

City of Portage la Prairie POLICY AND PROCEDURE MANUAL		POLICY NO: ADM-BK
REFERENCE: Administration	ADOPTED BY: Resolution No. 2017/0193 2021/0182	Page 1 of 7
	DATE: October 23, 2017	
TITLE: Accessibility Policy		DATE LAST REVIEWED BY MGMT: December 7, 2021

1. Policy Statement:

The City of Portage la Prairie is committed to providing equal service to all citizens and visitors regardless of their abilities. We strive to remove and prevent barriers to accessibility and to meet the requirements of the “Accessibility for Manitobans Act”.

2. Purpose:

This policy is intended to provide the overarching framework to guide the review and development of other City of Portage la Prairie policies, standards, procedures, By-laws and guidelines to comply with the standards developed under the Accessibility of Manitobans Act C.C.S.M. c.A1.7 (AMA).

3. Application:

This policy applies to all City employees, volunteers and to any individual or organization that provides goods, services or facilities to the public or other third parties on behalf of the City, in accordance with the legislation.

The following organizations receive funding from the City of Portage la Prairie but report to separate boards, and as such follow their own respective policy: Portage Regional Recreation Authority, Portage la Prairie Regional Library, Portage la Prairie Planning District, PRED Inc, and the Portage la Prairie Regional Landfill.

4. Principles

City services, programs, policies, goods and facilities are to be available to people with disabilities in a manner that:

- Is free from barriers to accessibility;
- Reflects the principles of dignity and independence;
- Seeks to provide integrated services;
- Provides an opportunity equitable to others to obtain, use and benefit from the goods or services; and
- Takes into consideration a person’s disability while respecting the dignity and independence of persons with disabilities.

5. Responsibilities

The Chair of the Accessibility Committee, as appointed by the City Manager is responsible for reviewing this Policy bi-annually and recommending amendments to ensure on-going compliance with regulated accessibility standards and legislated obligations. The Chair of the Accessibility Committee or designate shall provide advice and direction on the implementation of the policy. Senior Administration, Managers, and supervisors shall ensure that they and their staff are familiar with and comply with this policy.

6. The Chair of the Accessibility Committee is responsible for:

- Collecting information about requests and feedback from departments;
- Monitoring compliance with this procedure on an annual basis; and
- Providing a summary of the requests and feedback to the Accessibility Committee at their regular meetings.

7. Directors are responsible for:

- Creating and maintaining service free from barriers to accessibility;
- Budgeting for the costs associated with accessible formats and communication supports of materials originating from their departments; and
- Monitoring situations where request for accessible formats and communication supports have not been provided and determine ways to make the information more convertible in the future.

8. Managers and Supervisors are responsible for:

- Creating and maintaining service free from barriers to accessibility;
- Ensuring employees are aware of this procedure and are logging requests and feedback that are received by their departments with the Chair of the Accessibility Committee;
- Tracking costs associated with requests;
- Ensuring employees are providing appropriate accessible formats and communication supports, when requested;
- Ensuring that staff provide residents with an explanation as to why information or communications are unconvertible; and
- Overseeing the provision of a summary of the unconvertible information or communication support to the resident.

9. Monitoring/Contraventions

Failure to comply with the Accessibility for Manitobans Act and regulations can result in administrative penalties. Managers and supervisors shall monitor current practices to ensure compliance. Failure to comply with this policy may result in disciplinary action, up to and including dismissal.

Policy Requirements

1. General Standards

The City of Portage la Prairie is a designated public sector organization under the AMA and is committed to meeting the accessibility needs of people with disabilities.

2. Accessibility Committee

The City of Portage la Prairie has established a committee comprised of staff representing various City Departments. The committee shall advise Council about the requirements and implementation of AMA accessibility standards, preparation of accessibility reports, including access for persons with disabilities to a building or premises, and other matters for which Council may seek advice.

3. Establishment of Accessibility Plans and Policies

The City has produced a Multi-Year Accessibility Plan. The plan is posted on the City's website and shall be made available in an accessible format and with communication supports, upon request. Progress on the plan will be provided to Council annually in the City of Portage la Prairie's Status Report. The accessibility Plan shall be reviewed and, if necessary, updated at least once every two (2) years.

The City of Portage la Prairie maintains policies governing how the City shall meet its requirements under AMA, and the City will provide policies in an accessible format, upon request.

