
Subject:	County Accessibility Policy
Policy Number:	2.130
Date Approved:	September 25, 2012
Date of Last Revision:	November 22, 2016; November 14, 2023
Code:	A
Section:	2

County Accessibility Policy

Purpose

This policy provides a framework to guide the review and development of Elgin County goods, services, programs and facilities, that considers the *Accessibility for Ontarians with Disabilities Act (AODA)* and *Integrated Accessibility Standards Regulation (IASR)* requirements and the needs of people with disabilities. Requirements set out in the Accessibility Policy are not a replacement or substitution for the requirements established under the *Ontario Human Rights Code* (the “Code”) nor does the policy limit any obligations owed to persons with disabilities under any other legislation.

Statement of Commitment

The County of Elgin (the “County”) is committed to providing a barrier-free environment for all individuals accessing County goods, services, and facilities. The County recognizes the diverse needs of its residents and employees, and will continue to prioritize accessibility to ensure the full inclusion of people with disabilities.

In order to meet the needs of people with disabilities the County will:

- Ensure policies address dignity, independence, integration and provide for equal opportunity for people with disabilities.
- Allow people with disabilities to use their own personal devices to obtain, use or benefit from the services offered by the County.
- Accommodate the accessibility needs of people with disabilities to ensure they can obtain, use or benefit from the County’s goods, services, programs and facilities.
- Communicate with people with disabilities in a manner that considers the person’s disability.

Legislative Authority

The Accessibility for Ontarians with Disabilities Act, 2005 (AODA) requires all public organizations to meet the accessibility standards set out under the AODA and the O.Reg 191/11 Integrated Accessibility Standards Regulation (IASR). Additional legislative requirements beyond the AODA and IASR can be found in both the Ontario Building Code (OBC) and the Ontario Human Rights Code.

The AODA and IASR provides for the development, implementation and enforcement of accessibility standards in order to achieve accessibility for persons with disabilities in all aspects of society. All County policies, procedures, by-laws, standards, and guidelines must comply with the legislative requirements.

The County must meet requirements in key areas under the IASR, including:

- General Requirements (Procurement, Training and Policy)
- Information and Communications
- Employment
- Transportation
- Accessible Built Environment
- Customer Service

Scope

This policy applies to all persons who deal with members of the public, other third parties who act on behalf of the County, employees, member of Council, agent, volunteer, student placement, committee member, or otherwise and all persons who participate in developing the County's policies governing the provision of goods, services or facilities to members of the public or other third parties.

Definitions

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.

Barrier: means anything that prevents a person with a disability from fully participating in all aspects of society because of his, her or 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

Communication Supports: may include, but are not limited to, captioning, alternative and augmentative communication supports, plain language, sign language and other supports that facilitate effective communications.

Disability (as defined by the *Code*) means,

- 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; ("handicap")

Service Animal: For the purposes of this policy, an animal is a service animal for a person with a disability if:

- 1) 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
- 2) 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: means, in relation to a person with a disability, another person who accompanies him, her or them in order to help with communication, mobility, personal care or medical needs or with access to goods, services or facilities.

General Requirements

Joint Multi-Year Accessibility Plan

The County will establish, implement, and maintain a Joint Multi-Year Accessibility Plan (MYAP), outlining the County and its Local Municipal Partner's (LMPs) strategy to identify, remove and prevent barriers, and to meet relevant legislative requirements.

The County will establish and implement the Plan in consultation with the public, people with disabilities and the Joint Accessibility Advisory Committee. The County shall review and update the plan at least once every five (5) years.

The plan will be made available to the public on the County website, and it will be provided in an accessible format and/or with communication supports upon request.

Annual Accessibility Status Report

The County and its LMPs will prepare a Joint Annual Accessibility Status Report, on an annual basis, to report on the progress and measures taken to implement the strategy and goals set out in the Joint MYAP. The Joint Annual Accessibility Status Report will be posted on the County and Local Municipal Partner's websites. The report can be made available in an accessible format, upon request.

Procurement of Goods, Services and Facilities

The County will incorporate accessibility design, criteria and features when purchasing or acquiring goods, services or facilities, except where it is not practicable to do so. Where it is not practicable to incorporate accessibility design, criteria and features, an explanation will be provided upon request.

Self-Service Kiosks

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

Training

The County will provide training to all employees and volunteers including Council and Committee Members, people who participate in the development of policies, and all persons who provide goods, services or facilities on behalf of the County. Training provided will be appropriate to the duties of the individual, on any policy changes, and it will be provided as soon as practicable.

