

TYPE:	Administrative
TITLE:	Accessibility - Implementation of the Integrated Accessibility Standards Regulation
NO.:	ADMIN-203
RESPONSIBILITY:	Chief Administrative Officer; Dean, Students
APPROVED BY:	Durham College Leadership Team
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1. Introduction

The Accessibility for Ontarians with Disabilities Act, 2005 (AODA) is provincial legislation created with the intent of achieving accessibility for Ontarians with [disabilities/exceptionalities](#) by 2025. The Integrated Accessibility Standards Regulations (IASR) were amended in 2016 to include the following:

- Customer Service
- Design of Public Spaces
- Employment
- Information and Communication
- Transportation

The IASR requires that obligated organizations, must create and maintain a multi-year accessibility plan (MYAP) that outlines the organization's strategies to prevent and remove barriers to accessibility.

2. Purpose

The policy and procedure provide the overall direction the College will follow to provide accessibility supports to people with disabilities/exceptionalities. It outlines the requirements of the IASR, including establishment, implementation, maintenance and documentation of a multi-year accessibility plan, the incorporation of accessibility criteria and features when procuring or acquiring goods, services, or facilities, requirements for accessibility training and other requirements under the Customer Service, Information and Communication, Employment, Transportation and Public Spaces Standards.

3. Definitions

Refer to [Durham College's Standard Definitions](#).

4. Policy statements

4.1. General Provisions

4.1.1. Multi-Year Accessibility Plan

Durham College's Multi-Year Accessibility Plan outlines a phased-in strategy to prevent and remove barriers and address the current and future requirements of the AODA.

4.1.2. Procuring or Acquiring Goods, Services or Facilities.

The College will use accessibility design, criteria and features when procuring or acquiring goods, services, facilities or self-service kiosks, except where it is not practical to do so (in which case, if requested an explanation will be provided).

4.1.3. Training

The College will ensure training is provided to all employees, agents, volunteers, all persons who participate in developing the College's policies, and all other persons who provide goods, services or facilities on behalf of the College, on the requirements of the accessibility standards referred to in the regulation and in The Ontario Human Rights Code as it pertains to persons with disabilities/exceptionalities.

4.1.4. Customer Service

Goods or services are provided in a way that respects the dignity and independence of persons with disabilities/exceptionalities.

The provision of goods or services to persons with disabilities/exceptionalities must be integrated unless an alternate measure is necessary to enable them to obtain or benefit from the goods or services.

Persons with disabilities/exceptionalities must be given an opportunity equal to that given to others to obtain, use and benefit from goods or services.

4.2. Information and Communication Standard

4.2.1. The College is committed to providing and receiving information and communications in ways that are [accessible](#) to people with disabilities/exceptionalities.

4.2.2. Emergency Information

All emergency procedures, plans or public safety information that are made available to the public, will be provided in [accessible formats](#) or with appropriate communication supports, upon request.

4.2.3. Feedback

The College has processes in place for receiving and responding to feedback and will ensure these processes are provided in accessible formats and with communication supports, upon request. The public will be notified about the availability of accessible formats and communication supports.

4.2.4. Accessible Formats and Communications Supports

The College will provide or arrange for accessible formats and communication supports for all persons with disabilities/exceptionalities:

- Upon request and in a timely manner that takes in to account a person's accessibility needs due to a disability/exceptionality;
- At a cost that is no more than the regular cost charged to other persons;
- In consultation with the person making the request and will determine suitability of an accessible format or communication support; and
- Will notify the public about the availability of accessible formats and communication supports.

4.2.5. Website Accessibility

The College will ensure the website and web content conform with the ministry required World Wide Web Consortium Web Content Accessibility Guidelines (WCAG).

4.2.6. Education, Training and Materials

The College will provide educational and training materials (where possible), student records, and program information (including requirements, availability and descriptions), in accessible formats upon request.

The College will provide educational or training materials in an accessible format taking in to account the accessibility needs of a person with a disability/exceptionality to whom the information is being provided

The College library provides, procures or acquires by other means, an accessible or conversion-ready format of print and will provide digital or multimedia resources or materials for any person with a disability/exceptionality, upon request, with the exception of special collections, archival materials, rare books and donations.

4.3. Employment Standard

The Employment Standard builds upon the existing requirements under the Ontario Human Rights Code in relation to how to accommodate employees and job applicants with disabilities/exceptionalities throughout the job application process and the employment relationship. It applies with respect to employees and does not apply to volunteers and other non-paid individuals.

4.3.1. Recruitment

The College will notify [employees](#) and the public about the availability of accommodations for applicants with disabilities/exceptionalities.

4.3.2. Employee Notification

The College will inform its employees of policies used to support its employees with disabilities/exceptionalities, including but not limited to, policies on the provision of job accommodations that take in to account an employee's accessibility needs due to a disability/exceptionality:

4.3.3. Individual [Accommodation](#) Plan (IAP)

The College will have in place a written process for developing a documented individual accommodation plan for employees with a disability/exceptionality.

