

Ontario Realty Corporation

ACCESSIBILITY POLICY

January 1, 2010

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1.0 Preamble

The Government of Ontario (the “Government”) protects the rights of persons with *disabilities* to full societal inclusion in its *Human Rights Code*, the *Ontarians with Disabilities Act, 2001* (“ODA”), and the *Accessibility for Ontarians with Disabilities Act, 2005* (“AODA”). It is the goal of the Government to make Ontario fully accessible to all individuals by 2025. As we move closer to that date, *goods, services* and facilities will become more accessible and responsive to the needs of persons with *disabilities*.

The purpose statement of the AODA reads as follows:

“Recognizing the history of discrimination against persons with disabilities in Ontario, the purpose of this Act is to benefit all Ontarians by, developing, implementing and enforcing accessibility standards in order to achieve accessibility with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises on or before January 1, 2025.”

The AODA provides for the involvement of persons with *disabilities*, the Government of Ontario, and representatives of industries and various sectors of the economy in the development of the accessibility standards. Four common AODA accessibility standards have been drafted: being Customer Service; Information and Communications; Employment; and the Built Environment. One sector specific standard has also been drafted to regulate Accessible Transportation. These five standards exist at various levels of approval; the Accessibility Standards for Customer Services (the “ASCS”) being the first to receive approval by the Ontario Legislature, becoming an enforceable Ontario Regulation (Ontario Regulation 429/07) on July 25, 2007. This Accessibility Policy (the “Policy”) addresses the legislated requirements of the AODA and that regulation. This Policy will be amended, as required, as the other AODA standards are approved and become law.

All italicized terms in this Policy are defined in Section 6.0 - Definitions.

2.0 Purpose and Commitment

The purpose of this Policy is to establish and maintain an organizational framework to ensure accessibility for Ontarians with disabilities with respect to *goods, services, accommodation, employment, buildings, structures and premises* as provided for in the AODA.

- This Policy also serves to implement ORC’s Accessibility Statement as published on page 9 of “Accessibility: Building Change”, ORC’s 2008-

2013 Accessibility Management Framework, which received approval by the ORC Board of Directors in 2008.

3.0 Corporate Strategic Plan

This Policy aligns with the intent of ORC's Corporate Strategic Plan and supports ORC's Corporate Vision to be the "service provider of choice and the centre of excellence in managing and enhancing the value of public sector real estate". This Policy also aligns with "Accessibility: Building Change".

This Policy addresses the legislated requirements of the ASCS by speaking to the rights of individuals who use *mobility aids, service animal/guide dogs, support persons* or require information to be delivered in alternate formats.

4.0 Application and Implementation

This Policy applies to:

- all ORC *employees* and *appointees*;
- all *providers* who supply *goods* and *services* for ORC, including, but not limited to:
 - supplies and materials;
 - equipment;
 - property, facility and related management services;
 - project management and construction services;
 - consulting services (management, technical, professional);
 - information technology services and equipment; and
 - advertising and communication services.

Implementation of this Policy will be supported, in part, through ORC's accessibility procedures, guidelines and information sheets. These will be brought forward to the ORC Executive Committee for approval as they are developed.

5.0 Principles

ORC will strive to provide inclusive and fully integrated customer service based on human rights principles of dignity, integration, equal opportunity, participation and independence.

6.0 Definitions

appointee(s) means those persons appointed, from time to time, by the Lieutenant Governor in Council to serve as Directors of the Board and/or the President and CEO of ORC.

assistive device(s) means specialized equipment used by or provided for persons with a *disability* and include, but are not limited to *TTY machines*, text to text devices, mobility aids such as wheelchairs, walker portable oxygen tanks, automatic door openers, elevators, lifting devices and emergency evacuation chairs.

contract means the fully-executed agreement between ORC and a *provider* for the provision of labour, materials, equipment and/or service by the *provider* to ORC.

customer(s) mean(s) individuals, organizations, government ministries and agencies designated under Schedule 1 of the ASCS and businesses who receive *goods* or *services* directly from ORC or from a *provider*.

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*.

employee means an individual who performs full-time or part-time work or work on a contract basis, directly for ORC, for monetary compensation.

FIPPA means *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. F. 31.

goods mean supplies, materials and equipment.

guide dog means a dog trained as prescribed by the *Blind Persons Rights Act* as a guide for a person who is blind.

mobility aid means an assistive device that enhances a person's ability to move and includes such things as wheelchairs, scooters, crutches, walker and canes.

premises means all land and buildings owned, leased, licensed or managed by ORC on behalf of any Ontario government ministry or agency, designated under Schedule 1 of the ASCS.

provider means any individual, firm, partnership, corporation, association or any other legal entity that provides any *goods* or *services* under a *contract* with and for ORC and includes any contractors or sub contractors retained by a *provider*.

service animal means an animal used by a person with a *disability* if:

- (a) it is readily apparent that the animal is used by the person for reasons relating to *disability*; or
- (b) the person provides a letter or certificate confirming that the person requires the animal for reasons relating to *disability*.

services means property, facility and related management services, construction, consulting and project services (management, technical, professional and other), information technology services and advertising and communication services.

support person means a person who accompanies a person with a *disability* to assist with communication, mobility, personal care or facilitates access to *goods* or *services* provided by ORC or a *provider*.

