

Is Your Organization AODA Compliant? New Obligations Under The Accessibility For Ontarians With Disabilities Act



It's the start of a new year, which means some organizations as of January 1, 2014 have additional requirements to meet under the *Accessibility for Ontarians with Disabilities Act, 2005* (the "AODA").

The purpose of the AODA is to create a "barrier-free Ontario" for persons with disabilities through the implementation of a number of general requirements, along with five "Accessibility Standards" in the areas of: Customer Service, Information and Communications, Employment, Transportation, and Design of Public Spaces. These obligations are being phased in over time to give organizations time to comply. For instance, all requirements under the Customer Service Standard came into effect for private sector organizations on January 1, 2012.

If your organization has 50 or more employees, as of January 1, 2014 you are now also required to comply with some general requirements as well as requirements under the Information and Communications Standard. Details of the three requirements under this standard are explained in this bulletin.

1) The Establishment of Accessibility Policies and Multi-Year Accessibility Plans

You must develop, implement, and maintain policies setting out how you will meet your obligations under the AODA. These policies must include a statement of organizational commitment to meet the accessibility needs of persons with disabilities in a timely manner and must be made available to the public. In addition, you must establish, implement, maintain, and document a multi-year accessibility plan outlining your strategy to meet your obligations under the AODA. The multi-year accessibility plan must be posted on your website and must be updated at least once every five years.

2) Incorporation of Accessibility Features for Self-Service Kiosks

If your organization designs or plans to acquire self-service kiosks, such as a self-checkout at a grocery store, you must now have regard to accessibility for persons with disabilities when designing, procuring, or acquiring self-service kiosks. This requirement applies only to new kiosks.

3) Accessible Websites

If your organization has a website, you must ensure that it complies with certain accessibility guidelines, in two stages. As of January 1, 2014 new internet websites and new web content must comply with “Level A” of the World Wide Web Consortium Web Content Accessibility Guidelines (“WCAG”) 2.0. For example, websites need to be fully functional through the use of a keyboard. All internet websites and web content (retroactive to January 1, 2012) must comply with WCAG at “Level AA” by January 1, 2021.

By December 31, 2014, you must file an online accessibility report to confirm your organization is in compliance with these new requirements, and remains in compliance with any requirements that came into force at an earlier date.

Many obligations under the AODA will not be in effect for a number of years, such as the requirements under the Employment Standard. However, the requirement to develop and publicize accessibility policies and multi-year accessibility plans now means that you must consider well in advance how your organization will meet these future obligations. As these accessibility policies and multi-year accessibility plans will be readily available to the public, you will want to ensure your organization has an effective strategy in place for remaining in compliance with the AODA.



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