

AODA Standards Development Committees: Recommendations

Background

Standards Development Committees (SDC's) are groups of representatives from various sectors, including businesses, municipalities, and people with disabilities, who make recommendations on how to improve and develop new standards set out by the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA). These committees are responsible for developing and/or reviewing accessibility standards in Ontario which were developed in five key areas of daily living: customer service, employment, information and communications, transportation, and the design of public spaces.

Each accessibility standard is required to be reviewed five years after it becomes law to determine whether it works as intended and to adjust, if required. The committees put forward initial recommendations and request public feedback to help them draft their final recommendations to the Ministry for Seniors and Accessibility for consideration.

This document contains the most recent final recommendations submitted by four committees. The recommendations from the final SDC regarding the Design of Public Spaces Standard have not yet been received by the Province. Additionally, in Summer 2023, the Ministry established another SDC to undertake an evidence-based and focused review of the Customer Service Standard for the second time, since the original draft recommendations on the Standard, captured below, were submitted to the Province in 2014. It is expected this Committee will release its draft recommendations in late 2024.

The following excerpts were retrieved from Ontario.ca:

Customer Service Standards Development Committee

Released in 2014, below are the [final changes](#) proposed by the Accessibility Standards Advisory Council/Standards Development Committee on providing effective customer service for people with disabilities.

Recommendations

1: Purpose and application

It is proposed that the types and definitions of obligated organizations under the Customer Service Standard be matched with those of other accessibility standards as follows:

- designated public sector organization
- Government of Ontario
- large designated public sector organization
- large organization
- Legislative Assembly
- small designated public sector organization
- small organization

It is also proposed that the term "facilities" be included throughout the Customer Service Standard where there are currently references to "goods and services" (i.e. "goods, services and facilities").

For the purpose of the Customer Service Standard, "facilities" refers to services in buildings or premises that are offered for use to members of the public or third parties (e.g. stadium, banquet hall). It does not refer to the structure or physical features of the built environment which are covered by the building code.

Explanation

The proposed change would reduce inconsistencies across all accessibility standards. The recommendation to include the term "facilities" throughout the Customer Service Standard would match language used throughout all other accessibility standards that refer to goods, services and facilities. It is not intended to change which organizations must comply with the Customer Service Standard, but better reflects the nature of businesses across Ontario and what they provide to customers. The addition of the term

"facilities" is intended to reflect when facilities are provided as a service and does not refer to facilities as a physical structure.

2: Class structure

It is proposed that the class structure under the Customer Service Standard be changed to match that of the other accessibility standards, as follows:

- Private and not-for-profit organizations would be defined as having between 1-49 employees (small).
- Private and not-for-profit organizations would be defined as having 50 or more employees (large).

Requirements under the Customer Service Standard that currently apply to organizations with 20 or more employees would now apply to organizations with 50 or more employees.

Proposed changes regarding class structure would be reflected in the requirements for private and not-for profit organizations under the following sections of the Customer Service Standard:

- Establishment of policies, practices and procedures
- Service animals
- Support persons
- Notice of temporary disruptions
- Training
- Feedback process
- Notice of availability of documents

Explanation

This proposed change would match the class structure of the Customer Service Standard with the class structure of the other four accessibility standards (employment; information and communications; transportation; and the design of public spaces). This would result in a consistent definition of private and not-for-profit organizations, would simplify requirements, and would reduce inconsistencies across all accessibility standards.

3: Effective dates

Proposed changes to the definition of "provider of goods and services" in the Purpose and Application Section above would apply to this section. It is proposed that where practical and applicable, compliance dates align with the Integrated Accessibility Standards Regulation with provision of a grace period if required.

Delayed effective dates are proposed for all other recommendations with material changes to existing requirements to allow organizations time to comply.

4: Establishment of policies, practices, and procedures

It is proposed that references to "policies, practices and procedures" throughout the Customer Service Standard be changed to match the term "policies" in the other accessibility standards.

Proposed changes would be reflected in the following sections of the Customer Service Standard:

- Service animals
- Support persons
- Training

5: Service Animals

It is proposed that the definition of service animal to be changed. An animal would be defined as a service animal if:

- The person provides third party certification that their service animal has been trained to provide assistance that relates to that person's disability; or
- It is readily identifiable that the animal is used by the person for reasons relating to their disability; or
- the person provides documentation from a regulated health professional confirming that the person requires the animal for reasons relating to their disability.

