



## STAFF REPORT ACTION REQUIRED

### Resources to Enhance Councillor AODA compliance

<b>Date:</b>	December 5, 2013
<b>To:</b>	Budget Committee
<b>From:</b>	Ulli S. Watkiss, City Clerk
<b>Wards:</b>	All Wards
<b>Reference Number:</b>	

#### **SUMMARY**

---

This report is in response to Notice of Motion MM41.26 which asked what supports are available and could be provided to Members of Council to assist them to comply with the Accessibility for Ontarians with Disabilities Act, including a recommended central funding source for meeting accessibility requirements. There is no corporate funding for meeting AODA compliance requirements. Divisions accommodate AODA compliance requirements within their operating budgets. If Council chooses, funding to support Councillors to organize accessible events or community meetings can be accommodated within the Council General Expense Budget. The report also includes information on other resources available to support Councillors in meeting the requirements of the Accessibility for Ontarians with Disabilities Act.

#### **RECOMMENDATIONS**

---

The City Clerk recommends that:

1. City Council consider that effective 2014, each Councillor be entitled to \$1,000 per year from the Council General Expense Budget for expenses related to meeting AODA accessibility requirements for Councillor events or meetings and that during an election year, the entitlement be pro-rated in accordance with approved Council policies.

## **Financial Impact**

If Council chooses to adopt an accessibility entitlement for each Councillor beginning 2014, the maximum annual budget impact of the Councillor accessibility entitlement is \$44,000. For 2014, an election year, Councillors are not allowed to organize community events after August 1. Therefore, the annualized budget for January to July 2014 is \$25,667 while the impact for December 2014 is \$3,667. The total 2014 budget impact of \$29,334. The Mayor's Office has a separate operating budget similar to City divisions. Funding for meeting AODA requirements can be funded from the Mayor's Office operating budget, similar to City divisions.

In previous years, the City Council budget has experienced a surplus ranging from \$800,000 to more than \$1 million, as a result of under-expenditures in the Councillor staff salary budgets and in the Constituency Services and Office budgets.

The costs for Councillor constituency offices are currently not budgeted for in the Council General Expense Budget and are funded from the anticipated surplus of the City Council budget. The report proposes for City Council's consideration a Councillor accessibility entitlement for Councillor events and meetings funded from the anticipated surplus in the City Council budget as well. There will be no net impact on the City Council 2014 operating budget.

If City Council chooses to adopt the accessibility entitlement, the anticipated surplus from the City Council budget will be reduced as a result. Annually, the Council surplus, at the discretion of the Deputy City Manager/Chief Financial Officer, is contributed towards the Council Transition Reserve. Any reduction in the annual contribution to the reserve may impact on the adequacy of the reserve for the 2018 Council transition. The adequacy of the Council Transition Reserve will need to be closely monitored and assessed during 2017 and 2018 operating budget deliberations.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

## **DECISION HISTORY**

At its meeting on November 13, 14, 15 and 18, 2013, City Council considered Notice of Motion MM41.26 titled "Resources to enhance compliance with Accessibility for Ontarians with Disabilities Act" and requested the City Clerk, in consultation with the City Manager, to report to the Budget Committee for consideration with the 2014 Operating Budget process on supports that are available and provided to Members of Council to allow them to comply with the Accessibility for Ontarians with Disabilities Act, such report to include a recommended central funding source for meeting accessibility requirements.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.MM41.26>

## ISSUE BACKGROUND

The Accessibility for Ontarians with Disabilities Act (AODA) sets standards for how large organizations, including municipalities, must deal with people with disabilities. Published standards are established for Customer Service, Information and Communications, Employment, Transportation and the Built Environment

Toronto City Council adopted a City of Toronto Statement of Commitment to Creating an Accessible City in August 2009 (EX33.4) and also, adopted a Vision Statement on Access, Equity and Diversity in April 2003.

City staff developed a City of Toronto Multi-Year Accessibility Plan for 2012-2016 to guide City divisions in meeting AODA requirements.

The City's internet site includes reference information about the AODA and how the City of Toronto will meet its accessibility obligations:

<http://www.toronto.ca/accessibility>

Councillors are required to meet the AODA legislation requirements.

## COMMENTS

City Clerk's Office staff met with staff from the Equity, Diversity and Human Rights Division in the City Manager's Office to review AODA requirements and resources that can be provided to Members of Council for their community events and meetings.

### Resources currently available to Councillors on AODA compliance

#### 1. *Equity, Diversity and Human Rights Division*

The Equity, Diversity and Human Rights Division in the City Manager's Office has carriage and responsibility for ensuring that the City of Toronto is compliant with AODA requirements. Staff in the office provides advice to City divisions on programs, activities and training to promote AODA compliance. Councillors can consult with Equity, Diversity and Human Rights staff on meeting AODA requirements.

