

Upcoming Reporting Obligations for Employers Under the AODA

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On December 31, 2023, all provincially-regulated public sector organizations and private sector organizations in Ontario with over 20 employees will be required to file an accessibility compliance report with the Government of Ontario under the *Accessibility for Ontarians with Disabilities Act* (the AODA).

The accessibility compliance report is available online through a downloadable form on the Government of Ontario website. The website also includes information on how to file the compliance report. More information is [located here](#).

To complete the compliance report, organizations will need to answer questions about whether they are in compliance with the various requirements in the AODA. To ensure compliance, we recommend that employers begin to review the specific AODA requirements that apply to their organizations now so that the report can affirm compliance for the December 31 deadline. Failure to file a report constitutes a violation of the AODA and may result in administrative penalties.

AODA requirements have been in place in Ontario for many years now. The AODA was originally enacted in 2005 and aims to identify, eliminate and prevent barriers to accessibility in Ontario by 2025. The legislation achieves its purpose through the creation and enforcement of accessibility standards that cover five core areas: customer service, information and communication, employment, transportation and design of public spaces. The AODA is very broad in scope and applies to almost every provincially regulated organization in both the public and private sectors in Ontario.

A non-exhaustive summary of the key requirements for private-sector organizations is set out below:

- **Accessibility Policies:** All organizations are required to have a policy in place stating their commitment to meeting accessibility needs and how they will achieve it. For organizations with over 50 employees, this policy must be publicly available, including in an accessible format upon request.
- **Multi-Year Accessibility Plan:** Organizations with over 50 employees are required to prepare a multi-year accessibility plan outlining their strategy to meet the requirements under the AODA, including preventing and removing barriers for persons with disabilities. The plan must be updated every five years and posted on the organization's website.

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- **Training for Employees:** All organizations are required to provide training to employees on the requirements of the AODA and the requirements of the Ontario *Human Rights Code* as it pertains to persons with disabilities.
- **Accessible Customer Service:** All organizations are required to meet certain accessibility standards to provide customer service to people with disabilities in a way that allows them to access the organization's goods, services and facilities. This includes, among other things: communicating in a manner that takes a person's disability into account, allowing assistive devices, such as wheelchairs, scooters and walkers where possible, and welcoming service animals and support persons.
- **Accessible Employment Practices:** All organizations are required to meet certain accessibility standards in their employment practices. This includes, among other things: notifying job applicants that accommodations are available in the recruitment process, notifying successful applicants of the organizations policies for accommodating employees with disabilities and developing individual accommodation plans for employees with disabilities.
- **Accessible Information and Communication:** All organizations must let the public and their employees know that they will make written information and other forms of communication from the organization available in an accessible format, upon request. Organizations with over 50 employees are also required to ensure that their public websites meet standardized accessibility features for people with disabilities.

For more information on how to ensure compliance under the AODA, please contact a member of the Cassels [Employment & Labour Group](#).

This publication is a general summary of the law. It does not replace legal advice tailored to your specific circumstances.