



accessibility for ontarians with disabilities act, 2005 (AODA)

2006 annual report

The Honourable Madeleine Meilleur

Minister of Community and Social Services
Minister Responsible for Ontarians with Disabilities
Minister Responsible for Francophone Affairs

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Message from the Minister

I am pleased to present the first Annual Report under the Accessibility for Ontarians with Disabilities Act, 2005.

In 2005, the Ontario government took a strong stand on accessibility when it made the Accessibility for Ontarians with Disabilities Act (AODA) the law in Ontario.

The AODA lays out a comprehensive road map to make Ontario accessible to all people by 2025 through the development, implementation and enforcement of new, mandatory accessibility standards for many of the most important areas of our lives.

Our first year under the AODA has been an exciting and busy one.

Last December, we launched the Accessibility Standards Advisory Council. With a majority of members being people with disabilities, the Council has been a guiding force in providing me with advice on standards development, public education, and in raising awareness in their communities.

Earlier this year, we announced that five standards will be developed under the Act in the areas of customer service, transportation, information and communications, the built environment, and employment. And the hard work that goes into developing the standards is already well under way by our first two Standards Development Committees.

We have also forged some strong partnerships over this past year with key organizations representing a diverse range of small, medium and large businesses in Ontario. These partnerships team the Province up with organizations that have the expertise to be catalysts for change in their communities and marketplace -- organizations that want to play a leadership role in improving access for people with disabilities.

We also recognize that the Ontario Public Service (OPS), as one of the largest employers in the province, can have a real impact. The government is taking a leadership role by developing an *OPS Accessibility Leadership Strategy* which will support the goal of making the OPS a model employer with a diverse workforce where employees of all abilities have a chance to fully contribute and achieve their potential. By becoming a leader in adopting accessibility best practices and standards consistently across the OPS, we can be a role model for other businesses and organizations as they work to implement accessibility standards.

The Province is committed to doing all it can to make our province accessible.

But for me the commitment is also a personal one. When I was a City Councilor in Ottawa, I had the privilege of sitting on the Ottawa Accessibility Advisory Committee. The Committee advises the City's elected representatives and staff on issues of accessibility within the community.

During that time I had a chance to address issues of accessibility at a very local, very human level. I came to appreciate the barriers that people with disabilities face every day in their own communities. As a committee, we looked at local issues such as how to make self-serve gas stations accessible, safe road crossings for people with disabilities, and the width of city sidewalks.

I saw time and time again how small improvements in the way a community functions can translate into a higher quality of life for a person with a disability. Those small changes can open doors to jobs, education, and community participation. Seeing what is possible made me want to do more. It made me want to take what worked in my home town and make it work across the province.

To me, an accessible Ontario is one where everyone has the opportunity to meet their full potential. By working together – government with the broader public sector, the business community, and citizens of all abilities we can become a stronger, more inclusive society. The legislation gives us the framework, now it up to all of us to make the real changes necessary.

It is important that we keep in mind that 2025 is not the starting point but the end point.

Regards,



Madeleine Meilleur
Minister of Community and Social Services
Minister Responsible for Ontarians with Disabilities



Building a framework for making fundamental, comprehensive change

The Ontario government has made important progress on its commitment to making Ontario accessible by 2025.

The Legislative Assembly passed the landmark Accessibility for Ontarians with Disabilities Act (2005) on June 13, 2005. The Act provides for the development and enforcement of accessibility standards that will apply to the private and public sectors across the province in order to identify, remove, and prevent barriers for people with disabilities.

The Act sets out a progressive approach to the development of standards by bringing together people with disabilities, representatives of industries and various economic sectors and Ontario Ministries to develop standards that will work.

For the first time in Canada, accessibility standards will apply to businesses, public sector organizations, municipalities and the provincial government. The standards will address the full range of disabilities, including physical, sensory, mental health, developmental and learning.

The Ministry is working to make real progress to remove the barriers to accessibility that people with disabilities face on a regular basis. The goal is to create a society where people with disabilities will be able to move around from place to place, go shopping, attend school, visit the doctor, and get a job.

Over the last year, important steps have been taken towards achieving an accessible province. The purpose of this report is to provide an update on progress to date on the implementation of the AODA.

