

Reference: Staff Report ES-17-12; July 16/12 CL

### **Statement of Commitment**

The Corporation of the Town of Milton is committed to developing, implementing, maintaining, and enhancing accessibility in the areas of information and communications, employment, and transportation for all residents with disabilities, in a manner that:

- Respects the individual's dignity and independence;
- Provides an equal opportunity to utilize, and benefit from, the Town's goods and services;
- Allows persons with disabilities to benefit from the same goods and services at the same time, and location, as all other residents.

### **Purpose**

The purpose of this policy is to outline the requirements established under the Integrated Accessibility Standards, Ontario Regulation 191/11 of the *Accessibility for Ontarians with Disabilities Act, 2005*, which relates to information and communications, employment, and transportation. The accompanying procedures will set out the actions the Corporation of the Town of Milton henceforth referred to as "**the Town**", will undertake to comply with these requirements.

### **Scope**



Unless otherwise stated, this policy applies to paid employees, volunteers, and third-party contractors who are conducting business on behalf of the Town.

### **Legislative Authority**

This policy is legislated under section 3 of the Integrated Accessibility Standards (Ontario Regulation 191/11 under the Accessibility for Ontarians with Disabilities Act, 2005), which requires broader public sector organizations, including municipalities, to develop and implement policies, procedures, and best practices governing how they will meet the requirements set out within the Regulation. The following requirements are intended to support the purpose and application of the *Ontario Human Rights Code*. At no time will this policy replace or supersede the rights afforded to persons with disabilities under the Code.

### **Definitions**

Accessible Formats: May include, but are not limited to, large print, plain language, recorded audio, or electronic, such as Word, PDF, Rich Text, or HTML, formats, Braille, and other formats usable by persons with disabilities.

Career Development and Advancement: Providing additional responsibility within an employee's position, and the movement of an employee from one job to another within the organization that may be higher in pay, provide greater responsibility, or be at a higher level in the organization.

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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 communication.

Communications: 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: A designated public sector transportation organization that provides conventional transportation services solely within the province of Ontario.

Conventional Transportation Services: Any public passenger transportation services on transit buses, motor coaches or rail-based transportation that operate solely within the Province of Ontario and that are provided by a designated public sector transportation organization.

Conversion Ready: An electronic or digital source document or format that facilitates conversion into an accessible format. For example, a Word or text based document into large print, plain language, accessible PDF or Braille-ready format.

Designated Authority: An individual, or group of individuals, who have the ability to make decisions related to the administration and operation of a particular good, service, or facility. For example, the Coordinator, Transit would possess this authority when delivering local conventional and specialized transit services.

Disability:

- 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, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
- a condition of mental impairment or a developmental disability,
- a learning disability, or a dysfunction in one or more of the processes involved, in understanding or using symbols or spoken language,
- a mental disorder, or an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*.  
Section 10, Ontario Human Rights Code, 1990

Information: Data, facts, and knowledge that exists in any format, including text, audio, digital, or images, that convey meaning.

Medical Aid: An assistive device which may include, but is not limited to, respirators and portable oxygen supplies.

Mobility Aid: A device used to facilitate the transport, in a seated posture, of a person with a disability. Examples include, but are not limited to, wheelchairs, scooters, and walkers.

Mobility Assistive Aid: A cane, walker, or similar aid.

Performance Management: Assessing and improving employee performance, productivity, and effectiveness with the goal of facilitating employee success.

Redeployment: To assign an employee to another job or department, within the organization, as an alternative to layoff, when a particular job or department has been eliminated within the organization.

Specialized Transportation Service Provider: A designated public sector transportation organization that provides specialized transportation services that operate solely within the Province of Ontario.

Specialized Transportation Services: Public passenger transportation services that,

- Operate solely within the Province of Ontario.
- Are provided by a designated public sector transportation organization.
- Are designed to transport persons with disabilities.

Support Person: Another person, identified by the service provider, who accompanies the person with a disability in order to help with communication, mobility, personal care or medical needs or with access to goods, services or facilities.

On-Demand Taxicab: A motor vehicle as defined in the *Highway Traffic Act*, other than a car pool vehicle, having a seating capacity of not more than six persons, exclusive of the driver, hired for one specific trip for the transportation exclusively of one person or group of persons, one fare or charge only being collected or made for the trip and that is licensed as a taxicab by a municipality.