Explanation

Adding the option to provide third party certification that the animal is trained is intended to provide people with disabilities another means to demonstrate their animal is a service animal. The term "readily identifiable" is recommended to replace "readily

apparent" to make it more clear to organizations that a service animal may be recognized through indicators or visual cues such as a vest or harness, without staff having to ask for a letter from a health professional. Expanding the range of people who can provide documentation confirming a person's requirement for a service animal to "regulated health professionals" from the more specific "physician or nurse" was seen by the committee as more inclusive of the range of health care professionals that may be used by people with different types of disabilities. Changing the term "letter" to "documentation" is also more inclusive of the types of documents that a health professional may provide (e.g. form, template, or letter).

6: Support persons

Additional language is proposed to clarify when an organization may require a support person to accompany a person with a disability for reasons of health and safety as follows:

- This would only occur where, after consultation with the person with a disability, requiring a support person is the only means to allow the person to be on the premises and at the same time fulfill the provider's obligation to protect the health and safety of the person with a disability and that of others (i.e., the health and safety risk cannot be eliminated or reduced by other means); and
- Any considerations on protecting health and safety must be based on specific evidence and not on assumptions.

Explanation

The additional requirements clarify for organizations that there are limited circumstances whereby an organization could require that a person with a disability be accompanied by a support person and that certain conditions should be met including:

- Consultation with the person with a disability;
- Determination that there is no other solution or means to allow the person to be on the premises and at the same time fulfill the provider's obligation to protect the health and safety of the person with a disability and that of others; and
- The decision is evidence-based.

7: Notice of temporary disruptions

No additional changes to the current Notice of Temporary Disruptions Section of the Customer Service Standard are recommended.

8: Training for staff

It is proposed that the requirements on who must be trained and when training must be provided be replaced with the following language:

Training must be provided to:

- All employees, and volunteers;
- All people who participate in developing the organization's policies; and
- All other people who provide goods, services or facilities on behalf of the organization.
- Every person must be trained as soon as practicable.
- Organizations must provide training on any changes to its accessibility policies on an ongoing basis.

9: Feedback process for providers of goods and services

It is proposed that the title of the section be changed to "Feedback Process on the Accessible Provision of Goods or Services."

It is also proposed that the language on the channels and formats of an organization's feedback process under the Customer Service Standard be matched with the language in the Information and Communications Standard which specifies that:

- Obligated organizations must ensure that their feedback process is accessible to persons with disabilities by providing or arranging for the provision of accessible formats and communication supports upon request.

It is further proposed that language be added to the feedback section that is similar to the language in the policies, practices and procedures section of the Customer Service Standard which states that when communicating with a person with a disability, a provider shall do so in a manner that takes into account the person's disability

Explanation

The proposed change may enhance accessibility for people with disabilities since they can request the accessible format or communication support that works best for them

and their needs when providing feedback rather than choosing from the possible methods for providing feedback that are determined by the organization (e.g. by telephone or in writing).

10: Notice of availability and format of documents

It is proposed that an organization be required to provide accessible formats and communication supports upon request to a person with a disability. These must be provided in a timely manner and at a cost that is no more than the regular cost charged.

It is also proposed that the current provision that organizations and people with disabilities "agree upon" an accessible format be replaced with the following requirement:

- Organizations must consult with the person making the request to determine the suitability of an accessible format or communication support.

Employment Standards Development Committee

Released in 2019, below are the [final changes](#) proposed by the Employment Standards Development Committee. The committee works to ensure employment is more accessible to people with disabilities.

Recommendations

1: Improve and strengthen guidelines (accessible employment standards and the Ontario Human Rights Code)

The committee recommends the government and the Ontario Human Rights Commission (OHRC) review and strengthen guidelines and clarification for employers with regard to the differences between the Ontario Human Rights Code and the Accessibility for Ontarians with Disabilities Act's accessible employment.

By "review" the committee intends the government and the OHRC explore the causes of confusion regarding the relationship between the Accessibility for Ontarians with Disabilities Act and the Ontario Human Rights Code as a first step.

2: Scope and interpretation

The committee believes a gap exists because a definition of “employee” is not included in the Accessibility for Ontarians with Disabilities Act and Integrated Accessibility Standards Regulation (IASR). The committee recommends a definition of “employee” should be added to the Accessibility for Ontarians with Disabilities Act or IASR and be consistently applied throughout.

This definition should be consistent with the intent and purpose of the Accessibility for Ontarians with Disabilities Act and should be based on the employer–employee relationship.

3: Recruitment, general

In order to fully inform job applicants, Section 22 notice regarding availability of accommodations throughout recruitment by employers, should be expanded to include notice of availability of accommodation during employment.

The policy intent of this recommendation is to amend section 22 notice, and not to expand other requirements of the accessible employment standards. The rationale for the recommendation is that this provides applicants better awareness of their right to accommodation during the employment lifecycle. The requirement to accommodate throughout employment under the Ontario Human Rights Code may currently not be clear.