“For us to realize our full potential as a province, we need to ensure that all Ontarians can reach their full potential, as individuals. We can’t afford to leave anyone behind. This is why our goal is full inclusion of Ontarians with disabilities in all areas of society. This is the right thing to do for Ontarians with disabilities. It’s also the right thing to do for our economy and our society.”

Premier Dalton McGuinty, May 2004

Breaking Barriers Together

Types of Barriers

- Physical
- Architectural
- Information or communications
- Attitudinal
- Technological
- Policy or a practice

Accessibility addresses the barriers that impede or prevent people with disabilities from fully participating in daily life in Ontario.

A “barrier” is anything that stops a person with a disability from fully taking part in society because of that disability. Examples of barriers include **attitudinal** – a perception that a person with a developmental disability is not capable of making their own choices, **physical** - a doorknob that cannot be operated by a person with limited upper-body mobility and strength, or **architectural** - a door that is too narrow for a wheelchair or scooter to pass through.

In non-legal terms, disability involves some form of physical, sensory, mental health, developmental or learning impairment. People may have functional limitations on their mobility, vision, hearing or speech. Some may need the assistance of a support person, a service animal, or use a device such as a wheelchair or scooter.

While improved accessibility will afford people with disabilities greater independence and choice, the benefits of accessibility are universal. Everyone benefits when barriers are removed – from service that meets the needs of all customers; from a physical environment that is more accommodating with ramps and automatic doors; from clear and accessible communications, whether in print or electronically or over the phone; and from workplaces that are inclusive and utilize the talents of all members of the workforce.

Approximately one in seven (1.5 million) Ontarians have a disability. With the aging population, that number will increase.

By 2025, one in five Ontarians – 20 per cent - will be aged 65 and older.

Source- PALS, 2001, Statistics Canada

A Business Case for Accessibility

The workplace and the marketplace are changing. People with disabilities have a spending power that, according to an RBC Financial Group Report (2000), is estimated to be about \$25 billion a year across Canada. That purchasing power will only increase as baby boomers begin to acquire age-related disabilities.

Today, half of the adults in Ontario with disabilities are 65 years or older. By 2025, it is estimated that seniors will make up over 20 per cent of the population. So, the need to address the higher incidence of disability that occurs as a natural result of aging makes a very compelling case for accessibility.

Accessibility makes good business sense too. According to Statistics Canada data, the unemployment rate of Ontarians with disabilities (26 per cent) is five times higher than the unemployment rate of Ontarians without a disability (5 per cent). At a time when Ontario could face labour shortages due in part to the pending retirement of large numbers of baby boomers, people with disabilities represent a significant untapped labour pool

The time has come....

The Canadian Council on Social Development reported in August 2001 that "[A] general labour shortage or a series of isolated shortages of skilled workers may occur as Canada faces the rapid retirement of baby boomers, beginning as early as 2006.

"I look for businesses that are easy to use for me and my friends. When I find one that I can enter without a problem I feel welcomed. When a business is accessible, has good services and an inclusive attitude, it gives you a feeling of belonging. They're the places I go back to and take my friends as well."

From "Missed Business: A Guide For Small Business", published by Toronto Association of Business Improvement Areas (TABIA), 2006

The Legislative Framework

A Progressive Approach to Implementation

Implementation of the AODA is being done through a coordinated, multi-pronged approach. The three pillars of this progressive approach are Standards Development, Education and Awareness and Enforcement

Highlights of this approach include:

- an inclusive, consensus-based process to develop accessibility standards and ensure the involvement of people with disabilities and representatives of the public and private sectors
- public education to raise awareness of the barriers to access and the universal benefits of accessibility for all people and to assist obligated organizations in assessing their readiness to implement and comply with the regulated standards
- a progressive enforcement approach that will support obligated organizations to meet the requirements of the legislation in a modern, cost-effective way.

Maintaining the Momentum for Change

While accessibility standards are being developed under the AODA, legal obligations under the Ontarians with Disabilities Act (ODA), 2001 continue to be in force.

Under the ODA, the Ontario government, and public sector organizations are required to develop annual accessibility plans to identify, remove and prevent barriers.

