

Integrated Accessibility Standards Regulation Policies



1. Purpose

Under the Accessibility for Ontarians with Disabilities Act, 2005 all public and private sector organizations must meet the requirements of accessibility standards established by regulation. This policy establishes the Integrated Accessibility Standards Regulation in the areas of Employment, Information and Communications, Transportation and Public Spaces for Daniels Sharpsmart Canada Ltd. in accordance with Ontario Regulation 191/11, Ontario Regulation 413/12 and with the Ministry of Economic Development, Trade and Employment's, intent to "streamline, align and phase-in accessibility requirements and allow for progress on accessibility and reduce the regulatory burden for obligated organizations". The Integrated Accessibility Standards Regulation came into force July 1, 2011.

2. Scope and Responsibilities

This policy has been drafted in accordance with the regulation and addresses how Daniels Sharpsmart Canada Ltd. achieves accessibility through meeting the regulation's requirements. It provides the overall strategic direction that we will follow to provide accessibility supports to Ontarians with disabilities.

The requirements of the Regulation include the following four (4) items:

- ▶ Establishment, implementation, maintenance and documentation of a multi-year accessibility plan, which outlines the organization's strategy to prevent and remove barriers and meet its requirements under the Regulation;
- ▶ Incorporation of accessibility criteria and features when procuring or acquiring goods, services, or facilities;
- ▶ Training; and
- ▶ Other specific requirements under the Information and Communications, Employment, Transportation and Public Spaces Standards.

3. Policy Statement and Organizational Commitment

Daniels Sharpsmart Canada Ltd. is committed and guided by the following four (4) core principles:

- ▶ Dignity
- ▶ Independence
- ▶ Integration
- ▶ Equal Opportunity

We support the full inclusion of persons as set out in Canadian Charter of Rights and Freedoms Act, and the Accessibility for Ontarians with Disabilities Act, 2005.

Daniels Sharpsmart Canada Ltd. shall use every effort to ensure that we meet the needs of people with disabilities, in a timely manner, through the implementation of this policy.

4. Definitions:

Below is a list of fifteen (15) definitions used in this policy, listed in alphabetical order:

- ▶ **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.
- ▶ **Accommodation** means the special arrangement made or assistance provided so that persons with disabilities can participate in the experiences available to persons without disabilities. Accommodation will vary depending on the person's unique needs.

- ▶ **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.
- ▶ **Communications** means the interaction between two or more persons or entities, or any combination of them, where information is provided, sent or received.
- ▶ **Conversion Ready** means an electronic or digital format that facilitates conversion into an accessible format.
- ▶ **Designated Public Sector Organization** means every municipality and every person or organization listed in Column 1 of Table 1 of Ontario Regulation 146/10 (Public Bodies and
- ▶ **IAP** means Individualized Accommodation Plan.
- ▶ **Information** includes data, facts and knowledge that exists in any format, including text, audio, digital or images, and that conveys meaning.
- ▶ **Internet Website** means a collection of related web pages, images, videos or other digital assets that are addressed relative to a common Uniform Resource Identifier (URI) and is accessible to the public.
- ▶ **Maintenance of Public Spaces** means activities that are intended to keep existing public spaces and elements in existing public spaces in good working order or to restore the spaces or elements to their original condition, examples of which include painting and minor repairs.
- ▶ **Mobility Aid** means a device used to facilitate the transport, in a seated posture, of a person with a disability.
- ▶ **Mobility Assistive Device** means a cane, walker, wheelchair, scooter or similar aid.
- ▶ **New Internet Website** means either a website with a new domain name or a website with an existing domain name undergoing a significant refresh.
- ▶ **Redeployment** means the reassignment of employees to other departments or jobs within the organization as an alternative to layoff, when a particular job or department has been eliminated.
- ▶ **Unconvertible** means if it is not technically feasible to convert the information or communications. It also means if the technology to convert the information or communications is not readily available.
- ▶ **Web Content Accessibility Guidelines** means the World Wide Web consortium recommendation, dated December 2008, entitled "Web Content Accessibility Guidelines" (WCAG) 2.0.

5. General Provisions

This section covers the general requirements of the Integrated Accessibility Standards Regulation.

▶ **Multi-Year Accessibility Plan**

Daniels Sharpsmart Canada Ltd.'s Multi-Year Accessibility Plan outlines a phased-in strategy to prevent and remove barriers and addresses the current and future requirements of the Accessibility for Ontarians with Disabilities Act (AODA). Daniels Sharpsmart Canada Ltd. will review the progress and implementation of the plan, post the information on our website and will provide it in alternative formats upon request. The plan will be reviewed and updated at least once every five years.

▶ **Procuring or Acquiring Goods, Services or Facilities**

Daniels Sharpsmart Canada Ltd. will use accessibility criteria and features when procuring or acquiring goods, services or facilities, except where it is not practical to do so, in which case, if requested we will provide an explanation.

▶ **Training**

Daniels Sharpsmart Canada Ltd. will ensure that training is provided to all employees and regular fee-for-service staff on the requirements of the accessibility standards referred to in the regulation and on the Human Rights Code as it pertains to persons with disabilities. Training will be provided as soon as practicable. If any changes are made to this policy or the requirements training will be provided. We shall maintain a record of the dates when training is provided and the number of individuals to whom it was provided.

6. Information and Communications Standard

Daniels Sharpsmart Canada Ltd. will create, provide and receive information and communications in ways that are accessible to people with disabilities.

If Daniels Sharpsmart Canada Ltd. determines that it is not technically feasible to convert the information or communications, or the technology to convert the information or communications is not readily available, we will be obligated to 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.

► **Emergency Information**

If Daniels Sharpsmart Canada Ltd. prepares emergency procedures, plans or public safety information and makes the information available to the public, we shall provide the information in an accessible format or with appropriate communication supports, as soon as practicable, upon request.

