

# THE CORPORATION OF THE TOWNSHIP OF KERNS

## BY-LAW NO. 2014-23

### **Being a by-law to adopt a General Accessibility Policy and a Multi-Year Accessibility Plan for the years of 2014 to 2019 for the Township of Kerns**

**WHEREAS** under Section 8. (1) (a) and (b) of the Municipal Act, 2001, S.O., 2001, c.25, as amended, 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 Council of the Township of Kerns deems it desirable to adopt a General Accessibility Policy governing how it achieves or will achieve accessibility to meet the requirements of Ontario Regulation 191/11, made under the Accessibility for Ontarians with Disabilities Act, 2005;

**AND WHEREAS** the Council of the Township of Kerns deems it desirable to adopt a Multi-Year Accessibility Plan, outlining our strategy to meet the requirements of Section 4 of Ontario Regulation 191/11, made under the Accessibility for Ontarians with Disabilities Act, 2005 and has consulted with persons with disabilities concerning the plan;

**NOW THEREFORE the Council of the Corporation of the Township of Kerns hereby enacts as follows:**

1. That the Municipality hereby adopts the GENERAL ACCESSIBILITY POLICY attached hereto as Schedule "A" and forming part of this bylaw;
2. That the Township of Kerns hereby adopts the MULTI-YEAR ACCESSIBILITY PLAN for the years of 2014 - 2019 attached hereto as Schedule "B" and forming part of this bylaw;
3. That the Accessibility Plan adopted by Council in October 2003 by By-law 2003-13 is hereby replaced.
4. That the Clerk of the Township of Kerns is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedules, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.
5. This bylaw shall come into force and take effect upon final passing thereof.

**READ A FIRST and SECOND time on this 1<sup>st</sup> day of December 2014.**

**READ A THIRD time and finally passed this 1<sup>st</sup> day of December 2014.**

---

Reeve

---

Clerk Treasurer

# **The Corporation of the Township of Kerns**

## **Schedule “A” to Bylaw 2014-23**

### **General Accessibility Policy Document Adopted by Council on December 1, 2014**

#### **LEGISLATION:**

Ontario Regulation 191/11 made under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) requires that Municipalities develop, implement and maintain policies governing how they achieve or will achieve accessibility through meeting its requirements referred to in that Regulation. Municipalities are also required to prepare one or more written documents describing these policies.

#### **STATEMENT OF COMMITMENT:**

The Corporation of the Township of Kerns exists to serve its residents and those who come to the area. We are committed to treating all people in a way that allows them to maintain their dignity and independence. We are also committed to giving people with disabilities the same opportunity to access our facilities and services and allowing them to benefit from the same services, in the same place and in a similar way as other residents and visitors. We are committed to meeting the needs of people with disabilities in a timely manner, and will do so by preventing and removing barriers to accessibility and meeting accessibility requirements under the Accessibility for Ontarians with Disabilities Act.

The Township of Kerns is committed to meeting the need for accommodation for its employees and prospective employees with disabilities. These commitments include meeting the accessibility needs of persons with disabilities in a timely manner to the extent that is feasible under the circumstances.

We are committed to including people with disabilities in the development of our accessibility plan and will make a status report publicly available each year to highlight our accessibility achievements.

#### **IMPLEMENTATION:**

The Township of Kerns will continue to establish and maintain policies, practices, and procedures that are consistent with the accessibility standards established under the AODA, including in the areas of accessible customer service, information and communication, employment, transportation, and the built environment.

The Township of Kerns shall adopt a Multi-Year Accessibility Plan before January 1, 2014 and shall use this plan to guide the implementation of this policy.

## **DESCRIPTION OF POLICIES IN SPECIFIC AREAS:**

### **Customer Service**

The Township of Kerns has an Accessible Customer Service Policy that was passed by Bylaw 2009-17 on December 1, 2009, which meets current requirements.

### **Accessible Emergency Information**

The Township of Kerns does not currently have any written policies in this area. We acknowledges, however, that accessible emergency is required.

### **Procurement**

The Township of Kerns has a Procurement of Goods and Services Policy that was passed by Bylaw 2007-26 on December 4, 2007. The By-law need to be amended to incorporate accessibility criteria and features when procuring goods, services or facilities by January 1, 2014.