Timely Manner: An action or task performed and accomplished in an appropriate time frame, as determined by the staff identified in the corresponding procedure. For example: five business days to transfer a written document into an accessible format.

Transit Bus: A motor vehicle designed for carrying 10 or more passengers, and used for the transportation of persons.

### **The Requirements**

The following requirements are mandated under the Integrated Accessibility Standards, and must be fulfilled by the Town in order to comply with this Regulation.

### **General Requirements**

Establishment of Policies, Procedures, and Best Practices: The Town shall develop, implement, and maintain policies governing how it achieves, or will achieve, accessibility through meeting the requirements referred to in the Regulation. Specifically, all policies shall include a statement of corporate commitment for meeting the accessibility needs of persons with disabilities in a timely manner.

Accessibility Plans: The Town shall develop, implement, and document a multi-year accessibility plan outlining a corporate strategy for identifying, removing, and preventing barriers, and meeting the requirements set out in the Regulation.

Procuring or Acquiring Goods, Services, or Facilities: When procuring or acquiring goods, services, or facilities, the Town shall incorporate accessibility guidelines or standards into relevant policies, procedures, by-laws, and/or specifications.

Self-Service Kiosks: The Town shall incorporate accessibility features when designing, procuring, or acquiring self-service kiosks. Accessibility features may include, but are not limited to:

- Braille and/or tactile buttons and numbers
- An earphone plug-in for audio commands
- Large screen displays
- Adequate clearance for a wheelchair or scooter under the kiosk

### Training

The Town shall provide training, to all paid employees and volunteers on the requirements of the accessibility standards within the Regulation, and the *Ontario Human Rights Code*, as they pertain to persons with disabilities. Furthermore, training shall be appropriate to the duties of paid employees and volunteers. Third party contractors shall continue to be trained as part of the Town's procurement process.



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## Information and Communications Requirements

### Feedback

The Town shall ensure its process for receiving and addressing feedback is accessible for persons with disabilities by providing, or arranging for, the provision of any document, related to this service, in an accessible format or communication support upon request.

Accessible Formats: The Town shall, upon request, provide, or arrange for the provision of, any of its documents in an accessible format or communication support. When providing accessible formats, the Town shall take into account the person's disability and individual communication needs by consulting the person directly. For a listing of possible accessible formats, refer to the corporate procedure entitled "Availability of Alternate Documents".

Emergency Procedure, Plans, or Public Safety Information: The Town shall provide its emergency procedures, plans, and public safety information to the public, upon request, in an accessible format or communication support, and shall do so in a timely manner that takes into account the person's disability and communication needs. In the case of an emergency, staff shall refer to the Executive Services Departmental Emergency Plan for information on providing appropriate communication supports.

Accessible Websites and Web Content: The Town shall make its website, and web content, conform to the *WorldwideWeb Consortium's Web Content Accessibility Guidelines*, initially at level A and increasing to level AA by the prescribed timelines.

Public Libraries: The Chief Executive Officer for the Milton Public Library shall provide, or arrange for the provision of access to, accessible materials where they exist. Further to which, library staff shall inform the public of the availability of accessible materials, and provide these materials in an accessible format or appropriate communication support upon request.

## Employment Requirements

Note: The requirements found in this section only apply to paid employees of the Town. They do not apply to volunteers. ***These requirements should be cross-referenced in the Town of Milton Human Resources Policy Manual.***



Availability of Accommodations: The Town shall provide written notification to the public of the availability of accommodations for persons with disabilities, upon request, throughout the hiring process, including:

- All employment postings
- Upon participation in the interview process
- When an offer of employment is made

When arranging for the provision of accommodations, the Town shall consult with the applicant to determine their specific accessibility needs.

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Informing Employees of Supports: The Town shall inform all employees of its policies and procedures used to support employees with disabilities, including, but not limited to, the provision of workplace accommodations. In doing so, the Town shall provide this information to new employees during their workplace orientation training.

Accessible Formats and Communication Supports for Employees: When requested, the Town shall consult the employee with a disability when providing, or arranging for the provision of, accessible formats or communication supports for information related to the employee's job performance, and information generally provided to all employees. For example, awards ceremonies and information sessions.

