and
2. There is no reasonable way to protect the health or safety of the person with a disability or the health and safety of others on the premises.

The assessment of the risk is based on considerations of the duration of the risk, nature and severity of the potential harm, likelihood the potential harm will occur, and imminence of the potential harm. Any considerations on protecting health and safety must be based on specific evidence and not on assumptions. The County will ensure the person is supported while respecting the dignity of the individual.

6.3 Service Animals

The County welcomes persons with disabilities and their service animals. Service animals are allowed on the parts of the premises that are open to the public and third parties.

When the County cannot easily identify that an animal is a service animal, County employees may ask for documentation (template, letter or form) from a regulated health professional that confirms the person needs the service animal for reasons relating to their disability.

In the event the service animal is excluded by law, such as in a food preparation area, the County must ensure other measures are available to enable the person with a disability to obtain, use or benefit from County goods, services, and facilities. Employees will respectfully explain why the animal is excluded and determine what other arrangements can be made.

It is the responsibility of the person with the disability to maintain care and control of the service animal, at all times. In the unlikely circumstance that control is unable to be maintained, the person with the disability will be informed they must regain control. If the animal is acting in a manner that causes health and safety concerns, County employees may request the animal be removed from the situation or premises until such time that care and control is resumed. In addition, the County will consider alternate accommodations for the person in such circumstances, and ensure access to goods and services is provided.

General Information

- Service animals are specially trained to assist a person with a disability. They might open doors, pick up items, predict seizures, alert to sounds, etc.
- Service animals may be dogs or other types of animals.
- Service animals are not pets — they are working animals. Do not pet or talk to a service animal.
- Service animals provide a vital service; they are allowed to be with their owner at all times, unless otherwise prohibited by law, or a health and safety risk is present and unable to be mitigated.
- Service animals in training will be welcome in all County owned facilities, provided they adhere to all County procedures relating to service animals.

6.4 Notice of Temporary Service Disruptions

Temporary service disruptions in municipal services or facilities may occur due to reasons that may or may not be within the County's control or knowledge.

In the event of a planned or unexpected disruption to services or facilities for customers with disabilities, the County will make reasonable efforts to notify customers promptly. This clearly posted notice will include information about the reason for the disruption, its anticipated duration, and a description of alternative facilities or services, if available.

Notice must be given by posting the information in a prominent place on premises owned or operated by the provider, posted on the County's website or social media, included on telephone recordings, or by other methods as is reasonable under the circumstances. Planned service disruptions that are intended to last more than 48 hours will be posted on the County's website. Contact information will be provided when applicable.

7. AODA Reporting Requirements

The County must submit completed Accessibility Compliance Reports to the Ministry for Seniors and Accessibility every two years, in accordance with the schedule set out in the AODA.

8. Contraventions

Failure to comply with this Policy may result in disciplinary action, up to and including dismissal. The County's failure to comply with AODA may result in significant fines and reputational damage.