These public sector organizations (e.g. municipalities, hospitals, school boards, colleges, universities and public transportation organizations) will continue to implement annual accessibility plans until the new standards are in effect, allowing for progress already made to continue and to lead the way with a firm foundation for transition to the AODA, 2005.

The Standards Development Process

New Roles, Commitment and Involvement

The AODA establishes an inclusive consensus-based process for the development of accessibility standards. Proposed standards are being developed by Standards Development Committees comprised of people with disabilities, representatives of industries and various economic sectors and Ontario ministries. There is also an opportunity for public comment before the committees submit the proposed standards to the Minister.

Types of Standards Under Development

Four common accessibility standards will be developed that apply broadly to private and public organizations in Ontario. These include:

- **Customer Service:** Service delivery to the public. Could include business practices and employee training.
- **Built Environment:** Access to, from and within buildings and outdoor spaces. Could include counter heights, aisle/door widths, parking and signs, as well as pedestrian access routes and signal systems.
- **Employment:** Hiring and retaining employees. Could include employment practices, policies and processes such as job advertisements and interviewing.
- **Information and Communications:** Information and communication provided to the consumer or end-user through print, telephone, electronically and in person. Could include publications and software applications.

One sector-specific standard – Transportation – will address accessibility requirements unique to that particular sector.

“On behalf of the CS-SDC members, I would like to thank you and your government for this commitment to transparency and stakeholder participation in accessibility standards development. While it has been a challenging process to manage, we believe this collaborative, consensus based approach is a model, indeed a harbinger, for future regulatory development initiatives that will result in better, more broadly supported public policy for the benefit of all Ontarians.”

Judith Sandys, Chair, Customer Service Standards Development Committee, Letter to Minister, September 2006

Standards Development Committees

The first two Standards Development Committees (SDCs) - Customer Service and Transportation - were established January 2006, and over the last year each has been working hard to develop proposed accessibility standards in their area.

Customer Service:

A proposed Customer Service standard has been developed as a result of seven months of concentrated effort on the part of the Customer Service Standards Development Committee. The Committee is made up of 27 members and includes people with disabilities, and representatives from the public and private sector organizations and Ontario Ministries. Its Chair is Dr. Judith Sandys of Ryerson University.

The draft proposed standard addresses key barriers such as:

- **Attitude:** Some service providers may be reluctant to train staff on how to appropriately serve customers with disabilities, believing that it will cost too much time and money.
- **Awareness:** Some service providers may not know how to best serve customers with disabilities. They may be uncomfortable because of lack of knowledge or experience.
- **Policies and Practices:** Customer service policies and practices are generally aimed at the larger population and may not consider the needs of customers with disabilities.

Throughout the development of this initial proposed standard, the committee members considered best practices in other leading jurisdictions including Australia, the United Kingdom and the United States. They also considered sector readiness and costing research and analysis.

Members also sought input from a broad range of constituents connected with the organizations and sectors which they represent.

The committee was given a challenging job of defining customer service and refining the scope of the proposed standard. The committee had to consider how the standard would relate to other standards that will be developed, such as built environment, employment, information and communications, and transportation. Furthermore, they had to take into account the realities of organizations of vastly different sizes and types in order to develop a proposed standard that would be relevant and feasible.

In July 2006, the committee unanimously endorsed an initial proposed standard and submitted it to the Minister. On October 23, 2006 the proposed standard was posted for a 60-day public review process. After the review process is over, the SDC will reconvene to consider the input received through the public review.

“Each [member of the committee] represented their interest category, whether disability community, broader public sector, private sector or government, with vigour, while demonstrating willingness to compromise in order to reach consensus.”

**Transmittal Letter to Minister Meilleur
Judith Sandys, Chair, Customer Service Standards Development Committee,
September 2006**

Transportation:

The committee working on the Transportation standard has been meeting since February 2006 and continues to meet and work on the development of an initial proposed standard. The committee is comprised of 27 members, representing the disability community, broader public and non-profit sectors, the transportation sector and provincial ministries. The Chair of the Committee is Al Cormier, a consultant with a long history in the transportation sector.

The development of a proposed transportation standard poses particular challenges and complexities, given the diversity of transit systems across the province.

