



## Accessibility Policy

### Intent

The Robert McLaughlin Gallery (RMG) is committed to providing a barrier-free environment for all that respects the dignity and independence of people of all abilities. The RMG will work to break down the barriers that prevent or limit access to employment, participation in RMG activities and programming, receipt of goods and services, the built environment, and information and communication through the implementation of accessibility standards.

The RMG is committed to meeting the objectives and requirements outlined in the *Accessibility for Ontarians with Disabilities Act, 2005* (the “AODA”).

Under the AODA, the Integrated Accessibility Standards Regulation (the “IASR”) establishes standards to address barriers that people of all abilities face in the areas of information and communications, employment, transportation, and the design of public spaces. The requirements under the AODA are not a replacement or substitution for the *Ontario Human Rights Code* (the Code) and work in conjunction with the Code.

### Responsibilities

The CEO will develop, maintain, monitor, and implement the Policy. The Governance and Nominations Committee will review the Policy and any future changes and amendments; the Policy will then go to the Board of Directors for final approval. The CEO works in collaboration with all staff to ensure guidelines that support this Policy are being followed.

This policy applies to all employees, volunteers, and contractors at the RMG.

### Definitions

Ableism: A belief system that sees persons with disabilities as being less worthy of respect and consideration, less able to contribute and participate, or of less inherent value than others. Ableism may be conscious or unconscious, and may be embedded in institutions, systems or the broader culture of a society. It can limit the opportunities of persons with disabilities and reduce their inclusion in the life of their communities.<sup>1</sup>

Accessible Formats: Include but are not limited to large print, recorded audio and electronic formats, Braille, and other formats usable by persons of all abilities.

Assistive Device: A technical aid, communication device, or other instrument that is used to maintain or improve the functional abilities of people of all abilities.

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<sup>1</sup> Definition from Canadian Race Relations Foundation

Communication Supports: Captioning, alternative and augmentative communication supports, plain language, sign language, and other supports that facilitate effective communications.

Constructive discrimination: Also referred to as adverse effect, is discrimination that unintentionally singles out a particular group, resulting in unequal treatment.

Conversion-ready: An electronic or digital format that facilitates conversion into an acceptable format.

Customers: Anyone who visits or makes use of the RMG facilities, galleries, or programs. This includes, but is not limited to, artists, program participants, visitors, and volunteers .

Disability as defined under the Code is:

- any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or in a wheelchair or other remedial appliance or device;
- a condition of mental impairment or a developmental disability;
- a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
- a mental disorder, or;
- an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

Disability Justice: A framework that examines disability and ableism as it relates to other forms of oppression and identity (race, class, gender, sexuality, citizenship, incarceration, size, etc.) and is the second wave of the disability rights movement. The disability justice framework is being applied to the intersectional reexamination of a wide range of disability, human rights, and justice movements.<sup>2</sup>

Mobility aid: Any manual or electric wheelchair, scooter, boarding chair, walker, cane, crutch, prosthesis, or other aid that is specially designed to assist a person with a disability with a need related to mobility.

Neurodiversity: A nonmedical term that describes the idea that people experience and interact with the world around them in many different ways; there is no one "right" way of thinking, learning, and behaving, and differences are not viewed as deficits. It includes individuals with neurological conditions such as autism spectrum disorder, Attention Deficit Hyperactivity Disorder (ADHD), and dyslexia.<sup>3</sup>

Service Animal: An animal that can be recognized by visual indicators such as a vest or harness that is being used by an individual with a disability for reasons relating to the person's disability.

Social Model: A model of disability that frames disability as a social construct created by access barriers in the environment, rather than a 'medical' problem. It provides a model that identifies causes of

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<sup>2</sup> Definition from *Accessibility in the Arts: A Promise and a Practice* by Carolyn Lazard

<sup>3</sup> Definition from the Harvard Health

exclusions, and proposes constructive changes to remove barriers and increase access. This model identifies causes of exclusion and suggests that when barriers are removed, individuals with disabilities can be independent and equal in society, with choice and control of their lives.<sup>4</sup>

Support Person: Another person who accompanies an individual with a disability in order to help with communication, mobility, personal care, medical needs, or access to goods and services.

