



What is "Accessible?"

Changes to the Accessibility Standards For Customer Service (AODA)

REACH

Thursday, January 26, 2017

What is a Disability?

- Any degree of physical disability, infirmity, malformation or disfigurement, birth defect or illness; blindness, visual impediment; deafness, hearing impediment; muteness, speech impediment; physical reliance on a guide dog, service animal, wheelchair or other appliance or device
- A condition of mental impairment or a developmental disability
- A learning disability
- A mental disorder
- An injury or disability for which benefits were claimed under WSIB

Policy and guidelines on disability and the duty to accommodate (2001)

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Legal Framework

- **The UN Convention on the Rights and Freedoms of Persons with Disabilities**
- **The Canadian Charter of Rights and Freedoms Section 15** guarantees the right to equal protection under the law and equal benefit of the law, without discrimination based on disability, among other grounds.
- **Ontario Human Rights Code**
- **Accessibility for Ontarians with Disabilities Act**

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The Accessibility for Ontarians with Disabilities Act, 2005

- The AODA aims to address the right to equal opportunity and inclusion for people with disabilities. The AODA's goal is to make Ontario fully accessible by 2025.
- The AODA complements the Ontario Human Rights Code, which has primacy over the AODA.

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What is “Accessible?”

- Inclusive by design
- Barrier-free
- Based on culture of inclusion

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Accessibility Directorate of Ontario

"The AODA and its standards apply to all organizations with at least one employee in Ontario. Specifically, the Customer Service Standards establish the law removing barriers for people with disabilities accompanied by a support person. [...] Please be aware that individuals who feel that they have been discriminated against based on a disability may choose to contact the Human Rights Tribunal of Ontario for information about filing a claim of discrimination under the Ontario Human Rights Code. The Integrated Accessibility Standards Regulation does not replace or affect existing legal obligations under the Ontario Human Rights Code and other laws in respect to accommodation of people with disabilities. For more information, please visit www.ohrc.on.ca/en/disability-and-human-rights."

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The Duty to Accommodate

- "The duty to accommodate persons with disabilities means accommodation must be provided in a manner that most respects the dignity of the person, if to do so does not create **undue hardship**."
- "There is no set formula for accommodating people with disabilities."

Undue Hardship

Three Considerations under the OHRC:

1. Cost
2. Outside sources of funding, if any
3. Health and safety requirements, if any

"If undue hardship can be shown, the person with a disability should be given the option of providing or paying for that portion of the accommodation that results in undue hardship."

The Courts have determined that collective agreements and contracts must give way to the requirements of human rights law.

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Integration and Full Participation

- Barrier-free and inclusive design
- Removal of existing barriers (physical, attitudinal and systemic)
 - Social attitudes and actions ("social handicapping")
 - **Differential treatment** might be required to provide equal opportunity to full participation.

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The Integrated Accessibility Standards Regulation (IASR)

- Customer Service
- Communication and Information
- Employment
- Transportation
- Design of Public Spaces

(AODA, 2005)

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Changes to the IASR (July 1, 2016)

- Definition Changes
- Training Requirements (Section 80.49)
- Service Animals (Section 80.47)
- Support Persons (Section 80.47)
- Feedback (Section 80.50)
- Documenting policies, practices and procedures (Section 80.46)

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Policy on Ableism and Discrimination Based on Disability (2016)

The principles of accommodation:

- Respect for dignity
- Individualization
- Integration
- Full participation

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Examples of Accommodation

- A mini-review of recreational programs and day camps
- Some examples
- Discussion

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Children's Day Camps

Special Needs

Unfortunately, our organization cannot provide one-on-one staff, adapt or change programming, provide specific medical support or guarantee a nut-free environment. We can only waive the fees for support persons accompanying campers with disabilities.

Accessibility Plan (2014-2019) is available online.

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Miles Nadal JCC Programs & Camps

We are committed to the integration of people of all abilities into our programs, and we want to explore how we can best meet your needs. [...] The Accessibility and Inclusion Coordinator, along with programming staff, will work with individuals with disabilities and their families to create a successful and meaningful experience at the MNjcc. [...] All of our programs are open to people of all abilities. We also offer [programming designed to meet specific needs identified to us by people with disabilities and their families.](#)

Statement of Accommodation:

<http://mnjcc.org/welcome/accessibility>

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Royal Botanical Gardens – Day Camps

RBG is proud to partner with REACH to provide children with physical and developmental disabilities with inclusive camp experiences.

http://www.rbg.ca/file/RBGmarchCamps17_Final.pdf

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How We Can Help

- Intake & Upfront Consultation
- Authorization and Consent
- Needs Assessment
- Medical Information
- Participant Profile
- Confidentiality
- Funding
- Support Allocation
- Accessible Bussing
- Adaptive Equipment
- Inclusive Placements
- Staff Training
- Resource Visits

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Questions?

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Help kids be kids and #ReachBeyondDisabilities!

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