The committee believes this will provide applicants better awareness, of their right to accommodation in a position they are considering applying for or applying for. Current statements may be incomplete.

4: Recruitment, assessment or selection process

The committee recommends that guidelines and best practices should be developed on how to make the recruitment, assessment and selection processes and materials inclusive by design.

Some employers may need additional resources (for example, how to have conversations with candidates/employees during the recruitment, assessment and selection processes) government should provide the materials.

5: Notice to successful applicants

Too often employers and candidates do not know when or how to have open and successful conversations to accommodate an individual's needs. In order to address this gap the committee recommends the government should review, strengthen and better promote guidelines and best practices to clarify requirements under sections 23 and 24.

6: Workplace emergency response information

The desired outcome of section 27 is to ensure accessible emergency response information is available to all employees with disabilities in accessible formats, upon request.

Section 27 makes references to "individualized" emergency response information. The committee believes the use of the word "individualized" may result in obligated organizations unnecessarily developing individualized emergency response plans. The committee recommends the word "individualized" be removed from section 27.

Questions of individualized emergency plans and emergency accommodations needs are best addressed as part of section 28 requirements for individualized accommodation plans.

7: Centralized portal for individual accommodation plans

The tools and resources that exist are not easy to find and use outdated language. The committee recommends the government should be responsible for a centralized portal for updated resources for individualized accommodation plan processes.

Note: The intent of the recommendation is that the tools and resources align with the OHRC's policies on the procedural duty to accommodate. In addition, the OHRC should be consulted to ensure harmonization.

8: Monitoring implementation of return-to-work processes

The committee believes the desired outcome of section 29 is that employers create processes that better recognize the needs of persons returning to work. The return to work processes under other legislation are constantly evolving, so more information, research and public feedback may be required. The government should monitor the implementation of section 29, including any gaps and challenges to inform the next review of the accessible employment standards.

Information and Communications Standards Development Committee

Released in 2020, below are the [final recommendations](#) from Information and Communications Standards Development Committee. This committee works to ensure information and communications are more accessible to people with disabilities.

Recommendations

1: Feedback requirements

The feedback requirements in Sections 11 and 80.50 of the regulation should be combined and placed in the General Requirements section of the regulation, ensuring both the format requirements of section 11 and the specific requirement for a process in Section 80.50 about goods, services and facilities remain. In addition, the committee recommends that clear definitions of the terms “feedback” and “communication” be included.

Explanation

The intent of this recommendation is to eliminate the confusion caused by having requirements for a feedback process dealt with in two different parts of the regulation. This change should not modify the obligations of organizations but simply make them clearer and easier to find and understand.

2: Usage of portable document format (PDF)

Government should not ban the use of PDFs for any obligated organization.

Explanation

The committee concluded that while certain problems do exist with PDFs, banning them altogether is not the best solution, particularly since they work well when made properly accessible.

3: Final review of regulatory language

Government use the technical expertise of the Digital Inclusion Technical Subcommittee as a resource, as needed, to clarify intent and technical accuracy during the regulatory drafting stage related to section 14.

Explanation

The intent of this recommendation is to avoid any possible confusion regarding the intent of the committee's recommendations and to ensure that the government can easily obtain clarification if confusion arises.

4: Products and product labels

In order to ensure a solution to this issue is coordinated between the federal and provincial jurisdictions, the committee proposes the following:

The Government of Ontario should meet with the Government of Canada to look for solutions to the problem of accessible products and product labels. These solutions may include clarifying jurisdictional authority over different products. In addition, it is recommended that Ontario meet with various industries to explore non-regulatory solutions to this issue. Medical labelling should be a priority for action.

Explanation

The current regulation states that products and product labels are not required to be made accessible unless specifically mentioned in the standards. Stakeholders have expressed concern that a large number of goods remain inaccessible because of this exemption. The committee agreed that there should, at the very least, be a digital format available for all products and product labels where applicable. The problem is that both federal and provincial governments regulate in this area, and so making a recommendation solely at the provincial level would be ineffective.

5: Determination of suitability

Change regulation 12.(2) to state: "The obligated organization shall consult with the person making the request and gain agreement in determining the suitability of an accessible format or communication support."

Explanation

The intent of this recommendation is that the final decision on the suitability of an accessible format should not be left to the organization alone. Rather, both the organization and the person requesting an alternate format should work together to gain agreement on suitability. The committee recognizes that this may create an impasse, and this is partly what motivates recommendation 7 (to follow). Despite the potential for an impasse, the committee feels this recommendation will result in improved accessibility. The committee recognizes that with this change, organizations may need time to adjust their processes, so it is proposed that it be effective six months after the amended regulation is in force.

