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## Ontario vows to enforce accessibility law

Businesses flout requirements to report on how they are meeting needs of customers with disabilities, while enforcement strategy lags.

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Enforcement has lagged behind legislation when it comes to businesses developing and carrying through on plans to accommodate disabled customers, train staff and gather feedback from customers on their efforts - and report back to the province.

By: **Laurie Monsebraaten** Social justice reporter, Published on Thu Feb 20 2014

As Ontario scrambles to enforce its accessibility legislation for the disabled, government documents show the province had a detailed enforcement plan ready almost two years ago.

The June 2012 "briefing note" obtained through a Freedom of Information request outlines a two-year strategy to target 3,600 businesses, issue compliance orders, and conduct audits of violators.

As reported by the Star last fall, at that point no orders had been issued and no audits had been conducted, despite government statistics showing the vast majority of businesses covered by the legislation had failed to comply with the law's reporting requirements.

"Clearly the bureaucrats had a plan. What happened to it? Where is the political will to enforce this legislation?" said lawyer David Lepofsky of the Accessibility for Ontarians with Disabilities Act Alliance.

The province's 2005 [Accessibility for Ontarians with Disabilities Act](#) (AODA) includes a Customer Service Accessibility Standard, enacted in 2007, that requires companies with 20 employees or more to e-file reports on how they accommodate customers with

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disabilities, train staff and receive customer feedback. The plans had to be filed with the government by Dec. 31, 2012.

But by last November, 70 per cent of companies — about 36,000 across the province — had not yet filed a report.

“Filing an accessibility report is a legislated requirement. . . Failure to do so is considered a major violation of the act,” says the briefing note, entitled “AODA Compliance and Enforcement Strategy.”

A spokesman for Eric Hoskins, the minister of economic development, trade and employment — who has been responsible for the legislation since last February — said the briefing note was an “internal planning document” and was never given to the former minister.

“We are currently developing a publicly available compliance plan and will be posting it in short order,” said Gabe De Roche.

The ministry is also planning to conduct 1,700 compliance audits this year to ensure companies are carrying out their customer service plans, he added.

Last fall, when the Star first reported the government’s inaction on the file, Hoskins called the percentage of businesses in compliance “unacceptably low” and vowed to crack down on violators.

In November, the ministry sent 2,500 enforcement letters to businesses that failed to submit their reports, and since then almost half of those who got the letters have complied, De Roche said.

Up to 500 remaining businesses are being issued compliance orders that require them to file within 30 days or face fines of between \$500 and \$2,000, he added.

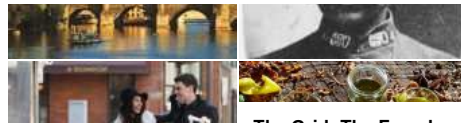
“Since November, the ministry has been able to successfully increase the number of compliance reports (from 15,000) to over 17,000,” he said. “We are continuing to work to increase this number.”

Lepofsky welcomed the government’s plan to publicly post its compliance strategy. But he said the additional 2,000 companies that have come into compliance is still a “microscopic drop in the bucket.”

“So we have gone from 36,000 companies who have not filed their reports to 34,000. You do the math. That’s still a huge majority of companies who have no plan to deal with customers with disabilities,” he said.

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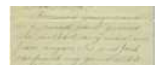
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20 hours ago  
ing population and with a population of disabled youth and young adults etc. there's no that make inaccessibility okay. i have not been in need of this all my life but things nd it could happen to any of you reading this that don't get why this is so important. It's ter of trying to be nice to the disabled NO it's about inclusion! We no longer are forced side and hide and whither and die! We can get out and work and study and live like else just with the need of accessibility which is not as hard as those whining about it! If uild a new building you can make certain things are in place from the start. If you're to be in an old building you can adapt that building - that's your choice! AND if you are only business you too need to be accessible for potential employees!! My old workplace

could come back - They didn't realize without accessible entry it could not happen!

**inbolt** 20 hours ago

ings need to change and work for all!

reply...

23 hours ago

many, many restaurants and stores are still inaccessible to customers who are disabled, / for those in wheelchairs. Whether those businesses have 2 or 20 employees, y should be able to access a business establishment, including disabled customers.

**ADIALES** yesterday

A is a well meaning piece of legislation, no doubt.

it's no good to have such legislation if there is, often times, no way to pay for it.

ple, how many business can afford to install and maintain a handicapped lift?

ngs are not cheap, and you don't waltz into Canadian Tire or Walmart to buy one.

; can lobby all they want and politicians can write all the legislation they want, but at the

day, not many businesses can afford to meet the legislation.

ne thought about that?

r my own question, if 70% have not filed a report, I say no.

3 

**raids** 23 hours ago

ry people are looking at it form the wrong way and only see the upfront cost involved, it uld be how can business afford NOT to be accessible. When a business in not essible you are limiting who can access your facility and yes not everyone is able to rd to put in and elevator or lift today but there are simple inexpensive things that can be e to help and that lead into the bigger ticket items. One of the simplest things a business do it to add signage to direct individuals on how then can be assisted.

en it comes down to it the AODA is simply a way of outlining what we should already be ing, treating ALL people with respect and dignity.

**srainbolt** 20 hours ago

EXACTLY! If you can't afford lifts have ramps, if you can't afford ramps have one level if you can't afford it then you should not have a storefront - keep it online!

reply...

**es** yesterday

ancial industry, small companies have closed because the compliance regime is too time ing and expensive. Though an admirable idea, this is just another burden for companies queezed on the revenue side and costs keep rising. The company I work for has filed, ients rarely come to our premises, none that need special accommodation that I've

1 

**nto** yesterday

there is one of the problems right there with a law "that requires companies with 20 s or more to e-file reports on how they accommodate customers with disabilities, train receive customer feedback". What about those many companies that have no direct

with customers? How do they get 'customer feedback' if their facility is not open to the  
d their customers are an ocean away? Why does this AODA Act lump together every  
as if they were retailers when there are many employers that never have any customer  
their facility? Another incredibly poorly thought out and implemented initiative - by our  
overnment - as usual.

2 

**inbolt** 20 hours ago

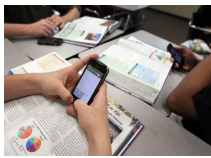
being accessible means all their jobs are inaccessible to those with disabilities of a  
sical nature as well! This is not just about customers!

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