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Approval Level:	CEO	Distribution:	All Employees
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## **1. PURPOSE STATEMENT**

The purpose of this Policy is to ensure that Markham Public Library (“the Library”, or “MPL”) meets or exceeds the compliance requirements set out by the *Accessibility for Ontarians with Disabilities Act (AODA)* 2005 and the *Integrated Accessibility Standards Regulation (IASR)* (O.Reg 191/11 as amended by O.Reg 164/16), and any future regulations as may be implemented.

MPL’s implementation of the accessibility legislation requirements aligns with the Library Board’s Vision, Mission, Values and Customer Promise, including the values of equity, diversity and inclusion (EDI). The Library acknowledges that accessibility is a shared responsibility between Library customers, staff, stakeholders and the general public.

## **2. APPLICATION**

This Policy applies to all persons who provide library services to members of the public, including employees, Board members, volunteers, persons otherwise engaged in the provision of library services to customers, and third parties who deal with customers on behalf of MPL.

## **3. DEFINITIONS**

**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. Also referred to as alternate formats.

**Assistive Devices** – Any products, equipment or technological aids used by persons with disabilities that enable a person with a disability to do everyday tasks. Examples include braille recorders, recording devices, magnifiers, and more.

**Barrier** – Anything that prevents a person with a disability from fully participating in all aspects of society because of their disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy or a practice.

**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.

**Disability** – As defined in the *AODA*, 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 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*; (“handicap”)

**Integrated Accessible Standards Regulation (IASR)** - The Integrated Accessibility Standards Regulation (*IASR*) is provincial legislation [Ontario Regulation 191/11: Integrated Accessibility Standards](#) which was developed to prevent and remove barriers for people with disabilities. This Regulation applies to Ontario business, municipalities and public libraries. It features a grouping of five standards that the *Accessibility for Ontarians with Disabilities Act (AODA)* developed in the areas of:

- Information and communication
- Employment
- Transportation
- Design of public spaces
- Customer service

**Service Animal** – Any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, episodic, intellectual, or a mental health disability. Tasks performed can include, among other things, guiding, pulling a wheelchair, retrieving dropped items, alerting a person to a sound, reminding a person to take medication, or pressing an elevator button.

**Support Person** – In relation to a person with a disability, is another person who accompanies the individual with a disability in order to help with communication, mobility, personal care or medical needs or with access to goods or services.

#### **4. LEGISLATIVE BACKGROUND**

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 [Integrated Accessibility Standards Regulation 191/11 \(\*IASR\*\)](#), which came into effect on

January 1, 2012 and was phased through to 2021, addresses standards related to information and communication, employment, transportation, the built environment, and customer service standards.

## **5. STATEMENT OF COMMITMENT TO ACCESSIBLE SERVICE**

The Library is committed to meeting the needs of persons with disabilities in a timely manner. It will provide accessible, equitable, and inclusive access to public library services and facilities. MPL will ensure that each employee, volunteer and customer receives equitable treatment with respect to employment and services without discrimination, and receives accommodation where required in a timely manner, and in accordance with the *Ontario Human Rights Code* and the *AODA* and its regulations.

The Library will develop and support a service environment where the needs of persons with disabilities are addressed in accordance with the principles of dignity, respect, equity, and inclusion.

## **6. THE ACCESSIBILITY PLAN**

The Library will establish, implement, maintain, and document a multi-year Accessibility Plan that outlines its strategy to identify, prevent, and remove accessibility barriers and meet its legislated compliance requirements under the *IASR*.

The process of reviewing and maintaining the Accessibility Plan will be completed in consultation with persons with disabilities.

The Plan will be reviewed and updated at least once every five years. It will be posted on the Library's website and be provided in accessible formats, upon request.

The Library will prepare an annual status report on its progress on measures taken to implement the Accessibility Plan and will post this report on its website. This report will be provided in an accessible format, upon request.

## **7. POLICIES AND PROCEDURES**

In accordance with the *O. Reg 165/16*, relating to the *AODA*, the Library has developed this policy to include the required Customer Service elements; and the Library's other policies will support accessibility in the following specific areas:

- (a) MPL policies related to Internet services provision will include accessibility provisions with respect to the Library's website as outlined under the Web Content Accessibility Guidelines (WCAG) 2.0;
- (b) Human Resources policies will address training on *AODA* regulations and the *Ontario*

*Human Rights Code*, accommodation for job applicants and accommodation plans;

- (c) the *Library Collections and Material Selection Policy* will address the availability of materials in a variety of accessible formats (e.g. print, audio, visual, digital, etc.);
- (d) the *Programming Policy* will address the development and delivery of library programs to provide reasonable accommodations for accessibility needs.