6: Timely manner

Change the regulation to state that organizations must provide accessible formats in a mutually agreed upon timely manner which considers the circumstances of the requester, and the urgency of his or her request.

Explanation

The idea is similar to the intent of recommendation 5, which is to ensure that important decisions that affect people with disabilities must be made with their participation. In this case, it would require that organizations and people with disabilities agree on what is meant by a timely manner. Again, the potential for disagreement is recognized, but the committee feels this recommendation will result in improved accessibility. As with Recommendation 6, the committee is proposing that this change become effective 6 months after the amended regulation is in force, to give organizations time to prepare and adjust.

7: Agreement between people with disabilities and organizations

The issue of a lack of mechanism to address disagreement between organizations and people with disabilities in any section of the regulation should be referred to the Accessibility Standards

Explanation

The intent of this recommendation is for the council to investigate the creation of a mechanism to support the satisfaction of both people with disabilities and organizations,

in relation to requirements under the act and regulation. The council is best positioned to examine this issue.

8: Harmonization of section 12

Requirements for alternate formats and communication supports should be combined and moved to one place, in the general requirements section of the regulation. There should be no material change in the requirements, except for any other recommendations made by the committee regarding section 12. A reference to the combined section in the general requirements should be made whenever requirements for alternative formats and communication supports are mentioned in the regulation.

Explanation

The intent of this recommendation is to clarify requirements and eliminate confusion by ensuring they are contained in one section of the regulation. The committee feels that moving the requirement for accessible formats into the general requirements section of the regulation would also make it clear that this requirement applies to all of the standards, and not just to Information and Communications. To be clear, the intent is not to weaken requirements in any way.

9: On-demand conversion ready formats

The Government of Ontario and Legislative Assembly should produce a conversion-ready digital format of all public-facing materials and provide those materials on-demand:

- “on-demand” in this case would mean immediately, meaning that it should already have been created
- “conversion-ready digital format” means a format which has the properties it needs to be readily converted into an accessible format

Explanation

The intent of this recommendation is to strengthen the idea that accessible formats should not be offered as an accommodation, to be provided only when requested and only after a delay. Accessible formats and communications supports are necessary from the start as part of an accessibility foundation. This would be a significant new requirement for government, but given current technology, it is possible.

10: On-demand ASL and LSQ translations

The Government of Ontario should convene a meeting of deaf, hard of hearing and deafblind stakeholders to determine which materials should be provided by the Government of Ontario to the public in ASL and LSQ translation. The committee recommends that following the meeting, the materials identified start to be made available on-demand.

Explanation

The committee's intent is that the Government of Ontario find a fair and reasonable answer to the question of which types of materials should be available in ASL and LSQ on demand.

11: Emergency requirements

The emergency requirements throughout the regulation should be brought together and moved into the general requirements with no material changes to what is being required.

Explanation

The intent of this recommendation is to ensure that nothing is missed, and no requirements are overlooked when it comes to protecting the lives of people with disabilities and their families. These requirements should be consolidated and given a clear and prominent position in the general requirements of the regulation.

12: Unacceptable emergency outcomes and preparedness

Disability and accessibility should be front and centre in the upcoming review of the Emergency Management and Civil Protection Act. To that end, the Solicitor General, who has responsibility for emergency management, should involve people with disabilities in the review. The Solicitor General should specifically include the Accessibility Standards Advisory Council. The same process should occur when the Fire Code is next reviewed.

Explanation

After a significant discussion regarding emergency outcomes, the committee has concluded that the preparedness of all levels of government for emergencies involving

people with disabilities is unacceptable. The committee strongly recommends this to help protect the lives of people with disabilities and their families.

13: Mobile applications and new technologies

The definition of website should be aligned with the definition used by the United States Access Board, the European Union and the United Nations Convention on the Rights of Persons with Disabilities, among others, which include mobile applications, interfaces or other technologies as required. Relevant sections of these definitions have been provided in appendix C.

Explanation

The intent of this recommendation is for both mobile applications which run from a website, and those which run as a standalone device but rely on the internet for function, would be subject to accessibility requirements under section 14. These requirements would apply to the government and legislative assembly, the broader public sector and large organizations. For the purposes of Section 14, small organizations are currently exempt from accessibility requirements.