### **Training**

The Township of Kerns has an Accessible Customer Service Policy that was passed by Bylaw 2009-17 on December 1, 2009. Training is provided to employees, volunteers and other staff member's on Ontario's accessibility laws and on the Human Rights Code. Training is to be provided in a way that best suits the duties of employees, volunteers and other staff by January 1, 2015.

### **Information and Communications**

The Township of Kerns does not currently have any written policies in this area. The Township of Kerns acknowledges, however, that information and communications are a large part of our daily business and that there is a need to ensure that information and communications are created and presented in a way that considers accessibility. The Township of Kerns has an Accessible Customer Service Policy that was passed by Bylaw 2009-17 on December 1, 2009 makes reasonable efforts based upon the needs of the community and upon request within the constraints of being a small, northern and rural community.

Reasonable efforts take into consideration the availability of the service requested, the relative cost compared to the overall Municipal budget, and

best practices recognized by similar rural municipalities and Provincial regulation.

### **Employment**

The Township of Kerns has a Hiring Policy that was passed by By-law 2007-26 on December 4, 2007. The policy needs to be amended to address the requirements of the Ontario Human Rights Code, consideration of persons with disabilities for employment, and making accommodations to satisfy the needs of applicants and employees who have disabilities.

The Township of Kerns shall develop a written policy regarding supports for employees with disabilities on or before January 1, 2015.

### **Design of Public Space**

The Township of Kerns does not currently have any written policies or procedures regarding accessibility and the design of public spaces. The Township of Kerns does, however, ensure that all new construction and major renovations to Municipal property and buildings meet the current accessibility requirements in the Ontario Building Code. The Township of Kerns shall develop written procedures for dealing with temporary disruptions when accessible elements required under O. Reg. 191/11 are not in working order on or before January 1, 2016.

### **DOCUMENTS TO BE PUBLICLY AVAILABLE:**

The Township of Kerns posts its information upon our website at [www.Kerns.ca](http://www.Kerns.ca) and will make them available in alternate format upon request within a reasonable period of time. Upon adoption of this Policy Document, it shall be posted on our municipal website and made available in an accessible format upon request, as specified above.

# The Corporation of the Township of Kerns

## Schedule “B” to Bylaw 2014-23

### Multi-Year Accessibility Plan 2014-2019

#### 1. Introduction

The purpose of the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) is to achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises on or before January 1, 2025. This Act is expected to improve opportunities for people with disabilities and to provide for the identification, removal and prevention of barriers to their full participation in life in the Province.

Under the AODA, all municipalities have a legal obligation to prepare a multi-year accessibility plan as set out in Section 4 of the Integrated Accessibility Standards Regulation (IASR) O. Reg. 191/11 as follows:

#### **Accessibility plans**

- 4. (1)** The Government of Ontario, Legislative Assembly, designated public sector organizations and large organizations shall,
  - (a) establish, implement, maintain and document a multi-year accessibility plan, which outlines the organization’s strategy to prevent and remove barriers and meet its requirements under this Regulation;
  - (b) post the accessibility plan on their website, if any, and provide the plan in an accessible format upon request; and
  - (c) review and update the accessibility plan at least once every five years.
  
- (2)** The Government of Ontario, Legislative Assembly and designated public sector organizations shall establish, review and update their accessibility plans in consultation with persons with disabilities and if they have established an accessibility advisory committee, they shall consult with the committee.
  
- (3)** The Government of Ontario, Legislative Assembly and designated public sector organizations shall,
  - (a) prepare an annual status report on the progress of measures taken to implement the strategy referenced in clause (1) (a),

- including steps taken to comply with this Regulation; and
- (b) post the status report on their website, if any, and provide the report in an accessible format upon request.

Integrated Accessibility Standards Regulation (IASR) includes accessibility standards in: information and communications; employment; transportation; and the built environment. It is in addition to Ontario Regulation 429/07 with respect to accessible customer service.

The Township of Kerns is classed as a “small designated public sector organization” as defined in O. Reg. 191/11 and as such is required to meet the requirements of the regulation by complying by the dates prescribed for that class of organization. This Plan outlines the specific steps that the Township of Kerns intends to take to meet these requirements on or before the prescribed dates.