Undue hardship: Occurs when providing an accommodation would cause excessive costs for the organization and outside sources of funding are unavailable or insufficient, or where the accommodation would create a health or safety hazard.

## **Public Accessibility Statement**

The RMG strives to make our building, collections, exhibitions, and programs accessible to people of all abilities. We welcome your feedback.

## **Guidelines**

### **Information and Communication Standard**

In accordance with the IASR with respect to Information and Communications, the RMG is committed to making information and feedback processes accessible to people of all abilities through reasonable accommodations. In order to achieve this:

- Information will be made available in accessible formats, on request.
- We will consult with the person making the request to determine the suitability of an accessible format or communication support.
- The IASR gives flexibility to the RMG to determine the most appropriate accessible format or communication support, given the needs of the person making the request and the RMG's ability to deliver.
- If the information cannot be converted, the RMG will explain why the RMG is unable to do so and provide a summary of the content.

## **Web Content**

The RMG's website conforms to accessibility standards. This applies to websites and web content, including web-based applications that RMG controls directly or through a contractual relationship that allows for modification of the product, unless it is not practicable to conform due to the availability of commercial software or tools or both.

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<sup>4</sup> Definition from *Accessibility in the Arts: A Promise and a Practice* by Carolyn Lazard

## **Training**

The RMG provides training on the Accessible Customer Service Standard and the Integrated Accessibility Standards Regulation requirements to all staff members and volunteers. Training will be provided as part of the orientation process and will be refreshed where there are changes to the policies or AODA or IASR standards. Training will take place as soon as is practicable and a record will be maintained of the training provided and to whom.

## **Employment**

The RMG will make every effort to identify, remove, and prevent barriers by developing inclusive employment procedures that support people of all abilities with accommodations during the recruitment and selection stages, and throughout the employment life cycle.

### Recruitment and Hiring

The RMG understands that improving workplace accessibility and ensuring an accessible recruitment and selection process for applicants that can expand the pool of talented candidates. Upon request, the RMG will provide candidates with reasonable accommodations during the interview and selection process. Where an accommodation is requested, the RMG will consult with the applicant to arrange suitable accommodations, such as providing the application in an alternate or accessible format.

The interview process will focus on experience and skills and will not discriminate against candidates who have a disability or require an accommodation. The RMG is committed to hiring decisions that are unbiased and based on qualifications and past experience. Successful candidates will be made aware of the policies and supports for accommodations upon completion of the recruitment process.

### Training and Development

The RMG recognizes that skills development and career planning can enrich the employment experience, increase engagement, and reduce turnover. The RMG will align training and development programs to meet the needs of employees of all abilities, and provide training as soon as reasonably practicable upon the person being assigned to applicable duties. Training programs will be designed with flexibility to allow customization for the individual requirements of the employee, such as providing training materials in accessible or conversion-ready formats that take into account the need(s) of the employee. The RMG will consider employee barriers when implementing performance management processes, or when offering career development, employment support, or advancement opportunities.

### Communication

The RMG will provide or arrange for accessible formats and communication supports for employees, upon request. The RMG will consult with the employee to determine the specific barrier and the best way to provide support. Such accessible formats and communication supports are conversion-ready and will be provided in a timely manner and at no additional cost to employees.

When communicating with or providing information to an employee who requires accommodation or assistance due to a disability, the RMG will ensure that all communication with the individual is completed in a manner that takes into account the individual's disability. Where an assistive device is used, the RMG will reasonably accommodate the use of the device.

### Emergency Response

If necessary or if requested, the RMG will create individualized Workplace Emergency Response Plans. The emergency response plan will consider the unique challenges created by the individual's disability and the physical nature of the workplace, and will be created in consultation with the employee. If an employee with a disability requires assistance from a support person during an emergency, the RMG will designate a fellow employee to act as such.