14: Procurement

The Government of Ontario and designated public sector organizations shall incorporate accessibility design, criteria and features when procuring or buying goods, services or facilities. These criteria include using qualified third-party evaluation certification services established through programs such as:

- the United States Access Board Trusted Tester Program
- inclusive design or accessibility certificate programs such as those offered by colleges or universities
- professional certifications from organizations such as the International Association of Accessibility Professionals (IAAP)
- other professional service vendors that may qualify for such activities
- both manual and automated verification of compliance to technical web and software criteria, not just automated testing
- functional testing of usability by persons with disabilities
- interoperability with alternative access systems (as defined in the glossary)
- sign language and other communication modalities

- the requirement to procure accessible authoring and development tools

This requirement would be in addition to the general accessible procurement requirements in the regulation. The reference criteria for authoring tools would be Authoring Tool Accessibility Guidelines (ATAG) 2.0 (A and B)

Explanation

The committee's intent with this recommendation is to ensure that digital procurement by the Government of Ontario and broader public sector organizations includes accessibility criteria, and that authoring and development tools that are procured are accessible.

15: Differentiating organizations/high impact organizations

Create a definition for 'high-impact' organizations. One such definition might be an organization that has one or more Ontario employees and meets either of the following criteria:

- one million or more average annual users in Ontario (free or paid)
- \$10 million or more in yearly global revenues

These newly defined high-impact organizations would have to comply with the Information and Communications Standards and report under the act and be subject to the same requirements as large organizations.

For such businesses as described above that are under federal instead of Ontario jurisdiction, or with no employees in Ontario, the province should engage in consultation with businesses and the federal government to determine and harmonize mechanisms to regulate them.

Explanation

The committee's intent with this recommendation is to ensure that all organizations with many users in Ontario, and therefore having a large impact on the province, are complying with section 14 of the regulation. This approach could be used for other requirements in the future where appropriate.

16: Significant refresh

Any content that is new or which an obligated organization changes, updates or adds to a website must meet the accessibility requirements of section 14

Furthermore, when content is added, changed or updated, it is recommended that organizations take the opportunity to make all content accessible

The committee recommends that content should include all functions, interactions and 'branding' (look and feel) for a site. It is recommended that section 14 include examples for the sake of clarity

Explanation

The intent of this recommendation is to bring the section 14 requirement closer to its intended function, which is to ensure that over time, organizations develop greater accessible content for users with disabilities.

17: Practicability

Clearly define the term "not practicable," bringing it in line with the term "undue hardship," as set out by the Ontario Human Rights Code. A link to this terminology has been provided in appendix C.

Explanation

The intent of this recommendation is to reduce how easy it is for obligated organizations to use vague wording in the standards as an excuse to not fulfil their requirements. Aligning the language with that of the Ontario Human Rights Commission would bring significant clarity, as both the commission and the Human Rights Tribunal of Ontario have previously ruled on what undue hardship actually is.

18: Harmonization and application across requirements

It should be made clear that section 14 applies to all sections of the regulation. This could be communicated as a reference to section 14 wherever websites are directly referenced in the regulation.

Explanation

The committee's intent with this recommendation is to make sure obligated organizations follow website accessibility requirements by reducing any confusion about what they are obligated to do.

19: Extranet exemption

The exemption for public-facing websites with a log-in (previously referred to as extranets) should be removed and these types of websites should be required to comply with the regulation.

Explanation

The intent of this recommendation is to completely remove the exemption for extranet websites, ensuring not only that these be required to comply with section 14, but also that other internet websites not be able to avoid the requirement simply because they use logins. The committee recommends a longer timeframe for implementation as this would be a new requirement.

20: Intranet exemption

The exemption for employee-facing websites and content (previously referred to as intranets) should be removed and, like all other websites, these types of websites should be required to comply with the regulation.

Explanation

For clarity, the committee recommends that all definitions related to a type of website be removed and that section 14 simply apply to all websites, internet or intranet for all obligated organizations. Because this would be a new requirement, the lengthy timeline above is recommended.

21: Pre-2012 exemption

A category should be created for older archived content. A potential model for this would be the federal Treasury Board Secretariat of Canada archived content policy. This would grant an exemption only to non-active documents. Active content, which is anything that requires input or, like forms, can be changed, will not be covered under

this exemption. Pre-2012 images used for navigation in refreshed websites must be made accessible.

Explanation

The intent of this recommendation is to ensure that no content which is intended for active use can be exempt, and that inactive, archived content which is for informational purposes only can remain exempt.

22: Live captioning and audio description

By January 1, 2022, the exemptions to the WCAG 2.0 Level AA guidelines regarding live captioning and audio descriptions should be removed.

Between now and January 1, 2022, obligated organizations should put in place the infrastructure to support live captioning and audio description. Organizations which are currently exempt and are required to prepare a multi-year plan should include progress toward this infrastructure in their plan.