The committee has considered the need for the proposed standard to reflect a variety of environments, financial capacities and states of readiness. To address these challenges members have focused on sharing sector profile information, including current planning, opportunities and challenges. They have also spent time reviewing and understanding cost impacts and timelines of the potential standard.

To add another layer of complexity, the committee is also considering different modes of travel including conventional modes, specialized modes, on-demand taxi service, and school transportation.

Information and Communications:

The third standard that will be developed is in the area of information and communications. Recruitment for members of the Information and Communications Standards Development Committee was launched on October 23, 2006.

A Transparent and Accountable Process

There is a commitment to transparency and accountability throughout the standards development process. This commitment is shown through requirements such as making the terms of reference for each Standards Development Committee (SDC) public during the recruitment process, posting all minutes of the SDC's meetings and progress on the Ministry website, and in ensuring that each proposed standard goes through a public review process.

Education and Awareness

Promoting Knowledge and Understanding

Research from other jurisdictions that have implemented disability legislation demonstrates the need to build public awareness and provide adequate compliance support through education. These findings support the importance of educating and creating awareness about the AODA, in order to build momentum for change that will achieve an accessible Ontario.

The Ministry's AODA education and awareness strategy embodies the following principles:

- Target educational programs, tools and materials to the needs of sectors
- Collaborate with key partners
- Capitalize on the resources, profile, expertise, networks and knowledge-base of partners.

Public Awareness and Education

The Ministry is developing public awareness strategies to provide information on the barriers to access for people with disabilities and the benefits of improved accessibility. Over the last year, a range of creative materials aimed at the public, both web-based and print, have been developed and tested with key audiences.

An array of practical tools and products have also been developed and posted on the Ministry website. These include a plain language guide to the AODA; tip sheets on serving customers with disabilities and a set of fact sheets and primers on accessibility and the AODA-including topics such as "What is a Standard?" and "Why Accessibility is Good for Your Business."

An e-learning program, using an existing online learning portal is also being developed to increase understanding of the AODA and provide sector-readiness supports to business development organizations providing services to small and medium enterprises (SMEs) in northern and rural Ontario.

Partnering for Change

The Ministry is committed to helping businesses and organizations prepare for the changes ahead. With the diverse range of businesses and organizations that will have responsibilities under the AODA, the Ministry has engaged partners with the capacity and commitment to be catalysts for change in support of the implementation of the new Act.

To build awareness of the benefits of accessibility and educate businesses and organizations on the requirements of the AODA, the Ministry entered into a number of exciting partnerships and disseminated information through a variety of forums.

Since the AODA was passed in June, 2005 the Ministry has partnered with a number of umbrella organizations through its EnAbling Change Partnership Program. This program funds strategic partnership projects with sector leaders that are committed to the spirit of the AODA and can reach a targeted sector through their networks or provide support for the exchange of information.

Over the last year, seven partnership projects have been funded with a variety of organizations, resulting in many tangible outcomes:

Ontario Chinese Restaurant and Food Services Association (OCRFA) developed an outreach and education campaign in the Chinese retail and restaurant sectors.

Materials include an AODA tool kit in Mandarin; employer/employee information sessions; 10 radio and television spots on the AODA and an OCRFA website with resources and links on accessibility.

“The Ontario Chinese Restaurant and Food Services Association recognizes that it has a key role to play in making Ontario accessible,” “Accessibility is good for business. It enhances the reputation of a business and boosts credibility as part of a caring community.”

**Peter Chen,
President of the Ontario Chinese Restaurant and Food Services Association.**

Toronto Association of Business Improvement Areas (TABIA) is engaging small businesses in improving accessibility. This partnership with TABIA and the Ontario Business Improvement Areas Association (OBIAA) has established the Ontario Mainstreet Accessibility Awards to recognize businesses that have been leaders in accessibility and encourage others to do the same. In addition, a multi-media tool, "How to Become Accessible" is posted on the TABIA website.

Ontario Chamber of Commerce (OCC) established a new award, the VISA Accessibility Award, (in partnership with VISA), to recognize a business leader who is a catalyst for change. The 2006 winner, announced at the OCC's annual Outstanding Business Achievement Awards Gala, is the Toronto Marriott Eaton Centre.

