

# **THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY**

## **BY-LAW NO. 2018-05**

### **BEING A BY-LAW TO ADOPT THE MUNICIPALITY OF KILLARNEY ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT MULTI-YEAR ACCESSIBILITY POLICY**

**WHEREAS** the *Municipal Act, 2001*, S.O. 2001, Chapter 25, Section 8, provides the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

**AND WHEREAS** the Municipal Act, S.O. 2001, Chapter 25, Section 9, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

**AND WHEREAS** The Corporation of the Municipality of Killarney recognizes the need to establish a policy in accordance with the Accessibility for Ontarians with Disabilities Act (AODA).

**NOW THEREFORE** the Council of The Corporation of the Municipality of Killarney enacts as follows:

1. **THAT** Section B – Personnel – Part 11 Integrated Accessibility Standards herein attached as Schedule "A" to this By-Law and forming an integral part of this By-Law, be adopted.
2. **THAT** the Mayor and Clerk be and they are hereby authorized to sign this By-Law and to affix the corporate seal thereto.
3. **THAT** this By-Law is enacted upon the third and final reading hereof.

***READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED IN  
OPEN COUNCIL THIS 14<sup>th</sup> DAY OF FEBRUARY, 2018.***

***ORIGINAL DOCUMENT SIGNED***

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***Nancy Wirtz, Deputy Mayor***

***ORIGINAL DOCUMENT SIGNED***

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***Candy Beauvais, Clerk-Treasurer***



## *The Corporation of the Municipality of Killarney Policy Manual*

**SECTION # B**      **Personnel**

**REFERENCE:**      **By-Law #2018-05**

**Subject: Part 11**      **Integrated Accessibility Standards**

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### **Section A**

#### **Preamble:**

- 1.0.0** The Municipality of Killarney acknowledges the legislative requirement of a Multi- Year Accessibility Policy under the Integrated Accessibility Standards Regulation (I.A.S.R.) O. Reg. 191/11.
- 2.0.0** The Municipality of Killarney is committed to improving access and opportunity for people with disabilities. This accessibility plan outlines how the Municipality of Killarney will achieve compliance with the IASR Standards and our ongoing commitment to the independence and inclusion of people with disabilities.

This plan will be reviewed and updated every five years with an update report of same posted on our website.

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### **Section B**

#### **Policy Statement:**

- 1.0.0** This Policy is intended to fulfill the requirements of the IASR as set out in the Ontario Regulation 191/11 of the Accessibility for Ontarians with Disabilities Act, 2005, to establish a Multi-Year Accessibility Policy for the Municipality governing the accessibility Standards information and communications, employment, transportation, and the design of public spaces.
- 2.0.0** The Accessibility for Ontarians with Disabilities Act, 2005 (the “AODA”) is a Provincial Act with the purpose of developing, implementing and enforcing accessibility Standards in order to achieve accessibility for persons with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures, and premises.



## *The Corporation of the Municipality of Killarney Policy Manual*

**SECTION # B**      **Personnel**

**REFERENCE:**      **By-Law #2018-05**

**Subject: Part 11**      **Integrated Accessibility Standards**

**3.0.0** The Policy is prepared in accordance with the Integrated Accessibility Standard (Ontario Regulation 191/11) and addresses the following:

- The provision of accessible information and communications to persons with disabilities upon request;
- Accessible employment and recruitment policy and practice to ensure inclusion of persons with disabilities;
- Return to Work Policy/Practice/Plan;
- Workplace accommodations for employees with disabilities;
- Individualized workplace emergency response information to employees who have a disability;
- Accessibility considerations when procuring or acquiring goods, services or facilities;
- Notice of availability and accessible formats of documents;
- IASR Training requirements;
- Web Content Accessibility Guidelines (WCAG) 2.0;
- Transportation Standard booking requirements.

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### **Section C**

#### **Definitions:**

**1.0.0** “**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.

**2.0.0** “**Corporation**” means The Corporation of the Municipality of Killarney or its successors.

**3.0.0** “**Council**” means the Council of The Corporation of the Municipality of Killarney or its successors.



## *The Corporation of the Municipality of Killarney Policy Manual*

**SECTION # B          Personnel**

**REFERENCE:          By-Law #2018-05**

**Subject: Part 11      Integrated Accessibility Standards**

**4.0.0 “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.

**5.0.0 “Disability”** means:

- 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, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
- b) a condition of mental impairment or 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, 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.

**6.0.0 “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 or similar aid.

**7.0.0 “Municipality”** means The Corporation of the Municipality of Killarney or its successors.



## *The Corporation of the Municipality of Killarney Policy Manual*

**SECTION # B**      **Personnel**

**REFERENCE:**      **By-Law #2018-05**

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### **Section D**

## **Regulations**

### **1.0.0 Scope**

This policy is created in accordance with the Regulation and addresses how the Municipality of Killarney achieves accessibility and meets the Regulation's requirements. It provides the overall strategic direction that will be followed to meet the accessibility needs of persons with disabilities in the provision of goods, services and facilities.

