



October 19, 2010

Neshalia Mohindra
Outreach and Compliance Branch
Ministry of Community and Social Services
777 Bay Street, Suite 601
Toronto, Ontario M7A 2J4

Re.: The Proposed Integrated Accessibility Regulation under the *Accessibility for Ontarians with Disabilities Act, 2005*

Dear Ms. Mohindra,

Thank you for the opportunity to comment on the proposed Integrated Accessibility Regulation (Regulation) under the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA). The following comments are being submitted for your consideration on behalf of Conservation Ontario, which is the network of Ontario's 36 conservation authorities (CAs). It is understood, as per advice received from the Accessibility Directorate of Ontario, that CAs would be considered private sector organizations under the proposed Regulation.

Conservation Ontario applauds the aim of the Province to make Ontario fully accessible by 2025 and appreciates the need for, and value of, the standards proposed under the AODA. The Province is also commended for streamlining, aligning and phasing-in requirements under the AODA related to information and communication, employment and transportation by integrating them into one regulation; the need to harmonize the proposed standards was a concern previously raised by Conservation Ontario. The extended implementation timelines proposed for the Regulation are considered to be much more reasonable than what had been previously recommended for each standard. The exemptions from some requirements provided to private and not-for-profit organizations with fewer than 50 employees are supported.

The following comments outline concerns with the proposed Regulation and areas where additional clarity or guidance is requested.

Financial Impacts

CAs are non-governmental public service organizations that are largely funded by their member municipalities. Since the mid 1990s CAs and their member municipalities have had to absorb a significant reduction in provincial funding. In response, CAs have had to reduce services, find

ways to self-generate additional revenues and increase municipal levies in order to maintain basic services and carry out their legislated responsibilities.

The substantial cost for CAs to implement the proposed Regulation, including associated ongoing costs, will largely be levied to their member municipalities. Each CA will have to prepare a detailed business case to request the funding required. Therefore, it is critical that CAs be able to provide their municipalities with an accurate estimate of the costs involved, so as not to risk the further restriction of the important public services they provide. The Province is requested to provide a detailed cost impact analysis for private and non-profit sector to assist them to properly plan for the implementation of the Regulation and mitigate the financial and resource impacts of compliance.

Provincial Support

Clause 3.3 of the initial proposed employment standard included a comment from the Employment Accessibility Standards Development Committee (Committee) that encouraged the Province to provide obligated organizations with materials or tools to support implementation. One of the key assumptions made by Deloitte in their cost impact assessment for the proposed employment standard was that *“Smaller organizations will likely need greater support from the Government of Ontario to comply with the Standard given their limited in-house human resources expertise.”*

To facilitate the implementation of the proposed Regulation by obligated organizations, particularly smaller organizations such as CAs that have limited capacity to self-generate additional revenues, Conservation Ontario echoes the Committee’s comments in urging the Province to provide appropriate guidance, tools and training.

Accommodation Concerns

It is unclear what the process will be for making a complaint against an organization that fails to comply with the proposed Regulation. Clarity is requested regarding how concerns or complaints can be raised by individuals who experience barriers to accessibility, for example if an organization refuses to assist them or does not adequately accommodate their needs.

Accessible Formats and Communication Supports

The proposed accessibility requirements document includes a footnote throughout which states: *“upon request for alternative formats: organizations are not required to have every alternate format in stock, but rather have the means to provide the information as soon as possible, once the request has been made”*. Clarity is requested regarding what will be considered a reasonable timeline in which to provide information in the format desired. For example, if a person with a disability requires a sign interpreter it may take organizations some time to find a consultant available to provide that service. It is assumed that benchmarks regarding what will be deemed reasonable timelines will be established; the Province is requested to communicate their expectations for providing such services to obligated organizations.

Thank you again for the opportunity to provide comments on the proposed Integrated Accessibility Regulation. Conservation Ontario supports the aim of the Province to make Ontario fully accessible by 2025. While the extended timelines for compliance with the various components of the proposed regulation are appreciated, the Province is requested to provide a detailed implementation cost impact assessment for obligated private and non-profit sector organizations. Provincial resources in terms of guidance, tools and training will be required to

assist these organizations in complying with the Regulation. Due to CAs' unique funding structure, the Province is respectfully requested to carefully review and consider comments submitted by CAs' member municipalities.

If you have any questions or require additional information please contact me at (905) 895-0716 ext. 231.

Sincerely,

A handwritten signature in black ink, appearing to read 'Don Pearson', with a stylized flourish at the end.

Don Pearson
General Manager

c.c. Conservation Authority General Managers/CAOs