



Section:	Board Policies	Procedure #:	A-05
Revision:	1	Updated/Reviewed:	December 19, 2019
Sub-Section:	Administrative	Review Date:	December 2023
Title:	Integrated Accessibility Standards Regulation Policy		

Integrated Accessibility Standards Regulation Policy

1. Statement of Organizational Commitment

The Oshawa Public Libraries (“OPL”) is committed to providing its resources and services in a way that respects the dignity and independence of people with disabilities, and shall develop, implement and maintain policies as set out under the *Accessibility for Ontarians with Disabilities Act, 2005* (the “AODA”).

2. Purpose

The purpose of this policy is to establish and commit to OPL’s compliance with requirements of the Ontario Regulation 191/11 *Integrated Accessibility Standards Regulation* (the “IASR”) enacted under the AODA. OPL is committed to providing quality library services, and minimizing barriers to access library materials and information to persons with disabilities.

3. Scope

The requirements set out in this policy and the IASR are not a replacement or a substitution for the requirements established under the *Human Rights Code* nor do the standards or policy limit any obligations owed to persons with disabilities under any other legislation.

This policy applies to all OPL employees and volunteers as well as to other third parties acting on behalf of the OPL for the provision of goods, services and facilities.

4. Definitions

“**Accessible customer service**” means service is provided in a manner that is capable of being easily understood or appreciated, easy to get at, capable of being reached or entered and obtainable.

“**Accessible formats**” may include, but is not limited to, large print, recorded audio and electronic formats, braille and other formats usable by persons with disabilities.

“**Assistive device**” means any device or mechanism that assists a person with a disability in accessing and benefiting from the services provided. Assistive devices may include, but are not limited to a wheelchair, walker, cane, assistive listening device, visual alarms or assistive software programs.

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“**Barrier**” means anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability. This includes a physical, architectural, information or communication, attitudinal or technological barrier, policy or practice.

“**Career development and advancement**” means providing additional responsibilities within an employee’s current position and the movement of an employee from one job to another in an organization that may be higher in pay, provide greater responsibility or be at a higher level in the organization, or any combination of them, and, for both additional responsibilities and employee movement, is usually based on merit or seniority or a combination of them.

“**Communications**” means the interaction between two or more persons or entities, or any combination of them, where information is provided, sent or received.

“**Communication supports**” may include, but is not limited to, captioning, alternative and augmentative communication supports, plain language, sign language and other supports that facilitate effective communications.

“**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 impairment, 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 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; 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*.

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“**Guide dog**” means a dog trained as a guide for a blind person and having the qualifications prescribed by the regulations to the Blind Persons’ Rights Act.

“**Information**” includes data, facts and knowledge that exists in any format, including text, audio, digital or images, and conveys meaning.

“**Kiosk**” means an interactive electronic terminal, including a point of sale device, intended for public use that allows users to access one or more services or products or both.

“**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.

“**Performance management**” means activities related to assessing and improving employee performance, productivity and effectiveness, with the goal of facilitating employee success.

“**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 within the organization.

“**Service Animal**” means an animal for a person with a disability that can be readily identified as one that is being used by the person for reasons relating to the person’s disability, as a result of visual indicators such as a vest or harness worn by the animal or an animal for which the person provides documentation from one of the regulated health professionals identified in the legislation confirming that the person requires the animal for reasons relating to the disability.

“**Support Person**” means in relation to a person with a disability, another person who accompanies him or her in order to help with communication, mobility, personal care or medical needs or with access to goods, services or facilities.

“**Unconvertible**” means it is not technically feasible to convert the information or communications or the technology to convert the information or communications is not readily available.



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5. Policy Requirements

5.1 General

5.1.1 Establishment of Accessibility Policies

Oshawa Public Libraries is committed to be compliant with the IASR.

OPL shall develop, implement and maintain policies governing how it achieves or will achieve accessibility through meeting the requirements referred to in the IASR and reflect the values set out in the *Human Rights Code*.