This policy applies to all employees and volunteers; all persons who participate in developing the organization's policies; and all other persons who provide goods, services or facilities on behalf of the Municipality.

### **2.0.0 Statement of Commitment**

The Corporation of the Municipality of Killarney is committed to providing quality goods, services, and facilities that are accessible to all persons we serve and in a manner that respects the dignity, independence, and inclusion of persons with disabilities.

We are committed to meeting the needs of persons with disabilities in a timely manner and will do so by preventing and removing barriers to accessibility in customer service, information and communication, employment, the built environment, and transportation.

We are committed to meeting the requirements of applicable legislation, including the AODA and the Human Rights Code.

### **3.0.0 General Provisions**



## *The Corporation of the Municipality of Killarney Policy Manual*

**SECTION # B**      **Personnel**

**REFERENCE:**      **By-Law #2018-05**

**Subject: Part 11**      **Integrated Accessibility Standards**

### **3.1.0 Multi-Year Accessibility Plan**

The Multi-Year Accessibility Plan established will be maintained and updated to outline our strategy and goals to prevent and remove barriers and comply with the requirements of the Integrated Accessibility Standards.

The Multi-Year Plan and annual status reports will be posted on the Municipalities' website and made available in an accessible format upon request.

The Multi-Year Plan will be reviewed in 2020 and updated every five years thereafter.

### **3.2.0 Accessible Procurement of Goods, Services and Facilities**

The Municipality incorporates accessibility criteria and features when procuring or acquiring goods, services, or facilities, except where it is not practicable to do so.

In the event it is not practicable to do so, an explanation will be provided upon request.

The Municipality does not have self-serve kiosks at this time; however, will incorporate accessibility features should this change.

### **3.3.0 Training for Staff**

The Municipality will ensure that training is provided as required by the Integrated Accessibility Standards. Training will be appropriate to the duties of those being trained and include the requirements of the accessibility standards referred to in Ontario Regulation 191/11 and the Human Rights Code as it pertains to persons with disabilities.

Training is provided as soon as practicable, included in new hire and volunteer orientations, as well as on an ongoing basis as policies change and updates occur.



## *The Corporation of the Municipality of Killarney Policy Manual*

**SECTION # B**      **Personnel**

**REFERENCE:**      **By-Law #2018-05**

**Subject: Part 11**      **Integrated Accessibility Standards**

Training records will include the date of training, names of individuals trained subject to the Municipal Freedom of Information and Protection of Privacy Act (“MFIPPA”).

### **3.4.0 Accessible Information and Communications**

The Corporation of the Municipality of Killarney is committed to meeting the communication needs of people with disabilities in accordance with the Integrated Accessibility Standards and will notify the public about the availability of accessible formats and communications supports as required.

**3.4.1** Alternative formats such as large print, electronic copies of documents, braille documents are available upon request and at a cost that is no more than the regular cost charged to other persons.

**3.4.2** The Municipality will consult with the person making a request for an alternative format. In situations where the information or communications are unconvertible, the Municipality will provide the person requesting the information or communication with an explanation as to why the information or communications are unconvertible along with a summary of the unconvertible information or communications.

**3.4.3** The Municipality has processes in place for receiving and responding to feedback provided about accessibility and access that are provided in an accessible manner and with communication supports upon request.

Information about the feedback process will be readily available to the public and notice of the process will be posted on the Municipality’s website ([www.municipalityofkillarney.ca](http://www.municipalityofkillarney.ca)) and/or in other appropriate locations.

**3.4.4** Emergency procedures, plans and public safety information that is prepared by the Municipality and available to the public, will be available in an accessible format or with appropriate communication supports, as soon as practicable upon request.



## *The Corporation of the Municipality of Killarney Policy Manual*

**SECTION # B**      **Personnel**

**REFERENCE:**      **By-Law #2018-05**

**Subject: Part 11**      **Integrated Accessibility Standards**

**3.4.5** The Municipality will make its internet website and web content conform to the World Wide Web Consortium Web Content Accessibility Guidelines (WCAG 2.0).

### **3.5.0 Accessible Employment**

The Municipality is committed to fair and inclusive employment practices, as required in the Integrated Accessibility Employment Standard. Accommodations for persons with disabilities are available throughout the cycle of recruitment and employment.

The Municipality will notify all employees and the public, about the availability of accommodations for applicants with disabilities in the recruitment process and for all existing employees.

**3.5.1** Job ads will include the statement, *“The Municipality of Killarney welcomes and encourages applications from individuals with disabilities. Accommodations are available on request for candidates taking part in all aspects of the selection process”*.

Candidates will be advised, upon selection to participate in an assessment or interview, that accommodations are available upon request.

The Municipality will work with candidates requesting accommodations to provide and arrange suitable disability related accommodations in a manner that takes into account the candidates’ accessibility needs.

Successful candidates will be notified of the policies for accommodating employees with disabilities with an offer of employment.

