

1. Authority

This Policy is intended to provide the framework that will guide the review and development of other Town of Kearney policies, standards, procedures, By-laws and guidelines to comply with the standards developed under the *Accessibility for Ontarians with Disabilities Act, 2005*, (AODA), the *Accessibility Standards for Customer Service, O. Reg. 429/07* (ASCS), the *Integrated Accessibility Standards, O. Reg. 191/11* (IASR) and further Regulations as amended.

2. Policy Statement

2.1 Commitment Statement

The Town of Kearney is committed to enriching the quality of life for persons with disabilities in a way that respects their dignity and independence. The Town recognizes that this is a long-term process and knows that community collaboration is vital for moving towards full accessibility for persons with a disability. The Town strives to remove existing barriers that limit inclusion while sustaining a community where residents have the same opportunities and are proud to be members.

2.2 Scope

This Policy applies to Council, all Town employees, volunteers and to any individual or organization that provides goods, services or facilities to the public or other third parties on behalf of the Town, in accordance with the AODA.

2.3 Purpose

The purpose of this Accessibility Policy is:

- 2.3.1 to provide consistent service to all members of the public who seek the services of the Town. This Policy will also assist in accomplishing the goal of making Ontario completely accessible by 2025;
- 2.3.2 to develop, implement and maintain policies which govern how the Town of Kearney will achieve accessibility, especially as required by the *Accessibility for Ontarians with Disabilities Act, S.O. 2005* (the "AODA") and related legislation.
To accomplish this, the Town will:
 - a) Document in writing, all policies, practices and procedures for providing accessible customer service;
 - b) Notify customers that documents required under the Accessible Customer Service Standard are available upon request;
 - c) When providing documents under the Accessibility Customer Standard to a person with a disability, the information will be provided in a format that takes into account the person's disability.
- 2.3.3 for all Town departments to use reasonable efforts to ensure that the policies, procedures and practices established in the Accessibility Policy are consistent with the following core principles:
 - a) Dignity
 - b) Independence
 - c) Integration (except when alternate measures are not necessary to meet the needs of people with disabilities)
 - d) Equal opportunity

3. Definitions

- 3.1 Accessibility Communications** means depending on the situation and the person's needs, the format of communication may be altered to better suit the customer. The communication can be made more accessible in various ways, including but not limited to, changing the usual method of communication or using an assistive device or service.
- 3.2 Communication** means the process of providing, sending, receiving and understanding information.
- 3.3 Council** means the Council of the Corporation of the Town of Kearney.
- 3.4 Customer Service** means the provision of goods and/or services that members of the public use.
- 3.5 Disability** means (as defined in the *Accessibility for Ontarians with Disabilities Act, 2005*):
- 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, physical reliance on a guide dog or other animal, and/or use of 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; and/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*, as amended.
- 3.6 Personal Assistive Device** means an assistive device that those with a disability may bring with them, such as a walker or a personal oxygen tank, which aid in their day-to-day functions.
- 3.7 Principles of Dignity** means that policies, procedures and practices that respect the dignity of a person with a disability are those that treat them as customers and clients, who are as valued and as deserving of effective and full service as any other customer. Service deliver needs to take into account how people with disabilities can effectively access and use services.
- 3.8 Principle of Equal Opportunity** means having the same chances, options, benefits and results as others. In the case of services, people with disabilities are to have the same opportunity to benefit from the provision of goods and services as others by not having to make significantly more effort to access or obtain service nor having to accept lesser quality or more inconvenience. Equal opportunity can best be reached by taking steps to ensure that individual needs are taken into account when providing goods or services. Principles may need to be balanced in order to achieve the out comes that meet the needs of the persons' disability.
- 3.9 Principle of Independence** means freedom from control or influence of others by having the freedom to make your own choices and to do things in your own way.
- 3.10 Principle of Integration** means services that allow people with disabilities to fully benefit from the same services, in the same place and in the same or similar way as other customers. **Integration** means that policies, practices and procedures are deigned to be accessible to everyone including people with disabilities. At times when integration does not serve the needs of all people with disabilities, it may be necessary to use alternate measures to provide goods or services.
- 3.11 Providing Services** means providing goods and/or services to members of the public.

3.12 Public Sector includes provincial government, municipal government, universities, colleges, hospitals, health care, school boards and public transportation organizations.