Copies of accessibility policies and documents required by this legislation are available on request and will be posted to the Library's website. Alternate accessible formats or with communication supports are available on request and in consultation with the person making the request in a timely manner at a cost that is no more than the regular cost charged to other persons.

Goods, services or facilities will be provided in a manner that respects the dignity and independence of people with disabilities and will be integrated unless an alternate measure is necessary, whether temporarily or on a permanent basis, to enable a person with a disability to obtain, use or benefit from the goods, services or facilities.

5.1.2 Procuring or Acquiring Goods, Services or Facilities

OPL shall incorporate accessibility criteria and features when procuring or acquiring goods, services or facilities, except where it is not practicable to do so. If it is not practicable to do so, OPL shall provide, on request, an explanation.

5.1.3 Self-service Kiosks

OPL shall incorporate accessibility features, as available in the marketplace, when designing, procuring or acquiring self-service kiosks.

5.1.4 Training

Training of Employees, Board members and Volunteers, as outlined in the IASR, will be provided and the training that is provided will be tracked by the HR department.



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5.2 Information and Communication

5.2.1 Feedback

OPL shall ensure its process for receiving and addressing feedback is accessible for persons with disabilities by providing, or arranging for, the provision of accessible formats or communication supports on request.

5.2.2 Accessible Formats and Communication Supports

OPL shall notify the public about the availability of accessible formats, communication supports and the feedback process. OPL, on request and in consultation with a person with a disability, provide, or arrange for the provision of accessible formats and communication supports for a person with disabilities in a timely manner that takes into account their accessibility needs due to disability and at a cost that is no more than the regular cost charged to other persons.

Exceptions apply to the following as outlined in the IASR:

- product and product labels
- unconvertible information or communications
- information that OPL does not control directly or indirectly through a contractual relationship.

If it is determined that information or communications are unconvertible, OPL shall provide the person requesting the information or communications with an explanation as to why the information or communications are unconvertible and provide a summary of the unconvertible information or communications.

5.2.3 Emergency Procedure, Plans or Public Safety Information

OPL shall provide its emergency procedures, plans and public safety information that it makes available to the public in an accessible format or with appropriate communication supports as soon as practicable on request.

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5.2.4 Accessible Websites and Web Content

OPL’s website, intranet websites and web content will conform to the Worldwide Web Consortium’s Web Content Accessibility Guidelines (WCAG) 2.0, at Level AA, within the designated schedule.

5.3 Employment Requirements

The requirements found in this section only apply to employees of OPL and do not apply to volunteers and other non-paid individuals.

5.3.1 Recruitment, Assessment Selection and Notification

OPL shall notify employees and the public about the availability of accommodations for applicants with disabilities throughout its recruitment processes.

During the recruitment process, OPL shall notify job applicants, when they are individually selected to participate in an assessment or selection process that accommodations are available upon request in relation to materials or processes to be used.

If a selected applicant requests an accommodation, OPL shall consult with the applicant and provide or arrange for the provision of a suitable accommodation in a manner that takes into account the applicant’s accessibility needs due to disability.

OPL, when making offers of employment, shall notify the successful applicant of its policies for accommodating employees with disabilities.

5.3.2 Informing Employees of Supports

OPL shall inform all employees of its policies and procedures used to support 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.

OPL shall provide this information to new employees as soon as practicable after they begin their employment. OPL shall provide updated information to its employees 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 disability.

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5.3.3 Accessible Formats and Communication Supports for Employees

When requested, OPL shall consult the employee with a disability when providing, or arranging for the provision of, accessible formats or communication supports for:

- information that is needed in order to perform the employee’s job; and
- information that is generally available to employees in the workplace.

OPL shall consult with the employee making the request in determining the suitability of an accessible format or communication support.

5.3.4 Workplace Emergency Responses Information

OPL shall provide individualized workplace emergency response information to employees who have a disability upon request if the disability is such that the individualized information is necessary.

If an employee who receives individualized workplace response information requires assistance, with the employee’s consent, OPL shall provide the workplace emergency response information to the person designated by OPL to provide assistance to the employee.