## **8. PROCUREMENT**

The Library will incorporate accessibility design, criteria and features when procuring or acquiring goods, services or facilities, except where it is not practicable to do so. In the event that it is determined not practicable to incorporate accessibility design, criteria and features when procuring or acquiring goods, services or facilities, the Library shall provide an explanation, upon request.

MPL will incorporate accessibility features when procuring self-service kiosks or technology. This includes devices such as SelfCheck units and any point-of-sale devices intended for public use that allow customers to access Library services.

## **9. CUSTOMER SERVICE**

MPL is committed to the independence and inclusion of persons with disabilities in the community, and in the context of customer service will commit to the following:

### **9.1 Accessible Services and Programs:**

Every reasonable effort will be made to ensure that services and programs are accessible by:

- (a) encouraging the use of personal assistive devices to access Library services and programs;
- (b) in each MPL location, providing at least one computer workstation which is equipped with assistive technology and a range of accessibility features;
- (c) arranging for the provision of accessible materials where they exist;
- (d) providing an MPL website with content that will meet or exceed World Wide Web Consortium Web Content Accessibility Guidelines (WCAG) 2.0;
- (e) supporting the inclusion of support persons or service animals accompanying people with disabilities, such as by:
  - waiving fees for support persons assisting users and when fees are required providing advance notification;
  - permitting service animals to assist users and providing alternative accommodation in situations where a service animal is excluded from the premises by law. (While accessing the Library's premises, the person with a disability is responsible for

ensuring their service animal is clearly identified by a vest, harness, or documentation provided by the individual, and that the service animal behaves in a professional manner.)

### **9.2 Alternative Formats / Information:**

To better facilitate the use of its services and programs, the Library will make every effort to provide:

- (a) the *Accessibility Policy* in alternative formats, upon request;
- (b) information on the provision of customer service for people with disabilities and accessible services and programs;
- (c) reasonable notification of all interruptions that may relate to the provision of services and programs for people with disabilities such as elevators located within Library branches;
- (d) a process for receiving feedback about the manner in which the Library provides services to persons with disabilities;
- (e) its publicly-accessible emergency procedures, plans and public safety information to persons with disabilities in an accessible format or with appropriate communication supports, as soon as practicable, upon request.

### **9.3 Training:**

The Library will provide training as soon as practicable on the requirements of the *AODA*, accessibility standards and on the *Human Rights Code* as it pertains to persons with disabilities, to (a) all employees, Board members and volunteers; (b) all persons who participate in developing the organization's policies; and (c) all other persons who provide goods, services or facilities on behalf of the organization. Ongoing training will be provided in respect to changes to the policies and laws (*AODA/IASR* and the *Human Rights Code*).

The training provided will be appropriate to the duties of the employees, volunteers and other persons to whom it is provided. The Library will keep a record of the training provided, the dates when it was provided and the number of individuals to whom it was provided.

## **10. COMMUNICATION**

Upon request, the Library shall make its communications available in accessible formats for persons with disabilities and make the public aware of the availability of accessible formats. This applies to communications such as:

- (a) Policies;
- (b) accessibility plans;
- (c) emergency procedures, plans and public safety information prepared for the public;
- (d) forms, surveys and other tools used to gather feedback;
- (e) information on collections/materials in accessible format, and

- (f) employment standards.

Accessible formats of the Library's communications shall be made available in a timely manner, at no additional cost to the individual, and in consultation with the person making the request.

### **10.1 Notice of Service Interruptions**

In the event of a scheduled service disruption that may impact persons with disabilities in accessing or otherwise using Library services, notice of the planned disruption will be provided a minimum of 48 hours in advance. The notice will be posted on the Library website and will include the reason for the disruption, its anticipated duration, and a description of alternative facilities or services, if any, that are available. In the event of an unplanned service disruption, notice will be provided as quickly as possible.

### **10.2 Feedback**

The Library welcomes feedback from persons with disabilities on the accessibility of its collections, services, programs, and facilities. MPL will ensure that its feedback process is accessible to persons with disabilities by providing or arranging for the provision of accessible formats and communications supports, upon request. The public will be notified about the availability of accessible formats and communications supports with respect to the feedback process.