3.13 Service Animal

For the purpose of this policy, a ‘**service animal**’ is defined as either:

- i) A “guide dog,” as defined in Section 1 of the Blind Persons Rights’ Act; or
- ii) A “service animal” for a person with a disability. For the purpose of this policy, an animal is a service animal for a person with a disability,
 - a) if it is readily apparent that the animal is used by the person for the reasons relating to his or her disability; or,
 - b) if the person provides a letter from a physician or nurse confirming that the person requires the animal for reasons relating to the disability.

3.14 Support Person means a person who accompanies a person with a disability in order to assist him or her with communication, mobility, personal care, or medical needs or with access to goods or services.

3.15 Town means the Corporation of the Town of Kearney.

4. Accessible Customer Service Standard

The following standard applies to all business and organizations that provide goods or services to the public and have at least one employee. The standard is for businesses and organizations in the private, non-profit, and public sector.

4.1 Communication and Alternative Forms of Communication

- 4.1.1 Communication is the process of providing, sending, receiving and understanding information. Depending on the situation and the person’s needs, there are a variety of ways to make communications more accessible. These include:
 - a) Making the original communication more accessible.
 - b) Changing the usual method of communication.
 - c) Using assistive devices or services.
- 4.1.2 Communication should be offered in a way that takes the person’s disability into account. All employees will consider how the disability affects the way that the customer expresses, receives or processes communication. The goal is to communicate in an effective way.
- 4.1.3 Taking someone’s disability into account requires an employee to take that particular individual’s needs and circumstances into consideration. Assumptions are not to be made based on their disability.
- 4.1.4 Different people with the same disability may communicate in different ways because of different skills or resources. Where possible, it will be helpful to ask the person directly how to best communicate with them.
- 4.1.5 Where appropriate, documents are to be created in plain language so that it will be easier to read for those with certain learning disabilities.
- 4.1.6 To meet individual communication needs, the information may be offered in a different medium. Examples of different mediums of communication may include, but are not limited to:
 - a) Large print;
 - b) Braille;
 - c) Strategies to offer phone service rather than in person service;

- d) Allowance of email rather than postal notices, or use of other technological advances;
- e) Plain language, simplified summaries of materials; and/or
- f) Sign language interpreter.

4.1.7 If a customer requires an alternative method of communication, notice must be provided to the Town to allow an opportunity to re-create the necessary documents.

4.1.8 Kearney's website is a key channel of communication for the Town. Many people with disabilities use computers and the internet. Some people with disabilities use assistive devices such as screen readers (devices that speak the contents of the screen), speech input systems (which allow you to talk into a microphone to control the computer and enter text) and a variety of other devices that operate with computers. The Town's website is to be developed in a way that considers how assistive devices operate and how people with disabilities use them. The site will be accessible to people with disabilities.

4.2 Use of Personal Assistive Devices, Service Animals and Support Persons

4.2.1 Those with a disability may use personal assistive devices to access the Town's goods and services. Personal assistive devices may include, but are not limited to, things such as walkers, white canes, note-taking devices, and personal oxygen tanks.

4.2.2 A person is permitted to be accompanied by their guide dog or other service animal on Town premises.

4.2.3 Some people rely on support persons for certain services or assistance. A support person may be a paid professional, a volunteer, a family member or friend of the person with a disability. Those persons with a disability are permitted to be accompanied by their support person on Town premises that are open to the public. The support person may be hired or chosen by a person with a disability to provide services or assistance with communication, mobility, personal care, medical needs or with access to goods or services.

4.2.4 Where admission fees are charged, the Town will provide notice ahead of time on what admission, if any, would be charged for a support person of a person with a disability. Notice could be provided through various outlets including:

- a) Posting on public boards at various Town facilities.
- b) On the Town website in the appropriate areas.
- c) Included on any advertisement promoting the specific event where an admission fee may be charged.

4.3 Disruption of Service Notification

The Town will provide proper and adequate notice when facilities or services that people with disabilities rely on to access or use are temporarily disrupted. When the Town is aware of the disruption, notices will be posted two (2) weeks prior to the start of the disruption. If the disruption is unexpected, the notice will be posted as soon as possible. Notices of temporary disruption must include:

- a) Reason(s) for the disruption;
- b) Length disruption it is expected to last;
- c) Alternative facilities to use (if applicable);
- d) Other alternative measures (if applicable);

Notices may be posted:

- e) At appropriate doors/boards of applicable facilities;
- f) On the Town website;
- g) If appropriate, in various media outlets such as local newspapers.

