

# Accessibility for Ontarians with Disabilities Act: How the Integrated Accessibility Standards Will Affect You

**Jessica Young**

The Customer Service Standard was the first standard under the *Accessibility for Ontarians with Disabilities Act, 2005* (the “Act”) to become law. The *Integrated Accessibility Standards* (the “Integrated Standard”) is the proposed streamlined regulation that includes the Information and Communication Standard, the Employment Standard and the Transportation Standard. The public review period for the Integrated Standard ran from February 1 to March 18, 2011 and it is now under final review by the Minister of Community and Social Services. The Minister has 90 days to review the standard and the government anticipates that the Integrated Standard will be enacted sometime this year.

## Reporting Requirements

Unlike the Customer Service Standard which requires an Accessibility Report to be filed by any service provider that has at least 20 employees in Ontario, the Integrated Standard only requires private sector organizations that have 50 or more employees to file an Accessibility Report.

## Accessibility Plan

The Integrated Regulation requires all public sector organizations and private sector organizations with 50 or more employees to prepare and post on their website an accessibility plan. The Accessibility plan must outline the organization’s strategies to prevent or remove barriers and to meet the requirements under the Integrated Standard. The accessibility plan must be reviewed every five years.

There are additional requirements for the Government of Ontario, Legislative Assembly and public sector organizations. These entities must consult with persons with disabilities when reviewing and updating their accessibility plan, prepare an annual status report of measures taken to implement accommodation strategies and must post the status report on their website.

### Accessibility for Ontarians with Disabilities Act: Customer Service Standard - Comprehensive Training Seminar

**Breakfast Briefing:**  
**June 9, 2011, 9:00 a.m. – 11:00 a.m.**  
**Sheraton Toronto Airport**

**For more information or to register:**  
**[www.sbhlawyers.com/events.php](http://www.sbhlawyers.com/events.php), Call: 416-  
862-1616, or Email: [info@sbhlawyers.com](mailto:info@sbhlawyers.com)**

## Compliance

As we mentioned in our last update on the Act, [Accessibility for Ontarians with Disabilities Act: What Employers Need to Know](#), the Integrated Standard provides rules for the determination of administrative penalty fees. When setting an administrative penalty fee, the Director must take into account the following factors: criteria (1) the severity of the impact of the contravention, (2) the contravention history of the person or organization and (3) whether the person or organization is a corporation, an individual or an unincorporated organization.

The Integrated Regulation sets out specific penalties based on the above factors. Depending on the impact of the contravention and the contravention history, an individual or unincorporated organization could be issued a fine of between \$200 and \$2000. A corporation could face a fine of between \$500 and \$15,000. If the contravention is determined to be major and the contravention history of the person or organization is determined to be major, the maximum daily penalties are \$50,000 for an individual or unincorporated organizations and \$100,000 for a corporation. Payment of an administrative penalty must be made within 30 days of the order being made.

Information on the specific requirements of each standard will be provided in future Updates. Stay tuned.

### **For more information, please contact our AODA practice committee:**

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