#### 2. *Intranet Resources*

The City's intranet pages include resource information about accessibility in procurement and information and communications:

Procurement

<http://insideto.toronto.ca/purchasing/accessibility.htm>

Information and Communications:

[http://insideto.toronto.ca/strategic\\_comm/comm\\_standards.htm](http://insideto.toronto.ca/strategic_comm/comm_standards.htm)

<http://insideto.toronto.ca/webrevitalization/eLearning/docs/Standards-and-principles-for-toronto-Stratcom-05June2013.pdf>

The City's intranet pages also include reference information on how to organize accessible meetings and events:

<http://insideto.toronto.ca/accessibility/meeting-event-planning/index.htm>

The guide includes a list of providers of American Sign Language interpretation and real-time Captioning. Information on providers for attendant care services can be obtained through the Equity, Diversity and Human Rights Office staff or from Protocol Services in the City Clerk's Office.

### 3. *Training Resources*

Several external websites include training resources for AODA compliance. These include:

Access Forward training, developed by Curriculum Services Canada, a partner of the Accessibility Directorate:

<http://www.accessforward.ca/>

Training on the Ontario Human Rights Code as it pertains to persons with disabilities, developed and posted by the Commission:

<http://www.ohrc.on.ca/en/annual-report-2012-2013-rights-partners-actions/working-together-free-online-training-aoda-requirements>

Internal City of Toronto training materials on AODA compliance are in development and will be available to Members of Council and Council staff in early 2014.

### 4. *Constituency Services and Office Budget*

The Constituency Services and Office Budget Policy provides the guidelines for eligible and ineligible expenses for Councillor expenses from the Constituency Services and Office Budget.

Costs for accessibility requirements for Councillor events and meetings are an eligible expense in the Constituency Services and Office Budget.

Costs for multi-lingual translation and interpretation are also eligible expenses in the Constituency Services and Office Budget Policy. Councillors have paid for these expenses in the past from the Constituency Services and Office Budget. In addition, Council has approved a Councillor newsletter entitlement from the Council General Expense Budget, which supplemented the costs for Councillor newsletters.

### Resources for an Accessible Meeting

Three types of service providers are commonly used to ensure meetings are accessible – American Sign Language (ASL) interpreters, Computer Assisted Real-time Captioning (CART), and personal attendants.

Rates for ASL interpreters range from \$65 to \$120 per hour, depending on the interpreter. Normal requirement is a minimum of two hours. Some interpreters also charge transportation expenses on top of their hourly rate.

Real-time captioning normally costs about \$130 an hour for a minimum of three hours.

Personal attendants are at \$33 an hour with a minimum of 4 hours.

ASL interpreters and Real-time captioning service providers are in high demand and normally need to be booked at least 3-4 weeks in advance. City staff normally request the public who require accessibility measures to be in place to identify their requirements when an event or meeting is promoted in a flyer or notice. This way, accessibility resources are arranged and procured only when required and with ample notice.

Councillors who need to organize accessible events or meetings may wish to adopt a similar strategy in order to identify accessibility resource requirements in advance and to ensure that resources are booked and available. Council staff can consult with staff in the Equity, Diversity and Human Rights Office, or with Protocol Services staff in the City Clerk's Office on the list of providers for these services.

### Central Funding Mechanism

The current Councillor Constituency Service and Office Budget is not sufficient for Councillors to pay for the accessibility requirements for their events and meetings.

Staff have investigated with Financial Planning staff and have confirmed that there is no central corporate funding for meeting AODA requirements. City divisions normally incorporate the expenses for meeting AODA in their annual operating budgets.

Staff propose for City Council's consideration that an annual accessibility entitlement of \$1,000 per Councillor be established to fund the expenses for ASL interpreters, Computer Assisted Real-time Captioning and personal attendants. This entitlement will be funded from the Council General Expense Budget.

As the Mayor's Office has an operating budget similar to City divisions, the expenses for meeting accessibility requirements will be funded from the budget similar to City divisions.

If City Council considers and approves the accessibility entitlement, individual Councillor offices will be responsible for arranging for these services directly. Expense payment/reimbursement will be processed similar to other Councillor expenses.

Application during an Election Year.

The Constituency Services and Office Budget Policy, s. 4.7 provides that during an election year, Councillors are not permitted to organize community events after August 1. Therefore, the annual accessibility entitlement for Councillors during an election year is pro-rated to 7/12<sup>th</sup> for the period January 1 to July 31, and 1/12<sup>th</sup> for December 1 to 31.

**CONTACT**

Winnie Li  
Director, Council and Support Services  
416-392-8676  
wli@toronto.ca

**SIGNATURE**

---

Ulli S. Watkiss  
City Clerk