

ACCESSIBILITY POLICY AND MULTI-YEAR ACCESSIBILITY PLAN (ONTARIO)

Accessibility for Ontarians with Disabilities Act, 2005 (AODA)



Updated: 2014-DEC-01

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1. PURPOSE/BACKGROUND INFORMATION

The *Accessibility for Ontarians with Disabilities Act, 2005* (the “AODA”) develops, implements, and enforces accessibility standards with the aim of achieving accessibility for persons with disabilities to goods, services, facilities, accommodation, employment, buildings, structures and premises.

Under the AODA, Ontario Regulation 191/11: Integrated Accessibility Standards (the “IAS”) came into force on July 1, 2011. The IAS establishes accessibility standards specific to information and communications, employment, transportation, and the design of public spaces for public- and private-sector organizations that provide goods, services or facilities to the public or other third parties.

Effective January 1, 2014, large organizations in Ontario, including Ivanhoé Cambridge Inc. (“Ivanhoé Cambridge”) are required to prepare an Accessibility Policy and a Multi-Year Accessibility Plan to be in compliance with the AODA and the IAS.

This policy reflects Ivanhoé Cambridge’s commitment to persons with disabilities under the AODA and IAS, including Ontario Regulations 429/07 and 413/12.

2. APPLICATION AND SCOPE

This Policy is made pursuant to the requirements of the AODA and the IAS. It addresses how Ivanhoé Cambridge achieves its accessibility obligations. It provides the overall strategic direction that will be followed to meet the accessibility needs of persons with disabilities.

This Policy applies to all employees and volunteers, all people who participate in developing Ivanhoé Cambridge’s policies, and all other people who provide access to goods, services or facilities on behalf of Ivanhoé Cambridge.

Ivanhoé Cambridge’s commitment to persons with disabilities spans the breadth of its operations and includes compliance with the AODA and the IAS for its properties in Ontario.

3. DEFINITIONS

- (a) **Accessible Formats:** May include, but are not limited to, large-print, recorded audio and electronic formats, braille, and other formats usable by persons with disabilities.
- (b) **Communication:** The interaction between two or more people or entities, or any combination of them, where information is provided, sent, or received.
- (c) **Communication Supports:** May include, but are not limited to, captioning, alternative and augmentative communication supports, plain language, sign language and other supports that facilitate effective communication.

- (d) **Disability:** is defined as:
- (i) 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 co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal, or on a wheelchair or other remedial appliance or device,
 - (ii) a condition of mental impairment or a developmental disability,
 - (iii) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
 - (iv) a mental disorder, or
 - (v) an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*.
- (e) **Kiosk:** An interactive electronic terminal, including a point-of-sale device, intended for public use that allows users to access one or more services or products or both.
- (f) **Web Content Accessibility Guidelines (WCAG):** World Wide Web Consortium Recommendation, dated December 2008, titled “Web Content Accessibility Guidelines (WCAG) 2.0”.

4. STATEMENT OF COMMITMENT

Ivanhoé Cambridge is committed to treating all people in a manner that is fair, respects their dignity and recognizes their independence, while at the same time promotes integration and equal opportunity. The Company strives to achieve excellence in serving all its customers. Together with its employees, vendors, contractors and other relevant stakeholders, Ivanhoé Cambridge is committed to providing access to its facilities, goods and services in a manner that is consistent with those values.

Ivanhoé Cambridge is committed to ensuring that persons with disabilities have the same opportunities or have reasonable alternatives to obtain our high level of service and to be able to access its facilities, goods and services.

We do this through our efforts to remove accessibility barriers that negatively impact customer service, information, communication, employment, the built environment and transportation (when applicable), and we do this as soon as reasonably practicable. Above all, Ivanhoé Cambridge is committed to meeting the requirements of the AODA as well as other applicable legislation, including the IAS and the *Human Rights Code*.

5. GENERAL PROVISIONS

(a) Multi-Year Accessibility Plan

The Ivanhoé Cambridge Ontario Accessibility Committee will establish, implement, maintain and update a Multi-Year Accessibility Plan which outlines the organization's strategy for preventing and removing barriers and meeting requirements under the IAS. The Multi-Year Plan will be reviewed and updated once every five years.

