

# **General Requirements of the Regulation**

## **Disclaimer**

This training resource is not legal advice and should you require assistance in interpreting the legislation or the regulation, please contact your legal adviser. This resource has been created to assist in understanding the legislation and/or regulation and does not replace the official version of the Integrated Accessibility Standards Regulation, Ontario Regulation 191/11 and the Accessibility for Ontarians with Disabilities Act, 2005 (AODA). If there is any conflict between this resource, the Integrated Accessibility Standards Regulation and the AODA, the regulation and the AODA are the final authorities.

This resource may be used for non-commercial, not-for-profit purposes only in meeting the requirements of the Integrated Accessibility Standards Regulation 191/11.

## General Requirements of the Regulation

This module covers the General Requirements of the Integrated Accessibility Standards Regulation (IASR).

Watch this video for an introduction to the IASR.

### Video Transcript

#### **An Evolution: Introduction to the Integrated Accessibility Standards Regulation and the General Requirements**

Narrator:

When something is developed for the first time, its design typically reflects the technology advancements or limitations of the time.

As time goes on, through a process of re-thinking... trial and error, we find improvements that benefit even more people.

Improvements that make a thing we've created not only better, but that also make it more useful for us all.

[Captioning that appears on the television on screen:] "As you can see behind me, traffic lights in the city have undergone a drastic change since..."

[Audio description of sample video on the screen:] "A man in a motorized wheelchair enters a restaurant and moves up to the counter."

To create a province where every person who lives or visits can participate makes good sense — for our people, our businesses and our communities.

That's why we're making Ontario accessible to all.

How do we do that? We do that by striving to remove barriers.

Barriers to accessibility are obstacles that make it difficult – sometimes impossible – for people with disabilities to do the things that most of us take for granted.

Barriers aren't just physical things, such as steps onto a bus or a door without a push button opener.

Information that a person can't easily access or understand can be a barrier. For example, when the print is too small on a brochure for someone with vision loss to read it.

Technology, or lack of it, can prevent access. Even everyday information technology like telephones and computers can present barriers.

Organizational barriers occur when policies, practices or procedures don't take accessibility into account.

Attitudinal barriers are about what we think or assume. For example, assuming someone with a speech impairment can't understand you.

Removing barriers doesn't have to be complicated.

Mostly it takes a slight shift in perspective.

Approximately 1.85 million people in Ontario have a disability. That's 15.5% of Ontario's population.

As the population ages, it's expected that the number of Ontarians with a disability will increase, as will the need for accessibility.

In 2005 the Government of Ontario passed the Accessibility for Ontarians with Disabilities Act, also known as the AODA.

Its goal is to make Ontario accessible by 2025, by creating and enforcing accessibility standards.

These standards are rules that businesses and organizations in Ontario have to follow to identify, remove and prevent barriers so that people with disabilities will have more opportunities to participate in everyday life.

Standards address key areas of daily living, such as customer service, information and communications, and employment.

Several accessibility standards are contained in one regulation under the AODA. It's called the Integrated Accessibility Standards Regulation, also known as the IASR, or simply "the regulation".

[Text on screen]:

Accessibility for Ontarians with Disabilities Act, 2005  
Integrated Accessibility Standards Regulation

The IASR also includes a section of general requirements that apply to all the standards in the regulation.

[Pyramid diagram on screen:]  
Integrated Accessibility Standards Regulation  
General Requirements  
Accessibility Standards

This regulation is now law and requirements are being phased in over time to meet the goal of an accessible Ontario by 2025. This gives organizations time to make accessibility a part of their daily business.

It's important to note that the standards do not replace requirements established under the Ontario Human Rights Code to accommodate persons with disabilities to the point of undue hardship. They also do not limit obligations under any other legislation. If two laws conflict with one another, the AODA states that the law that provides the higher level of accessibility is the law that must be followed.

Compliance deadlines for the requirements vary based on the size and type of an organization. So, it's important to know how the regulation defines different types of organizations.

The regulation applies to every person or organization that provides goods, services, or facilities to the public or other third parties and that has at least one employee in Ontario.

Organizations are grouped into five classes:

1. The Government of Ontario, including every ministry, the Office of the Premier, and the Legislative Assembly including constituency offices of the members of the Assembly.
2. Large designated public sector organizations with 50 or more employees, including municipalities, hospitals, school boards, colleges and universities, and public transportation organizations.
3. Small designated public sector organizations are those with fewer than 50 employees, such as the Ontario Office of the Fairness Commissioner and some municipalities.
4. Large organizations are those with 50 or more employees in Ontario. This includes private sector organizations such as businesses and not-for-profit organizations.
5. And small organizations are those with one to 49 employees in Ontario.

In this module you will learn about the General Requirements.

This section of the regulation outlines the requirements for: accessibility policies, accessibility plans, training for employees and others, procurement processes, and self-service kiosks.

Accessibility improvements benefit us all.

Accessible buses and exterior paths of travel are not only good for people who use wheelchairs or canes, but help people carrying luggage and parents with strollers.