TTY machine (tele-type) means an assistive device that allows users to send and receive typed messages across phone lines.

7.0 Accessible Customer Service

ORC is a customer focused organization committed to an accessible, inclusive and integrated Customer Service model.

7.1 Communication

ORC *employees* will communicate with all *customers* in a courteous manner taking into account any accommodating measures that may be required. This means *employees* and *providers* will communicate in a manner that enables all *customers* to communicate effectively for purposes of using, receiving and requesting ORC *goods* and *services*.

7.2 Telephone and TTY Services

ORC will provide fully accessible telephone service to all *customers*. ORC *employees* are expected to communicate with *customers* over the telephone by speaking directly, clearly and using clear and plain language.

ORC will offer to communicate with *customers* using alternate methods such as in person, by email and/or by *TTY machine* if telephone communication is not feasible.

7.3 Assistive Devices and Mobility Aids

ORC *employees and providers* will serve people that use *assistive devices or mobility aids*, to obtain, use or benefit from ORC's *goods and services*. We will ensure that *employees and providers* are trained and familiar with various *assistive devices and mobility aids* that may be used by *customers* while accessing ORC's *goods or services*.

ORC will train *employees and providers* on the use of *assistive devices* available on ORC's *premises for customers*:

- *TTY machine*
- Text to text devices
- Hearing assist systems
- Any other assistive devices available on *premises*

ORC *employees and providers* will not touch or interfere with a person's *mobility aid* except in response to a request for assistance from the person using the *mobility aid*.

7.4 Providers of Goods and Services

ORC shall ensure that *providers* comply with this Policy by including a general requirement in all *contracts for providers* to comply with all ORC/Government directives and policies as applicable to ORC and distributing a copy of this Policy to *providers*.

Providers are responsible for ensuring that all contractors and sub-contractors retained by the *provider* comply with this Policy by including reference to this Policy in all their contracts and/or agreements and distributing a copy of this Policy as required.

7.5 Support Persons, Service Animals and Guide Dogs

ORC *employees* and *providers* will provide accessible customer service to people who are accompanied by a support person. Any person accompanied by a *support person* may freely enter any *premises* owned or operated by ORC or a *provider* with his or her *support person*. At no time will a person accompanied by a *support person* be prevented from having access to that *support person* while on ORC owned or operated *premises*.

ORC and its *providers* will welcome people who are accompanied by a *service animal/guide dog*. Any person who is accompanied by a *service animal/guide dog* may freely enter any *premises* with his or her *service animal/guide dog*. At no time will a person accompanied by a *service animal/guide dog* be prevented from having access to that *service animal/guide dog* while on *premises*.

ORC *employees* will be properly trained on how to interact with people who are accompanied by a *service animal/guide dog*.

7.6 Accessible Customer Service Training

ORC shall provide training to all *employees* who provide *goods* and/or *services* on behalf of ORC, and all those who are involved in the development and approvals of customer service policies, practices and procedures. New *employees* will undertake training as part of their orientation as soon as practicable, unless they have previously undertaken equivalent training.

ORC will require its *providers* to undertake accessible customer training, in accordance with sub-section 7.6.1 of this Policy, and will facilitate this training where possible by providing the necessary tools (e.g. information on training requirements, links to online e-learning courses, opportunities to take attend in-person sessions, etc).

7.6.1 Content

Mandatory Accessible Customer Service training will include:

- an overview of the AODA and the requirements of the ASCS;
- how to interact and communicate with persons with various types of *disabilities*;
- how to interact with persons with *disabilities* who use *assistive devices* or require the assistance of *service animals, guide dogs, or support persons*;

- how to use equipment or devices available on any *premises*, or otherwise, that may assist with the provision of *goods* or *services* to persons with *disabilities*;
- what to do if a person with *disability* is having difficulty accessing ORC *goods* and *services*; and
- this Policy and ORC practices and procedures relating to the provision of *goods* or *services* to persons with *disabilities*.

Employees must receive training on this Policy, and any ORC practice or procedure that affects the way *goods* and *services* are provided to persons with a *disability*. *Employees* must also be informed and/or trained as necessary if changes are made to this Policy and its related procedures and processes.

7.7 Notice of Temporary Service Disruption

ORC shall provide *customers* with notice in the event of a planned or unexpected disruption in the *services* usually used by people with a *disability* (the “Notice”). The Notice will include information about the reason for the disruption, its anticipated duration, and a description of alternative *services*, if available.

The Notice will be placed at conspicuous places on the affected *premises*, on the ORC website, on outgoing telephone and *TTY machine* messages and any other such method deemed reasonable under the circumstances.

This Notice will be provided in accessible formats where possible.

ORC shall work with Government ministries and agencies designated under Schedule 1 of the ASCS, to implement a protocol for posting notices of temporary disruptions (the “Protocol”) in buildings occupied by these ministries and designated Government agencies.