AODA and OHRC Training:

- An overview of the Ontario Human Rights Code
- A review of the Accessibility for Ontarians with Disabilities Act, 2005

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- A review of the Integrated Accessibility Standards Regulation (O. Reg 191/11)
 - Specific review of *IASR* requirements, based on the duties associated with the employee

Customer Service Training:

- How to interact and communicate with people with various types of disabilities
- How to interact with people 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 County's premises or otherwise provided by the County 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 disability is having difficulty accessing the County's goods, services or facilities

The County will maintain a record of training that includes details on the training provided, who received training, the dates, and number of individuals trained.

Information and Communications

The County is committed to ensuring all stakeholders can access information and communications created by the County. Note that the information and communications standards do not apply to products and product labels (exceptions apply) unconvertible information or communications, and information that the County does not control directly or indirectly through a contractual relationship (exceptions apply).

Feedback

The County welcomes feedback from members of the public relating to the provision of accessible goods, services or facilities to people with disabilities. Customer feedback helps the County identify barriers, improve the delivery of goods, services and facilities, and to respond to accessibility related questions or concerns.

It is recommended that the feedback submitted include the date, description, any suggestions or recommendations for the County, input on how to resolve the complaint (if applicable), and personal contact information if the individual wishes to be contacted.

Feedback can be submitted to the County in the following ways:

- a) By mail addressed to:
Human Resources Department
Elgin County
450 Sunset Drive

St. Thomas, ON, N5R 5X7

- b) By email: hr@elgin.ca
- c) **By phone:** 519-631-1460 ext. 125
- d) **By website** using the Accessibility Contact form or the Accessibility Feedback Form located on the [Accessibility](#) page of the County website

The County will ensure the feedback process is accessible by providing, or arranging for the provision of accessible formats and communication supports, upon request.

The County is required to develop a feedback process and the steps that will be taken when responding to complaints, as outlined below. The public can request more details on the process by contacting the County.

County Feedback Process:

1. Once feedback is received the Human Resources Department will identify if the feedback is a complaint, suggestion, recommendation, or complement.
2. The Human Resources Department will maintain a recording outlining the details provided (date, description, suggestions, recommendations, input, personal contact information), and follow-up actions will be taken.
3. If the feedback submitted indicates the individual wishes to be contacted, the Human Resources Department will acknowledge receipt of the feedback within 5 business days.
4. Where possible, complaints will be acknowledged and addressed immediately.
5. When the feedback requires input from a Director/Manager, the Human Resources Department will forward feedback to the appropriate Director/Manager to determine what action will be taken. If a barrier is identified, the Director/Manager will determine if it is feasible to remedy the barrier. The Director/Manager will advise the Human Resources Department of the decision and reasons for it.
6. In the case where a decision is made by a Director/Manager, the Human Resources Department will respond to the individual who submitted the feedback of the decision made and reason for it within thirty (30) business days.
7. If agreement on the resolution of a complaint cannot be reached, the Director/Manager has the option to present the issue to County Council for final disposition. In this case, the Human Resources Department will inform the individual who submitted the feedback of the decision and reasoning once it is received.

Accessible Formats and Communication Supports

The County will provide accessible formats of information and communications that are produced by, or in direct control of the County. Information produced by third parties, that is not controlled directly or indirectly by the County, can be requested to be provided in an alternative format that is accessible and/or with communication supports. The public can make a request by submitting the Accessible Format or Communication Supports Form located on the [Accessibility](#) page on the County website.

The County will consult with the individual making the request to determine the suitability of an accessible format or communication support. Accessible formats and communication support will be provided upon request in a timely manner and at a cost that is no more than the cost charged for the original format.

When it is not practicable to provide an alternate accessible format, the County will provide an explanation and a detailed summary of the document in an accessible format. If the County is unable to obtain the requested communication support, the County will consult the individual to determine an alternative method of communication.

Emergency Procedures, Plans and Public Safety Information

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

Accessible Website and Web Content

The IASR requires that all County's web content (websites, social media pages, and web applications) controlled directly by the County or indirectly through a contractual relationship, to conform to the W3C [Web Content Accessibility Guidelines \(WCAG\) 2.0](#) Level A and AA (except criteria 1.2.4 and 1.2.5) by the schedule set out in the IASR.

The Human Resources Department is responsible for establishing and maintaining procedures, standards, guidelines and training to ensure all web content made publicly available is accessible. Any County Departments that are involved in the creation and distribution of web content are required to adhere to the WCAG 2.0 requirements.

The County will ensure all documents that are directly controlled by the County, or indirectly through a contractual relationship, are in accessible format when made publicly available online. Members of the public may request for documents that are not directly or indirectly controlled by the County to be provided in accessible format and/or with communications supports, upon request.

