

Policy Title	Policy Number	Date Created
Integrated Accessibility Standards Policy	LE05	January 1, 2014
Issuing Department	Version	Applicability
Legal	1.2	ESA
Author	Owner	Last Revision Date
Emily Larose, Assistant General Counsel	Chief Regulatory Officer and General Counsel	August 26 <sup>th</sup> 2022

## Integrated Accessibility Standards Policy

### 1.0 Purpose

The purpose of this Policy and associated procedures is to provide a framework for breaking down barriers and increasing accessibility for persons with disabilities in the areas of information, customer service, communications, and employment in accordance with the *Accessibility for Ontarians with Disabilities Act* (“AODA”) and the *Integrated Accessibility Standards Regulation* (“IASR”).

### 2.0 Scope

- 2.1** This Policy applies to all employees and all persons who have authority to act on behalf of ESA.
- 2.2** Nothing in this Policy diminishes in any way, ESA’s legal obligations with respect to persons with disabilities which are otherwise imposed by law.

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### **3.0 Objective**

The objectives of this Policy are to:

- 3.1** ensure compliance with the AODA and IASR.
- 3.2** provide transparency on how ESA provides accessibility for persons with disabilities in its customer service activities;
- 3.3** guide decision-making and actions by ESA employees in relation to customer services provided to persons with disabilities, by identifying principles and requirements to be followed in such decision-making and actions; and
- 3.4** identify the accountability structure at ESA for developing, undertaking, and monitoring accessible customer service activities.

### **4.0 Policy Content**

#### **4.1 Policy Statement**

ESA is committed to meeting its obligations to meet the accessibility needs of persons with disabilities in a timely manner in accordance with the AODA and the IASR.

#### **4.2 Accessibility Plan and Policy**

ESA shall maintain a Multi-Year Accessibility Plan and this Policy in accordance with the IASR. These documents shall be publicly available on ESA’s website, and provided in an accessible format and with communications supports for persons with disabilities upon request.

#### **4.3 Training**

ESA will provide training to all employees in accordance with the requirements set out in the IASR.

#### **4.5 Information and Communications**

##### **4.5.1 Feedback**

ESA will ensure that its processes for receiving and responding to feedback are

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accessible to persons with disabilities in accordance with the IASR.

#### **4.5.2 Accessible Formats and Communication Supports**

ESA shall provide or arrange for accessible formats and communication supports for persons with disabilities upon request in accordance with the requirements of the IASR.

#### **4.5.3 Accessible Websites and Web Content**

ESA's websites and web content shall conform to the requirements under the IASR, except where not practicable to do so.

### **4.6 Employment Standards**

ESA will meet all requirements with respect to accessible employment standards under the IASR in a timely manner in accordance with associated procedures.

### **4.7 Customer Service**

#### **4.7.1 Customer Service Principles**

The following general principles shall guide ESA in its provision of services to members of the public and other third parties:

- i. ESA services must be provided in a manner that respects the dignity and independence of persons with disabilities;
- ii. The provision of services to persons with disabilities and others shall be integrated unless an alternate measure is necessary, whether temporarily or on a permanent basis, to enable persons with disabilities to obtain, use or benefit from ESA services; and
- iii. Persons with disabilities must be given an opportunity equal to that given to others to obtain, use, and benefit from ESA services.

#### **4.7.2 Communication** <sup>[L]</sup><sub>[SEP]</sub>

ESA shall communicate with persons with disabilities in ways that take into account their disabilities. <sup>[L]</sup><sub>[SEP]</sub>

#### **4.7.3 Telephone Services** <sup>[L]</sup><sub>[SEP]</sub>

ESA shall provide a fully accessible telephone service to members of the public

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and other third parties with disabilities accessing customer services from ESA.

**4.7.4 Assistive Devices** 

ESA shall facilitate service to persons with disabilities who use assistive devices to obtain, use, or benefit from ESA services.

**4.7.5 Use of Service Animals**

ESA shall permit persons with disabilities who are accompanied by a service animal to bring such service animal to parts of ESA premises that are open to the public, and to keep the service animal with him or her at all times, unless the animal is excluded from the premises by another law.

In accordance with ESA’s associated procedures, if a service animal is excluded by law from the premises, the ESA shall ensure that other measures are available to enable the person with a disability to obtain, use, or benefit from ESA’s services.

**4.7.6 Use of Support Person**

Any person with a disability who is accompanied by a support person to ESA’s premises that are open to the public will be allowed to enter with his or her support person.

At no time will a person with a disability who is accompanied by a support person be prevented from having access to his or her support person while on any ESA premises open to the public.

**4.7.7 Notice of Temporary Disruption**

In accordance with associated procedures, members of the public and other third parties will have access to notice in the event of a disruption to the services and/or state of ESA facilities that would affect the ability of persons with disabilities to access ESA’s services.

**5.0 Legislative Authority**

- *Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11*
- *Integrated Accessibility Standards, Ontario Regulation 191/11*
- *Human Rights Code, R.S.O. 1990, c. H.19*

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## 6.0 Evaluation, Monitoring and Review

ESA’s General Counsel will regularly review and monitor this Policy to ensure that it remains current, relevant, and effective in meeting its purpose and objective.

## 7.0 Interpretation

For purposes of this Policy, unless otherwise stated, the following definitions shall apply:

<b><u>TERM</u></b>	<b><u>DEFINITION</u></b>
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.
AODA:	<i>Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c.11;</i>
Assistive Devices:	Auxiliary aids such as communications aids, cognition aids, personal mobility aids and medical aids (e.g. canes, crutches, wheelchairs or hearing aids).
Barrier:	Anything that prevents a person with a disability from fully participating in one or more aspects of society, including a physical barrier, an architectural barrier, information or communications barrier, attitudinal barrier, technological barrier, policy or practice.
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:	Includes (per the definition in the Ontario Human Rights Code (“OHRC”)) as follows: <ul style="list-style-type: none"> <li>• 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;</li> </ul>

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- A condition of mental impairment or a developmental disability;
- A learning disability or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
- A mental disorder; or
- An injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

IASR: *Integrated Accessibility Standards Regulation, Ontario Regulation 191/11*

OHRC: *Ontario Human Rights Code, R.S.O. 1990, c. H.19*

Support person: Any person, whether a paid professional, volunteer, family member, or friend, who accompanies a person with a disability in order to help with communications, personal care or medical needs or access to services.

Service Animal: An animal used for the benefit of a person with a disability for reasons relating to his or her disability.

**8.0 Associated Policies and Procedures**

- Complaint Policy

**9.0 Associated References**

- ESA’s Multi-Year Accessibility Plan