

Making Municipalities Accessible

When, How, Why and How much does it cost?

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BC Advisory Group
October 2, 2020**



Better late than never!

- Why we have to act
- What are Barriers
- *Accessibility for Manitobans Act*
- Accessibility Plans
- Accessibility Standards
- Enforcement
- Practical Implementation
- Cost consequences

**“THE DISABILITY IS
NOT THE PROBLEM.
THE ACCESSIBILITY
IS THE PROBLEM.”**

- MOHAMED JEMNI

Caption

Why we have to act

175,000 Manitobans have a disability

- 13% of the population
- 1 in 6 Manitobans face barriers to accessibility
- Aging population-17.6% by 2036
- Vision, hearing, physical, intellectual, developmental, learning, speech
- Most people will experience some form of disability at some time in their life

Some disabilities
look like this



Some
look like this



| TheMindsJournal

Barriers

What are they?

- Anything that interacts with a disability that impacts that persons full participation
- Attitude
- Communication
- Built environment
- Technological
- Systemic
- Removing barriers often costs little to nothing



Practical & Inexpensive

A little can go a long way!



Accessibility for Manitobans Act

The law in 2 parts

Came into effect December 2013

Gradual implementation

All Manitoba organizations that employ more than one person must comply

Public sector, business, non-profit

Two primary components to law

Accessibility Plans & Accessibility Standards

Goal is to significantly increase accessibility in all sectors by 2023

Accessibility Plans

- Written plan completed and submitted to the Province every 2 years
- Identifies what has been done to address accessibility in the organization, what will be done in next two years and the measures in place to ensure that accessibility issues are identified and addressed in all policies and projects implemented by the municipality
- Plan should clearly identify priorities and challenges, including financial challenges
- In preparing plan, MUST consult with disabled persons or organizations representing disabled persons
- Must post plan for public and on the website

Creating Accessibility Plans

Make it meaningful

- Look at municipal services through the eyes of a disabled person
- Use disabled people as a resource
- Look at the logic of your accessibility features, consider how they flow
- Practicality
- Cost considerations
- Involve entire organization-develop team
- Public Works must be part of plan
- Two municipalities can create one plan

Municipal Administration

The office, the website, the front counter & the Council chamber

- Availability of accessible parking
- Steps, railings and ramps
- Equality of entrance
- Entrance doors with properly placed automatic door opener
- Clear signage
- Training of front line staff
- Removing clutter from hallways
- Council meetings in an accessible room, microphones
- Accessible washrooms with automated door openers

Public Works

The frontline of accessibility in the community

- Street and sidewalk maintenance and replacement
- Curb and gutter maintenance and replacement
- Snow and ice removal
- Street cleaning
- Maintaining municipal buildings and parking lots
- Implementation of projects as directed by Council and administration

Accessibility Plans

Don't reinvent the wheel!

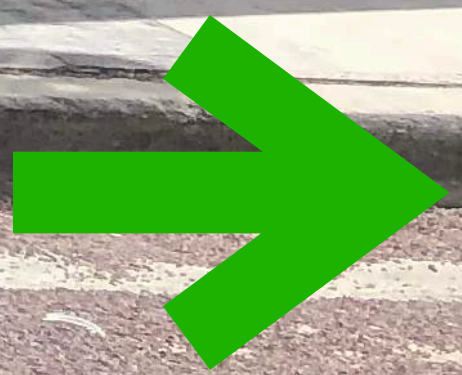
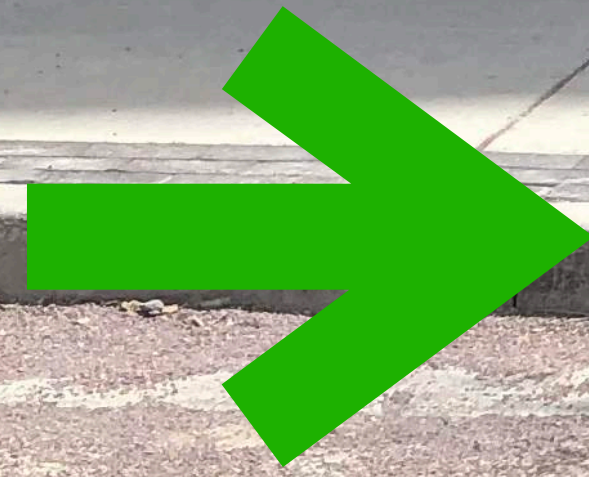
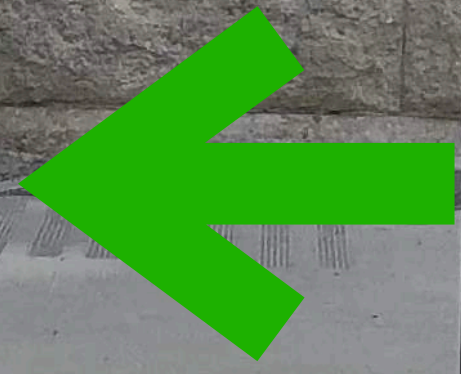
- accessibilitymb.ca
- Most municipalities post on websites, some difficult to find
- Plans vary widely in substance, length, and detail
- Some plans are 2 pages with little substance, some are very extensive
- Some municipalities have not posted