In the event that the document (whether directly or indirectly controlled by the County) or web content is unconvertible, the County shall provide an explanation as to why it is unconvertible, and a summary of the unconvertible information in accessible format. The County will consult with the requesting individual to determine suitability of format.

Public Libraries

Elgin County Libraries will provide access to or arrange for the provision of access to accessible materials where they exist. The public can access information regarding the availability of accessible materials on the Elgin County Library website or by contacting the Library. Information is available in accessible formats and/or with communication supports, upon request.

Employment

The County is committed to fair and accessible employment practices. The Employment Standards in the IASR outlines requirements for the accommodation of persons with disabilities during the recruitment process and throughout their employment with the County. Note that the employment standards do not apply in the respect of volunteers or other non-paid individuals.

Recruitment, Assessment or Selection Process

The County will notify all potential applicants that accommodations are available upon request during the in the interview, assessment and testing process.

Applicants must make their accessibility needs known and put in a request for accommodations. Upon receipt of such request, the County will consult the individual making the request and determine suitable accommodations. When making an offer of employment, the County will inform the individual of the County's commitment to providing accommodations in the workplace. Information regarding the accommodation process and accessible employment practices and policies will be provided to new employees as soon as practicable, once they begin their employment. Updated information will be provided whenever there are changes made to relevant policies.

Workplace Accommodations

Accommodations will be provided to employees with disabilities during the duration of their employment with the County of Elgin. Employees must submit their request for accommodations in writing. Employees may request for information required to perform their job duties and/or information available to all employees in the workplace to be provided in an accessible format and/or with communication supports. The County will consult with the employee to determine the suitability of the accessible format and/or communication support being offered/provided.

Workplace Emergency Response Information

The County will provide Individualized Workplace Emergency Response Plans for employees with disabilities when deemed necessary and the County is aware of the need for accommodation due to the employee's disability.

If the employee receiving the emergency response plan requires assistance, the County will, with consent from the employee, provide the emergency response information to the designated person that will provide the assistance. The County will provide relevant information as soon as practicable.

Individualized Workplace Emergency Response Plans will be reviewed when:

- The employee moves to a different location in the organization
- The employee's overall accommodation needs or plans are reviewed
- The employer reviews the general emergency response policies

Documented Individual Accommodation Plan

The County must maintain a written process for the development of Documented Individual Accommodation Plans for employees with disabilities. For full details, see 2.80.2 Accommodations in the Workplace Policy.

Return to Work Process

The County has in place a return to work process for employees who have been away from work due to a disability and require disability-related accommodations in order to return to work. The return to work process must be documented, and include the steps the County will take to facilitate the employees return to work, and include a documented individual accommodation plan.

Performance Management, Career Development and Redeployment

The County will take the accessibility needs and Individual Accommodation Plans into consideration for employees with disabilities during a performance management process, when providing career development and advancement, or when the employee is being redeployed.

Design of Public Spaces

Accessible Built Environment

The County is committed to designing public spaces that are free from barriers and accessible to all persons. The County will comply with the requirements found in Part IV.1 of the IASR where applicable, in relation to the design of public spaces. The Design of Public Spaces Standards requires the County to comply with respect to public spaces that are newly constructed or redeveloped, including:

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- Recreation trails and beach access routes
 - Outdoor public use eating areas and rest areas
 - Outdoor play spaces
 - Exterior paths of travel
 - Accessible parking
 - Obtaining services

The County has created, in collaboration with the Joint Accessibility Advisory Committee, several guidelines to assist with the implementation of this Standard:

- a) Accessible On-street Parking Standard
- b) Accessible Playground Consultation Document
- c) Recreational Trails Consultation Document & Guidelines

The County must also adhere to the requirements for the Accessible Built Environment under the O.REG. 332/12 Ontario Building Code Act.

Joint Accessibility Advisory Committee Consultation

In accordance with the IASR, Municipalities with a population of 10,000 or more must have a Municipal Accessibility Advisory Committee. Elgin County has formed a joint committee with the Municipality of Central Elgin, known as the Joint Accessibility Advisory Committee (JAAC). The Committee is legally required to provide consultation to the Municipality and County on various matters relating to accessibility.

