

Website Accessibility Requirements – Know the Laws of Your Province



Website accessibility is now a requirement for private-sector companies under Federal, Ontario and Manitoba law.

More than 1 in 5 Canadians (22%) ages 15 and over have problems hearing or seeing, or suffer from one form of disability, according to a 2017 Statistics Canada report. Many of these roughly 6.2 million individuals are unable to see, read, click on or access information on a standard website. While human rights laws ban discrimination, they don't require employers to take proactive measures to make their websites accessible. However, several jurisdictions have or are in the process of adopting such laws:

- 3 jurisdictions (FED, MB, ON) have enacted laws requiring private-sector employers to implement plans to ensure that their websites meet the requirements of an international Web Content Accessibility Guidelines (WCAG) standard for website accessibility;
- BC and Newfoundland have adopted accessibility laws that would authorize the government to do this but haven't yet implemented such regulations;
- Saskatchewan is a few steps away from passing such legislation;
- Nova Scotia and Quebec have adopted website accessibility laws for public and government bodies that don't apply to private-sector employers.

Here's a summary of where things stand in each part of Canada.

Website Accessibility Requirements Across Canada

FEDERAL

Federal government agencies and companies must implement website and digital accessibility plans that comply with WCAG 2.0, Level AA (*Accessible Canada Labour Regs*)

ALBERTA

No website or digital accessibility laws

BRITISH COLUMBIA

Newly passed *Accessible British Columbia Act* authorizes the province to create regulations requiring government agencies and companies to establish and implement website and digital accessibility plans

MANITOBA

Accessibility for Manitobans Act regulations require implementation of website and digital accessibility plans meeting WCAG 2.0, Level AA by: i. Manitoba Govt. by May 1, 2023; ii. Public sector organizations, libraries and educational institutions by May 1, 2024; and iii. Private sector companies, nonprofits and small municipalities by May 1, 2025 (*Accessible Information and Communication Reg*)

NEW BRUNSWICK

No website or digital accessibility laws but government has established a Select Committee on Accessibility to study the issue

NEWFOUNDLAND

Accessibility Act of 2021 gives provincial government authority to adopt regulations requiring government and companies to establish and implement website and digital accessibility plans but no such regulations have yet been proposed or adopted

NOVA SCOTIA

Accessibility Act requires public sector bodies to provide accessible information and communication but doesn't specify standards; nor does the Act apply to private sector companies

ONTARIO

Accessibility for Ontarians with Disabilities Act (AODA) requires Ontario public and private sector operations with 50 or more employees to comply with WCAG 2.0 Level AA website accessibility requirements (except for WCAG Success Criteria 1.2.4 – Captions (Live) and 1.2.5 – Audio Descriptions (Pre-recorded)) (*AODA Integrated Accessibility Standards Reg*)

PRINCE EDWARD ISLAND

No website or digital accessibility laws

QUÉBEC

Equal Access to Employment in Public Bodies Act requires public sector employers to establish and implement plans to provide equal access to the disabled and other marginalized groups but doesn't specify website or digital accessibility; nor does Act apply to private sector

SASKATCHEWAN

Accessible Saskatchewan Act (Bill 103) requiring government bodies to establish and implement website and digital accessibility plans is through Second Reading in the Assembly but hasn't yet passed

NORTHWEST TERRITORIES

No website or digital accessibility laws but GNWT Consistent User Experience policy requires its own web content to meet WCAG (without specifying a version or level)

NUNAVUT

No website or digital accessibility laws

YUKON

No website or digital accessibility laws, but Government of Yukon Digital Service Standards require its own web content to meet WCAG 2.0 Level AA