Use a critical eye and common sense in creating Accessibility









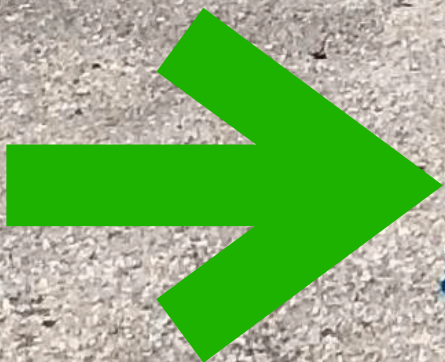
AHEAD



PARKING BY
DISABLED
PERMIT
ONLY

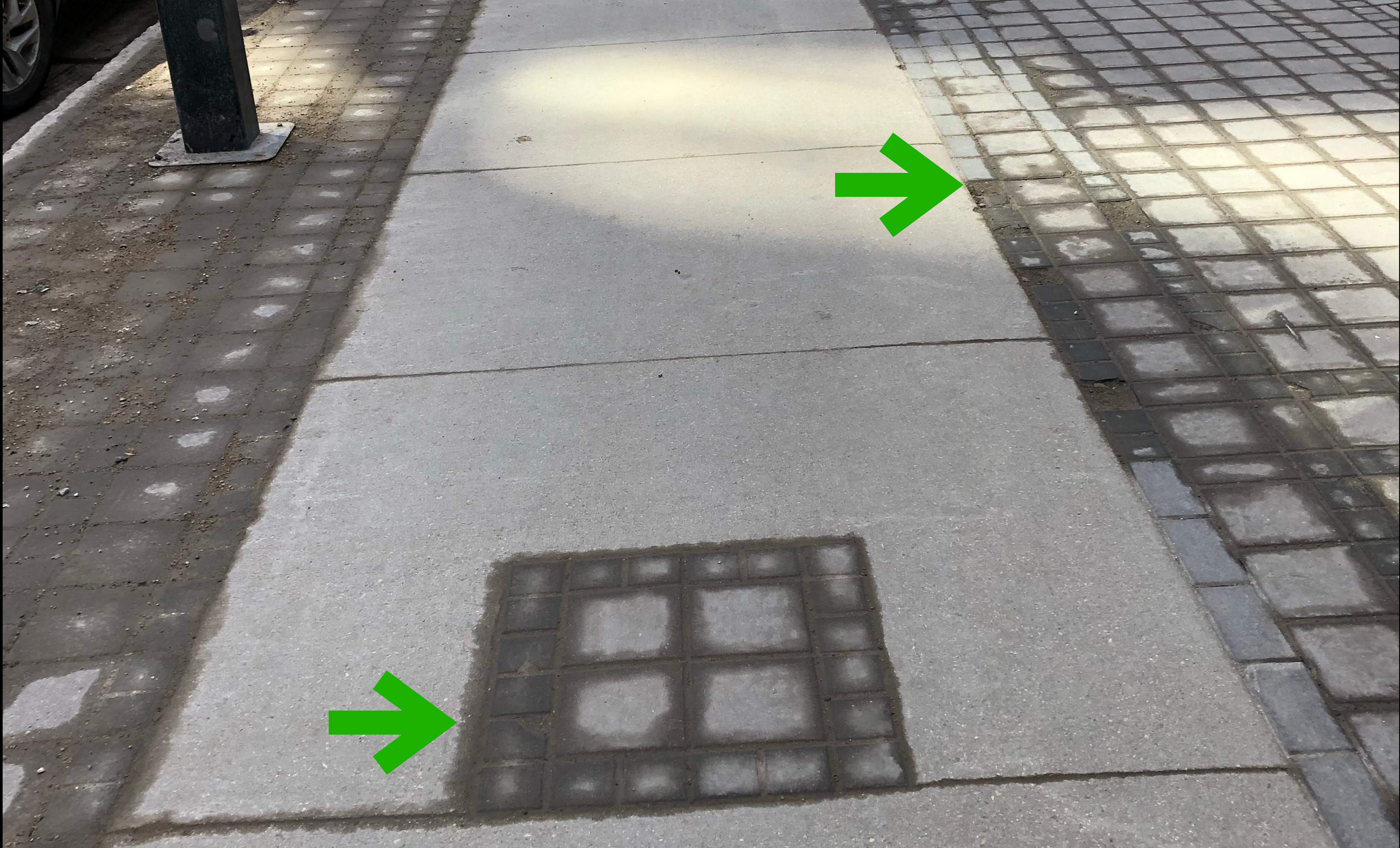
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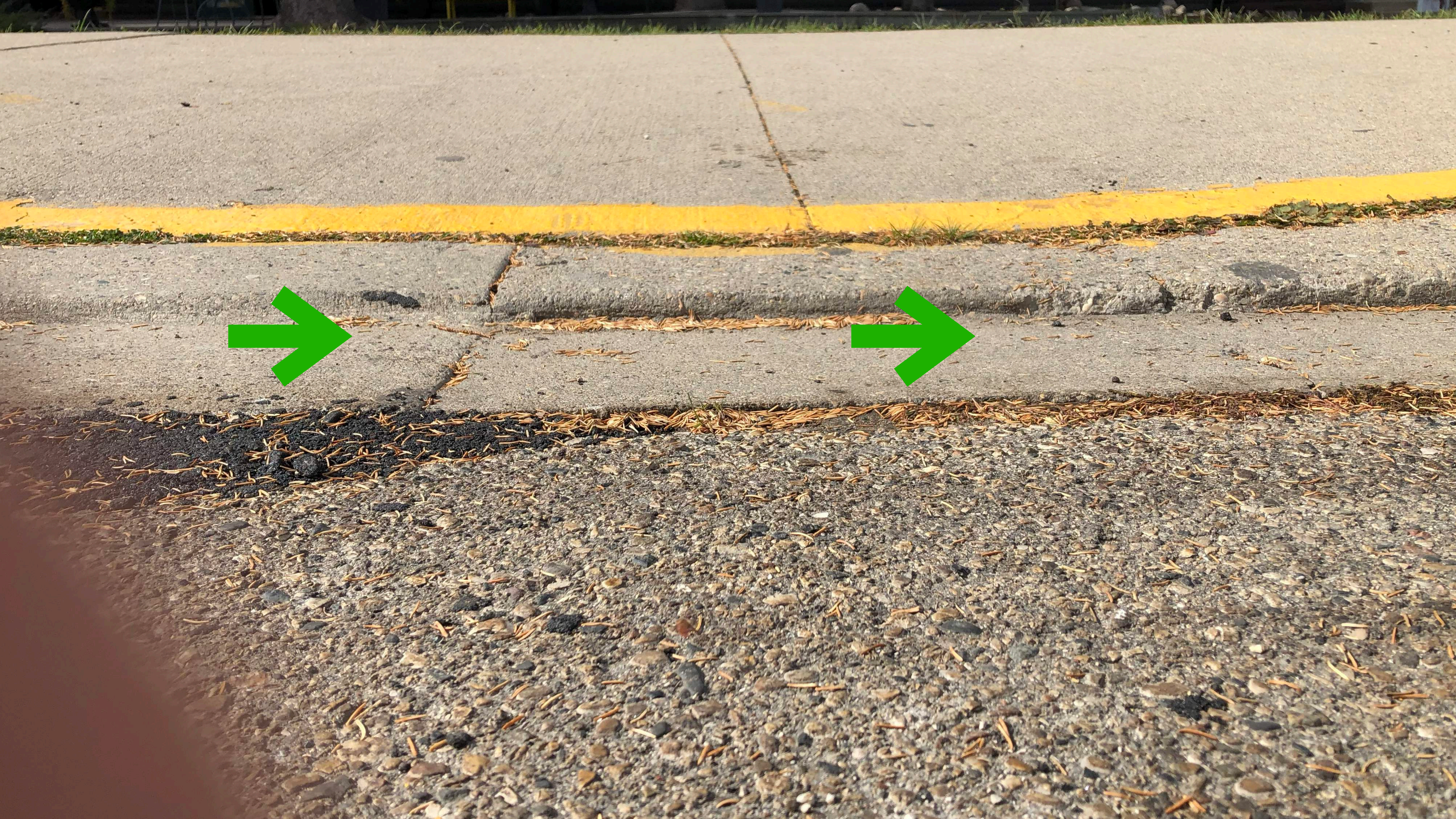














safesidewalks.com

1-877-224-0025

**Small details make a huge
difference**

Accessibility Standards

Part 2 -The Law

- Second component of *The Accessibility for Manitobans Act*
- Accessibility Standards are the minimum provincial standards that every organization must meet with deadlines for compliance
- Accessibility Plans are the goals and achievements of the individual organization which detail the steps to compliance and highlight action in excess of the standards
- Accessibility Standards have been developed in consultation with the public including people with or affected by disability and impacted businesses and organizations
- After consultations, a report, recommendations and a draft standard are forwarded to the Minister
- After consideration and possible amendments, the Minister forwards to Cabinet and the Standard becomes law

Customer Service Accessibility Standard

Public sector, Private business, Non-profit ...EVERYONE!!