Explanation

The intent of this recommendation is to have obligated organizations plan infrastructure, adopt training, and generally get ready to implement live captioning and audio descriptions by 2022, or sooner if the next committee should choose to accelerate the timeline. The committee's intention is to establish a high standard (equal to CRTC standards for live captioning) of quality in live captions.

23: Web hosting location

Section 14 should apply to obligated organizations no matter where their web servers are located.

Explanation

The intent of this recommendation is to clarify that the regulations apply to obligated organizations regardless of where their websites might be hosted.

24: New and emerging technologies

When decisions are being based on data analytics using population data, there should be a disability impact assessment.

Government should immediately create a task force to work with the government on the design and testing of its digital services and to investigate risks, risk mitigation and opportunities in the context of the disability ecosystem. The task force should include experts in disability use case, emerging technologies and data analytics, the majority of whom are people with disabilities from a wide functional cross-section. This task force shall act as an ongoing bridge to phase 2.

25: Web Content Accessibility Guidelines (WCAG) Version

When the requirement to comply with WCAG 2.0 AA in section 14 is fully implemented (January 1, 2021), Government should update the requirement to the most recently published version of WCAG (for example, WCAG 2.1) within 1 additional year.

Explanation

The version of the Web Content Accessibility Guidelines referred to in section 14 of the regulation is out of date.

26: Purchase of accessible teaching/training materials

It is recommended that obligated organizations that are educational or training institutions be required to order text books or other curricula materials, printed or digital, from producers who agree to provide accessible or conversion-ready versions, in the same time frame as print or digital materials. For clarity sake, digital includes but is not limited to static, dynamic and interactive content.

These materials should meet or exceed the obligations of education providers as described in the Ontario Human Rights Commission's "Policy on accessible education for students with disabilities".

27: Definition of educational and training institutions

That the government consider including all organizations (public or private) that provide formal education and training in the requirements.

The committee has asked the public what types of organizations should fall under the definition of formal, and provides this information to the government with this report in appendix C.

28: Increasing captionist capacity

The Government of Ontario should explore, in partnership with post-secondary institutions, employers and apprenticeship bodies, establishing a post-secondary course to train captionists, possibly in partnership with a court stenographer's course.

29: Accessibility in education

The government should explore ways to make education and skills development about accessibility, including e-accessibility, part of early years, elementary, secondary and post-secondary curricula.

30: Accessibility in information and communication tools and systems

All obligated organizations which provide education or training on the design, production, innovation, maintenance or delivery of information and communication tools and systems shall include curricula that address the needs of all people with disabilities, including deaf, deafblind and hard of hearing people who use ASL and LSQ.

Explanation

The intent of this recommendation is to ensure that information and communication tools and systems are created with accessibility features built-in and are maintained by individuals who are familiar with accessibility features.

31: Accessibility in provincially regulated professions

Certification requirements of provincially regulated professions must include knowledge and application of accessibility (including accessible formats, language, communication and IT support) and the prevention of attitudinal barriers. These should be worked into instructional planning and course design for organizations which provide education or training.

32: Education standards

The Information and Communications Standards of the regulation currently contain requirements related to education and training. When the committee first reviewed Sections 15–18 and proposed recommendations 24–29, the Government of Ontario had created committees to propose new standards in the regulation for education.

The committee proposes the following:

- If the government creates education standards with requirements that are equal to or greater than those requirements found in Sections 15–18 of the regulation, including the result of recommendations 24–29 made in this report, these sections can be moved to the Education Standards.
- If any elements of Sections 15–18, including the result of recommendations 24–29 made in this report, are not reflected in newly created education standards (or within the jurisdiction of education standards development committees) for example application of standards to private schools and colleges—these requirements must be retained in the Information and Communications Standards.
- The committee’s intent is to make recommendations 24–29 related to Sections 15–18, while allowing the government to house these requirements in the most logical place in the regulation.

Transportation Standards Development Committee

Released in 2018, below are the [final recommendations](#) from the Transportation Standards Development Committee. The committee works to make transportation more accessible to people with disabilities.

Recommendations

1: Conventional transit

Sizes of mobility devices

The committee does not advise changes to the Transportation Standards, but recommends that the province coordinate outreach to ensure that mobility device consumers are aware of the space limitations on public transit vehicles and have the necessary information to help them choose a mobility device that best fits their needs. This approach could include multiple channels such as:

- a joint federal/provincial initiative to require information (e.g. a sticker or tag) on new mobility devices to inform the consumer prior to purchase
- multiple-point outreach/education involving supporting agencies, obligated transit organizations, prescribers and health providers, retailers and manufacturers to educate mobility device consumers

In addition to the above, the committee also considered the challenge of identifying which mobility devices might be deemed safe to use as vehicle seats while travelling in motorized conventional and specialized vehicles. The committee believes that it is the responsibility of transit providers to make decisions to ensure the safety of individual passengers and had no recommendations.