4.4 Customer Feedback

- 4.4.1 If anyone has a concern regarding the provision of goods or services to people with disabilities they can complete the Accessible Customer Service Feedback Comment Form (Appendix 'A').
- 4.4.2 Upon receipt of an Accessible Customer Service Feedback Comment Form, the form will be delivered to the member of the Management Team from the appropriate department identified. The Management Team member, in consultation with the CAO and any other appropriate staff members, will address the content of the form and attempt to resolve the concern.
- a) If appropriate, the member of the Management Team or their designate, will contact the author of the Accessible Customer Service Feedback Comment Form to discuss the resolution of the concern.
 - b) When communicating with a person with a disability, the member of the Management Team or their designate will take into account the person's disability and respond in a way that is appropriate.
 - c) The comment forms will be reviewed after their use to ensure that they are fulfilling their objective of providing an accessible outlet for concerns regarding accessible customer service within the Town.
 - d) If a member of the public would like to make a comment regarding the provision of goods or services to people with disabilities and would not like to complete the Accessible Customer Service Feedback Comment Form, they can dictate their comments to members of staff (in person, over the phone, via email, etc.). The member of staff who receives the comments will write the comments on the Accessible Customer Service Feedback Comment Form and submit it to the appropriate departmental Management Team member.

5. Information and Communication Standard

5.1 Feedback

The Town will ensure that feedback processes are accessible to persons with disabilities by providing or arranging, upon request, for the provisions of accessible communications and support. Feedback can be received online, through writing or verbally.

5.2 Accessible Formats and Communication Support

Upon request, the Town will provide or arrange for the provision of accessible formats and communication supports for persons with a disability. The formats will be provided in a timely manner and take into account the person's disability needs. There will be no additional cost charged to the person to provide an accessible format. The Town will consult with the person making the request to determine the suitability of an accessible format or communication support. Final determination as to which accessible format or communication support used rests with the Town. The Town will notify the public about the availability of accessible formats and communication supports.

5.3 Emergency Procedure, Plans or Public Safety Information

The Town has in place several different emergency procedures, plans and public safety information. Upon request, public information regarding the Town's emergency procedures, plans or public safety information will be provided in an accessible format. This information will be made as soon as practicable upon request.

5.4 Accessible Websites and Web Content

The Town will ensure the municipal website and web content conforms with the accessibility guidelines as outlined by the World Wide Web Consortium. Except where meeting this requirement is not practicable, this conformity applies to websites, web content and web-based

application that are controlled directly or through a contractual relationship that allows for the modification of the product and to web content.

6. Employment Standard

Employment standards apply to paid employees, not volunteers and other non-paid individuals.

6.1 Recruitment

- a) Through the recruitment process, all interested applicants will be notified about the availability of accommodations for applicants with a disability. A standard statement of commitment will be provided on all Town job postings.
- b) During the recruitment process, applicants selected for an assessment or selection process will be notified that accommodations are available upon request. If an applicant requests an accommodation, the Town will provide or arrange for the provision of a suitable accommodation in a manner that takes into account the applicant's accessibility needs. The decision as to which accommodation is to be provided rests with the municipality.
- c) When making offers of employment, the Town will notify the successful applicant of its policies for accommodating employees with disabilities.

6.2 Accessible Formats and Communication Support for Employees

- a) The Town will inform employees of its policies used to support employees with disabilities. This information will also be provided to new employees as soon as practicable after they begin their employment. As requested, any changes to policies will be communicated to all applicable employees through communication channels or through formats that take into account the employee's disability.
- b) The Town will consult with the employee to provide or arrange for the provision of accessible formats, and communication supports that an employee may need to perform their work. This will also include the communication of information needed while performing in the workplace.
- c) The Town will consult with the employee making a request for an accessible format or communication support to determine the suitable format. The final determination as to which accessible format or communication support acquired will rest with the Town.

6.3 Workplace Emergency Response Information

- a) At the written request of the employee, the Town will 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 Town is aware of the need for accommodation.
- b) If an employee requested an Individualized Workplace Emergency Response Plan and identified the need for assistance from a colleague(s), the Town will provide the information to the designated colleague(s). This information will be provided to the designated colleague(s) as soon as practicable after the Town becomes aware of the need for accommodation.
- c) The employee's Individualized Workplace Emergency Response Plan will be reviewed when:
 - i) The employee moves to a different location in the organization.
 - ii) The overall accommodation needs of the employee changes (as notified to the Town by the employee).
 - iii) The Town's general emergency response policies are reviewed.