4.3.4. Return to Work

A return to work process for employees who have been absent from work due to a disability/exceptionality is in place for employees who require disability-related accommodation in order to return to work. The process outlines the steps the College will take to facilitate the return to work of employees who were absent from work due to their disabilities/exceptionalities and the use of IAPs.

4.3.5. Performance Management, Career Development/Advancement, and Redeployment

The College will consider the accessibility needs and individual accommodation plans of employees when:

- Using the College's performance management system;
- Providing career development and advancement; and

- Using redeployment procedures.

4.3.6. Workplace Emergency Response Information

The College will provide individualized workplace emergency response information to employees who have disabilities/exceptionalities:

- If the disability/exceptionality is such that the individualized information is necessary and the employer is aware of the need for accommodation;
- If the employee who receives individual workplace emergency response information requires assistance, and with the employee's consent, the College will provide the workplace emergency information to the person designated by the College to provide assistance to the employee;
- As soon as practicable after becoming aware of the need for accommodation; and
- The College shall review the individualized workplace emergency response information when the employee moves to a different location in the organization, when the employee's overall accommodations needs or plans are reviewed, and when the College reviews its general emergency response policies.

4.4. Transportation Standard

While the College is not primarily in the business of transportation, the College does periodically provide or arrange for transportation services for College-related functions.

4.5. Design of Public Spaces Standard

The College shall incorporate accessibility features into public spaces that are newly constructed or redeveloped.

5. Procedure

5.1. Multi-Year Plan

- 5.1.1. The College will report annually on the progress and implementation of the plan, post the information on the public website and will provide it in alternative formats upon request.
- 5.1.2. The plan will be reviewed and updated in consultation with persons with disabilities/exceptionalities and the Accessibility Coordinating Committee at least once every five years.

5.2. Training

- 5.2.1. All College employees, volunteers, agents, contractors and all other persons who deal with the public or third parties on behalf of the College will receive Accessible Customer Service training.
- 5.2.2. Training will be appropriate to the duties of the individuals being trained, and it will be provided as soon as practicable.
- 5.2.3. Training will be delivered in a variety of formats and will be provided on an ongoing basis for employees in order to stay current with changes in policies, practices and procedures.
- 5.2.4. The training will include, but is not limited to, the following:
 - The purpose of the AODA and the requirements of the customer service standard;
 - How to interact and communicate with persons who have a disability/exceptionality, and in a manner that considers their disability/exceptionality;
 - How to provide goods and services in a manner that respects the dignity and independence of persons with disabilities/exceptionalities;
 - The process to provide feedback to the College about the provision of services to persons with disabilities/exceptionalities in any department or school and how the College responds to the feedback and acts on any complaint;
 - How to interact with persons with disabilities/exceptionalities who use assistive devices or require the assistance of a [Service Animal](#) or a [support person](#) to access goods or services;
 - How to use equipment or devices available on the College premises or provided by the College that may help with the provision of goods and services to persons with a disability/exceptionality; and
 - What to do if persons with a disability/exceptionality are having difficulty accessing the College's programs, goods or services.
- 5.2.5. Managers will receive a list of all employees in their area who have and have not completed the training on an annual basis and are responsible for ensuring that all employees in their areas have completed the training.
- 5.2.6. The College shall maintain a record of the dates when training is provided and the number of individuals to whom it was provided.

5.3. Customer Service

- 5.3.1. Where persons with a disability/exceptionality are accompanied by a support person, both parties are permitted to enter the premises together.
- 5.3.2. The College may require persons with a disability/exceptionality to be accompanied by a support person when on the College premises if a support person is deemed necessary to protect the health and safety of the person with the disability/exceptionality or others on the premises.
- 5.3.3. Where fees for programs, goods and services are advertised or promoted by the College, it will provide advanced notice of the amount payable should a support person wish to participate.
- 5.3.4. Where persons with a disability/exceptionality require assistive devices to access programs, goods or services at the College, they will be allowed to use such devices.
- 5.3.5. When available, the College will provide assistive devices in order to allow persons with disabilities/exceptionalities to access College programs, goods and services while on the premises conducting College business.
- 5.3.6. The College will provide a mechanism for the public to give feedback on the manner in which the College provides programs, goods and services to persons with disabilities/exceptionalities.
- 5.3.7. The College's process for receiving and responding to feedback, including timelines and contact information, and is available on the College website.

5.4. Notice of Availability of Documents

- 5.4.1. This document and other policies and procedures related to the provision of goods and services to persons with disabilities/exceptionalities will be made available in an alternate format upon request.

5.5. Information and Communication Standard

- 5.5.1. If the College determines it is not technically feasible to convert the information or communications, or the technology to convert the information or communication is not readily available, the College will provide the person that requires the information with:
 - An explanation as to why the information or communications are unconvertible; and
 - A summary of the unconvertible information or communications.

