



October 18, 2019

Attention: Rich Donovan, Chair
Information and Communications Standards Review Feedback
Ministry for Seniors and Accessibility
777 Bay Street
6th Floor, Suite 601A
Toronto, Ontario
M7A 2J4

Dear Mr. Donovan:

Re: York Region response to Proposed Information and Communications Standards Amendments

On behalf of The Regional Municipality of York, please accept our feedback regarding the proposed recommendations to the Information and Communications Standards under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) as posted for public input on July 24, 2019.

York Region supports the proposed initial recommendations with considerations outlined in this letter. While many of the proposed amendments will have a positive impact on improving accessibility for our residents, York Region is concerned that, if approved in the current form, some amendments and suggested timelines may pose fiscal and timing challenges for our local municipalities to implement.

York Region recommends the Province respects existing mechanisms for appeals and accountability if a Provincial resolution system is created

The current Regulation includes processes for people with disabilities to provide feedback to organizations on their needs, but does not have a mechanism to resolve disagreements when either party is unhappy with the result. York Region does not support the recommendation that the Accessibility Standards Advisory Council investigate the creation of a mechanism to resolve these disagreements. Many organizations, including York Region, have an ombudsman process equipped to handle such disputes. If a Provincial resolution system is created, existing mechanisms for appeals and accountability should be respected where they are in place.

York Region suggests all proposed timelines must align with established municipal business planning and budget cycles and should be extended

Current accessibility requirements under websites do not apply to mobile applications. York Region supports the recommendation to extend the definition of website to include mobile applications but suggests the 2021 timeline presents significant fiscal and system change implications.

Obligated organizations must currently meet 2021 internet requirements and this would be an additional pressure in an already tightened fiscal environment. Planning for all proposed amendments must also align with an organization's established business planning and budget cycle which, for York Region and many other municipalities, aligns with the four-year term of Council. Proposed timelines do not align with this requirement. The following revised timelines are suggested: new mobile applications to comply by January 1, 2021 and all mobile applications by January 2023.

The same pressures apply to lifting exemptions for public-facing websites with a log-in (extranets) and employee-facing intranets. The Region supports the recommendation that these types of websites should be compliant but suggests that 2021 timelines for new websites and 2023 timelines for all sites present significant fiscal and system change impacts. York Region suggests new intranets and public facing websites with a log-in must comply by January 2023, and all intranets and public facing websites with a log-in must comply by January 2025.

Another area of similar concern is the proposed removal of the current exemption of live captioning and audio descriptions by 2025. While the Region supports the removal of the exemptions in principal, this potential large scale system change must align with our established business planning and budget cycle to have the infrastructure in place. The Region does not support the possible acceleration of this timeline as recommended.

York Region recommends the Province clearly defines accessibility criteria required for the procurement of digital content

Though obligated organizations must already incorporate accessibility design, criteria and features in the overall procurement process, current regulations around procurement have no specific accessibility requirements for digital content procurement. York Region supports the recommendation to include accessibility criteria for the purchase of digital content but suggests this criteria be clearly defined so organizations know what to include when purchasing digital content.

York Region suggests proposed Phase two "Accessibility Ecosystem" requires extensive consultation before consideration as a new model for accessibility regulations

Phase two of the recommendations and the proposed Accessibility Ecosystem offers a new model for accessibility regulations. York Region supports the recommendation that the Province should explore new ways to respond to rapid changes in technology but suggests more work is needed on this recommendation. Given the transformative nature and complexity of the proposal, the Government should further explore the concept and consult extensively with the public, including municipalities and people with disabilities. More information is also needed on the scope of the oversight function over municipal governments by the proposed Trusted Authority, the independent group which will provide oversight and support to the system of accessibility standards.

The Province should consider overall impacts to organizations when finalizing amendments to the Regulation

Overarching all recommendations, implementation of the legislation should be affordable, efficient and sustainable for municipal governments. Timelines should be staggered and reasonable, and aligned with established business planning and budget cycles.

Requirements should be supported with leading practices and resources to support implementation. They should also be supported by transitional financial assistance when the change is significant or costly to implement. If approved in the current form, some amendments and suggested timelines may pose fiscal and timing challenges for municipalities and other obligated organizations to implement.

The proposed recommendations reflect The Regional Municipality of York's long standing commitment to meet and exceed the accessibility standards of the Accessibility for Ontarians with Disabilities Act, 2005. York Region continues to support the objectives and spirit of the Act and is committed to the successful implementation of all new requirements under the Act.

Thank you for the opportunity to provide input on the initial recommendations to the Information and Communications Standards.

For questions regarding these comments, please contact Katherine Chislett at katherine.chislett@york.ca or Dino Basso at dino.basso@york.ca.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Chislett', with a large, stylized 'K' and 'C'.

Katherine Chislett
Commissioner
Community and Health Services
The Regional Municipality of York

A handwritten signature in black ink, appearing to read 'Dino', with a large, stylized 'D'.

Dino Basso
Commissioner
Corporate Services
The Regional Municipality of York

Copy to: Wayne Emmerson, Regional Chair and Chief Executive officer
Bruce Macgregor, Chief Administrative Officer
Joseph Silva, Director, Strategies and Partnerships Branch
Patrick Casey, Director, Corporate Communications