Accessibility For Manitobans Act: New Information And Communication Regulation



The Accessible Information and Communication Standard Regulation (the "Standard") is the third regulation issued under *The Accessibility for Manitobans Act* (the "AMA"), which aims to remove and prevent barriers that exist digitally, in print or through interaction with technology or people. All organizations operating in Manitoba will need to comply with the Standard by May 1, 2025.

The following is a summary of the main obligations under the Standard. For instance, educational institutions and libraries have additional obligations that are not addressed in this blog. We encourage employers to review the Standard and visit the AMA website for more information.

Accessible Communication Training

All organizations will need to provide accessible communication training to specified individuals who:

- communicate directly to the public or to another organization in Manitoba on behalf of the organization;
- develop or maintain an organization's web content;
- purchase or procure information technology or communication tools;
- develop or implement the organization's measures, policies and practices respecting accessible communication; and
- are educators, where the organization is an educational institution.

Accessible communication training must include the following:

- instruction about how to identify, prevent and remove barriers to accessible communication;
- instruction on how to provide information through a communication support or accessible format; and
- a review of *The Human Rights Code*, *The Accessibility for Manitobans Act* and the Standard.

Requesting Accessible Information

Organizations must notify the public and their employees of the availability of information through communication supports and/or accessible formats. Upon request,

an organization will be required to provide information through such supports and formats, including but not limited to, sign language, captioning, large print, recorded audio and/or braille.

An organization is not required, however, to provide information through a communication support or accessible format if a specified exception applies, such as when the technology required to provide information via an alternative channel is not readily available or providing information via that channel would result in undue hardship to the organization.

Websites & Web Content

All Manitoba websites will need to meet or exceed the global requirements set out in the World Wide Web Consortium Web Content Accessibility Guidelines 2.1 Level AA ("WCAG") if:

1. the web content is published on or after the day an organization is required to be in compliance with the Standard (e.g., May 1, 2023 for the Government of Manitoba); and/or
2. the web content is required in order for an individual to access the organization's goods and services.

An organization does not need to meet the WCAG global requirements where, for instance, the technology needed to publish the content is not readily available or publishing the web content would result in undue hardship to the organization, among other exceptions.

Feedback Process

Organizations are required to develop an accessible process for receiving and responding to feedback about accessible communication in a manner that is appropriate in the circumstances and is suitable for persons who are disabled by barriers.

Organizations must also provide a process for documenting its resulting actions, and making that documentation available on request.

Large Employers

Large employers (i.e., organizations with fifty (50) or more employees) have additional obligations with respect to accessible information and communication. Large employers must:

- document the measures, policies and practices established under the Standard;
- make such documented policies publicly available; and
- develop a written accessible communication training policy that includes a summary of the content of the accommodation training and when accommodation training will be provided.

Compliance Deadlines

The Manitoba government must comply with the requirements of the Standard by **May 1, 2023**.

The City of Winnipeg and other cities in Manitoba, certain government agencies, regional health authorities, libraries and educational institutions have until **May 1, 2024**.

Private sector, non-profit organizations and small municipalities (i.e., all other

organizations and employers) have until **May 1, 2025**.

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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