

**Subject:** Integrated Accessibility Standards Regulation Policies  
**Policy:** AM- 8.1  
**Classification:** Operations  
**Sub-Classification:** Administration & Management  
**Effective Date:** July 2012, Reviewed and Revised July 2016  
**Section:** Operational Policy

### **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 OMNI Health Care. This 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.

### **Scope and Responsibilities**

This policy has been written in accordance with the regulation and addresses how OMNI Health Care 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.

### **Policy Statement and Organizational Commitment**

OMNI Health Care is committed and guided by the following four (4) core principles:

- 1) Dignity
- 2) Independence
- 3) Integration
- 4) 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*.

OMNI Health Care 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.

## Definitions:

Below is a list of fourteen (14) 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.

**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.

## **General Provisions**

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

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

OMNI Health Care 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**

OMNI Health Care 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.

### **Information and Communications Standard**

OMNI Health Care will create, provide and receive information and communications in ways that are accessible to people with disabilities.

If OMNI Health Care 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 OMNI Health Care 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**

OMNI Health Care 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.

OMNI Health Care accepts feedback from the public in a variety of methods including:

- Phone – 705-748-6631
- Fax – 705-742-9197
- In writing – OMNI Health Care Ltd., 2020 Fisher Drive, Suite 1, Peterborough, ON, K9J 6X6
- Email (mlegros@omniway.ca)

All feedback is reviewed by home office. Complaints are investigated and follow up is provided to the customer if requested within 10 days of receiving the complaint.

## **Accessible Formats and Communication Supports**

OMNI Health Care shall be obligated to provide or arrange for accessible formats and communication supports for persons with disabilities as per items listed from a) through d) below:

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

## **Website Accessibility**

OMNI Health Care 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.

## **Employment Standard**

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

The requirements of the Employment Standard shall be met by OMNI Health Care by January 1, 2016 unless otherwise specified.

## **Recruitment, Assessment and Selection**

OMNI Health Care shall notify employees and the public about the availability of accommodations for applicants with disabilities as per three (3) bullets below:

- 1) When job applicants are individually selected to participate in an assessment or selection process;
- 2) If a selected applicant requests an accommodation, OMNI Health Care shall consult with the applicant and provide or arrange for the provision of a suitable accommodation that takes into account the applicant's disabilities;
- 3) Should an existing employee disclose they require accommodations.

## **Employee Notification**

OMNI Health Care shall inform its current 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.

OMNI Health Care 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, OMNI Health Care will consult with the employee to provide or arrange for the provision of accessible formats and communication supports as noted in 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)**

OMNI Health Care shall have in place a written process for developing a documented individual accommodation plan for employees with a disability (See Individual Accommodation Procedure and IAP Form.) 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;
- OMNI Health Care 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 or 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**

OMNI Health Care 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 shall be documented. The documentation will outline the steps that will facilitate the return to work and include an individual accommodation plan.

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

OMNI Health Care has a process in place when considering Performance Management, Career Development and Advancement and Redeployment. These processes 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.

Individual Accommodation Plans shall be reviewed prior to any performance management, career development and advancement or redeployment meetings to ensure that all relevant accommodations have been implemented and taken into account during the discussion. In addition, these Plans should be reviewed and updated if the employee with disability is moved to an alternate position as may be required.

### **Workplace Emergency Response Information**

OMNI Health Care 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, OMNI Health Care shall provide the workplace emergency information to the person designated by OMNI Health Care 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.

### **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 OMNI as 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.

### **Public Spaces**

OMNI Health Care shall incorporate accessibility into public spaces that are newly constructed or redeveloped on and after January 1, 2017. OMNI Health Care 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. We shall 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.