Note: A copy of the Multi-Year Accessibility Plan is available as a separate document.

(b) Procurement of Goods

When procuring or acquiring goods, services or facilities, Ivanhoé Cambridge will ensure that the related suppliers or contractors have incorporated measures or contingencies that adhere to AODA legislation, except where it is not practicable to do so. In the event it is not practicable to do so, an explanation will be provided upon request.

Similarly, whenever Ivanhoé Cambridge is involved in the provision of goods and services with respect to persons with disabilities, the Company:

- will establish policies, practices and procedures governing the provision of its goods or services to persons with disabilities, and
- will use reasonable efforts to ensure that its policies, practices and procedures are consistent with the following principles:
 1. The goods or services must be provided in a manner that respects the dignity and independence of persons with disabilities.
 2. The provision of goods or services to persons with disabilities and others must be integrated, unless an alternate measure is necessary, whether temporarily or on a permanent basis, to enable a person with a disability to obtain, use, or benefit from the goods or services.
 3. Persons with disabilities must be given an opportunity equal to that given to others to obtain, use and benefit from the goods or services.

Ivanhoé Cambridge will incorporate accessibility features when designing, procuring or acquiring self-service kiosks.

(c) Training

Ivanhoé Cambridge will ensure that training is provided to its applicable employees as required by the IAS. The content of the training will include the requirements of the accessibility standards referred to in the IAS and the *Human Rights Code*, as it pertains to persons with disabilities. Ivanhoé Cambridge will provide the related training to its employees, and especially to those who deal with the public.

Ivanhoé Cambridge will ensure that relevant employees of the contractors it engages adhere to the AODA training requirements. The training will be appropriate to the duties and needs of those being trained.

It is specifically the responsibility of the various tenants who lease space from Ivanhoé Cambridge to adhere to the provisions of the AODA legislation, including the provision of training to their employees.

Training will be provided to Ivanhoé Cambridge employees as soon as practicable, but no later than 60 days following the hire date of the employee. Additional training will be provided on an ongoing basis as changes to this Policy or to the Multi-Year Accessibility Plan occur.

Training will include:

- an overview of the AODA and the requirements of the customer service standard.
- Ivanhoé Cambridge's Multi-Year Accessibility Plan related to the customer service standard.
- how to interact and communicate with people with various types of disabilities.
- how to interact with people with disabilities who use an assistive device or require the assistance of a service animal or a support person.
- how to use wheelchairs or other devices available on site that may help with providing goods or services to people with disabilities.
- what to do if a person with a disability is having difficulty accessing an Ivanhoé Cambridge property.

Ivanhoé Cambridge will keep records of employee training, as related to the AODA, including the date on which training is provided and the number of individuals to whom it is provided. Ivanhoé Cambridge management will reserve the right to review the IAS training records held by contractors engaged to perform work for Ivanhoé Cambridge, and specifically with respect to any of their employees who are engaged in work within Ivanhoé Cambridge properties or facilities. Materials used in training will be provided in an accessible format upon request.

With respect to training its staff, Ivanhoé Cambridge will comply with Ontario Regulation 429/07, Section 6, which provides:

(1) Every provider of goods or services shall ensure that the following persons receive training about the provision of its goods or services to persons with disabilities:

- 1. Every person who deals with members of the public or other third parties on behalf of the provider, whether the person does so as an employee, agent, volunteer or otherwise.*
- 2. Every person who participates in developing the provider's policies, practices and procedures governing the provision of goods or services to members of the public or other third parties.*

(2) The training must include a review of the purposes of the (Ontarians with Disabilities) Act and the requirements of this Regulation and instruction about the following matters:

- 1. How to interact and communicate with persons with various types of disability.*
- 2. How to interact with persons with disabilities who use an assistive device or require the assistance of a guide dog or other service animal or the assistance of a support person.*
- 3. How to use equipment or devices available on the provider's premises or otherwise provided by the provider that may help with the provision of goods or services to a person with a disability.*

4. What to do if a person with a particular type of disability is having difficulty accessing the provider's goods or services.

