

# Kitchener-Wilmot Hydro Inc.

## Policy & Procedure

<b>SUBJECT: Integrated Accessibility Standards Regulation</b>
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### Table of Contents

<b>1. Purpose</b>	<b>3</b>
<b>2. Scope And Responsibilities</b>	<b>3</b>
<b>3. Policy Statement And Organizational Commitment</b>	<b>3</b>
<b>4. Definitions</b>	<b>3</b>
<b>5. General Provisions</b>	<b>5</b>
<b>Multi-Year Accessibility Plan</b>	<b>5</b>
<b>Procuring or Acquiring Goods, Services or Facilities</b>	<b>5</b>
<b>Training</b>	<b>5</b>
<b>6. Information And Communications Standard</b>	<b>5</b>
<b>Emergency Information</b>	<b>5</b>
<b>Feedback</b>	<b>6</b>
<b>Accessible Formats and Communication Supports</b>	<b>6</b>
<b>Website Accessibility</b>	<b>6</b>
<b>7. Employment Standard</b>	<b>6</b>
<b>Recruitment</b>	<b>6</b>
<b>Employee Notification</b>	<b>7</b>

<b>Accessible Formats and Communication Supports</b>	<b>7</b>
<b>Individual Accommodation Plan (IAP)</b>	<b>7</b>
<b>Return to Work</b>	<b>7</b>
<b>Performance Management, Career Development and Advancement and Redeployment</b>	<b>8</b>
<b>Workplace Emergency Response Information</b>	<b>8</b>
<b>8. Transportation Standard</b>	<b>8</b>
<b>9. Public Spaces</b>	<b>8</b>
<b>10. Regulatory Requirements</b>	<b>9</b>

## 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 Kitchener-Wilmot Hydro Inc. in accordance with Ontario Regulation 191/11, Ontario Regulation 413/12 and with the Ministry of Community and Social Services 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 Kitchener-Wilmot Hydro Inc. 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 Standards and Public Spaces.

## 3. Policy Statement and Organizational Commitment

Kitchener-Wilmot Hydro Inc. is committed and guided by the four (4) core principles of Dignity, Independence, Integration and Equal Opportunity and supports the full inclusion of persons as set out in *Canadian Charter of Rights and Freedoms*, and the *Accessibility for Ontarians with Disabilities Act, 2005*.

Kitchener-Wilmot Hydro Inc. 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 definitions in alphabetical order used in this policy:

**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.

**Conventional Transportation Service Provider** means a designated public sector transportation organization that provides conventional transportation services that operates solely within the Province of Ontario.

**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.

**Medical Aid** means an assistive device including respirators, and portable oxygen supplies.

**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.

**Ready Format** means an electronic or digital format that facilitates conversion into an accessible format.

**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.

**Specialized Transportation Services** means public passenger transportation services that operate solely with the Province of Ontario, are provided by a designated public sector transportation organization and are designed to transport persons with disabilities.

**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

Kitchener-Wilmot Hydro Inc.'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), 2005*. Kitchener-Wilmot Hydro Inc. will report annually on 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

Kitchener-Wilmot Hydro Inc. is not required under this legislation to ensure we use accessibility criteria and features when procuring or acquiring goods, services or facilities. We will however take it into consideration as much as possible to show our commitment to accessibility.

### Training

Kitchener-Wilmot Hydro Inc. will ensure that training is provided to all employees, and volunteers, and those that develop the organizations policies, 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 was provided and the number of individuals to whom it was provided. We ensure that others that provide goods, services or facilities on behalf of the organization have had training.

## 6. Information and Communications Standard

Kitchener-Wilmot Hydro Inc. will create, provide and receive information and communications in ways that are accessible to people with disabilities.

If Kitchener-Wilmot Hydro Inc. determines that it is not technically feasible to convert the information or communications or that 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. For further clarification and specific details you can also refer to our 2013-2018 Multi-Year Accessibility Plan.

