

2020 Accessibility To-Do list (Ontario)



As 2020 begins, we are already looking forward to the end of the year and to 2021. There are two key deadlines coming up under the *Accessibility for Ontarians with Disabilities Act* (“AODA”):

- **December 31, 2020:** the deadline for organizations with 20 or more employees in Ontario to file an Accessibility Compliance Report;
- **January 1, 2021:** the deadline for organizations with 50 or more employees in Ontario to make website and web content accessible.

The AODA was introduced in 2005 with the goal of removing barriers to make it easier for persons with disabilities to participate in their workplaces and communities. The legislation introduced various standards related to information, communications, transportation, public spaces, customer service and employment, which have been rolling out progressively over the last 14 years.

As of January 1, 2017, all organizations, regardless of the number of employees should have implemented:

- an accessibility policy;
- accessibility standards in their recruitment process;
- communication supports or accessible formats where required;
- individualized workplace emergency responses for employees who have a disability (requiring accommodation).

In addition, employers with more than 50 employees should ensure that they have both:

- documented individual accommodation plans for employees with disabilities; and
- return to work processes for employees returning from an absence due to a disability.

Accessibility Compliance Report

All organizations with more than 20 employees must file an accessibility compliance report to report to the Government of Ontario whether or not they are in compliance with the requirements of the AODA by **December 31, 2020**. [The form and additional information is available online](#) from the Government of Ontario. Please ensure that you use the form applicable to your sector ([public sector organization](#) vs [other organizations](#)).

Please note that the accessibility compliance report questions will depend on the size and type of your organization. Small organizations having more than 20 but fewer than 50 employees are only required to complete an accessibility report with respect to the accessibility standards for customer service.

Accessible websites and web content

If your organization has more than 50 employees or is a public sector organization, you also need to consider whether your website meets the World Wide Web Consortium Web Content Accessibility Guidelines (WCAG) 2.0. The WCAG is made up of twelve guidelines that ensure that websites are perceivable, operable, understandable and robust. This requirement only applies to websites accessible to the public and does not apply to any intranet/internal website for you and your employees. Large organization with more than 50 employees or public sector organizations need to ensure that their websites meet the WCAG by **January 1, 2021**. [Information on how to make websites accessible is available here](#).

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In the next year, these two important deadlines are coming up under the AODA. In completing the accessibility compliance report, organizations confirm that they have implemented the required standards of accessibility. For that reason, we recommend that organizations begin completing their compliance report and reviewing their websites well in advance of the two deadlines, in order to ensure that they are in compliance with the requirements of the AODA (as contraventions to the AODA may result in significant penalties).

The content of this article is intended to provide a general guide to the subject matter. Specialist advice should be sought about your specific circumstances.

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