- (3) The training must be provided to each person as soon as practicable after he or she is assigned the applicable duties.*
- (4) Training must also be provided on an ongoing basis in connection with changes to the policies, practices and procedures governing the provision of goods or services to persons with disabilities.*
- (5) Every designated public-sector organization and every other provider of goods or services that has at least 20 employees in Ontario shall prepare a document describing its training policy, and the document must include a summary of the contents of the training and details of when the training is to be provided.*
- (6) Every designated public-sector organization and every other provider of goods or services that has at least 20 employees in Ontario shall keep records of the training provided under this section, including the dates on which the training is provided and the number of individuals to whom it is provided.*

(d) Accessibility Compliance Report

Ivanhoé Cambridge will ensure completion of the Accessibility Compliance Report, as per the requirements stated within Ontario Regulation 413/12. The Report will be registered by December 31, 2014, and then every three years thereafter or as otherwise required by the Ministry.

6. CUSTOMER SERVICE

Ivanhoé Cambridge is committed to excellence in serving all customers, including persons with disabilities.

(a) Assistive Devices

Ivanhoé Cambridge is committed to encouraging persons with disabilities to use their assistive devices, to be always ready to direct those persons to appropriate elevators and accessible washrooms or explain other accessible features within its properties, and expects its employees to know how to use the equipment that it may optionally make available on its premises (for example, wheelchairs).

(b) Communication

Ivanhoé Cambridge will communicate with people with disabilities in ways that take into account their disabilities.

(c) Service Animals

Ivanhoé Cambridge welcomes people with disabilities and their service animals. Service animals are allowed on the parts of Ivanhoé Cambridge's premises that are open to the public.

Section 4(2) of Ontario Regulation 429/07 provides:

*If a person with a disability is accompanied by a guide dog or other service animal, the provider of goods or services shall ensure that the person is permitted to enter the premises with the animal and to keep the animal with him or her **unless the animal is otherwise excluded by law from the premises.** (Emphasis added).*

Section 4(3) of Ontario Regulation 429/07 provides:

If a service animal is excluded by law from the premises, the provider of goods or services shall ensure that other measures are available to enable the person with a disability to obtain, use or benefit from the provider's goods or services.

Section 4(9) of Ontario Regulation 429/07 provides:

For the purposes of this section, an animal is a service animal for a person with a disability:

- (a) if it is readily apparent that the animal is used by the person for reasons relating to his or her disability; or*
- (b) if the person provides a letter from a physician or nurse confirming that the person requires the animal for reasons relating to the disability.*

(d) Support Persons

A person with a disability who is accompanied by a support person will be allowed to have that person accompany him or her on Ivanhoé Cambridge's premises.

Where circumstances require it, pursuant to Subsection 4(5) of Ontario Regulation 429/07, Ivanhoé Cambridge may require that a person with a disability be accompanied by a support person when on Ivanhoé Cambridge's premises if the presence of a support person is necessary to protect the health or safety of the person with a disability or the health or safety of others on the premises. As defined in Subsection 4(8) of Ontario Regulation 429/07, a "support person" means "in relation to a person with a disability, another person who accompanies him or her in order to help with communication, mobility, personal care or medical needs or with access to goods or services."

(e) Notice of Temporary Disruption

In the event of a planned or unexpected disruption to services or facilities for customers with disabilities, such as accessible washrooms and entrance doors, Ivanhoé Cambridge will notify customers promptly by way of a clearly posted notice. This clearly posted notice will include information about the reason for the disruption, its anticipated length of time, and a description of alternative facilities or services, if available. This notice will be placed at the affected areas, a conspicuous place on the premises, on the website dedicated to the premises (e.g., for a shopping centre, the shopping centre's website), and/or by any other method as is reasonable in the circumstances.

7. INFORMATION AND COMMUNICATION STANDARDS

Ivanhoé Cambridge is committed to meeting the communications needs of persons with disabilities in accordance with the IAS and will notify the public about the availability of accessible formats and communication supports as required.

Upon request, Ivanhoé Cambridge will provide or arrange for the provision of accessible formats and communication supports for persons with disabilities in a timely manner and at a cost that is not greater than the cost charged to other persons, if any.

(a) Feedback

Ivanhoé Cambridge has processes in place for receiving and responding to feedback and will ensure that these processes are provided in accessible formats and with communication supports, upon request. Further information about feedback processes is found at the end of this Policy.