### Emergency Information

If Kitchener-Wilmot Hydro Inc. 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

Kitchener-Wilmot Hydro Inc. 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

Kitchener-Wilmot Hydro Inc. shall be obligated to provide or arrange for accessible formats and communication supports for persons with disabilities for the four situations listed below:

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

## Website Accessibility

Kitchener-Wilmot Hydro Inc. 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. By January 1, 2021 all internet website and web content backdated to 2012 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 will 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 Kitchener-Wilmot Hydro Inc. For further clarification and specific details you can also refer to our 2013-2018 Multi-Year Accessibility Plan.

## Recruitment

Kitchener-Wilmot Hydro Inc. shall notify employees and the public about the availability of accommodations for applicants with disabilities for the three (3) situations below:

- i. During the recruitment process when job applicants are individually selected to participate in an assessment or selection process;
- ii. If a selected applicant requests an accommodation, Kitchener-Wilmot Hydro Inc. shall consult with the applicant and provide or arrange for the provision of a suitable accommodation that takes into account the applicant's disability;
- iii. Notify successful applicants of the policies for accommodating employees with disabilities.

### **Employee Notification**

Kitchener-Wilmot Hydro Inc. shall inform its employees of its policies used to support employees with disabilities. These policies include but are not limited to, policies on the provision of job accommodations that take into account an employee's accessibility needs due to a disability for the two situations below:

- i. As required, to new employees, as soon as practicable after they begin their employment;
- ii. 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 and Communication Supports**

In addition and where an employee with a disability requests it, Kitchener-Wilmot Hydro Inc. will consult with the employee to provide or arrange for the provision of accessible formats and communication supports for the three points below:

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

### **Individual Accommodation Plan (IAP)**

Kitchener-Wilmot Hydro Inc. shall have in place a written process for developing a documented individual accommodation plan for employees with a disability. Process to include the twelve points below:

- i. The employee's participation in the development of the IAP;
- ii. Assessment on an individual basis;
- iii. Identification of accommodations to be provided;
- iv. Timelines for the provision of accommodations;
- v. Kitchener-Wilmot Hydro Inc. may request an evaluation by outside medical or other expert, at our expense, to assist with determining accommodation and how to achieve accommodation;
- vi. Employee may request the participation of a representative from their bargaining agent, where represented, or otherwise a representative from the workplace where not represented by a bargaining agent;
- vii. Steps taken to protect the privacy of the employee's personal information;
- viii. Frequency with which the IAP will be reviewed and updated and the manner in which it will be done;
- ix. If denied, the reasons for denial are to be provided to the employee;
- x. A format that takes into account the employee's disability needs;
- xi. If requested, any information regarding accessible formats and communication supports provided;
- xii. Identification of any other accommodation that is to be provided.

## **Return to Work**

Kitchener-Wilmot Hydro Inc. 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 Kitchener-Wilmot Hydro Inc. will take to facilitate their return to work and include an individual accommodation plan.

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

Kitchener-Wilmot Hydro Inc. will take into account the accommodation needs and/or individual accommodation plans of employees for the three points below when:

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

## **Workplace Emergency Response Information**

Kitchener-Wilmot Hydro Inc. shall provide individualized workplace emergency response information to employees who have a disability for the four points below:

- i. 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;
- ii. If the employee requires assistance, and with the employee's consent, provide the workplace emergency information to the person designated by the Kitchener-Wilmot Hydro Inc. to provide assistance to the employee;
- iii. As soon as practicable after becoming aware of the need for accommodation due to the employee's disability;
- iv. 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.

Kitchener-Wilmot Hydro Inc. is not affected by the Transportation Standard but will inform staff of the positive steps being made towards better accessible transit when providing staff training.

## **9. Public Spaces**

Kitchener-Wilmot Hydro Inc. shall incorporate accessibility into public spaces that are newly constructed or redeveloped on and after January 1, 2017. 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 also provide maintenance and restoration of public spaces 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. For further clarification and specific details you can also refer to our 2013-2018 Multi-Year Accessibility Plan.

## **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.