## **11. EMPLOYMENT STANDARDS**

### **11.1 Recruitment**

The Library will notify its employees and the public about the availability of accommodation for job applicants with disabilities. As part of the recruitment process, job applicants selected for an interview will be notified that accommodations are available upon request in relation to the processes to be used. In the event that a selected applicant requests an accommodation, the Library will consult with the applicant and provide or arrange for a suitable accommodation in a manner that takes into account the applicant's accessibility needs due to disability.

When making offers of employment, the Library will notify successful applicants of its policies for accommodating employees with disabilities.

### **11.2 Informing Employees of Supports**

The Library will inform its employees of its policies and practices used to support employees with disabilities including those related to the provision of job accommodations that take into account an employee's accessibility needs due to disability. This information will be provided to new employees as soon as practicable after they begin their employment. MPL will 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.

**11.3 Accessible Formats and Communication Supports for Employees**

In addition to the commitments made in the foregoing, where an employee with a disability so requests it, the Library will consult with them to provide or arrange for the provision of accessible formats and communication supports for,

- (a) information that is needed in order to perform the employee's job; and
- (b) information that is generally available to employees in the workplace.

The Library will consult with the employee making the request in determining the suitability of an accessible format or communication support.

**11.4 Workplace Emergency Response Information**

The Library will provide individualized workplace emergency response information to employees who have a disability, if the disability is such that the individualized information is necessary and MPL is aware of the need for accommodation due to the employee's disability. If an employee who receives individualized workplace emergency response information requires assistance (and with the employee's consent) the employer shall provide the workplace emergency response information to the person designated by the employer to provide assistance to the employee.

The Library will provide the above information as soon as practicable after it becomes aware of the need for accommodation due to an employee's disability. Individualized workplace emergency response information will be reviewed,

- (a) when the employee moves to a different location in the organization;
- (b) when the employee's overall accommodations needs or plans are reviewed; and
- (c) when the employer reviews its general emergency response policies.

**11.5 Individual Accommodation Plans**

A written process for the development and maintenance of individual accommodation plans shall be developed for employees with disabilities as required, in accordance with the AODA and its regulations. These plans shall include information on the staff member's restrictions, accommodations that are being made, a start and end date, and when the plan should be reviewed. If requested by the employee, the employee can participate in the creation of the plan. If requested, the plans shall also include individualized workplace emergency response information.

**11.6 Return to Work Process**

The Library shall have in place a documented return to work process for staff returning to work due to disability and requiring disability-related accommodations. This return to work process shall outline the steps that MPL will take to facilitate the return to work including accessible formats and communication support requirements; a process for development of documented individual accommodation plans; a process for returning to work from a leave of absence related to disability; and individualized workplace emergency response information.

**11.7 Performance Management / Career Development / Redeployment**

The Library shall take into account the accessibility needs of its staff with disabilities as well as any individual accommodation plans when providing career development, performance management and/or when considering redeployment as defined in s. 32 of the *IASR*.

**12. RESPONSIBILITIES****CEO / Directors shall:**

- Be accountable for MPL's compliance with the *AODA* and its regulations.
- Ensure that all policies, procedures, and training are in compliance.

**Managers / Supervisors shall:**

- Ensure that they and their employees understand and comply with this Policy;
- Enforce this Policy.

**Library Administration:**

- Develop and distribute this Policy; and,
- Update this Policy per the Review Schedule.

**Employees shall:**

- Ensure compliance with this Policy and all related policies and legislation.

**13. RELATED POLICIES / LEGISLATION**

- [Customers First Policy \(POL – Pub Serv\)](#)
- [Accessibility for Ontarians with Disabilities Act, 2005. S.O. c.11](#)
- [Ontario Regulation 165/16 made under the Accessibility for Ontarians with Disabilities Act, 2005. S.O. c.11 and amending Reg. 191/11 \(Integrated Accessibility Standards\)](#)
- [City of Markham Accessible Customer Service Policy](#)
- [City of Markham Integrated Accessibility Standards Regulation Policy, Ontario Regulation 191/11](#)
- Markham Public Library Accessibility Plan
- [Markham's Accessibility Plan, 2020 - 2023](#)
- [Ontario Building Code](#)
- [Web Content Accessibility Guidelines \(WCAG\)](#)