

Deadline for 2017 AODA Compliance Report is Coming Up

Thursday, October 26, 2017

Businesses and Not-for-Profits with More Than 20 Employees in Ontario

The *Accessibility for Ontarians with Disabilities Act, 2005* (“AODA”) mandates that businesses and not-for-profit organizations with at least 20 employees in Ontario file a compliance report once every three years. Accessibility reports must be filed by a director, senior officer, or another “responsible person with authority to bind the organization.” Failure to file a compliance report on time and failure to have the right person file the report can result in a monetary penalty being imposed against the organization.

The last compliance reporting deadline for businesses and not-for-profit organizations was on December 31, 2014, which means that the next deadline, **December 31, 2017**, is fast approaching.

A number of additional accessibility requirements have rolled out since the last reporting deadline and organizations will now need to report on compliance with these requirements. For instance, organizations with 50 or more employees will be expected to confirm they have trained all of their employees and volunteers on the AODA and the Ontario *Human Rights Code* as it pertains to persons with disabilities. Among other things, they will also have to confirm that their employment practices are accessible and that information is available in accessible formats and with communication supports on request.

While organizations with fewer than 50 but more than 20 employees must meet many of the AODA’s standards, they only need to report compliance with the customer service requirements.

Businesses and Not-for-Profits with Fewer Than 20 Employees in Ontario

Organizations that do not have at least 20 employees in Ontario do not have to file a compliance report, but there are still other AODA standards that such organizations are required to meet. These include, but are not limited to, requirements to have accessibility policies in place, to make employment practices and customer services accessible, and to train employees and volunteers.

Public Sector Organizations

Designated public sector organizations, including hospitals and school boards, are required to report on their AODA compliance once every two years. The last deadline for reporting in the public sector was on December 31, 2015. Therefore, these organizations are also required to file a report by **December 31, 2017**.

Don’t Panic!

Organizations should be prepared to confirm compliance with all of the applicable AODA standards in their accessibility report. It is recommended that organizations take stock of the steps they have taken to comply with the AODA since the last time they filed a compliance report, and take any additional steps as required to bring themselves into compliance by the end of this year.

If your organization is not yet prepared for the compliance reporting deadline, do not panic — compliance is manageable and there is still time to meet the applicable requirements before submitting your report. Should you need assistance in understanding and meeting your obligations, please do not hesitate to contact a [member of the BLG Labour and Employment Group](#) or your BLG lawyer.

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