6.4 Documented Individual Accommodation Plans

A written process for the development and maintenance of documented individual accommodation plans shall be developed for employees with disabilities. If requested:

- a) these plans shall include information regarding accessible formats and communication supports;
- b) the plans shall include individualized workplace emergency response information.

6.5 Return to Work Process

The Town shall have in place, a documented return to work process for employees returning to work due to disability and requiring disability related accommodations. This return to work process shall outline the steps that the Town may make to facilitate their return to work. The Town will continue to maintain its commitment to make every reasonable effort to provide temporary modified or suitable alternative duties to a worker who has been absent from work due to a disability.

6.6 Performance Management

The Town will take into account the accessibility needs of employees with disabilities and the Documented Individual Accommodation Plan during all performance management processes.

6.7 Career Development and Advancement

The Town will take into account the accessibility needs of employees as well as the Documented Individual Accommodation Plan when providing career development and advancement.

7. Transportation Standard

The Town does not have a public transit system, nor does the Town have or license services such as taxis within the municipality, therefore Kearney is not regulated by this standard. If either of these are implemented, the Town will review policies for the Transportation Standard.

8. Accessibility Plans

- a) The Town will establish, implement, maintain, and document a multi-year accessibility plan. The plan will outline the Town's strategy to prevent and remove barriers and meet its requirements under the Accessibility for Ontarians with Disabilities Act. The plan will be reviewed and approved by Council at least once every five (5) years. Members of the public, including those who have a disability, are encouraged to provide input into the development of the plan.
- b) An annual status report will be created which will identify the progress of the measures taken to implement the plan. The report will be presented to the Council. The complete accessibility plan and annual status report will be available to the public through the municipal website and at the Town municipal office. Upon request, it can be presented in accessible formats.

9. Procuring or Acquiring Goods, Services or Facilities

- a) As per the Procurement By-law, the Town encourages the procurement of goods and services with due regard to the product being accessible to people with disabilities or be capable of being made accessible through the use of technology.
- b) If the Town determines that it is not practicable to incorporate accessibility criteria and features when procuring or acquiring goods, services or facility, an explanation will be provided.

10. Training

- a) All Staff and Volunteers to be trained on IASR and the Human Rights Code.
- b) All Staff to be trained appropriately according to work duties.
- c) All new Staff to be trained as soon as practicable.
- d) All Staff to be trained whenever there are policy changes.

11. Availability of Accessibility Policy

Copies of this policy will be available at the Town Office during regular business hours. A copy of this policy, appropriate documentation and updates will also be posted on the Town website. Specific formats (such as large font) for any of the documents included in this policy will be available upon request. The Town may require a certain amount of time to produce the specialized format requested and final determination of the accommodation rests with the Town.

12. General

12.1 This Policy shall:

- a) be administered by all Town departments;
- b) be referred to as the Accessibility Policy;
- c) come into force and effect on January 1, 2018.
- d) be reviewed every five (5) years. Through the revision process, the Town will continue to evaluate their practices to better serve those with disabilities.

12.2 Nothing in this policy or any other Regulation diminishes in any way the legal obligations of the Government of Ontario or of any person or organization, with respect to persons with disabilities that are imposed under this policy or otherwise imposed by law.

12.3 If a provision of this policy, an accessibility standard, or any other regulation conflicts with a provision of any other Act or Regulation, the provision that provides the highest level of accessibility for persons with disabilities with respect to goods, services, facilities, employment, accommodation, buildings, structures or premises shall prevail.

12.4 This policy does not replace or change what must be done under other laws relating to accessibility such as the Ontario Building Code Act and the Ontario Human Rights Code. Where the standard sets different rules than other laws, the Town may be required to comply with both.

Approved: _____

Approved by: Council Resolution No: _____

Effective: January 1, 2018

Review: January 1, 2023

Appendix 'A'
Accessible Customer Service Comment Feedback Form

Thank you for visiting the Town of Kearney. We value all of our customers and strive to meet everyone's needs.

1. Please tell us the date and time of your visit:

2. Did we respond to your customer service needs today? ☐ yes ☐ no

3. Was our customer service provided to you in an accessible manner? ☐ yes ☐ no

4. Did you have any problems accessing our goods and services? ☐ yes ☐ no

5. Please add any other comments you may have:

6. Contact information (optional):

The Town of Kearney thanks you for your input!