(b) Emergency Information

Where Ivanhoé Cambridge prepares emergency procedures, plans, or public safety information, and makes such information available to the public, Ivanhoé Cambridge will provide the information in an accessible format or with appropriate communication supports, as soon as practicable, upon request.

(c) Accessible Website and Web Content

Ivanhoé Cambridge will produce any new Internet websites and web content in conformity with the World Wide Web Consortium Web Content Accessibility Guidelines (WCAG 2.0) as required by the IAS.

8. EMPLOYMENT STANDARDS

Ivanhoé Cambridge is committed to fair and accessible employment practices and policies. The IAS Employment Standards outline requirements for the accommodation of persons with disabilities in the employment context. The IAS Employment Standards cover the entire breadth of the employment relationship, from recruitment processes through to the conclusion of employment with Ivanhoé Cambridge.

(a) Recruitment

Ivanhoé Cambridge will notify employees and the public about the availability of accommodation for applicants with disabilities in its recruitment processes.

Specifically, Ivanhoé Cambridge will:

- notify job applicants when they are individually selected to participate in an assessment or selection process that accommodations (including accessible formats and communication supports) are available upon request in relation to the materials or processes to be used,
- if a selected applicant requests an accommodation, consult with the applicant and provide or arrange for the provision of a suitable accommodation in a manner that takes into account the applicant's accessibility needs, and
- notify successful applicants of the policies for accommodating employees with disabilities when making offers of employment.

(b) Informing Employees of Supports

Ivanhoé Cambridge will inform its employees of its policies used to support its employees with disabilities, including, but not limited to, policies on the provision of workplace accommodations that take into account an employee's accessibility needs.

This information will be provided to new employees as soon as practicable after they begin their employment and will be updated for all employees whenever there is a change to the existing policies.

(c) Accessible Formats and Communication Supports for Employees

Upon request by an employee with a disability, Ivanhoé Cambridge will consult with the employee to provide or arrange for the provision of, suitable accessible formats and communication supports for:

- information that is needed in order to perform the employee's job, and
- information that is generally available to employees in the workplace.

(d) Workplace Emergency Response Information

Ivanhoé Cambridge will provide individualized workplace emergency response information to employees who have a disability if the disability is such that the individualized information is necessary and the employer is aware of the need for accommodation. Ivanhoé Cambridge will provide the information as soon as practicable after becoming aware of the need for accommodation.

If an employee who receives individualized workplace emergency response information requires assistance, with the employee's consent, Ivanhoé Cambridge will provide the workplace emergency response information to the person designated by the employer to provide assistance to the employee.

Ivanhoé Cambridge will review the individualized workplace emergency response information:

- when the employee moves to a different location in the organization,
- when overall accommodation needs or plans are reviewed, and
- when the employer reviews its general emergency response policies.

(e) Documented Individual Accommodation Plans

Ivanhoé Cambridge will develop and implement a written process for the development of documented individual accommodation plans for employees with disabilities. The process will include the following elements:

- The manner in which an employee requesting accommodation can participate in the development of the individual accommodation plan,
- The means by which the employee is assessed on an individual basis,
- The manner in which Ivanhoé Cambridge may request an evaluation by an outside medical or other expert, at Ivanhoé Cambridge's expense, to determine if accommodation can be achieved and if so, how to achieve accommodation,
- The manner in which the employee can request the participation of a representative from his or her bargaining agent, where represented, or other representative from the workplace where the employee is not represented by a bargaining agent,

- The steps taken to protect the privacy of the employee's personal information,
- The frequency with which the individual accommodation plan will be reviewed and updated and the manner in which it will be done,
- If an individual accommodation plan is denied, the manner in which the reasons for the denial are to be provided to the employee, and
- The means of providing the accommodation plan in a format that takes into account the employee's accessibility needs.

Individual accommodation plans will, if requested, include any information regarding accessible formats and communication supports provided, and if requested, include individualized workplace emergency response information, and identify any other accommodation that is to be provided.