## **2. Statement of Commitment**

The Corporation of the Township of Kerns is committed to treating all people in a way that allows them to maintain their dignity and independence. We believe in integration and equal opportunity. We are committed to meeting the needs of people with disabilities in a timely manner, and will do so by preventing and removing barriers to accessibility and meeting accessibility requirements under the Accessibility for Ontarians with Disabilities Act.

We are committed to including people with disabilities in the development of our accessibility plan and will make a status report publicly available each year to highlight our accessibility achievements.

The Township of Kerns is committed to excellence in serving all residents and visitors including people with disabilities and we will carry out our functions and responsibilities in the following areas:

- customer service
- accessible emergency information
- procurement
- training
- information and communications
- employment
- design of Public Spaces

This document outlines the specific steps in accordance with Ontario Regulation

11/191 that the Township of Kerns is taking and plans to take to improve opportunities for persons with disabilities within our community.

### **3. Measures to Identify, Remove and Prevent Barriers: Status Report for Items Planned or Accomplished in the Year 2014**

#### **3.1 CUSTOMER SERVICE**

The Township of Kerns passed By-law 2009-17, being a by-law to adopt an Accessible Customer Service Policy for the Township of Kerns, on December 1, 2009. In 2014, the Township of Kerns has continued to train new employees, volunteers and members of Council in Accessible Customer Service in accordance with our Policy and Ontario Regulation 429/07.

#### **3.2 ACCESSIBLE EMERGENCY INFORMATION**

The Township of Kerns is committed to providing people with disabilities with publicly available emergency information in an accessible way upon request. We will also provide employees with disabilities with individualized emergency response information when necessary.

#### **3.3 PROCUREMENT**

The Township of Kerns will make the necessary steps to incorporate accessibility criteria and features when procuring or acquiring goods, services, and facilities by January 1, 2014.

Policy and program areas considered the following when planning for procurement of goods and services:

- the nature and impact of the barriers that the potential vendor with a disability might face in trying to respond to a procurement request for services;
- whether to goods or services being acquired would be used by employees with disabilities, member of the public with disabilities, including vendors or third party service providers.

If it is not possible and practical to do so, we will provide an explanation on request.

#### **3.4 TRAINING**

The Township of Kerns will provide training to employees, volunteers and other staff member's on Ontario's accessibility laws and on the

Human Rights Code s it relates to people with disabilities. Training will be provided in a way that best suits the duties of employees, volunteers and other staff.

### **3.5 INFORMATION AND COMMUNICATIONS**

The Township of Kerns provides information in accessible formats, as soon as practicable, upon request whenever possible. The Township of Kerns has posted our Municipal Emergency Plan on our website and recognizes the requirement to provide this information in accessible formats as soon as practicable upon request.

### **3.6 EMPLOYMENT**

The Township of Kerns is not aware at present of any employees who have disabilities that require the Township of Kerns to provide individualized workplace emergency response information. The Township of Kerns is aware of this requirement, and this information will be provided as soon as practicable after the employer becomes aware of the need for accommodation due to the employee's disability.

### **3.7 DESIGN OF PUBLIC SPACES**

Although the Township of Kerns is not obligated to meet the requirements for this standard until January 1, 2016, the Township of Kerns has commenced implementing it. In 2009, the Township of Kerns did renovate the Municipal Hall in which accessibility improvements was incorporated such as accessible ramp and washrooms people with disabilities.

## **4. Measures to Identify, Remove and Prevent Barriers: Planned for the Years 2014 to 2019**

### **Our Statement of Commitment:**

The Township of Kerns endeavours to follow best practices to demonstrate our commitment to accessibility for our employees and the public we serve in our services, products and facilities.

In the years 2014 to 2019, the Township of Kerns is planning to undertake the activities described below.

#### **4.1 CUSTOMER SERVICE (O. Reg. 429/07)**

The Township of Kerns is committed to ensuring that people with disabilities continue to receive accessible goods and services from us.

The Township of Kerns will continue to enhance manager and employee awareness of the Accessibility Standards for Customer Service by continuing to include the Ontarians with Disabilities Act and Accessibility for Ontarians our Municipal Accessible Customer Service Policy in the Employee Orientation process and whenever there is a change to the policy or legislation.