Workplace Emergency Response Information: The Town shall provide individualized emergency response information to employees with disabilities.

Individualized Accommodation Plans: The Town shall establish a written policy for the development of individualized accommodation plans for employees with disabilities.

Return-to-Work Process: The Town shall develop, and have in place, a return-to-work process for employees who have been absent due to a disability, and require workplace accommodations in order to return-to-work.

Performance Management: The Town shall take into consideration the accessibility needs of employees with disabilities, and all individualized accommodation plans, when developing its performance management documents, tools, and resources.

Career Development and Advancement: When providing career development and advancement opportunities to its employees, the Town shall take into consideration the accessibility needs, as well as any individualized accommodation plans, of its employees with disabilities.





Redeployment: The Town shall take into consideration the accessibility needs, as well as any individualized accommodation plans, when redeploying employees with disabilities.

## **Transportation Requirements**

Availability of Information on Accessibility Equipment: The Town shall provide information on the accessibility features of its conventional and specialized transit services, and shall make this information available in an accessible format upon request.

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Non-Functional Accessibility Equipment: In the event of non-functioning accessibility equipment on any of its vehicles, the Town shall provide an equivalent service to customers who rely on the accessibility equipment and service. The Town shall repair the accessibility equipment in a timely manner.

Accessibility Training: In addition to the training requirements under section 1, the Town, or third-party service provider, will provide accessibility training to all contracted conventional and specialized transit personnel. All training initiatives shall include:

- 1) The safe use of accessibility equipment and features
- 2) Acceptable modifications to procedures in situations where temporary barriers exist or accessibility equipment on a vehicle fails
- 3) Public transit emergency response procedures that provide for the safety of persons with disabilities

Public Transit Emergency Preparedness and Response Policies: In addition to the emergency requirements set out in section two, the Town shall develop and implement emergency preparedness and response policies, for its conventional and specialized transit services, that provide for the safety of persons with disabilities, and shall make these policies available to the public.

Fares-Support Persons: The Town shall not, at any time, require support persons to pay a fare when providing assistance to a person with a disability while traveling on its conventional or specialized transit. It is the responsibility of the person with a disability to identify their need for a support person while utilizing the Town's transit services.





Accessibility Plan-Family of Transit Services: In addition to its corporate accessibility plan, the Town shall develop a similar plan for its conventional and specialized transit services. The Plan shall outline measures to identify, remove, and prevent barriers to persons with disabilities, and shall be reviewed, through an annual public meeting, by persons with disabilities.

### **Conventional Transit Services**

General Requirements: When providing conventional transit services, the Town shall ensure the following services are being offered, upon request, and that information, related to these services, is available, in an accessible format, upon request.

Deploy lifting devices, ramps or portable bridge plates upon the request of a person with a disability

- Ensure that adequate time is provided to persons with disabilities to safely board, be secured and de-board transportation vehicles and that assistance be provided, upon request, for these activities

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- Assist with safe and careful storage of mobility aids or mobility assistive devices used by persons with disabilities
- Allow a person with a disability to travel with a medical aid free of charge.

Fares: At no time shall the Town require persons with disabilities, using conventional transit services, to pay a higher fare than persons without disabilities.

Transit Stops: The Town shall ensure that persons with disabilities can board and de-board its conventional transit vehicles in a safe location, other than the designated transit stop, if the designated stop is deemed to be inaccessible, and the safe location is on the same route. When identifying a safe location, the Town shall take into consideration the preferences provided by persons with disabilities. The Town shall develop a process for promptly reporting, to a designated authority, when a transit stop is temporarily inaccessible or when a temporary barrier exists.

Storage of Mobility Aids: The Town shall ensure that all mobility aids and mobility assistive devices are safely stored in the passenger compartment of its conventional transit vehicles, and be placed in easy reach of the person with a disability who uses the mobility aid or mobility assistive device where practicable. At no time shall the Town charge a fee for the storage of mobility aids or mobility assistive devices.



Courtesy Seating: The Town shall ensure that clearly marked courtesy seating for persons with disabilities is available on all of its conventional transit vehicles. This seating shall be located in close proximity to the front entrance, and be identifiable through accessible signage.