5.6. Education, Training and Materials

- 5.6.1. The College will purchase or obtain accessible or conversion ready electronic formats of educational and training resources or materials or arrange for a comparable resource in an accessible or conversion ready format.
- 5.6.2. If educational or training resources or materials cannot be procured, obtained by other means, or converted into an accessible format, the College will provide educators with accessibility awareness training related to accessible program or course delivery and instruction.
- 5.6.3. The College will keep records of training including dates and number of individuals trained.

5.7. Recruitment

- 5.7.1. During the recruitment process when job applicants are individually selected to participate in an assessment or selection process, the College will notify applicants that accommodations are available upon request in respect of materials or processes to be used.
- 5.7.2. If a selected applicant requests an accommodation, the College will consult with the applicant and provide or arrange for the provision of a suitable accommodation that takes into account the applicant's disability/exceptionality.
- 5.7.3. The College will notify successful applicants of the policies for supporting and accommodating employees with disabilities/exceptionalities.

5.8. Employee Notification

- 5.8.1. The College will inform employees of policies used to support its employees with disabilities/exceptionalities as soon as practicable after they begin their employment and whenever there is a change to said policies.

5.9. Accessible Formats

- 5.9.1. Where an employee with a disability/exceptionality requests accessible formats or communication supports, the College will consult and determine suitability with the employee to provide or arrange for the provision of accessible formats and communication supports for:
 - Information needed in order to perform the employee's job; and
 - Information generally available to employees in the workplace.

5.10. Individual Accommodation Plan (IAP)

5.10.1. The IAP process will include:

- The employee's participation in the development of the IAP;
- The means for assessment on an individual basis;
- Identification of accommodations to be provided;
- Timelines for the provision of accommodations;
- The manner in which the College may request an evaluation by an outside medical or other expert, at its own expense, to assist with determining and achieving the accommodation;
- The process for employees to request the participation of a union representative in these discussions, where the employee is represented by a union;
- Steps taken to protect the privacy of the employee's personal information;
- Frequency with which the IAP will be reviewed and updated and the manner in which it will be done;
- Means of providing the IAP in a format that takes into account the employee's accessibility needs;
- If requested, any information regarding accessible formats and communication supports provided;
- Individualized workplace emergency response information and the process for employees to inform Human Resources of a change to their workplace location;
- Identification of any other accommodation that is to be provided; and
- If an IAP is denied, the reasons for denial are to be provided to the employee.

5.11. Transportation Standard

- 5.11.1. Accessible transportation or equivalent services will be provided (upon request) for persons with disabilities/exceptionalities at no additional cost. Individuals must contact an event's coordinator to request this accommodation.

5.12. Design of Public Space Standard

- 5.12.1. The College will ensure that existing requirements stated under the Design of Public Spaces Standards (Accessibility Standards for the Built Environment) are followed for recreational trails, outdoor public use eating areas, exterior paths of travel, accessible parking, and service related elements.
- 5.12.2. When developing recreational trails, the College shall consult with the public and persons with disabilities/exceptionalities.
- 5.12.3. The College shall also provide maintenance and restoration of public spaces, where applicable, by ensuring the College Multi-Year Accessibility Plan includes procedures for preventative and emergency maintenance of accessible elements in public spaces and procedures for dealing with temporary disruptions when accessible elements required under this section are not in working order.

6. Roles and responsibilities

- 6.1. The Chief Administrative Officer provides a leadership role in the development and implementation of the Integrated Accessibility Standards Regulation.
- 6.2. The Dean, Students oversees the accessibility mandate and is responsible for its overall implementation including developing and promoting the multi-year accessibility plan.
- 6.3. All members of the Durham College Leadership Team (DCLT) are responsible for fostering and championing an accessible environment.
- 6.4. All College employees have responsibility for ensuring the ongoing development of an accessible, open and supportive learning environment.

7. Accessibility for Ontarians with Disabilities Act considerations

Accessibility for Ontarians with Disabilities Act (AODA) standards have been considered in the development of this policy and procedure and it adheres to the principles outlined in the College's commitment to accessibility as demonstrated by the Accessibility Plan.

8. Non-compliance implications

- 8.1. The Ontario government established an administrative monetary penalties scheme under AODA to 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 standards.

- 8.2. Failure to comply with applicable federal and provincial legislation may lead to legal costs arising from potential lawsuits for non-compliance. i.e. reputational and Ontario Human Rights challenges, or potential legal or other sanctions against the College.

9. Related forms, legislation or external resources

- Accessibility for Ontarians with Disabilities Act
- Blind Persons' Rights Act
- Canadian Charter of Rights and Freedoms
- Dog Owners Liability Act
- Durham College Multi-year Accessibility Plan
- Freedom of Information and Protection of Privacy Act
- Health Protection and Promotion Act
- Occupational Health and Safety and Insurance Act
- Ontario Human Rights Code
- Ontarians with Disabilities Act
- Personal Health Information Protection Act
- United Nations' Convention on the Rights of Persons with Disabilities
- World Wide Web Consortium Web Content Accessibility Guidelines (WCAG)