Closed captioning allows both people with hearing loss and the group of friends at a pub to understand what's happening in the game.

Accessible documents and websites not only make using a screen reader possible, but also work better on personal handheld devices.

Greater accessibility means greater opportunity for Ontario. If we become more inclusive, we really will create a province where every person who lives or visits can participate and contribute to the life of our communities.

Doing so makes good sense — for our people, our businesses, and our communities. For all of us.

[Text on screen:] Developed by Curriculum Services Canada with support from the Government of Ontario Copyright 2012

Now let's take a closer look at the general requirements.

## Module Topics

- Who Has to Comply with the Regulation
- About the General Requirements
- The Training Requirement
- Accessibility Policies
- Accessibility Plans
  - Barriers to Accessibility
- What's the Difference?
- Procurement
- Self-Service Kiosks

This module will take you approximately 12 minutes to complete.

## Who Has to Comply with the Regulation

The regulation applies to organizations with at least one employee, and that provide goods, services, or facilities

Under the regulation, businesses and organizations are divided into five classes:

1. The Government of Ontario and the Legislative Assembly
2. Large designated public sector organizations with 50 or more employees
3. Small designated public sector organizations with 1 to 49 employees
4. Large organizations with 50 or more employees
5. Small organizations with 1 to 49 employees

Your organization's requirements and timelines for compliance depend on which of these classes it falls under.

For a description of how organizations are classified under the regulation, please refer to the Organizational Classification Chart in the Training Resources section of the AccessForward website.

## About the General Requirements

The regulation sets out the requirements for accessibility standards.

[pyramid diagram on screen:]

Integrated Accessibility Standards Regulation

General Requirements

Accessibility Standards

The regulation also includes general requirements that apply to all the standards and are outlined in this module.



## The Training Requirement

The regulation may influence how your organization operates; therefore, it's important for people in your organization to be aware of the requirements and the importance of accessibility. This is why training is a requirement.

Organizations must provide training on the requirements of the regulation as it relates to a person's duties – and on the Ontario Human Rights Code as it relates to people with disabilities.

Training must be provided to:

- All existing and new employees and volunteers
- People who participate in developing your organization's policies
- Other people who provide goods, services, or facilities on behalf of your organization

For example, training as it relates to a person's duties means a public relations officer of a municipal transit system may need training on the Transportation Standard, whereas an administrative assistant may not. Similarly, a human resources professional or manager may need training on the Employment Standard, while this may not be necessary for a security guard or accountant.

Organizations are also required to provide training when the organization's accessibility policies change.

All organizations **except small organizations** must keep a record of the training provided, including the dates the training took place and the number of individuals trained.

### When do you need to comply?

The deadline for your organization to provide training:

- Government of Ontario and Legislative Assembly must comply by January 1, 2013
- Large designated public sector organizations must comply by January 1, 2014
- Small designated public sector organizations, and large organizations with 50 or more employees must comply by January 1, 2015
- Small organizations with 1 to 49 employees must comply by January 1, 2016

## Accessibility Policies

Organizations must develop accessibility policies describing what they do, or intend to do, to meet the requirements of the regulation. These policies serve as rules that guide your organization's everyday practices.

All organizations **other than small organizations** must also:

- Document these policies in writing.
- Make your policies publicly available, and in an accessible format on request.
- Include a statement of your organization's commitment to accessibility.

### When do you need to comply?

The deadline for your organization to develop its accessibility policies:

- Government of Ontario and Legislative Assembly must comply by January 1, 2012
- Large designated public sector organizations must comply by January 1, 2013
- Small designated public sector organizations, and large organizations with 50 or more employees must comply by January 1, 2014
- Small organizations with 1 to 49 employees must comply by January 1, 2015

## Accessibility Plans

Organizations, **other than small organizations**, must develop an accessibility plan.

An accessibility plan outlines the steps that your organization will take to prevent and remove barriers to accessibility and how the requirements of the regulation will be met.

If you belong to an organization **other than a small organization**, you must:

- Establish, implement, document, and maintain a multi-year accessibility plan.
- Post the accessibility plan on your website, if you have one, and provide the plan in an accessible format on request.
- Review and update the accessibility plan at least once every five years.

If you belong to the Government of Ontario, the Legislative Assembly, or a designated public sector organization, you must also:

- Establish, review, and update your accessibility plan in consultation with people with disabilities.
- Prepare an annual status update on your progress in implementing your plan, including steps taken to comply with the requirements of the regulation.
- Publicly post the status update on your website, if you have one, and provide it in an accessible format on request.

### When do you need to comply?

The deadline for your organization to complete its accessibility plan:

- Government of Ontario and Legislative Assembly must comply by January 1, 2012
- Large designated public sector organizations must comply by January 1, 2013
- Small designated public sector organizations, and large organizations with 50 or more employees must comply by January 1, 2014

Small organizations with 1 to 49 employees are not required to prepare accessibility plans.

## Barriers to Accessibility

Your organization may wish to do an assessment to help better understand its readiness to meet its accessibility requirements. An assessment may help develop an effective plan to prevent and remove barriers to accessibility.