Training on the use of conventional transit

The committee recommends that the Transportation Standards be changed to require conventional transit providers to make available information on the use of their services, within one year of the revised standard taking effect.

In addition, the committee recommends a change to the standards to require public transit providers to identify how their organization will provide assistance for passengers with disabilities to navigate public transit, which could include education and technology solutions, in their multi-year accessibility plan. Subsequent to adoption, transit providers must include this requirement in their next accessibility plan.

Identification of support persons

The committee proposes that the province explore the need for a universal identification card for persons with disabilities to be used as proof that an individual requires support. Such a card could be useable in any situation where an individual is required to provide proof of their disability and not be limited to transit use. It would allow a person to prove their need for accommodation in a simple and discreet way. The committee believes that this product could be managed by the province and build on existing identification mechanisms currently in place, such as the Ontario photo card or the Ontario health card.

Such a card could also address the minister's direction to the committee to explore "options to create universal eligibility criteria across transit providers," as it relates to specialized transit, which is addressed later in this document.

It should be noted that the committee understands that this would be a significant undertaking by the province, and may require a lengthy planning and rollout period. In the interim, the committee encourages the province to conduct public outreach and education to persons with disabilities and to transit providers in order to provide clarification on their rights and responsibilities regarding providing/requesting proof of need for a support person.

Accessible seating and mobility aid spaces

The committee recommends that education and outreach solutions be developed to increase public awareness on the use of accessible seating and mobility aid spaces.

Proportion of accessible seating and mobility aid spaces on trains and subways

The committee recommends a change to the standards, effective immediately after the revised standards take effect, requiring transit providers to consult with their accessibility advisory committee with respect to vehicle layout and configuration when procuring new or retrofitting existing railcars (i.e. trains and subways).

Accessible seating for persons with vision loss

The committee recommends that partnerships between transit providers and community agencies should be established to provide training and/or training materials to support people with visual disabilities who require accessible seating.

Service animals

The committee recommends that education and outreach solutions be developed to increase public awareness on service animals, including appropriate ways to transport the animal.

The committee also recommends the Transportation Standards be changed, effective within six months of implementation, to require public transit providers to apply a mechanism that would allow a passenger with disabilities who uses a service animal to leave the station for the animal to relieve itself, with no additional fee being charged upon re-entry.

In addition, the need for accommodation for a service animal to relieve itself should be put forward to the Standards Development Committee that undertakes the next review of the Design of Public Spaces Standards.

Priority boarding

The committee recommends that education and outreach, including courtesy campaigns and on-board announcements, should be developed to improve priority boarding situations for persons with disabilities.

Pre-boarding and on-board announcements

The committee recommends a change to the Transportation Standards, effective immediately when the revised standards take effect, requiring transit providers to show progress on meeting their pre-boarding and on-board announcement requirements as part of the annual status report on their multi-year accessibility plans. The committee also recommended that this item be highlighted for consideration during the next scheduled review.

Reporting on accessibility at transit facilities, stops and shelters

The Transportation Standards should be changed to require municipalities and transportation providers to report on and show progress made to improve accessibility at transit facilities, stops and shelters, based on their service offerings and community need, as part of the annual status report on their multi-year accessibility plans. This change would come into effect immediately when the revised standards take effect.

Technical requirements on signage

The committee recommends that a list of tools and resources on best practices for signage be developed and/or be made available to help to reduce barriers for persons with disabilities.

In addition, the committee recommends that the Standards Development Committee for information and communications review the recommendations received in response to the request for public feedback on signage solutions to improve accessibility for persons with visual disabilities.

Further, the committee recommends that the Standards Development Committee for information and communications consider new and upcoming technology to advance accessibility in wayfinding ensuring consideration of transportation services.

Grab bars, handholds, handrails or stanchion

The Transportation Standards should be changed to include language around “no protruding ends” to the existing accessibility requirements for grab bars, handholds, handrails or stanchions, as one of the technical requirements.

Immediately after the revised standards take effect, a transportation service provider would be required to ensure a vehicle meets this requirement when entering into a contractual obligation to purchase a new or used vehicle or when modifying a portion of a vehicle. Transportation service providers would not be required to retrofit existing vehicles in their fleet that are not being modified.