**3.5.2** The Municipality will inform its existing employees of updates to its policies used to accommodate employees with disabilities. This information will be provided to all new employees as part of new employee orientation and as part of the Municipal Early and Safe Return to Work Policy.





## *The Corporation of the Municipality of Killarney Policy Manual*

**SECTION # B**      **Personnel**

**REFERENCE:**      **By-Law #2018-05**

**Subject: Part 11**      **Integrated Accessibility Standards**

**3.5.3** Upon request of an employee, the Municipality will consult with an employee with a disability, to provide or arrange for accessible formats or communication supports for information or communication that is generally available to employees in the workplace.

**3.5.4** The Municipality will provide individualized workplace emergency response information to employees who have a disability as required, when made aware the employee is a person with a disability and as soon as practical.

Should the employee who receives individualized workplace emergency response information require the assistance of another person in an emergency, the Municipality will provide the workplace emergency response information to the person designated by the employer, with the employee's consent.

**3.5.5** Individualized workplace emergency response plans will be reviewed if the employee moves to a different location within the Municipality, accommodation needs or plans are reviewed, the individual's disability related needs change and when the Municipality reviews its general emergency response policies.

**3.5.6** Employees whom are returning to work after injury or illness the Municipality will work with the employee to develop a written Individual Accommodation Plan, if required.

**3.5.7** The Return to Work Policy and Program:

- Outlines how an employee requests accommodation and participates in developing the plan.
- Is available in an accessible format that takes into account the employee's disability and accommodation needs.
- Accommodation plans are individualized plans, developed with the employee's direct supervisor, Human Resources, Union or Bargaining representative or other support person (if requested by employee), medical information or specialized assessments provided by the attending physician or other medical experts, i.e. Occupational Therapist.



## *The Corporation of the Municipality of Killarney Policy Manual*

**SECTION # B          Personnel**

**REFERENCE:          By-Law #2018-05**

**Subject: Part 11      Integrated Accessibility Standards**

- How and when requests for third party medical assessments are requested to assist in determining appropriate accommodations, costs for same covered by the Municipality.
- The frequency, timelines and manner of reviewing the individual accommodation plan.

**3.5.8** In a situation where the individual accommodation plan is denied, the employee will be provided for the reason for the denial in writing, in a format that takes into account the employee's disability and accommodation needs.

**3.5.9** The Municipality will consider the accessibility needs and supports and individual accommodation plans in employee performance management, career development and redeployment.

### **3.6.0 Transportation Standard**

The Municipality of Killarney does not have a licenced taxi-cab service provider nor any type of municipal transportation service so this standard is not applicable to the Municipality at this time.

### **3.7.0 Design of Public Spaces**

The Municipality is committed to designing public spaces that are free from barriers and accessible to all. The Corporation will comply with the Design of Public Spaces Standards with respect to public spaces that are newly constructed or redeveloped, including:

- Recreational trails and beach access routes
- Exterior paths or travel
- Outdoor public use eating areas
- Accessible parking
- Outdoor play spaces



# The Corporation of the Municipality of Killarney Policy Manual

**SECTION # B**      **Personnel**

**REFERENCE:**      **By-Law #2018-05**

**Subject: Part 11**      **Integrated Accessibility Standards**

### **3.8.0 Modifications to this or other Policies**

The Municipality is committed to developing accessibility policies that respect and promote the dignity, independence and inclusion of people with disabilities. Any impact or potential impact to persons with disabilities will be considered prior to amending this or any Municipal policy.

Any policy of The Corporation of the Municipality of Killarney that does not respect and promote the dignity and independence of people with disabilities will be modified or removed.

### **3.9.0 Information or to Request a Copy of this Policy**

Any questions, concerns, suggestions or to request a copy of this policy, will be provided by, or referred to the Chief Administrative Officer / Clerk-Treasurer or designate of The Corporation of the Municipality of Killarney.

Phone: (705) 287-2424 Ext. 203

Email: [cbeauvais@municipalityofkillarney.ca](mailto:cbeauvais@municipalityofkillarney.ca)

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## **Section E**

### **Policy Adoption and Review Guidelines**

<b>Date of Adoption by Council</b>	<b>By-Law No.</b>	<b>Motion No.</b>	<b>Date of Most Recent Review by Council</b>	<b>Date of Next Review by Council</b>
February 14, 2018	2018-05		NEW	February 2023



*The Corporation of the Municipality of Killarney  
Policy Manual*

**SECTION # B**      **Personnel**

**REFERENCE:**      **By-Law #2018-05**

**Subject: Part 11**      **Integrated Accessibility Standards**

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**Section F**

**References to Other Policies or By-Laws**

<b>Policy Title</b>	<b>Policy Section</b>	<b>Policy Number</b>
Orientation of New Employees	Personnel	B - Personnel - Part 5.13
Early & Safe Return to Work Accommodation Policy	Health & Safety Policies and Procedures Binder March 2009	Res. No. 12-24

**Policy Implementation and Review**

New Policy Implemented	By-Law No. 2018-05	February 14, 2018