► **Feedback**

Daniels Sharpsmart Canada Ltd. has a process in place for receiving and responding to feedback and will ensure that those processes are provided in accessible formats and with communication supports upon request. We will notify the public about the availability of accessible formats and communication supports.

► **Accessible Formats and Communication Supports**

Daniels Sharpsmart Canada Ltd. shall be obligated to provide or arrange for accessible formats and communication supports for persons with disabilities for the situations a) through d) listed below:

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

► **Website Accessibility**

Daniels Sharpsmart Canada Ltd. shall make their internet website and web content conform with the World Wide Web Consortium Web Content Accessibility Guidelines (WCAG) 2.0 initially at Level A and increasing to Level AA. All information on website back dated to 2012 will be accessible. By January 1, 2021 all internet website and web content will conform with WCAG 2.0 Level AA.

7. Employment Standard

The Employment Standard builds upon the existing requirements under the Ontario Human Rights Code in relation to how we provide accessibility throughout the entire employment cycle. It applies in respect to employees and does not apply to volunteers and other non-paid individuals.

The requirements of the Employment Standard shall be met by Daniels Sharpsmart Canada Ltd. by January 1, 2016 unless otherwise specified.

► **Recruitment**

Daniels Sharpsmart Canada Ltd. shall notify employees and the public about the availability of accommodations for applicants with disabilities as per three (3) items below:

- When job applicants are individually selected to participate in an assessment or selection process;
- If a selected applicant requests an accommodation, Daniels Sharpsmart Canada Ltd. shall consult with the applicant and provide or arrange for the provision of a suitable accommodation that takes into account the applicant's disability;
- Notify successful applicants of the policies for accommodating employees with disabilities.

► **Employee Notification**

Daniels Sharpsmart Canada Ltd. shall inform its employees of its policies used to support its employees with disabilities, including but not limited to, policies on the provision of job accommodations that take into account an employee's accessibility needs due to a disability.

Daniels Sharpsmart Canada Ltd. shall provide information required under this section to new employees as soon as practicable after they begin their employment and 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 a disability.

► **Accessible Formats**

In addition and where an employee with a disability requests it, Daniels Sharpsmart Canada Ltd. will consult with the employee to provide or arrange for the provision of accessible formats and communication supports as per the three (3) points below:

- Information that is needed in order to perform the employee's job;
- Information that is generally available to employees in the workplace; and
- Consult with the employee making the request in determining the suitability of an accessible format or communication support.

► **Individual Accommodation Plan (IAP)**

Daniels Sharpsmart Canada Ltd. shall have in place a written process for the developing a documented individual accommodation plan for employees with a disability. Process to include for consideration the twelve (12) points below:

- The employee's participation in the development of the IAP;
- Assessment on an individual basis;
- Identification of accommodations to be provided;
- Timelines for the provision of accommodations;
- Daniels Sharpsmart Canada Ltd. may request an evaluation by outside medical or other expert, at our expense, to assist with determining accommodation and how to achieve accommodation;
- Employee may request the participation of a representative from their bargaining agent, where represented, or otherwise a representative from the workplace not a from a bargaining agent;
- 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;
- If denied, the reasons for denial are to be provided to the employee;
- A format that takes into account the employee's disability needs;
- If requested, any information regarding accessible formats and communication supports provided;
- Identification of any other accommodation that is to be provided.

► **Return to Work**

Daniels Sharpsmart Canada Ltd. will have in place a return to work process for employees who have been absent from work due to a disability and require disability-related accommodation in order to return to work. Such processes must be documented and must outline the steps that Daniels Sharpsmart Canada Ltd. will take to facilitate the return to work and include an individual accommodation plan.

► **Performance Management, Career Development and Advancement, and Redeployment**

Daniels Sharpsmart Canada Ltd. will take into account the accommodation needs and/or individual accommodation plans of employees for the three (3) points below when:

- Using performance management processes;
- Providing career development and advancement information;
- Using redeployment procedures.

► Workplace Emergency Response Information

Daniels Sharpsmart Canada Ltd. shall provide individualized workplace emergency response information to employees who have a disability as per the four (4) points below:

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

8. Transportation Standard

The Transportation Standard will make it easier for people to travel in Ontario, including persons with disabilities, older Ontarians and families traveling with children in strollers. The Transportation Standard does not apply to us an organization, but we will inform staff through staff training on the upcoming changes and its impact and benefits to the community for people with disabilities.

9. Public Spaces

Daniels Sharpsmart Canada Ltd. shall incorporate accessibility into public spaces that are newly constructed or redeveloped on and after January 1, 2017. Daniels Sharpsmart Canada Ltd. does not have any public spaces and it is unlikely that we will develop public spaces. If we should we will ensure that we follow the existing requirements stated under the Design of Public Spaces Standards (Accessibility Standards for the Built Environment) for recreational trails and beach access routes, outdoor public use eating areas, outdoor play spaces, exterior paths of travel, accessible parking, and service related elements. When developing recreational trails we shall consult with the public and persons with disabilities. We shall also provide maintenance and restoration of public spaces, where applicable, by ensuring our 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.

10. Regulatory Requirements

An Administrative Monetary Penalties scheme is being established under the Accessibility for Ontarians with Disabilities Act (AODA). The scheme will allow a director or a designate 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. The largest penalty amount that can be issued to an individual or an organization that is not a corporation is \$50,000.

Use of administrative monetary penalties will be considered an avenue of last resort when all other compliance assistance and improvement options have been exhausted

The License Appeal Tribunal (LAT) will hear appeals from organizations of director's orders, but not individual complaints. Individuals who feel their human rights have not been met would continue to complain to the Ontario Human Rights Commission.