Note: This Protocol is under development in consultation with the OPS Accessibility Leads Committee, ORC’s property management service provider and other relevant Government employees and committees. This section will be amended to reflect the final Protocol.

7.8 Feedback Process

ORC is eager to meet customer service delivery expectations, and comments on ORC’s *services*, including the level of accessibility experienced during service delivery, are welcomed and appreciated.

Feedback regarding the way ORC provides *goods* and services to its *customers* can be made in person, in writing, by email or by telephone including TTY. Feedback can be made directly to ORC or through its property management service provider. All feedback will be directed to ORC's Accessibility Planner and, if appropriate, to ORC Corporate Communications for response and action, if required. If a method is not suitable, *customers* may request another method of communication.

ORC's *customers'* right to privacy will always be respected and all feedback will be reviewed for possible action that can be taken to improve ORC *services*. However, ORC cannot guarantee that the confidentiality of any information that is in the custody or control of ORC will be preserved if a request for access to it is made under *FIPPA*. To the extent permitted under *FIPPA*, ORC will inform *customers* of any request made of ORC under *FIPPA* that may reveal information supplied in confidence by the *customer* to ORC, so that the *customer* has an opportunity to make representations to ORC with respect to the proposed disclosure.

Where possible, complaints will be addressed immediately. However, some complaints may require more effort to address and may require further review to determine the most appropriate course of action.

7.9 Alternate Formats

In order to serve ORC's *customers*, it may be necessary to provide information in an alternate format (i.e. other ways of publishing information beyond traditional printing). Examples of alternate format include but are not limited to: hard copy, large print, Braille, audio, electronic text, captioning, descriptive video service and sign language interpreters. ORC shall provide information in a reasonable alternate format, upon request. Such information may include but is not limited to:

- Reports
- Invoices
- Policy and Procedure documents
- Publications and Guides

If it is not feasible to convert the requested information into an alternate format, ORC will make reasonable efforts to accommodate the requestor's needs in a manner that would make such information accessible (e.g. discuss the contents of a blueprint in person).

7.10 Meetings and Public Information Centres

When planning a meeting or event, ORC's business units must consider accessibility in terms of physical access to the meeting space and access to the meeting contents and proceedings. Consideration will be given to the following:

- venue location (e.g. service by accessible transit);
- exterior access (e.g. signage, parking, paths of travel);
- interior access (e.g. entrances and lobbies, elevators, washrooms, hallways, meeting room); and
- refreshment and dietary requirements.

ORC shall respond to all requests for accommodation in a timely manner. Due to the logistical constraints associated with the production of alternate format documents and the retention of American Sign Language ("ASL") interpreters, ORC reserves the right to establish request deadlines to guarantee provision of alternate document(s)/service(s).

When promoting the meeting (e.g. personal invite, public notice, advertisement in procurement documentation), ORC will include information on the accessibility features of the meeting and will offer to arrange for additional accessibility features upon request (e.g. ASL interpretation, provision of meeting materials in alternate format).

All meeting materials (including invitations, meeting minutes, presentations) will be provided in an alternate format upon request.

8.0 Roles and Responsibilities

Governance Committee

- consider and approve this Policy
- consider and approve amendments to this Policy

Chief Executive Officer (CEO)

- establish appropriate organization structures, systems, procedures, processes and controls, including regular staff training, to ensure compliance with this Policy
- take appropriate actions for any non-compliance with this Policy
- approve and certify all compliance reports required to be submitted to the Accessibility Directorate of Ontario, or any other regulatory body as appointed by the Government
- ensure compliance with the legislation and regulations, as well as all orders issued by inspectors or directors appointed under the AODA

Chief Operating Officer (COO) and Executive Committee

- ensure that all *employees* within their business unit receive, understand and comply with this Policy
- ensure sufficient resources are available to comply with this Policy and meet regulatory requirements
- recommend amendments to this Policy

Strategic Sourcing Business Unit

- ensure that providers contracting through other ORC business units receive, understand and comply with this Policy

Vice-President, Professional Services Business Unit

- monitor and track compliance with this Policy
- report any discovered non-compliance to CEO / COO

Accessibility Planner, Professional Services Business Unit

- update and revise this Policy as required by law
- prepare compliance reports as required by law
- prepare guidelines, procedures and information sheets to implement this Policy

Employees, Appointees and *Providers*

- read, understand and comply with this Policy
- undergo required accessibility training

9.0 References

- Accessibility: Building Change, 2008-2013 Accessibility Management Framework, Ontario Realty Corporation
- *Accessibility for Ontarians with Disabilities Act, 2005*
- Accessibility Standards for Customer Service, Ontario Regulation 429/07
- *Freedom of Information and Protection of Privacy Act*
- *Ontarians with Disabilities Act, 2001*
- *Human Rights Code, R.S.O. 1990*
- *Workplace Safety and Insurance Act, 1997*

10.0 Dates

10.1 Effective Date

- January 1, 2010

10.2 Evaluation Date

- A minimum of every five (5) years after the effective date or as accessibility standards enacted under the AODA emerge

10.3 Amendment Date

- N/A