- The first standard in effect as of November 2018
- The organization MUST provide “accessible customer service”
- The organization MUST provide barrier free access to their services
- Written and verbal communication MUST take barriers into consideration
- The premises, events and services MUST reasonably accommodate assistive devices
- Support person and support animals MUST be reasonably accommodated
- Any aspect of the built environment intended to give barrier free access should operate in the manner intended
- A feedback mechanism is in place with a follow up procedure
- Staff training MUST be given, on an ongoing basis, on providing accessible customer service
- Any public event hosted by the organization MUST be accessible

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**WE DO NOT “DO” INCLUSION
“FOR” PEOPLE WITH
DISABILITIES. RATHER, IT IS
INCUMBENT UPON US TO
FIGURE OUT HOW ALL THE
THINGS WE DO CAN BE
INCLUSIVE.**

LISA FRIEDMAN: REMOVING THE STUMBLING BLOCK

”

Employment Accessibility Standard

Part 1: Employee Safety

- All organizations must comply with Employee Safety component by May 1,2020
- 2 parts - Employees identify their specific needs in event of emergency and Staff identifies if they are prepared to assist
- Send memo to ALL EMPLOYEES and provide self-assessment form to everyone
- NOT JUST EMPLOYEES WITH VISIBLE DISABILITY OR KNOWN DISABILITY
- Self-assessment form to identify potential emergency response barriers. Samples on accessibilitymb.ca
- Individual Emergency Response Information for all employees provided to management
- Canvass staff for volunteers to assist during emergency
- Obtain written consent from disabled employee to share information with staff who agree to help in event of emergency

Employment Accessibility Standard

Part 2: Reasonable Accommodation

- The 10 largest municipalities must comply by May 2021 and all others by May 2022
- Must have policies in place to support employees and must notify staff about those policies
- Employer must provide “reasonable accommodation” to people with disabilities
- Not only existing employees, but all new employees at time of recruitment, hiring, and during employment.
- Manitoba Human Rights Code
- Must train anyone with Human Resource duties about creating accessibility in the workplace
- accessibilitymb.ca

Coming Soon!!

3 more Standards

- Information and Communications Accessibility Standard-barriers in information provided in text, websites, signage etc.
- Design of Public Spaces Accessibility Standard-access to those areas outside the jurisdiction of the Manitoba Building Code (parks, playgrounds, sidewalks, streets etc.)
- Transportation Accessibility Standard-will apply to municipalities that provide public transportation

Enforcement

Two possibilities

- *The Accessibility for Manitobans Act* is not complaint based
- First action is to support compliance
- All municipalities must now comply with Accessibility Plans and Customer Service Standard
- Employment Standard - all municipalities comply with Employee Safety provisions by May 1, 2020
- 10 largest urban municipalities must comply with all provisions by May 1, 2021
- All other municipalities must comply with all provisions by May 1, 2022

Manitoba Human Rights Code and Charter of Rights

- Municipalities are subject to both laws
- Prohibits discrimination on grounds of disability
- *The Accessibility for Manitobans Act* complements, builds on The Human Rights Code(HRC) and The Canadian Charter of Rights and Freedoms (CCRF)
- *The Accessibility for Manitobans Act* is the carrot. The HRC and The CCRF are the sticks.
- Municipalities susceptible to HRC complaints and Lawsuits
- Financial jeopardy and immediate orders to remedy discrimination
- Compliance with *The Accessibility for Manitobans Act* may be defence

Cost of Action vs Inaction

- Many barriers can be removed for little or no cost
- Governments are generally held to higher standards than businesses
- Meaningful accessibility plans give a great opportunity to financially plan barrier remediation
- HRC complaints and lawsuits necessarily mean the municipality must hire lawyers and expend significant time of Council and administration
- HRC awards and lawsuits can be costly and require immediate, unplanned capital expenditures
- Possible damage awards to complainant
- Politically damaging to Council

Resources and Training

- accessibilitymb.ca
- manitobapossible.ca
- Manitoba League of Persons with Disabilities mlpd.mb.ca
- barrierfreemb.com
- Disabilities Issues Office (DIO)
- *Accessibility News*-delivered every second month to Inbox



KEEP
CALM
AND
MAKE IT
ACCESSIBLE

Questions???

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