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Proactive organizations are completing accessibility audits...

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Accessibility for Ontarians with Disabilities Act

Accessibility for people with disabilities is slowly improving across Canada, and Ontario is the first province to put the onus on businesses to make their places of work barrier-free for customers and employees. Other provinces are likely to follow.

The Ontario Government is introducing five sets of mandatory standards under the Accessibility for Ontarians with Disabilities Act (AODA). These standards require public and private sector organizations to remove and prevent barriers to accessibility for customers and employees with disabilities. The legislation is part of the Ministry of Community and Social Services' (MCSS) plan to ensure that, by 2025, people with disabilities are able to participate in and enjoy opportunities available to people without disabilities.

Defining Disability

The AODA employs the Ontario Human Rights Code's definition of disability, which includes physical, mental health, developmental and learning disabilities that can be either visible or unseen. A barrier is anything that keeps someone with a disability from participating fully in society because of his or her disability. These can be physical obstacles, such as stairs without accompanying ramps, although even bigger challenges result from service related, attitudinal barriers, such as inadequate support and insensitivity to people with different needs.

As part of that legislation, every business in Ontario that provides goods or services to the public and has at least one employee will have to comply with Accessibility Standards for Customer Service by January 1, 2012. Non-compliance could mean missed business opportunities and hefty fines. Additional standards to address the built environment, employment, information and communication, and transportation will be phased in next.

The Customer Service Standard requires that organizations develop policies, procedures and practices and train staff on how to serve and communicate with people with disabilities. This must be achieved through 2011 to comply with the deadline of January 1, 2012.

Do you have to comply? Simply put, if your organization has at least one employee with a phone on their desk, or who interacts with people who don't work for your organization, you must comply. "Of the 360,000 businesses in Ontario, some are making progress in implementing changes, but many don't even know where to begin," observed Gail Mores, Director and Accessibility Specialist with March of Dimes and AccessAbility Advantage. "We help organizations get started by providing practical advice, recommendations and training."

The biggest concern for most organizations relates to accessible building improvements. The AODA is not yet requiring that existing structures be made accessible; the proposed legislation addresses new construction and renovation. However, proactive organizations are com-

pleting accessibility audits which are useful for future planning. Accessibility improvements can be incorporated into ongoing maintenance at little or no additional cost and, over time, facilities are transformed into highly accessible space. One in seven people in Ontario has a disability and, with the aging population, that ratio will rise to one in five by 2025. Accessibility will necessarily increase property value.

AODA Standards

Customer Service Standards: The first set of standards to come into effect relates to customer service and affects organizations that provide goods and services to the public. Public sector organizations must have complied by January 1, 2010; private sector firms by January 1, 2012.

The next three standards will be harmonized and put in place in 2011.

Information and Communications Standards: The proposed standard outlines how businesses and organizations may be required to create, provide and receive information and communications in ways that are accessible for people with disabilities.

Employment Standards: The goal of the proposed standard is to help employers create equal employment opportunities for people with disabilities.

The proposed standard:

- Sets out specific requirements for the recruitment, retention and accommodation of people with disabilities; and
- applies to all organizations in Ontario with at least one employee.

Transportation Standards: This standard is the only one that is sector-specific; that is, it relates specifically to modes of transportation that come under the jurisdiction of provincial and municipal governments.

Due to the volume of public responses, it is not known when the final standard (Built Environment) will be released.

Built Environment Standards: The goal of the proposed standard is to break down barriers in buildings and other structures for people with disabilities by proposing requirements in areas such as:

- entrances, doorways and ramps;
- parking spaces;
- signs and displays; and
- recreation, such as parks and trails.

We anticipate that only new construction and renovations will be required to comply with this standard in the near-term and that it will eventually be integrated with the Ontario Building Code (OBC). ■

Source: Ministry of Community and Social Services. For more information, visit www.AccessAbilityAdvantage.ca.