**Timeframe: Ongoing throughout 2014 – 2019.**

**The following items Refer to O. Reg. 191/11.**

#### **4.2 ACCESSIBLE EMERGENCY INFORMATION**

The Township of Kerns will provide people with disabilities with publicly available emergency information in an accessible way upon request. We will also provide employees with disabilities with individualized emergency response information when necessary.

**Timeframe: Ongoing throughout 2014 – 2019**

#### **4.3 PROCUREMENT**

The Township of Kerns will adopt a written policy on how the Municipality achieves and will in future achieve accessibility through meeting its requirements referred to in Regulation. O. Reg. 191/11. This policy shall be in addition to the Accessible Customer Service Policy adopted the 1<sup>st</sup> day of December, 2009 by By-law 2009-17.

**Timeframe: Policy document will be adopted before January 1, 2014.**

The Township of Kerns shall incorporate accessibility design, criteria and features when procuring or acquiring goods, services or facilities, except where it is not practicable to do so. The Municipality shall ensure a statement to this effect in it's purchasing by-law when amended.

**Timeframe: Amend the Procurement of Goods and Services Bylaw 2007-26 in early 2015. Practice shall be ongoing throughout 2014 – 2019.**

The Township of Kerns does not currently have any plans to design, procure or acquire any self-service kiosks. The Township of Kerns

acknowledges its requirement as a designated public sector organization to incorporate accessibility features if it is designing, procuring or acquiring self-service kiosks in future years.

**Timeframe: n/a**

#### **4.4 TRAINING**

The Township of Kerns shall prepare or acquire training resources on the requirements of the accessibility standards referred to in Regulation 191/11 and on the Human Rights Code as it pertains to persons with disabilities. Training that is appropriate to their respective duties shall be provided to Members of Council and Committees and Department Managers who participate in developing the organization's policies; to all employees, and volunteers; and to any other persons, such as contractors, who provide goods, services or facilities on behalf of the Municipality. Following the initial training period, this training shall be provided as part of the orientation process for Members of Council following an election; as part of the orientation for new employees, and shall be provided as soon as practicable for new volunteers and others. Training in respect of any changes that may occur to the municipality's policies or legislation shall be provided on an ongoing basis as soon as practicable following the changes in policy.

**Timeframe: Initial Training to be done on or before January 1, 2015. Ongoing training as needed throughout 2014 – 2019.**

#### **4.5 INFORMATION AND COMMUNICATIONS**

The Township of Kerns shall review the processes for receiving and responding to feedback to ensure that they are accessible to persons with disabilities, or that we can arrange for the provision of accessible formats and communications supports, upon request.

The Township of Kerns shall notify the public about the availability of accessible formats and communication supports.

**Timeframe: to be done on or before January 1, 2015.**

The Township of Kerns shall investigate the various means available to us to provide or arrange for the provision of accessible formats and communication supports for persons with disabilities, in a timely manner and at a cost that is no more than the regular cost charged to other persons. The Municipality shall prepare to make

accessible formats and communication supports available upon request, taking into account the person's accessibility needs due to disability. When accessible formats and communication supports are requested the Municipality shall consult with the person making the request to ensure the suitability of an accessible format or communication support. The Municipality shall notify the public that this option is available to persons with disabilities.

**Timeframe: to be done on or before January 1, 2016.**

The Township of Kerns shall ensure that any new internet websites or significant refreshes of existing websites shall conform with WCAG 2.0 Level A.

**Timeframe: January 1, 2014 and ongoing thereafter.**

The Township of Kerns shall ensure that new web content posted on municipal internet websites conforms with WCAG 2.0 Level A as much as is practical.

**Timeframe: Ongoing throughout 2014 – 2019.**

#### **4.6 EMPLOYMENT**

The Township of Kerns shall meet the requirements of O. Reg. 191/11 with regard to recruitment and advancement of employees including the following:

- notifying our employees and the public about the availability of accommodation for applicants with disabilities in our recruitment processes by including this information in postings and ads for employment opportunities.
- notifying job applicants, when they are called for an interview, that accommodations are available upon request for the interview process.
- consulting with a selected applicant who requests an accommodation, regarding a suitable accommodation, and providing an accommodation that takes into account the applicant's accessibility needs due to disability.
- notifying the successful applicant of our policies for accommodating employees with disabilities, when making an offer of employment.

