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**COVER** Sydney Monteith

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**Subscription Information**

**Tel:** 1-800-575-1146 or 613-688-0768  
**Online:** [www.summitconnects.com](http://www.summitconnects.com)  
Subscription Rates (1 yr)  
Canada: \$21.95 + applicable tax  
International: US\$21.95

Publications Mail Agreement: 40016453  
Business No: 87996 3791 RT0001  
Return undeliverable Canadian addresses to:  
Summit Group  
263 Holmwood Ave, Suite 100, Ottawa ON K1S 2P8

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Summit magazine is the professional publication of choice for members of the Canadian Public Procurement Council and the Canadian Institute for Procurement and Materiel Management.

Vol. 12, Online No. 4 ISSN: 1481-4935

©2009 Summit: Canada's magazine on public sector purchasing  
Published by Summit: The Business of Public Sector Procurement Inc.  
o/a The Summit Group  
**Tel:** 613-688-0762 **Fax:** 613-688-0767

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As P3s become more prevalent so does the range of professional advisors that provide the glue that can hold the partnership together.

by John Chenery

**Crunching P3s – delivering transportation infrastructure in a recession**

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by Ian J. Houston

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by Vince Duobinis and Kelvin King



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**meet**

**Sydney Monteith**  
face to face

Sydney, based in the Cariboo-Chilcotin region of BC, is an operations technician and contracting officer with the BC Ministry of Forests.





# Accessibility laws and what they mean for you

by April D. Brousseau

The *Accessibility for Ontarians with Disabilities Act, 2004 (AODA)* came into force in June 2005, but its impact is just beginning to be felt. Accessibility standards for customer service have now been established by regulation, with almost every public and private sector organization in Ontario needing to comply by January 1, 2010, for most public sector entities and January 1, 2012, for the private sector.

## What it means to you

The customer service standards under the *AODA* came into force on January 1, 2008. These standards govern your organization's provision of goods or services to persons with disabilities.

Beginning in either 2010 (public sector) or 2012 (private sector), you will be required to comply with these standards and use reasonable efforts to ensure that you provide your goods or services in a manner that respects the dignity and independence of persons with disabilities.

Specifically, your manner of goods or service delivery should be integrated with that provided to others (unless an alternate measure is necessary) and ensure disabled clients have an equal opportunity to obtain, use, and benefit from your goods or services. Among other things, this means permitting the use of service animals, support persons, or other means of assistance when necessary, and facilitating alternative measures where the use of service animals is otherwise prohibited by law.

In addition, all organizations must:

- Establish policies that outline how you will provide goods or services to persons with disabilities – with these policies reduced to writing for all public sector organizations and those private sector companies with at least 20 employees. These written policies must be made available to

individuals upon request. Organizations must also file accessibility reports with the Ministry of Community and Social Services.

- Provide training to all persons (employees, agents, volunteers, etc.) who deal with members of the public or other third parties on behalf of your organization, and to all persons involved in developing your organization's accessibility policies.
- Provide a process for receiving and responding to feedback on how your organization provides services to the disabled.

#### A new age in enforcement

In addition to any enforcement process developed specifically under the *AODA*, the *AODA* is also subject to the *Regulatory Modernization Act, 2006*, which provides an integrated approach to enforcing provincial

laws and regulations across Ontario government ministries.

This means that inspectors who collect information about your organization in the course of their duties under one provincial law or regulation can now make observations that are likely to be relevant to enforcement or administration under the *AODA*. These observations can then be shared with *AODA* enforcement officials. This effectively expands the potential scope of inspection to which your organization may be subject and increases the chance that you'll face a full or partial inspection for which you may not be prepared.

With the deadline for the public sector to comply with *AODA* accessibility standards just over a year away, and the private sector's deadline also approaching, this is the time to review the *AODA* requirements and assess the actions that may be needed for your organization to comply. 

April D. Brousseau is an associate with WeirFoulds LLP in Toronto.

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*Summit: Canada's magazine on public sector purchasing*

June 2009

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