Customized emergency response plans will be reviewed when:

- The employee moves to a different physical location in the organization;
- The employee's overall accommodation needs, or plans are reviewed; or
- The RMG reviews general emergency response policies.

### Accommodation

The duty to accommodate is required of all employers, in all jurisdictions in Canada, and encompasses providing respect and dignity, individualized accommodation, integration and participation, and barrier-free designs. The RMG will provide individual accommodations to support the needs of employees of all abilities. Further details are included in the "Accommodation" section of this Policy.

### Return-to-Work

The RMG is committed to a supportive Return-To-Work Program and will develop and implement return-to-work processes for employees who are absent from work due to a disability and require accommodations in order to return to work. The RMG will work with the employee to develop an individualized return-to-work plan and support the employee in the transition period by addressing any barriers. The return-to-work process will outline the steps the RMG will take to facilitate the employee's return to work and use documented individual accommodation plans.

### Redeployment

If an employee cannot be accommodated in their current position, even with accommodations to either the job processes or hours, the RMG will consider redeployment by placing the employee in an alternative position. The RMG will work with the employee to determine whether there is another available position. If the accommodation requires a substantial change in the position, involving duties or hours, the position may be redesigned.

### Inability to Accommodate

The RMG will provide workplace accommodation up to the point of undue hardship. Undue hardship may occur where it is established that no forms of appropriate accommodation exist, or where the creation of accommodation would create a health and safety hazard or cause unreasonable costs for the organization.

Where a necessary accommodation is found to cause undue hardship on the organization, the RMG will work to find a fair and equitable compromise that meets the needs of the employee and the organization to the greatest extent possible.

### Transportation

The RMG will advocate AODA transportation requirements where it makes sense to do so. When groups travel together, consideration will be given to the needs of employees of all abilities with regards to booking travel whenever possible.

#### Building Accessibility and Design of Public Spaces and Building Accessibility

The RMG will work to ensure that the built environment, including building interior and exterior, are designed to facilitate barrier-free access to goods or services for customers and employees. If areas of the built environment are not accessible for certain individuals, the RMG will work with the individual to provide an alternate means of access.

When building new public spaces, or making planned significant alterations to existing public spaces the RMG will incorporate accessibility that supports physical access, information and communication standards, customer service, and employment.

### **Customer Service**

#### Access to Goods and Services

The RMG will seek to provide barrier-free access to goods and services for all customers. Where barriers cannot be removed, alternate means for accessing goods or services will be provided to the best of the RMG's ability.

#### Support Persons and Service Animals

If a customer is accompanied by a support person, the RMG will ensure that both persons may enter the premises together and that the customer is not prevented from having access to the support person. A customer with a disability accompanied by a service animal will be allowed access to premises that are open to the public unless otherwise excluded by law.

The RMG will waive participation fees to support persons, or when not possible, ensure the support person is notified of costs in advance. The RMG will attempt to accommodate the customer and support person to sit with one another. In situations where confidential information might be discussed, consent will be obtained from the customer before any potentially confidential information is mentioned in front of the support person.

#### Communication

The RMG understands the importance of accessible digital and non-digital forms of communication and will do its best to provide accessible types of communication and information to individuals of all abilities. Such accessible formats and communication support will be provided upon request, in a timely manner and at no additional cost.

#### Service Disruptions

Service disruptions may occur for reasons that may or may not be within the control or knowledge of the RMG. In the event of any temporary disruptions to the facilities or services which customers with disabilities rely on to access or use goods or services, reasonable efforts will be made to provide advance notice.

When disruptions occur, the RMG will:

- Post notices in the nearest accessible entrance to the service disruption;
- Update the website with information about the disruption;
- Contact customers with reservations or appointments; or
- By any other method that may be reasonable under the circumstances.

The RMG will make every reasonable effort to indicate when services will resume and suggest alternatives that can be utilized during the disruption. In some circumstances, such as in the situation of unplanned temporary disruptions or emergencies, advance notice may not be possible.