OPL shall provide the information required under this section as soon as practicable after OPL becomes aware of the need to provide assistance to the employee.

OPL shall review the individualized emergency response information when:

- the employee moves to a different branch of the Library;
- the employee’s overall accommodation needs or plans are reviewed; and
- OPL reviews its general emergency response policies.

5.3.5 Individualized Accommodation Plans

OPL shall develop and have in place a written process for the development of individualized accommodation plans for employees with disabilities.

The process for the development of documented individual accommodation plans shall include the following elements:

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- the manner in which an employee requesting accommodation can participate in the development of the individual accommodation plan;
- the means by which the employee is assessed on an individual basis;
- the manner in which OPL can request an evaluation by an outside medical or other expert, at OPL's expense, to assist OPL in determining if accommodation can be achieved and, if so, how accommodation can be achieved;
- the manner in which the employee can request the participation of a representative from their bargaining agent, where the employee is represented by a bargaining agent, in the development of the accommodation plan;
- the steps taken to protect the privacy of the employee's personal information;
- the frequency with which the individual accommodation plan will be reviewed and updated, and the manner in which it will be done;
- if an individualized accommodation plan is denied, the manner in which the reasons for denial will be provided to the employee; and,
- the means of providing the individual accommodation plan in a format that takes into account the employee's accessibility needs due to disability.

Individual accommodation plans shall:

- if requested, include any information regarding accessible formats and communication supports provided as per the IASR;
- if required, include individualized workplace emergency response information as per the IASR; and
- identify any accommodation that is to be provided.

5.3.6 Career Development and Advancement

When providing career development and advancement opportunities to its employees, OPL shall take into account the accessibility needs of employees with disabilities as well as any individualized accommodation plans when providing career development and advancement to its employees with disabilities.

5.3.7 Redeployment

OPL shall take into account the accessibility needs of its employees with disabilities, as well as individualized accommodation plans, when redeploying employees with disabilities.

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5.4 Design of Public Spaces

Except as otherwise specified, OPL will ensure that all public library spaces that are newly constructed or redeveloped meet the general and technical requirements as outlined in the IASR, the *Building Code of Act of Ontario*, 1992. O. Reg. 413-12, s. 6, and the City of Oshawa's requirements, as applicable.

5.5 Accessible Customer Service

The provision of services to persons with disabilities will be integrated unless an alternative measure is necessary, whether temporarily or on a permanent basis. Persons with disabilities, including those who use or need the use of assistive devices and/or support persons, will be given an opportunity equal to that given to others, to obtain, use or benefit from the goods, services or facilities provided by and on behalf of OPL. When communicating with a person with a disability, OPL shall do so in a manner that takes into account the person's disability.

5.5.1 Use of Service Animals

An animal is a "service animal" for a person with a disability:

- if the animal can be readily identified as one that is being used by the person for reasons relating to the person's disability, as a result of visual indicators such as a vest or harness worn by the animal; or
- if the person provides documentation from one of the following regulated health professionals:
 - A member of the College of Audiologists and Speech-Language Pathologists of Ontario
 - A member of the College of Chiropractors of Ontario
 - A member of the College of Nurses of Ontario
 - A member of the College of Occupational Therapists of Ontario
 - A member of the College of Optometrists of Ontario
 - A member of the College of Physicians and Surgeons of Ontario
 - A member of the College of Physiotherapists of Ontario
 - A member of the College of Psychologists of Ontario
 - A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario

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If a person with a disability is accompanied by a guide dog or other service animal, OPL shall permit that person to enter premises open to the public or third parties with the animal and to keep the animal with him or her unless the animal is otherwise excluded by law from the premises.

If a person is excluded by law from keeping their guide dog or service animal with them, OPL staff shall consult with the individual to provide other measures to enable the person to obtain, use or benefit from the goods, services or facilities.

It is not necessary for OPL staff to request documentation for verification of a guide dog or service animal if it is readily apparent that the animal is used by the person for reasons relating to his or her disability.