It is important to understand barriers to accessibility when developing an organization's accessibility plan.

What is a barrier to accessibility? Barriers can prevent a person with a disability from fully participating in society. Some examples of barriers are:

- Information and communication: Example: Print that is too small to read
- Attitudinal: Example: Assuming that a person who has a speech impairment cannot understand you
- Technological: Example: A website that does not support screen-reading software
- Policy or practice: Example: A hiring process that does not offer accommodations in interviews

## What's the Difference?

At first glance, there are a few terms in the regulation that might seem interchangeable, but they aren't.

- **Accessibility Policies:** An accessibility policy states what rules or principles an organization will put in place to support achieving its accessibility goals.

An example of a policy might be: "Our organization will meet the information and communication needs of people with disabilities by providing, upon request, information and communications materials in accessible formats or with communication supports."

- **Accessibility Plans:** An accessibility plan describes the actions an organization will take to prevent and remove barriers and when it will do so. An accessibility plan creates a road map for an organization to increase accessibility. It's the actions that support an organization's commitment to accessibility and its accessibility policies.

An example of an action item in an accessibility plan could be how the organization intends to meet the accessible formats and communication supports requirement of the regulation.

## Knowledge Check

Which of the following statements is true about accessibility policies? Choose the best response.

- a) Accessibility policies identify areas where organization staff will need training.
- b) Accessibility policies prove that your organization is in compliance.
- c) Accessibility policies outline how your organization will address any accessibility barriers encountered.
- d) **Accessibility policies describe what your organization is doing, or intends to do, to meet the requirements of the regulation.**

Answer d) is correct. Accessibility policies describe what your organization is doing, or intends to do, to meet the requirements of the regulation. They serve as rules your organization creates that guide your everyday practices.

## Procurement

It's also important to incorporate accessibility criteria into procurement and buying practices. This may make a significant impact on preventing new accessibility barriers and addressing existing ones.

- For example, your organization might set accessibility criteria when procuring new computer software so that it can accommodate the needs of people with vision loss.

This requirement applies to the Government of Ontario, the Legislative Assembly, and designated public sector organizations, which must:

- Incorporate accessibility design, criteria, and features in procurement, except where it is not practicable to do so; for example, technological compatibility between older products and newer ones being procured.
- Provide an explanation, on request, as to why accessibility design, criteria, and features were not practicable to incorporate into the procurement; for example, when accessible goods, services, or facilities are not available.

### When do you need to comply?

The deadline for your organization to meet the requirements for procurement:

- Government of Ontario and Legislative Assembly must comply by January 1, 2012
- Large designated public sector organizations must comply by January 1, 2013
- Small designated public sector organizations must comply by January 1, 2014

Large and small organizations do not have procurement requirements.

## Self-Service Kiosks

A self-service kiosk is an interactive electronic terminal, such as a point-of-sale device you use at a grocery store checkout or for fare or parking payment. People with disabilities should be able to use a self-service kiosk as independently and securely as possible.

An example of a barrier to accessibility in self-service kiosks:

- Many organizations have self-service kiosks that use touch-screen technology, which is difficult or impossible to use for people with vision loss. This is a technical and structural barrier that can have a significant impact for people trying to make purchases independently and securely using a touch-screen kiosk. When determining what accessibility features can be included in the design or purchase of a kiosk, you may want to consider including an alternate (non-visual) way to use it, such as a tactile keyboard and audio instructions.

The Government of Ontario, the Legislative Assembly, and designated public sector organizations:

- Must incorporate accessibility features when designing, procuring, or acquiring self-service kiosks.

Large and small organizations:

- Shall 'have regard' for people with disabilities when designing, procuring, or acquiring self-service kiosks. This means organizations must consider what accessibility features they could build into their kiosks to best meet the needs of their customers and clients.

## When do you need to comply?

The deadline for your organization to meet the requirements for self-service kiosks:

- Government of Ontario and Legislative Assembly must comply by January 1, 2012
- Large designated public sector organizations must comply by January 1, 2013
- Small designated public sector organizations, and large organizations with 50 or more employees must comply by January 1, 2014
- Small organizations with 1 to 49 employees must comply by January 1, 2015



## Knowledge Check

Which of the following are **small organizations** required to do? Choose the best response.

- a) Incorporate accessibility design, criteria, and features when procuring or acquiring goods, services, or facilities, except where it is not practicable to do so.
- b) Incorporate accessibility features when designing, procuring, or acquiring self-service kiosks.
- c) Keep a record of the training provided on the standards, including the dates that training took place and the number of individuals trained.
- d) **'Have regard' for people with disabilities when designing, procuring, or acquiring self-service kiosks.**

Answer d) is correct. The government understands that smaller organizations may not have the resources or capacity to meet certain requirements. This is the best answer.

## Summary

You have now completed the General Requirements module.

### Module Topics

- Who has to Comply with the Regulation
- About the General Requirements
- The Training Requirement
- Accessibility Policies
- Accessibility Plans
  - Barriers to Accessibility
- What's the Difference?
- Procurement
- Self-Service Kiosks