

Canada's Accessibility Laws

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Employment & Labour Client Seminar
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Current Status

- Ontario – *Accessibility for Ontarians with Disabilities Act, 2005* (AODA)
- Manitoba – *The Accessibility for Manitobans Act (2013)* (AMA)
- Nova Scotia – *Accessibility Act (2017)* (AA)
- Federal – Bill C-81, An Act to ensure a barrier-free Canada
- “Accessible Canada Act” (ACA)

ONTARIO

- Completed:
 - Accessible Customer Service
 - General Accessibility Requirements
 - Employment
 - Information and Communications – with exception of websites
 - Design of Public Space

ONTARIO – AODA

- Ongoing:
 - Training
 - Report compliance on Service Ontario website every 3 years to 2023
 - Review and update multi-year accessibility plan at least every 5 years
 - All websites and content published after 1/1/12 must meet WCAG 2.0 Level AA by 1/1/21

MANITOBA – AMA

- AMA similar to AODA
- Customer Service Standard Regulation
- As of 1/11/18 private sector employers with 1+ employees in Manitoba which provide goods/services directly to the public or to another organization in Manitoba had to comply

MANITOBA – AMA *cont'd*

- Identify and seek to remove barriers or provide alternate means
- Communicate in a manner that takes a barrier into account
- Allow use of assistive devices, support persons and service animals
- Give notice and details of alternate means if part of the built environment intended to facilitate barrier-free access is unavailable
- Feedback process
- Document the above measures, policies and practices (20+ employees)
- Staff training on AMA and *Human Rights Code*
- Document the training (20+ employees)

MANITOBA – AMA *cont'd*

- Upcoming:
 - Employment
 - Accommodation
 - Built environment
 - Public transportation and infrastructure
 - Delivery of goods, services and information

NOVA SCOTIA – AA

- Standards under development:
 - Education
 - Built environment

NOVA SCOTIA – AA *cont'd*

- Other standards to be developed 1 per year starting in 2021:
 - Delivery of goods and services
 - Information and communication
 - Public transportation and infrastructure
 - Employment
 - Built environment
 - Education

FEDERAL – ACA

- Bill C-81 introduced 20/6/18
- Second reading 26/9/18
- Standing Committee reported with 74 amendments
- At third reading November 21st and 22nd

FEDERAL – ACA *cont'd*

- What the Act will not do:
 - Make Canada accessible
 - Require provinces to take steps
- What the Act will do:
 - Require employers governed by federal law to implement accessibility – e.g. broadcasting, inter-provincial transportation, railways, shipping, banks

FEDERAL - ACA *cont'd*

- Requires an accessibility plan
- Updated every 3 years
- Feedback process
- Publication of progress reports
- Enforcement includes inspections, production orders, compliance orders, monetary penalties, compliance agreements
- Unlike AODA includes a complaint process to Accessibility Commissioner
- Can order compensation for lost wages, additional costs incurred, up to \$20,000 for pain and suffering, up to \$20,000 in case of a willful or reckless practice

Questions?

Thank you

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