Innoversity is engaging the media industry to promote positive portrayal and participation of people with disabilities in the film and television industry. Information packages, storyboards and tip sheets were launched at the Innoversity Creative Summit, attended by over 900 media professionals.

"My hope is that the Media Access and Participation Initiative (MAP) will raise the awareness of the significant contribution people with disabilities can make to the media workplace as well as in the programs they produce,"

Cynthia Reyes, co-founder of Innoversity.

Social and Enterprise Development Innovations (SEDI) developed an on-line e-learning program on accessibility and tips on serving customers with disabilities to increase understanding of the AODA and provide support to businesses located in northern and rural communities.

Link Up Employment Services is developing an employment handbook for frontline managers to identify, prevent and remove systemic barriers in their hiring and employment practices for people with disabilities.

Ontario Community Support Association developed and hosted four fully accessible forums in Ottawa, London, Toronto and Thunder Bay to engage the voluntary sector and increase awareness of the universal benefits of accessibility and the requirements of the AODA.

Key Conferences and Events

To build awareness and educate businesses and organizations on the AODA and accessibility, the Ministry participated in a number of key conferences and events in 2006. These events targeted a broad cross-section of audiences from both the private and public sectors.

Highlights from the past year include:

Association of Municipalities of Ontario Conference

This event brings together 1500 elected municipal officials and senior administrators from across Ontario. In both 2005 and 2006, the Ministry hosted breakfast sessions to provide an update on implementation of the AODA.

Small Business Conference for York Region Small Enterprise Centre

Delegates at this event discussed new trends affecting small business including the AODA and the ethnic market. A presentation was made to approximately 150 small business owners from all over York region, focusing on the AODA and its impact on small business.

Regional Accessibility Forums

Four Regional Accessibility Forums were held for non-profit sector organizations to help in capacity building. These forums focused on AODA awareness and understanding among non-profit/disability groups of the standards development process. The events were a partnership initiative with the Ontario Community Support Association as the lead partner.

A Modern Approach to Enforcement

Under the AODA, the government will take a modern and progressive approach to the regulation of standards. An important goal of this approach is to create an understanding through education, training and outreach. By helping organizations better understand what is involved in meeting their obligations they will be more successful in meeting their commitments.

Research on regulatory best practices in Ontario and in other jurisdictions has found that a range of tools and approaches, used in an integrated and flexible manner are the most effective way to achieve a high level of compliance.

The government is committed to a cost-effective approach including:

- education, training and outreach
- compliance incentives
- self-certification accessibility reporting and
- transparent access to information and informed citizen engagement.

Considerable efforts will be made to minimize the burden on obligated organizations both in terms of reporting requirements as well as timing. Businesses will be given time to phase their accessibility investments in order to plan and incorporate expenditures into their normal business and capital plans.

Accessibility Standards Advisory Council (ASAC)

Advisors, Champions, Educators and Leaders

The AODA provides for the creation of the Accessibility Standards Advisory Council (ASAC). When the Minister announced the council in December, 2005, she described it as a guiding force in making Ontario truly accessible. The majority of the members are people with disabilities. Members also represent a cross-section of businesses and public sector organizations.

The 13-member council is chaired by David Onley, a veteran journalist with CITY-TV in Toronto and long-time advocate for people with disabilities.

The vice-chair is Tracy MacCharles. Ms. MacCharles was a member of the former Accessibility Advisory Council of Ontario under the ODA and has a strong background in employment equity for people with disabilities.

The Council provides high-level strategic advice to the Minister on matters related to standards development and implementation of the AODA, including public education.

Over the past year the Council has met with the chairs of the SDCs to discuss the standards development process and the issues being addressed.

The Council has also provided strategic advice on programs to educate the public on accessibility and to support businesses and other organizations with future compliance with accessibility standards. The council members have spent time in their communities raising awareness about the AODA and accessibility by giving presentations at events hosted by Accessibility Advisory Committees, advocacy networks, municipal associations, accessibility workshops and disability seminars.

“Accessibility is not just about equipment or architecture. It is fundamentally about attitude as well. We know that if a facility or business is made accessible it becomes easier to use for all people, young and old and whatever their physical status. I welcome this opportunity to help change Ontario for the better.”