**Timeframe: to be done on or before January 1, 2015.**

The Township of Kerns shall develop a written policy regarding supports for employees with disabilities, including, but not limited

to, the provision of job accommodations that take into account an employee's accessibility needs due to disability, and the provision of accessible formats and communication supports where needed. The policy shall also provide for documented individual accommodation plans and the return to work process in accordance with the requirements of O. Reg 191/11. The Township of Kerns shall inform its employees regarding this policy once it is adopted by Council and shall also provide it to new employees as soon as practicable after they begin their employment. If any changes are made to this policy, the Township of Kerns shall provide updated information to our employees regarding the changes once adopted by Council.

**Timeframe: to be done on or before January 1, 2015.**

The Township of Kerns shall include statements in municipal policies relating to Human Resources Management regarding the need to take into account the accessibility needs of employees with disabilities, as well as individual accommodation plans, with regard to performance management and career development and advancement.

**Timeframe: to be done on or before January 1, 2015.**

#### **4.7 DESIGN OF PUBLIC SPACES**

The Township of Kerns will incorporate the Design of Public Spaces Standards (Accessibility Standards for the Built Environment) to newly constructed and redeveloped Public Spaces including:

- Municipal Hall
- Playground equipment
- Accessible Parking
- Service Counter and Waiting Areas.

**Timeframe: to be done for all projects commencing January 1, 2016 and shall also be considered and implemented where practical for all projects commencing prior to January 1, 2016.**

The Township of Kerns shall develop written procedures for preventative and emergency maintenance of the accessible elements in public spaces that are developed in accordance with O. Reg. 191/11.

**Timeframe: to be done on or before January 1, 2016.**

The Township of Kerns shall develop written procedures for dealing with temporary disruptions when accessible elements required under O. Reg. 191/11 are not in working order.  
**Timeframe: to be done on or before January 1, 2016.**

<b>Summary Chart for Timeframes for Meeting Accessibility Standards</b>		
<b>Time-frame</b>	<b>Policy Section</b>	<b>Task</b>
On or before January 1, 2014	4.3 Procurement	Adopt a written policy for achieving accessibility.
On or before January 1, 2014	4.5 Information and Communication	Ensure that any new internet websites or significant refreshes conform with WCAG 2.0 Level A.
On or before January 1, 2015	4.3 Procurement	Amend the Procurement of Goods and Services By-law to incorporate accessibility design, criteria and features when procuring or acquiring goods, services or facilities.
On or before January 1, 2015	4.4 Training	Prepare and acquire training resources on O. Reg. 191/11 Accessibility standards and the Human Rights Code as it pertains to persons with disabilities.
On or before January 1, 2015	4.5 Information and Communication	Review the processes for receiving and responding to feedback.
On or before January 1, 2015	4.6 Employment	Accessibility recruitment and advancement of employees.
On or before January 1, 2015	4.6 Employment	Develop a written policy regarding supports for employees with disabilities.
On or before January 1, 2015	4.6 Employment	Include statements in municipal HR policies on taking into account accessibility needs of employees.
On or before January 1, 2016	4.5 Information and Communication	Investigate and prepare to make accessible formats and communication supports available upon request.
On or before January 1, 2016	4.7 Design of Public Spaces	Written procedures for dealing with temporary disruptions of accessible elements.
Ongoing Throughout 2014 - 2019	4.1 Customer Service	Accessible Customer Service Training.
Ongoing Throughout 2014 - 2019	4.2 Accessibility Emergency Information	Provide people with disabilities with publicly available emergency information in an accessible way upon request

<b>Time-frame</b>	<b>Policy Section</b>	<b>Task</b>
Ongoing Throughout 2014 - 2019	4.3 Procurement	Incorporate accessibility design, criteria and features when purchasing
Ongoing Throughout 2014 - 2015	4.7 Design of Public Spaces	Consider incorporating the Design of Public Spaces Standards into newly constructed and redeveloped Public Spaces.
Ongoing Throughout 2015 - 2019	4.4 Training	Provide training appropriate to the position on O. Reg. 191/11 accessibility standards and the Human Rights Code as it pertains to persons with disabilities