In circumstances where it is not apparent that the guide dog or service animal is used by a person for reasons relating to his or her disability, OPL staff may ask the person to provide documentation from one of the regulated health professionals listed above to confirm that the person requires the animal for reasons relating to his or her disability.

OPL staff and/or designated representatives are required to ensure that a request for documentation is made in a manner that respects the dignity and independence of the person.

Additional factors to consider include:

- not all disabilities are visible;
- not all service animals wear identifying gear, such as harnesses or tags;
- a person is not to be separated from their guide dog or service animal;
- a guide dog or service animal is not to be touched;
- a guide dog or service animal is not to be fed or deliberately startled; and
- respect the confidentiality of the person and circumstances related to his/her use of a guide dog or service animal.

Reasonable behaviour is expected from those interacting with service animals. The owners of disruptive or aggressive service animals and those who interact with service animals in a negative way may be asked to leave the premises.

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5.5.2 Use of Support Persons

Under this policy:

- when a person with a disability is accompanied by a support person, both persons are permitted to enter the premises together and the person with a disability should not be prevented from having access to the support person while on the premises;
- OPL staff may require a person with a disability to be accompanied by a support person when on the premises, but only if, after consulting with the person with a disability and considering the available evidence, it is determined that:
 - a support person is necessary to protect the health or safety of the person with a disability or the health or safety of others on the premises; and
 - there is no other reasonable way to protect the health and safety of the person with a disability or of others on the premises.

If OPL requires a person with a disability (as noted above) to be accompanied by a support person when on the premises, OPL shall waive payment of the amount, if any, payable in respect of the support person’s admission or presence on the premises.

If an amount is payable for a person’s admission to the premises or in connection with a support person’s presence on the premises, OPL shall ensure advance notice of applicable fees is provided. A number of methods are available for posting a notice of fees, including but not limited to, OPL’s website, publications and signage.

It may be necessary for the support person to provide consent to OPL’s policies specific to the service provided and agree to a confidentiality clause when OPL staff are discussing information concerning the person they are assisting. (Refer to Schedule A).

5.5.3 Notice of Temporary Disruptions

If there is a temporary disruption in OPL facilities or services in whole or in part, the OPL staff member responsible for overseeing the provision of a service and/or facility, or their designate, is responsible for providing public notice in at least one of the following three methods:

- notice physically posted at the site of the disruption;



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- notice on OPL’s website and/or social media; or
- notice in local media.

Staff are encouraged to consider the potential length and location of the disruption when determining the method(s) and location(s) of notice. Due to the nature of their requirements, people with disabilities often plan transportation and other details related to their visit well in advance of attending a library facility or program.

Signage strategically placed also assists people by offering alternate solutions prior to travelling to their destination.

Any Notice of Disruption will contain the following information:

- reason for the disruption;
- anticipated duration; and
- alternative facilities or services.

In order to post disruption in the Library’s facilities or services on OPL’s website, the Library staff person responsible for overseeing the service and/or facility, or their designate, shall provide the details noted above to:

- the Webmaster, or designate; and
- the Marketing Department.

The Webmaster, or designate and the Marketing Department will post the notice(s), as they deem appropriate.

DOCUMENT CONTROL

Approved: December 19, 2019
Created: November 2019

Schedule A

Consent for Presence of Support Person

I, _____, consent to _____
Name of Individual Consenting *Name of Support Person*

being present during my meeting with the staff of the Oshawa Public Libraries. I understand that the above named support person may hear private and confidential information about me during any such meetings.

I may revoke this Consent at any time by providing such revocation to the Oshawa Public Libraries in writing.

SIGNED at the City of Oshawa this ___ day of _____, 20____.

Oshawa Public Libraries

Individual

Declaration of Confidentiality

I, _____, agree at all times to treat as confidential all
Name of Support Person

information discussed by _____ and staff of the Oshawa Public Libraries.

SIGNED at the City of Oshawa this ___ day of _____, 20____.

Oshawa Public Libraries

Individual