



Exhibition Place

Item No. 13

August 28, 2014

To: The Board of Governors of Exhibition Place

FOR INFORMATION

From: Dianne Young
Chief Executive Officer

Subject: **Accessibility for Ontarians with Disabilities Act, 2005**

Summary:

This report provides a framework that outlines Exhibition Place's strategies to meet its legislative obligations under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) and the Integrated Accessibility Standards Regulations which came into force on July 1, 2011. The AODA's Integrated Accessibility Standards Regulation (IASR) establishes accessibility standards in the four key areas of Employment, Information and Communications, Transportation, and Public Spaces. The requirements currently in regulation are phased in between 2011 and 2021.

The newly legislated multi-year plan (the Plan) outlines a phased-in strategy to prevent and remove barriers and addresses the current and future requirements of the AODA and how Exhibition Place will meet accessibility standards in two of the four key areas. The Plan will be posted on Exhibition Place's website in September 2014 and made available in accessible formats upon request. Staff will report annually on the progress and implementation of the Plan.

Financial Impact:

There is no financial implication arising from this report, however future financial impacts resulting from AODA compliance requirements will be addressed and considered within the capital and operating budget process.

Decision History:

The Exhibition Place 2014 – 2016 Strategic Plan had a Safety & Security Goal to *develop and implement the next phase of the Accessibility Plan for the grounds* and as a Strategy to support this Goal *we will update the AODA Policy and plan with timelines*.

At its meeting of April 23, 2010, the Board approved a policy entitled Accessibility.

Issue Background:

The IASR brings together accessible standards for Employment, Information and Communications, Transportation, and Public Spaces under one regulation and harmonizes requirements common to each standard. An additional requirement for Exhibition Place is to incorporate accessibility criteria and features when purchasing goods, services and facilities. The IASR was preceded by the Accessible Customer Service Standard, which has been in effect since

January 2010. The IASR does not replace or affect existing legal obligations under the *Ontario Human Rights Code* and other existing laws with respect to the accommodation of persons with disabilities. Each of the accessibility standards articulates specific requirements and compliance deadlines which will be phased in across the Province between 2011 and 2021. The IASR is enforceable and applies to public, private and non-profit sectors. Contraventions of major impact can be assessed at \$100,000 per day for a corporation, and \$50,000 per day for an individual or unincorporated association.

Comments:

Exhibition Place's multi-year plan covers the period from 2013 to 2018 and addresses Employment, Information and Communication and Incorporation of accessibility requirements when acquiring good, services or facilities. The Plan does not address the Transportation because Exhibition Place does not offer any form of transportation service (ie TTC etc) and the plan for Public Space is a preliminary approach to build form at this time as Exhibition Place is working with City staff on this criteria and once the City has standardized guidelines, Exhibition Place will flow.

Consistent with its legislative obligations and policy commitments, Exhibition Place strives to provide its services, programs and facilities in a way that provides equal treatment and equitable benefits, and, in a manner which respects the dignity and independence of people of all abilities.

Contact

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Appendix "A" Accessibility for Ontarians with Disabilities Act
Integrated Accessibility Standards, Ontario Regulation 191/11

	Action Required	Implementation Status Exhibition Place
General		
Establishment of Accessibility Policies January 1, 2013	<ul style="list-style-type: none"> • Development, implementation and maintenance of corporate policies governing how the organization achieves or will achieve accessibility. • Includes corporate statement of organizational commitment to meet accessibility needs of persons with disabilities. • The documents above to be available to the public, and available in an accessible format upon request. 	<ol style="list-style-type: none"> 1. Exhibition Place's Statement of Commitment to Creating a Barrier Free environment and accessibility policies are publically available and posted on Exhibition Place's website. 2. Exhibition Place's website, print material and feedback process to notify the public about the availability of accessible formats. (In progress)
Accessibility Plans January 1, 2013	<ul style="list-style-type: none"> • Establish, implement and maintain a multi-year accessibility plan which addresses strategies to prevent/remove barriers • Post multi-year plan on website • Review and update plan every 5 years • Post annual status report of progress • Documents to be available to the public, and available in an accessible format upon request. 	<ol style="list-style-type: none"> 1. Exhibition Place's multi-year accessibility plan to be posted on Exhibition Place's website in September 2014. 2. Exhibition Place's multi-year plan to be reviewed by Executive Management and the Board and 3. Annual status report of progress to be posted each year in September. 4. Accessibility Plan to guide staff in developing progressive accessibility policies, programs and services.
Procuring or Acquiring Goods, Services or Facilities January 1, 2013	<ul style="list-style-type: none"> • Incorporate accessibility criteria and features when acquiring or purchasing goods, services or facilities • Accessibility features (through design or procurement) are also required for Self-service kiosks (including point-of-sale devices) 	<ol style="list-style-type: none"> 1. All procurement by Exhibition Place is through the City of Toronto and City has confirmed that all Guidelines, checklists for meeting accessibility obligations in procurement as well as accessibility language for procurement documents have been established and posted.
Training January 1, 2014	<ul style="list-style-type: none"> • Ensure that training is provided on the requirements of the accessibility standards in regards to the AODA and the Human Rights Code as it pertains to people with disabilities • Training shall be appropriate to the duties of employees, volunteers and other persons. • A record must be maintained of the training provided, including the training dates and the number of people who participated. 	<ol style="list-style-type: none"> 1. Human Resources will lead implementation of training strategy which incorporates redeveloped AODA and Human Rights in-class training, intact team training and supplementary eLearning modules. 2. Human Resources has a system and protocol in place for managing employee training history.
Information and Communications Standards		
Feedback January 1, 2014	<ul style="list-style-type: none"> • Ensure that any process for receiving and responding to feedback is accessible to persons with disabilities by providing or arranging for the provision of accessible formats and communication supports • Notify the public about the availability of accessible formats and communication supports 	<ol style="list-style-type: none"> 1. The public has access to City 311 and receives public communications and any related to Exhibition Place to us and we in turn respond. 2. In addition, the Exhibition Place Corporate Secretariat services provides a central point of contact for all accessibility-related inquiries including requesting accessible formats and communication supports. 3. Exhibition Place to develop strategies to provide or arrange for the provision of accessible formats and communication supports.

