Are you in Compliance with the Aoda?

June 08, 2016

The latest phase of *Accessibility for Ontarians with Disabilities Act* compliance came into effect on January 1, 2016

The latest phase of *Accessibility for Ontarians with Disabilities Act* (the "AODA") compliance came into effect on January 1, 2016. Private and not-for-profit organizations and small and large public organizations must now comply with requirements under the *Integrated Accessibility Standards Regulation* (the "Regulation") as follows:

1. Small organizations (with fewer than 50 employees in Ontario) must ensure training is provided on the requirements of the standards set out in the Regulation and the *Human Rights Code* as it pertains to persons with disabilities. Training must be provided to all employees, volunteers, all persons who participate in developing the organization's policies, and all other persons who provide goods and services on behalf of the organization. Training must be appropriate to each individual's duties, and it must be provided as soon as practicable, and on an ongoing basis as changes are made to the organization's accessibility policies.

2. Small organizations must ensure processes for receiving and responding to feedback are accessible to persons with disabilities by providing or arranging for the provision of accessible formats and communication supports, upon request. Notice must be given to the public about the availability of accessible formats and communication supports.

3. Small designated public sector organizations and large organizations (with 50 or more employees in Ontario) must provide or arrange for the provision of accessible formats and communication supports for persons with disabilities, upon request, in a timely manner, that takes into account the person's needs, and at a cost that is no more than the regular cost to other persons. Organizations must consult with the person making the request in determining the suitability of an accessible format or communication support. Notice must be given to the public about the availability of accessible formats and communication supports.

4. Large organizations must comply with various Employment Standards set out in the Regulation. There are a number of detailed requirements including:

- providing external and internal notification of the accommodation of persons with disabilities during the recruitment process;

- informing employees of the organization's policies in support of persons with disabilities;
- developing and implementing a process for the creation of individual accommodation plans and a documented return to work process for employees who have been absent from work due to a disability; and
- ensuring that the organization takes into account the accessibility needs of employees with disabilities when implementing performance management, career development, advancement or redeployment processes.

5. Large designated public organizations must also comply with requirements related to the design of public spaces that are newly constructed or redeveloped.

The Ministry of Economic Development, Employment and Infrastructure has been very active in monitoring compliance with the AODA. We are seeing more enforcement efforts in respect of organizations that are not compliant to date. To avoid any enforcement efforts, Ontario's not-for-profit organizations and charities should be in compliance with these requirements.

Please do not hesitate to contact us if you have questions about what you need to do to comply with the AODA.

By

Stephanie Young

BLG | Canada's Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 800 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

blg.com

BLG Offices

Calgary
Centennial Place, East Tower
520 3rd Avenue S.W.
Calgary, AB, Canada
T2P 0R3

T 403.232.9500
F 403.266.1395

Ottawa
World Exchange Plaza
100 Queen Street
Ottawa, ON, Canada
K1P 1J9

T 613.237.5160
F 613.230.8842

Vancouver
1200 Waterfront Centre
200 Burrard Street
Vancouver, BC, Canada
V7X 1T2

T 604.687.5744
F 604.687.1415

Montréal

1000 De La Gauchetière Street West
Suite 900
Montréal, QC, Canada
H3B 5H4

T 514.954.2555
F 514.879.9015

Toronto

Bay Adelaide Centre, East Tower
22 Adelaide Street West
Toronto, ON, Canada
M5H 4E3

T 416.367.6000
F 416.367.6749

The information contained herein is of a general nature and is not intended to constitute legal advice, a complete statement of the law, or an opinion on any subject. No one should act upon it or refrain from acting without a thorough examination of the law after the facts of a specific situation are considered. You are urged to consult your legal adviser in cases of specific questions or concerns. BLG does not warrant or guarantee the accuracy, currency or completeness of this publication. No part of this publication may be reproduced without prior written permission of Borden Ladner Gervais LLP. If this publication was sent to you by BLG and you do not wish to receive further publications from BLG, you may ask to remove your contact information from our mailing lists by emailing unsubscribe@blg.com or manage your subscription preferences at blg.com/MyPreferences. If you feel you have received this message in error please contact communications@blg.com. BLG's privacy policy for publications may be found at blg.com/en/privacy.

© 2026 Borden Ladner Gervais LLP. Borden Ladner Gervais LLP is an Ontario Limited Liability Partnership.