#### Emergency Notifications

The RMG will provide emergency and public safety information, plans and procedures, maps and warning signs at evacuation points, and any other emergency alert information, in accessible formats or with appropriate communication supports, upon request.

The RMG will:

- Work with any individuals requesting information and to see how to best meet their needs; and
- Ensure emergency information can be seen, read, and heard by anyone.

#### Customer Feedback

Customer feedback can lead to improved service, increased clientele, and a reduction in complaints. The RMG will ensure that feedback can be provided by all customers through a variety of mechanisms, such as in person, by phone, e-mail, or social media. Feedback forms, along with alternate methods of providing feedback verbally (in person or by telephone), or written (handwritten, delivered, website, or e-mail), will be available upon request.

Customers who provide formal feedback will receive acknowledgement of their feedback, along with any resulting actions based on concerns or complaints that were submitted.

#### **Accommodation**

Accommodations will be available from the beginning of the recruitment and selection process, planned program or event, or within an exhibition or building area. For employment, applicants will be informed that accommodations are available upon request. Where an accommodation is requested, the RMG will consult with the applicant and provide or arrange for a suitable accommodation. For the public, visitors will be informed that accommodations are available upon request in all communications related to the specific program or event.

#### Employee Accommodation Plans

An individualized accommodation plan will be created in collaboration with the employee's supervisor, Director of Finance and Operations, the individual who requires accommodation, any applicable healthcare professionals, and third-party experts as required. Any costs related to acquiring additional expert advice will be paid for by the RMG. Information beyond what was provided in the initial accommodation request may be required to determine appropriate

accommodations; however, only information that is necessary to arrange the accommodation will be requested.

Short-term accommodations may be provided while long-term accommodations are put into place. Accommodations may be temporary or permanent, based on the circumstances and the needs of the individual.

The accommodation plan will be documented in writing and signed by both the individual requesting accommodation and the Director of Finance and Operations.

All information gathered related to the accommodation process and the final accommodation plan will be kept confidential and will only be shared as necessary to provide the accommodation.

### Appropriate Accommodations

The RMG will examine all options and implement the accommodation that provides the individual with equal opportunity, benefits, and privileges to others and that respects their dignity, inclusion, and individual needs. The accommodation provided may not necessarily be the individual's preferred accommodation, but their preferences will be taken into consideration.

Accommodations may include:

- Workstation adjustments
- Job redesign
- Changes to organizational policies and practices
- Technical aids
- Human support
- Providing materials in alternative formats
- Building modifications
- Counselling and referral services
- Temporary or permanent alternative work
- Changes to performance standards
- Leaves of absence
- Changes to scheduling or hours of work

### Undue Hardship

If the RMG cannot accommodate an individual's needs without undue hardship, the individual will be provided with a written explanation outlining why the accommodation cannot be provided. If appropriate, the RMG will offer the next best accommodation option.

### Monitoring

Accommodation plans will be monitored and reviewed regularly. If any changes to the workplace will affect the individual's accommodation, they will be informed of this promptly and the accommodation will be adjusted as needed.



The RMG recognizes that accommodation needs may change over time or require adjustment. Individuals on an accommodation plan should inform the company if their needs change or if their accommodation is not working effectively so that adjustments can be made.

**Non-Compliance**

Failure to comply with this policy could result in progressive disciplinary measures. Disciplinary measures shall be appropriate to the infraction up to and including just cause for termination of employment or volunteer duties.

**Policy Review Cycle**

The Accessibility Policy is reviewed annually with considerations of equity. It can also be reviewed at any time that changes are deemed necessary by the CEO or government legislation. Any future changes or amendments to this Policy will be submitted to the Governance and Nominations Committee for review; the Policy will then be submitted to the Board of Directors for final approval. Approvals and review dates will be tracked in the Policy and Protocol Framework.

Date Established	November 26, 2020
Date Revised	Additional definitions and housekeeping changes, September 23, 2021
	Housekeeping changes, September 29, 2022
	Full Policy Review, September 28, 2023
	Housekeeping changes, September 26, 2024