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Information and Communications Standards		
Accessible Formats and Communication Supports January 1, 2015	<ul style="list-style-type: none"> • Provision of accessible formats and communication supports for persons with disabilities must be provided or arranged upon request, • Consult with the person making the request to determine the suitability of an accessible format or communication support. • Notify the public about the availability of accessible formats and communication supports 	<ol style="list-style-type: none"> 1. Customer Compliments, Feedback and Complaints standards developed and implemented. Exhibition Place is providing clear, accessible, appropriate and timely information and communication to the public. This includes providing alternate formats and communication supports upon request and wherever possible. 2. Accessible Communications Policy to be drafted to help Exhibition Place staff develop, provide and receive accessible communications. 3. Exhibition Place to use website, print material and Corporate Secretariat to notify the public about the availability of alternate formats.
Emergency Procedure, Plans or Public Safety Information January 1, 2012	<ul style="list-style-type: none"> • City emergency procedures, plans and public safety information available to the public, are to be provided in an accessible format with appropriate communication supports, upon request. 	<ol style="list-style-type: none"> 1. Exhibition Place has included the following statement on its main landing web page: "Exhibition Place's emergency procedures, plans and public safety information complies with the province's accessibility standards legislation and information can be provided to those individuals with disabilities. Visit us on our web at www.explace.on.ca/feedback to learn more about how we can help you". 2. A standard statement to be added to print and online materials about the availability of alternate formats and a contact name and number. (ongoing)
Accessible Websites and Web Content WCAG 2.0 Level A January 1, 2014 WCAG 2.0 Level AA January 1, 2021	<ul style="list-style-type: none"> • Make internet websites and web content conform with World Wide Web Consortium (W3C) Web Content Accessibility Guidelines (WCAG) 2.0 Level A initially and increasing to Level AA. • Applies to websites and web content, including web-based applications that an organization controls directly or through a contractual relationship that allows for modification of the product. • Applies to web content published on a website after January 1, 2012. 	<ol style="list-style-type: none"> 1. Exhibition Place website and content to conform with World Wide Web Consortium (W3C) Web Content Accessibility Guidelines (WCAG) 2.0 Level A. Target date is September 2014. 2. Information about the availability of alternate formats and how to request them will be provided for any non-accessible content / documents. 3. Web standards being drafted that will included accessible web design practices. Accessible Communications Policy to be drafted to establish expectations and guidelines for staff to create accessible web content and web pages. (In progress)

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Employment Standards		
Recruitment January 1, 2014	<ul style="list-style-type: none"> Notify employees and the public about the availability of accommodation for applicants with disabilities during recruitment process 	Many of these requirements are already being met under current policies, programs and practices. Processes will be clearly documented and communicated to employees and management through the organization who participate in recruitment / staffing / redeployment related activities and performance management
Recruitment, Assessment or Selection Process January 1, 2014	<ul style="list-style-type: none"> Employers shall, during the recruitment process, notify job applicants that accommodations are available upon request in relation to the materials or processes to be used. The employer will consult with the applicant and provide suitable accommodation in a manner that takes into account the applicant's accessibility needs due to their disability. 	Many of these requirements are already being met under current policies, programs and practices. Processes will be clearly documented and communicated to employees and management through the organization who participate in recruitment / staffing / redeployment related activities and performance management activities.
Notice to Successful Applicants January 1, 2014	<ul style="list-style-type: none"> Employer shall when making offers of employment, notify the successful applicant of its policies for accommodating employees with disabilities 	Many of these requirements are already being met under current policies, programs and practices. Processes will be clearly documented and communicated to employees and management through the organization who participate in recruitment / staffing / redeployment related activities and performance management activities.
Informing Employees of Supports January 1, 2014	<p>Employer shall:</p> <ul style="list-style-type: none"> Inform employees of its policies used to supports 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 disability. Provide the information required to new employees as soon as practicable after they begin employment Provide updated information to its 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 a disability 	Many of these requirements are already being met under current policies, programs and practices. Processes will be clearly documented and communicated to employees and management through the organization who participate in recruitment / staffing / redeployment related activities and performance management activities.