Elgin County will ensure the JAAC is consulted on the following:

- When establishing, reviewing and updating the Joint MYAP
- When developing accessible criteria for the design, construction, renovation or placement of bus stops or shelters
- When determining the proportion of on-demand accessible taxicabs
- The need, location and design of accessible on-street parking spaces when building new or making major changes to existing on-street parking spaces
- When building new or making major changes to recreational trails
- The needs of children and caregivers with various disabilities when building new or making major changes to existing outdoor play spaces
- The design and placement of rest areas along an exterior path of travel when building new or making major changes to existing exterior paths of travel
- When the County constructs, purchases, significantly renovates, and leases buildings or declares a municipal capital facility
- Provide site plans or drawings from developers in a timely manner, when requested (example: subdivisions, municipal offices, community centres, recreational centres)

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- In all other circumstances where it appears appropriate to seek advice from the JAAC on how to remove barriers for people with disabilities

Maintenance of Accessible Elements

The County has established a procedure for preventative and emergency maintenance of accessible elements in public spaces, and a procedure for dealing with temporary service disruptions regarding accessible elements. Both procedures are included in the Joint Multi-Year Accessibility Plan under Appendix A and Appendix B.

Customer Service

Provision of Goods, Services and Facilities

The County shall develop, implement and maintain policies regarding the provision of goods, services or facilities. It shall align the policies with the following principles:

1. The goods, services or facilities must be provided in a manner that respects the dignity and independence of persons with disabilities.
2. The provision of goods, services or facilities to persons with disabilities must be integrated with the provision of goods, services or facilities, unless an alternative measure is necessary, to ensure access for all persons.
3. Persons with disabilities must be given an opportunity equal to that given to others to obtain, use and benefit from the goods, services and facilities.
4. When communicating with a person with a disability, the County shall do so in a manner that considers the person's disability.

Service Animals

The County welcomes all persons with disabilities and their service animals. Service animals are not required to have certificates or identity cards; however, in the event that a service animal is not easily identifiable, County employees may ask for documentation (template, letter or form) from a regulated health professional or identification card from the Ontario Ministry of the Attorney General (where applicable).

In the event that a service animal is excluded by law, such as in a food preparation area, the County will provide an explanation and, in consultation with the individual, will find an alternative way to ensure the person with a disability can obtain, use or benefit from County goods, services and facilities.

The individual with the service animal is responsible for the care and control of their service animal at all times, while on County premises. 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/or safety concerns, the County may request the animal be removed from the situation or

premises until control is resumed. The County will consider alternate accommodations in such circumstances to ensure access to County goods, services and facilities.

General information on service animals:

- Service animals are specially trained to assist a person with a disability and may aid with opening doors, picking up items, predicting seizures, alerting to sounds.
- 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 and are allowed to be with their owner at all times, and may

Support Persons

The County will allow people with disabilities to be accompanied by a support person in all County-owned and operated public facilities. The County reserves the right to request a person with a disability to be accompanied by a support person when on the premises, but only if, after consulting with the person with a disability and considers the available evidence, the County determines that:

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

Admission fees will be waived for support persons who accompany a person with a disability.

Assistive Devices

The County allows people with disabilities to use their own personal assistive devices to obtain goods, services or facilities offered by the County. It is the responsibility of the person with a disability to ensure their assistive device is operated in a safe and controlled manner at all times.

If a person with a disability is unable to access a good, service or facility through the use of their own personal assistive device, or if their own personal assistive device poses a health and safety risk to others, the County will consult with the individual to determine an alternate means to obtain, use or benefit from the County's goods, services or facilities. Staff within the applicable department will be trained in the application and use of the device the County has on site or that is being provided to be used by customers with disabilities while accessing our goods, services or facilities.

Notice of Temporary Service Disruptions

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

If a temporary service disruption is planned or unplanned the County will make reasonable efforts to provide notice of the disruption. Notice of the disruption will include: the reason for the disruption, its anticipated duration and a description of alternative facilities or services, if any, that are available.

Procedures for specific service disruptions will be developed, and a copy of the procedures will be available to individuals upon request.

If the disruption is anticipated, the County will provide a reasonable amount of advance notice. Notice will be given by posting the information in a conspicuous place as well as by posting the information on the County or Library website.

Compliance

The County must submit completed Accessibility Compliance Reports to the Ministry for Seniors and Accessibility, in accordance to the schedule set out under the AODA. Failure to comply with all legislative requirements may result in fines and reputational damages. All employees are responsible for ensuring compliance with this Policy.

Contact Information

For questions relating to this Policy and other Accessibility related policies, procedures or guidelines, contact the HR Department at the [County Accessibility Page](#)

Supporting Documents

Policies

2.80.2 Accommodations in the Workplace Policy

2.130.1 Emergency Workplace Response for Employees with Disabilities

Procedures

Accessible Maintenance Procedures

Temporary Service Disruptions Procedure

Plans and Reports

Return to Work Plan and Process

Elgin County and its LMPs Joint Multi-Year Accessibility Plan 2021-2026

Joint Annual Accessibility Status Reports