Service Disruptions: In the event of a temporary service or route disruption, when the commencement of the disruption is known, the Town shall inform the public of the disruption, route detours, and communicate alternate accessible transportation services available.

Pre-boarding Announcements: The Town shall, upon request, provide verbal pre-boarding announcements of routes, directions, destination, and next major intersection.

On-board Announcements: The Town shall provide electronic audible and verbal announcements, on all of its conventional transit vehicles, of all destination points or available route stops, while the vehicle is on route, or being operated.

### **Conventional Transit Technical Requirements**

In accordance with sections 53-61 of the Integrated Accessibility Standards, the Town shall adhere to the technical requirements related to:

- Grab bars
- Floor and carpeted surfaces
- Allocated mobility aid spaces
- Stop-requests and emergency response controls

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- Lighting features
- Signage
- Lifting devices
- Steps
- Indicators and alarms

### **Specialized Transit Requirements**

Categories of Eligibility: In accordance with the timelines set out in appendix A of this policy, the Town shall establish three categories of eligibility for users of its specialized transit services – unconditional, temporary, and conditional, and shall take into consideration the criteria, as outlined in section 62 of the Integrated Accessibility Standards, when establishing these categories.



Eligibility Application Process: In accordance with the timelines set out in appendix A of this policy, the Town shall develop an application process for determining eligibility for its specialized transit services. This process shall include criteria for applying on emergency or compassionate grounds, be reviewed on an annual basis, and shall not charge a fee for persons with disabilities applying to use this service.

Fare Parity: The Town shall ensure that the same pay structure is being used for both conventional and specialized transit services. Furthermore, the Town shall ensure that the same payment options are available for both conventional and specialized transit services.

Visitors: The Town shall incorporate criteria, related to visitors, into its eligibility process for specialized transit services, and provide this service to visitors if the visitor provides proof that they are eligible for specialized transit services within the jurisdiction for which they reside, or meet the eligibility criteria established by the Town of Milton.

Origin to Destination Services: The Town shall provide origin to destination services, within its service area, that takes into consideration, and accommodates, the needs of persons with disabilities. This service shall apply to both specialized and accessible conventional transit services.

Coordinated Service: Where specialized transit services are provided by other municipalities the Town shall facilitate coordinated service provision, and shall, in collaboration with other specialized transit service providers, determine appropriate transfer locations that take into consideration the needs of persons with disabilities.

Hours of Service: The Town shall ensure that its specialized transit services has, at a minimum, the same hours and days of operation as its conventional transit services.

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Bookings: The Town shall establish a process for accepting reservation bookings for its specialized transit services, and shall develop a method of accepting bookings that takes into consideration, and accommodates, the needs of persons with disabilities.

Trip Restrictions: The Town shall not, at any time, restrict the availability of its specialized transit services to persons with disabilities by limiting the number of trips a person with a disability can request, or implement any policies or procedures that restrict the availability of its specialized transit services.



Service Delays: The Town shall, when accepting reservation bookings, inform the person with a disability of any known service delays, and shall do so in an accessible method that takes into account the needs of the person.

Companions and Children: The Town shall allow companions of persons with disabilities to travel with the person, if space is available or does not deny service to another person with a disability, on its specialized transit services. Similarly, the Town shall allow children of the person with a disability to travel with the person if appropriate child safety restraints, if required, are available.

### **Duties of Municipalities**

General: The Town shall consult with the Milton Accessibility Advisory Committee, the public, and persons with disabilities when developing design criteria for the construction, renovation, or replacement of bus stop areas and subsequent amenities.

Accessible Taxicabs: The Town shall consult with the Milton Accessibility Advisory Committee, the public, and persons with disabilities on the appropriate proportion of on-demand accessible taxicabs, and shall report on the progress being made to provide on demand accessible taxicabs in its municipal accessibility plan.

Taxicabs: By licensing taxicabs, the Town will ensure that brokers and operators of taxicabs are:

- Not charging a higher fee to persons with disabilities, than the fee charged to persons without disabilities for the same trip or distance
- Not charging a fare for the storage and transportation of assistive devices or mobility assistive devices.

In addition, the Town shall ensure that brokers and operators of taxicabs place vehicle registration and identification information on the rear bumper of the taxicab, and that this information be made available, in an accessible format, to persons with disabilities who are passengers.