(f) Return-to-Work Process

Ivanhoé Cambridge will have in place a documented return-to-work process for employees who have been absent from work due to a disability and require disability-related accommodation in order to return to work. The process will outline the steps Ivanhoé Cambridge will take to facilitate the return to work of employees absent due to disability and include documented individual accommodation plans.

(g) Performance Management, Career Development and Advancement, Redeployment

Ivanhoé Cambridge will take into account the accessibility needs and/or individual accommodation plans of employees when:

- using performance management processes,
- providing career development and advancement, and
- using redeployment.

9. TRANSPORTATION STANDARDS

Not applicable.

10. DESIGN OF PUBLIC SPACES STANDARDS (ACCESSIBILITY STANDARDS FOR THE BUILT ENVIRONMENT)

Ivanhoé Cambridge is committed to designing public spaces that are free from barriers and are accessible to all people it serves. Ivanhoé Cambridge will comply with the Design of Public Spaces Standards with respect to public spaces that are newly constructed or redeveloped.

Note: The reader may refer to the *Building Code Act, 1992*, SO 1992, c 23. In addition, many of the elements involving this component are outlined in Ontario Regulation 413/12.

FEEDBACK AND QUESTIONS

If you have any questions about this Policy or Ivanhoé Cambridge's accessibility initiatives, please contact the Company using one of the methods provided below. Ivanhoé Cambridge welcomes feedback on its Policy and accessibility measures.

Feedback can be provided through various means and in various forms:

- In person at a shopping centre: to a representative of a Customer Service Centre of the specific shopping centre, or a member of the shopping centre management team.
- If you have questions, concerns, or comments about Ivanhoé Cambridge's Accessibility Policy and/or Accessibility Plan in relation to any of the Company's properties,, please contact:

Ivanhoé Cambridge
Ontario Accessibility Committee
95 Wellington Street West, Suite 300
Toronto, Ontario, M5J 2R2
Attn: Diane Pavaday, Committee Secretary
Tel: 416-369-1368 / e-mail: diane.pavaday@ivanhoecambridge.com

All feedback received will be reviewed within a reasonable time period and Ivanhoé Cambridge will take all appropriate steps to address any issues raised. All complaints will be processed in accordance with Ivanhoé Cambridge's complaints process.

COPIES

Copies of this Policy and any associated procedures are available upon request and in various accessible formats.

REFERENCES

Accessibility for Ontarians with Disabilities Act, 2005, SO 2005, c 11

Ontario Regulations: 429/07, 191/11, and 413/12

Human Rights Code, RSO 1990, c H.19

Building Code Act, 1992, SO 1992, c 23

MULTI-YEAR ACCESSIBILITY PLAN

ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT, 2005 (AODA)

Action Items	Timeline / Status
Employee Communications: Revise, update and reissue the company's existing Accessibility Policy and Multi-Year Accessibility Plan.	2014-DEC-19
Training: Update all Ontario employees with respect to the current AODA requirements and related compliance requirements. A) Review the current online training program, update it as required and redistribute it to applicable employees. Ensure ongoing distribution to any new Ivanhoé Cambridge employees. B) Have required employees complete the training.	A) 2015-JAN-30 B) 2015-FEB-27
Barriers: Annually, generate an Ontario-wide survey to property management to ensure ongoing awareness and compliance by locating potential and obvious accessibility barriers, including any non-compliant "self-serve kiosk" type installations. Property management will establish a local plan to either remove or mitigate the identified barriers.	2015-MAR-31
Websites: Generate an Ontario-wide reminder to General Managers ensuring that all property websites comply with the applicable standard (currently WCAG 2.0) whenever a new website is created or upon extensive revision of an existing website. Properties will also ensure that links are provided for Accessibility Policy and Multi-Year Accessibility Plans.	2015-MAR-31
Facilitation: Property management will monitor and remind property employees with respect to the importance of both being responsive to, and facilitating, communication with persons with disabilities.	Ongoing
Emergency Plans: Property management will ensure that any employee with a disability will receive the appropriate information with applicable accessible formats and communications supports. Also and upon request, property management will ensure emergency plans are similarly made available for any person with a disability.	Ongoing
Ontario Committee: An Ontario Accessibility Committee has been formed within Ivanhoé Cambridge and serves as a central point of contact for escalated situations wherever an issue cannot be resolved at the property level.	Completed