

Attachment 1



THE CORPORATION OF THE TOWN OF MARKHAM

EXTRACT FROM THE MINUTES OF THE COUNCIL MEETING HELD ON May 13, 2008
REPORT NO. 21 - GENERAL COMMITTEE (May 5, 2008)

(9) ACCESSIBILITY STANDARDS FOR CUSTOMER (16.0) SERVICE ON. REG. 429/07

Report

Attachment 1

Attachment 2

That the report dated April 8, 2008 and titled "Accessibility Standards for Customer Service, Ontario Regulation 429/07" be received for information; and,

That a copy of the report titled "Accessibility Standards for Customer Service, Ontario Regulation 429/07" be distributed to the Markham Advisory Committee on Accessibility for information.

CARRIED



Report to: General Committee

Report Date: April 8, 2008

SUBJECT: Accessibility Standards for Customer Service, Ontario Regulation 429/07

PREPARED BY: Kimberley Kitteringham, ext. 8220

RECOMMENDATION:

That the report dated April 8, 2008 and titled "Accessibility Standards for Customer Service, Ontario Regulation 429/07" be received for information; and,

That a copy of the report titled "Accessibility Standards for Customer Service, Ontario Regulation 429/07" be distributed to the Markham Advisory Committee on Accessibility for information.

PURPOSE:

To inform Council of the Town's legislative requirements under the Accessibility Standards for Customer Service, Ontario Regulation 429/07, and to advise of the steps taken to-date in preparation for the implementation of the new legislation.

BACKGROUND:

The Accessibility for Ontarians with Disabilities Act ("AODA") was passed in 2005 for the purpose of developing and enforcing accessibility standards in order to achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises (see Attachment 1).

Five Standards Development Committees were created and charged with preparing regulations covering five (5) broad areas – Customer Service, Transportation, Accessible Information and Communications, Accessible Built Environment and Employment Accessibility.

The first of these regulations, Ontario Reg. 429/07 (the Regulation), came into force on January 1, 2008 and covers Accessibility Standards for Customer Service. Although, the remaining regulations will come into effect on or before January 1, 2025 specific implementation dates have not yet been established by the Provincial Government.

OPTIONS/ DISCUSSION:

Ontario Reg. 429/07 provides Accessibility Standards for Customer Service in both the public and private sector. Public sector organizations must comply with the Regulation by January 1, 2010 and private organizations must comply by January 1, 2012. Third parties contracted by public sector organizations to provide goods and services must also comply with the Regulation (therefore, between 2010 and 2012, the onus will be on the Town to ensure the compliance of our third party providers).

The Regulation applies to the provision of goods and services to the public. It does not apply to goods and services offered internally within an organization or to the goods and services themselves.

Ontario Reg. 429/07 generally covers the following six areas:

- Policies, Practices and Procedures
- Service Animal and Support Persons
- Disruptions in Service
- Training
- Complaint Feedback Processes
- Documentation

A summary of the requirements associated with each of these six areas has been provided in Attachment 2.

The AODA provides for inspectors with the power to require production of documents and to question people in relation to the Act (and to the regulations). It is an offence to produce false or misleading documentation or to obstruct the duties of an inspector, or to fail to comply with an Order under the Act. It is notable that directors or officers of a municipal organization are required by the Act to take all reasonable steps to prevent the corporation from committing an offence and failure to do this may result in penalties of up to \$50,000 per day that the offence continues, with the corporation itself incurring up to \$100,000 per day.

Actions Taken by the Town of Markham To-date

The Town of Markham has recognized the importance of Accessibility through the establishment of the Markham Advisory Committee on Accessibility and by including Accessibility Considerations as a major component of one of the Town's six strategic priorities, namely Diversity.

Most recently, the Town is in the process of creating an "Accessibility Coordinator" position, to be filled in 2008 on an internal secondment basis. The major responsibilities of this position will be to: monitor the on-going delivery and implementation of the Town's Accessibility Plan and provide regular updates on same; ensure the Town's compliance with Ontario Regulation 429/07 and the other four pending Regulations; and serve as the staff resource for the Markham Advisory Committee on Accessibility as well as the Town's internal staff Accessibility Working Group.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Funding for the Accessibility Coordinator position was included in the 2008 Budget.

ENVIRONMENTAL CONSIDERATIONS:

None

ACCESSIBILITY CONSIDERATIONS:

Compliance with the Accessibility Standards for Customer Service is required under the Accessibility for Ontarians with Disabilities Act and will enhance the experience of persons with disabilities when accessing goods and services offered by the Town of Markham.

BUSINESS UNITS CONSULTED AND AFFECTED:

Strategic Initiatives

Finance

Human Resources

RECOMMENDED

BY:

Sheila Birrell, Town Clerk

Andy Taylor, Commissioner,
Corporate Services

ATTACHMENTS:

Attachment 1 – Ontario Regulation 429/07: Accessibility Standards for Customer Service

Attachment 2 – Summary of Six Main Areas Covered in Ontario Regulation 429/07

Accessibility Standards for Customer Service: Ontario Regulation 429/07: Communications Schedule

Phase One

- Consult with appropriate staff to determine lists of volunteer, Board and advisory committee members that will require training.
- "From the Desk of" to all Performance Managers – March 19
- Department heads presentation on training requirements & plan – March 19
- Letter from the Mayor to all members of Council and Council Committee & Advisory Board members – March 23
- Letter from the Mayor and John Livey to all staff – March 23
- Commissioner/Manager meeting reminders – from March 23

Phase Two

- CheckMark information – from March 23
- CheckMark meeting sign-up goes live – March 23
- Poster campaign – March 23 – May 1
- March Mark of Excellence – profile article; training schedule & reminder
- April Mark of Excellence – reminder
- e-News weekly reminders – from March 23

Phase Three

- Messaging switches to promotion of on-line web training – May 2
- e-News
- CheckMark link to web training (Date to be determined)
- Mark of Excellence
- FTDO – as necessary
- Commission/Dept meeting reminders – as required
- Mark of Excellence, Checkmark, e-News, Posters used for reminders from May – December as required.