4. Accessible Formats and Communication Supports

Except as otherwise provided by AMA, the City of Portage la Prairie shall, upon request, and in consultation with the person making the request, provide or make arrangements to provide accessible formats and communication supports for persons with disabilities. Accessible formats and communication supports shall be provided in a timely manner, taking into account the person's accessibility needs, and at a cost that is no more than the regular cost charged to other persons, in accordance with the Accessible Formats and Communication Supports Procedures.

This does not apply to products and product labels, unconvertible information or communications and information that the City does not control directly or indirectly through a contractual relationship. If it is determined that information or communications are unconvertible, the department shall provide the person requesting the information or communication with:

- a) an explanation as to why the information or communications are unconvertible;
- b) a summary of the unconvertible information or communications.

5. Procurement of Goods, Services and Facilities

When procuring goods, services, or facilities, the City shall incorporate accessibility criteria and features, unless it is not feasible (practicable). If not practicable, the City shall provide an explanation, upon request.

6. Feedback

Feedback on how services were delivered to people with disabilities shall be invited, forwarded to the appropriate personnel, responded to, documented and tracked. Feedback shall be collected by phone by at (204) 239-8309, by email to accessibility@city-plap.com and in person at any of the City's service locations.

Feedback shall be accepted in accessible formats and with other communication supports as required. Feedback given to any city service locations, person or department shall be forwarded to the Chair of the Accessibility Committee who shall investigate the feedback with the appropriate Department Head and ensure that the person who provided the feedback receives a response within seven days. If deemed appropriate by the Chair of the Accessibility Committee or his or her designate, the feedback will be considered by the Accessibility Committee.

7. Documentation

Documentation that describes this policy and each of its requirements shall be maintained on the City website www.city-plap.com and provided to individuals, upon request, in the appropriate format.

Customer Service Standard

1. Statement of Principle

Manitoba Regulation 171/2015 made under the AMA came into force on November 1, 2015 and the City of Portage la Prairie met the requirement to be compliant by Nov. 1st, 2017. The Regulation establishes accessibility standards for customer service. The City of Portage la Prairie is committed to meeting the standards as set out in the Regulation.

2. Measures, Policies and Practices

- a) **Barrier-free access to goods and services** – The City of Portage la Prairie provides goods or services to members of the public, including those with disabilities. The City shall use reasonable efforts to ensure that its policies, practices and procedures are consistent with the same principles used to govern the City of Portage la Prairie's overarching accessibility policy.

The City of Portage la Prairie will:

- Identify barriers to accessible customer service that exist respecting the goods or services it provides;

- seek to remove the existing barriers it is responsible for, so that all persons reasonably expected to seek to obtain, use or benefit from the good or service can do so using the same means;
- ensure that a fee or charge relating to accommodating a person who is disabled by a barrier is imposed only if the City cannot reasonably accommodate the person otherwise;
- if an existing barrier cannot reasonably be removed, seek to ensure that persons who are disabled by the barrier are provided access to the good or service by alternative means, whether on a temporary or permanent basis; and seek to prevent new barriers from being created.

- b) **Use of Service Animals and Assistive Devices** – If a person with a disability is accompanied by a service animal, the City shall ensure that the person is permitted to enter the premises with the animal and allowed to keep the animal with him or her unless the animal is excluded by law from the premises.

This applies in equal measure to assistive devices. Customers with disabilities shall be permitted to enter the premises with their mobility aids.

- c) **Use of Support Persons** – If a person with a disability is accompanied by a support person, the City shall ensure that both persons are permitted to enter the premises together and that the person with a disability is not prevented from having access to the support person while on the premises.

The City may require a person with a disability to be accompanied by a support person when on the premises, but only if a support person is necessary to protect the health or safety of the person with a disability or the health or safety of others on the premises.

If an amount is payable by a person for admission to the premises or in connection with a person's presence at the premises, the City shall ensure that notice is given in advance about the amount, if any, payable in respect of the support person.

- d) **Notice of Temporary Disruptions**

If, in order to obtain, use or benefit from a City of Portage la Prairie's goods or services, persons with disabilities usually use particular facilities or services of the City and if there is a temporary disruption in those facilities or services in whole or in part, the City shall give notice of the disruption to the public.

Notice of the disruption must include information about the reason for the disruption, its anticipated duration and a description of alternative facilities or services, if any, that are available.

Notice shall be given by posting the information at a conspicuous place on premises owned and operated by the City of goods or services, by posting it on the City's website or by such other method as is reasonable in the circumstances.

- e) **Communication** – When communicating with a person with a disability, City employees, volunteers and third party contractors shall do so in a manner that takes into account the person’s disability. Guidelines for communicating with people who have various types of disabilities are provided in the City of Portage la Prairie’s Orientation training of which copies are available upon request.