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<p>Accessible Formats and Communication Supports for Employees January 1, 2014</p>	<ul style="list-style-type: none"> • Where an employee with a disability so requests it, the employer shall consult with the employee to provide or arrange for the provision of accessible formats and communication supports for, <ul style="list-style-type: none"> <i>(a) information that is needed in order to perform the employee's job; and</i> <i>(b) information that is generally available to employees in the workplace</i> • Consult with the employee making the request in determining the suitability of an accessible format or communication support 	<p>Many of these requirements are already being met under current policies, programs and practices. Processes will be clearly documented and communicated to employees and management through the organization who participate in recruitment / staffing / redeployment related activities and performance management activities.</p>
<p>Workplace Emergency Response Information January 1, 2012</p>	<p>Employer shall:</p> <ul style="list-style-type: none"> • Provide individualized workplace emergency response information to employees who have a disability, 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. • Provide the workplace emergency response information to the person designated by the employer to provide assistance • Provide the information required as soon as practicable after the employer becomes aware of the need for accommodation due to the employee's disability. • Review the individualized workplace emergency response information, <ul style="list-style-type: none"> <i>(a) when the employee moves to a different location in the organization</i> <i>(b) when the employee's overall accommodations needs or plans are reviewed; and</i> <i>(c) when the employer reviews its general emergency response policies</i> 	<p>Individualized workplace emergency response information as described in the section below will be included in Documented Individual Accommodation Plan as per below.</p>

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Employment Standards		
Documented Individual Accommodation Plans January 1, 2014 IN PROGRESS	<ul style="list-style-type: none"> • Develop a written process for the development of documented individual accommodation plans for employees with disabilities. • The process for the development of documented individual accommodation plans shall include the following steps. <ol style="list-style-type: none"> 1. Consider how staff requesting accommodation can participate in the development process of their accommodation plan. 2. The means by which the employee is assessed on an individual basis. 3. The manner in which the employer can request an evaluation by an outside medical or other expert, at the employer's expense, to assist the employer in determining if accommodation can be achieved and, if so, how accommodation can be achieved. 4. The manner in which the employee can request the participation of a representative from their bargaining agent, where the employee is represented by a bargaining agent, or other representative from the workplace, where the employee is not represented by a bargaining agent, in the development of the accommodation plan. 5. The steps taken to protect the privacy of the employee's personal information. 6. The frequency with which the individual accommodation plan will be reviewed and updated and the manner in which it will be done. 7. If an individual accommodation plan is denied, the manner in which the reasons for the denial will be provided to the employee. 8. The means of providing the individual accommodation plan in a format that takes into account the employee's accessibility needs due to disability. <p>Individual accommodation plans shall,</p> <ol style="list-style-type: none"> (a) if requested, include any information regarding accessible formats and communications supports provided, as described in section 26; (b) if required, include individualized workplace emergency response information, as described in section 27; and (c) identify any other accommodation that is to be provided. 	Process for development of documented individual accommodation plans to be integrated into Exhibition Place's Accommodation Policy and Exhibition Place's New Employee Orientation Program.

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Return to Work Process January 1, 2014	<p>Employer shall:</p> <ul style="list-style-type: none"> (a) Develop and have in place a return to work process for its employees who have been absent from work due to a disability and require disability-related accommodations in order to return to work; (b) document the process <ul style="list-style-type: none"> • The return to work process will, <ul style="list-style-type: none"> (a) outline the steps the employer will take to facilitate the return to work of employees who were absent because their disability required them to be away from work; (b) use documented individual accommodation plans • The return to work process referenced in this section does not replace or override any other return to work process created by or under any other statute. 	Exhibition Place's return to work program to address steps required to address accommodation needs. This includes transition plans for returning to work.
Performance Management January 1, 2014	<ul style="list-style-type: none"> • Employer that uses performance management in respect of its employees shall take into account the accessibility needs of employees with disabilities, as well as the individual accommodation plans, when using its performance management process in respect of employees with disabilities 	Many of these requirements are already being met under current policies, programs and practices. Processes will be clearly documented and communicated to employees and management through the organization who participate in recruitment / staffing / redeployment related activities and performance management activities.
Career Development and Advancement January 1, 2014	<ul style="list-style-type: none"> • Employer that provides career development and advancement to its employees shall take into account the accessibility needs of its employees with disabilities as well as any individual accommodation plans, when providing career development and advancement to its employees with disabilities 	Many of these requirements are already being met under current policies, programs and practices. Processes will be clearly documented and communicated to employees and management through the organization who participate in recruitment / staffing / redeployment related activities and performance management activities.
Redeployment January 1, 2014	<ul style="list-style-type: none"> • Employer that uses redeployment shall take into account the accessibility needs of its employees with disabilities, as well as individual accommodation plans, when redeploying employees with disabilities 	Exhibition Place's return to work program currently includes steps to involve OH&S / Human Resources in the redeployment process where there are functional restrictions and accommodation requirements.