**David Onley, Chair,
Accessibility Standards Advisory Council, December 2005**

Key Milestones in the Year Ahead

Looking Ahead

In 2007, work will continue to implement the AODA. The year ahead will be a busy one. The Ontario government is committed to working on many fronts to ensure ongoing progress towards improved accessibility for all Ontarians.

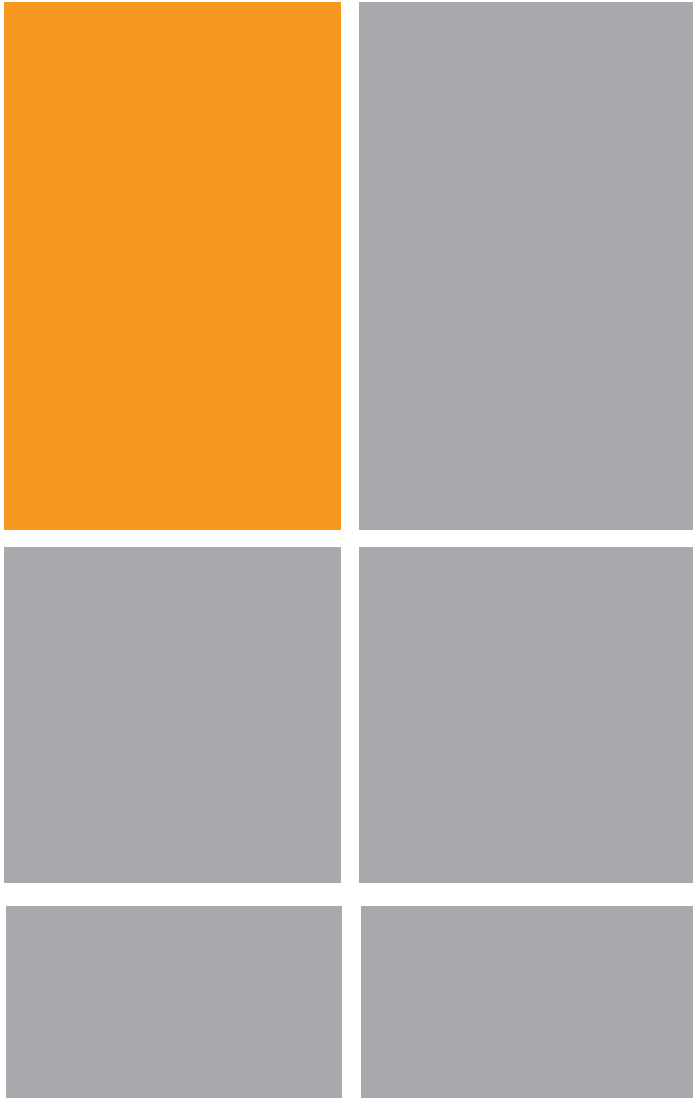
Highlights of key milestones for the year ahead include:

- Customer Service Standards Development Committee to finalize the proposed standard
- Launch of the Information and Communication Standards Development Committee
- Transportation SDC to submit proposed standard released for public review
- Recruitment for the Standards Development Committees on the Built Environment and Employment
- Launch of the public awareness campaign to inform public perceptions of barriers to access for people with disabilities and the need for accessibility measures.
- Develop new tools and products for a targeted, sector-specific education strategy to support obligated organizations in the implementation of standards
- New partnerships will be developed in collaboration with sector leaders from the private and broader public sector
- Development of new networks with private sector partners in order to build a strong base of knowledge in support of the business case for accessibility.

With each of these steps, Ontario moves closer to becoming an accessible society for all people by 2025. The government will build on the recent progress and accomplishments of the Standards Development Committees through the members' hard work and commitment. Together with these partners we are building the foundation for the development of accessibility standards that will bring about real and effective change across the province.

"We recognize that in order to make Ontario accessible, we need to work very closely with our private sector and broader public sector partners. This kind of broad reaching legislation cannot be successfully implemented by the government alone and we appreciate the support of forward-thinking organizations... in making accessibility a reality in this province."

**Madeleine Meilleur,
Minister of Community and Social Services,
Minister Responsible for Ontarians with Disabilities**



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