Technical transportation standards to better support persons with vision loss

The committee recommends that a list of tools and resources on best practices, including universal design principles, be developed and/or be made available to transit providers for consideration with respect to improving accessibility.

2: Specialized transit

Eligibility for specialized transit

The committee recommends no changes to the existing Transportation Standards regarding eligibility requirements for specialized transit. The committee agreed that the current requirements in the Transportation Standards regarding the categories of eligibility are appropriate and meet the needs of both persons with disabilities and transit providers. The flexibility in the Transportation Standards allows transit providers to develop and deliver creative solutions to accommodate the unique needs of its ridership.

Because organizations were not required to switch to the three categories of eligibility until the beginning of 2017, the committee believes that this should be revisited after implementation of the three categories, during the next Transportation Standards Review or earlier, and that the province should track outcomes.

Origin-to-destination services

The committee recommends no changes to the Transportation Standards regarding origin-to-destination services. The committee believes that the current Transportation Standards serve both persons with disabilities and service providers by allowing for provider autonomy and practicability to best meet the needs of each individual. The committee recommends that the province should continue to monitor this to see if any challenges arise.

Multiple fares

The committee recommends that non-regulatory approaches be applied to build awareness, such as educational materials or outreach.

Booking requirements

The committee recommends that transit providers develop education and outreach solutions so that they can better communicate their policies and procedures to customers.

Fees for medical forms

- The committee recommends this item be forwarded to government for consideration.

3: Duties of municipalities that license taxicabs

On-demand accessible taxicabs

The committee recommends a change to the Transportation Standards to require municipalities to consult with the public, persons with disabilities and their AAC as part of the review of their multi-year accessibility plan. This requirement would come into force immediately when the revised standards take effect.

In addition, municipalities should be explicitly required to identify progress made towards meeting the need for on-demand taxicabs as part of the annual status report on their multi-year accessibility plans.

Side-entry taxicabs

The committee recommends no changes to the existing Transportation Standards regarding side-entry taxis.

Training for taxicab drivers

The committee recommends a change to the Transportation Standards, effective two years from the date the revised standards take effect, to call for municipalities to require, at the time of license issue or renewal, taxicab driver training for standard taxicabs with training on:

- accessibility Transportation Standards and the Ontario Human Rights Code as it pertains to persons with disabilities
- how to interact and communicate with persons with various types of disability
- how to interact with persons with disabilities who use an assistive device or require the assistance of a guide dog or other service animal or the assistance of a support person
- how to use equipment or devices available on the provider's premises or otherwise provided by the provider that may help with the provision of goods, services or facilities to a person with a disability
- what to do if a person with a particular type of disability is having difficulty accessing the provider's goods, services or facilities
- not charging a higher fare or additional fee for persons with disability than person without disabilities for the same trip, and do not charge a fee for the storage of mobility aids or mobility assistive devices

In addition, the committee recommends that municipalities require, at the time of license issue or renewal, taxicab driver training for drivers of accessible taxicabs, which should include:

- the safe use of accessibility equipment and features
- acceptable modifications to procedures in situations where temporary barriers exist or accessibility equipment on a vehicle fails
- emergency preparedness and response procedures that provide for the safety of persons with disabilities

The committee also suggests that this training could be offered through the Ontario college system or training organizations approved by the responsible municipality.

Doing so could create consistency in the information provided to drivers and ensure that the elements of the training are appropriate to the intention of this requirement.

Given the uncertainty with respect to the manner in which the sharing economy (ride-sourcing specifically) will be held to the AODA standards, the committee recommends that the aforementioned modifications need to apply to all Ontario service providers in this sector, not just those licensed by the municipality. As such, the committee encourages the province to continue to investigate and determine a mechanism to ensure same

Additional items

Accessible parking spaces

The committee recommends that this issue be put forward to the Standards Development Committee that undertakes the next review of the Design of Public Spaces Standards.

Coordination between specialized transit services

Municipalities should be required to report on the progress being made to coordinate their systems as part of the annual status report on their multi-year accessibility plans.

New and emerging technologies

The committee believes that persons with disabilities should be consulted at all stages of the government's involvement/support of these technologies. This would provide a great opportunity to influence developers to consider accessibility and build in functionality at the onset versus as an afterthought, and avoid barriers to new and emerging technology rather than having to remove them. The committee agrees that incorporating universal design in early planning would benefit all users, not just persons with disabilities.

Addressing attitudinal barriers

The committee recommends that the province take an active role in the development and outreach of increased guidance for obligated organizations to assist in the promotion of a cultural shift towards an accessible and inclusive society. Any guidance materials developed should support the Ontario Human Rights Commission's policy, Policy on Ableism and Discrimination Based on Disability, released in June 2016.