3. Training

All City employees, volunteers and third parties developing policies, practices, or procedures, or providing goods or services on the City’s behalf shall be required to undergo training on the requirements of AMA accessibility standards and on the Human Rights Code as it pertains to persons with disabilities. The training provided shall be appropriate to the duties of the employee, volunteer or third party. Training shall take place as soon as is practicable and upon completion, the City shall keep a record of the training provided including the dates on which the accessibility training took place.

The customer service section of the training shall include a review of the requirements of the Regulation and instruction about the following matters:

1. How to interact and communicate with persons with various types of disabilities.
2. How to interact with persons with disabilities who use an assistive device or require the assistance of a guide dog or other service animal or the assistance of a support person.
3. How to use equipment or devices available on the City’s premises or otherwise provided by the City that may help with the provision of goods or services to a person with a disability.
4. What to do if a person with a particular type of disability is having difficulty accessing the City’s goods or services.
5. The training must be provided to each person as soon as practicable after he or she is assigned the applicable duties.
6. Training must also be provided on an ongoing basis in connection with changes to the policies, practices and procedures governing the provision of goods or services to persons with disabilities.

4. Public Meetings, Hearings and Consultations

The following reasonable measures will be followed for public meetings, hearings and consultations that are held by the City of Portage la Prairie:

- a) notice of the event is given in a manner that is accessible to persons disabled by barriers;
- b) the physical and communication needs of persons disabled by barriers are met on request, provided that the City receives reasonable notice; and
- c) notice is given to the public that persons disabled by barriers may request that relevant supports be provided.

Standard for Employment

1. Enacted on May 1, 2019, Manitoba's Accessibility Standard for Employment aims to remove and prevent barriers that affect current and potential members of Manitoba's labour force. Public sector organizations were required to comply by May of 2021.

The Standard:

- builds on existing requirements of Manitoba's Human Rights Code;
- helps organizations hire, support and keep employees; and
- applies to paid employees who are full-time, part-time, apprentices, seasonals.

The Standard for Employment requires the following:

- Workplace Emergency Response Information – creation of information to help employees stay safe during emergencies; and
- Workplace Emergency Assistance – Ask employees who require assistance during an emergency for permission to share information with individuals who agree to help.

2. Measures, Policies and Practices

- a) The City will consider reasonable accommodation at various stages of employment, including:
 - Recruitment – inform applicants that reasonable accommodations are available on request and consult with affected applicants on the requested accommodation, offer and provide reasonable accommodations to the individuals participating in the selection process
 - Offer of employment – notify new hires about the organization's policies for accommodating employees in the workplace
 - On the job - consider whether a workplace accommodation could remove a barrier affecting job performance, and/or support an employee's opportunities for training and advancement, inform employees about employment policies and practices, offer to provide information in accessible formats, develop an individualized accommodation plan if requested.
 - Return to work – create a policy for introducing an employee who has been absent due to a disability, describe the process the employer will follow to determine reasonable accommodation if necessary.
- b) The City will train staff who are responsible for: recruiting, selecting, training, supervising, managing or coordinating the work of employees; promoting or redeploying employees; and developing and implementing employment policies and practices.

Content will include: how to create accessibility in the workplace; how to interact with individuals who use an assistive device or require a support person or animal; a review of the Human Rights Code (Manitoba), the Accessibility for Manitobans Act and the Accessibility Standard for Employment.

The City will document in writing all accessible employment policies and practices, including the content and timeframe for training, and make these documents publicly available and in accessible formats by request.

Schedule A

Definitions

Accessible Formats – may include, but are not limited to, large print, recorded audio and electronic formats, Braille and other formats usable by persons with disabilities.

Communications – means the interaction between two or more persons or entities, or any combination of them, where information is provided, sent or received.

Conversion ready – means in an electronic or digital format that facilitates conversion into an accessible format.

Communication Supports – may include, but are not limited to, captioning, plain language, sign language, and other alternative and augmentative communication supports that facilitate effective communications

Electronic Text – presentation of information in order to enable various computer programs to convert the information into a “readable” format. All illustrations or graphical information is explained fully in text.

Information – includes data, facts and knowledge that exists in any format, including text, audio, digital or images, and that conveys meaning. The information and communications standards do not apply to the following:

1. Products and product labels.
2. Unconvertible information or communications.
3. Information that the City does not control directly or in-directly through a contractual relationship.

Unconvertible – information or communications are unconvertible if it is not technically feasible to convert the information or communications or the technology to convert the information or communications is not readily available.