

JUNE 2023

Accessibility for Ontarians with Disabilities Act, 2005 (AODA)

Frequently asked questions (FAQ) resource for nonprofits

The [Accessibility for Ontarians with Disabilities Act, 2005 \(AODA\)](#) became law in June 2005. Under the AODA, nonprofits are required to regularly report on their progress in becoming compliant with the legislation, and its regulation. **The upcoming deadline for submitting an AODA compliance report is December 31, 2023.**

The legislation requires private, public sector, and nonprofit organizations across Ontario to:

- Have policies, and practices in place that remove, and prevent barriers for people with disabilities in key areas of daily living.
- File an accessibility compliance report online to Ontario Ministry for Seniors and Accessibility.

This FAQ document provides answers to commonly asked questions about the legislation, compliance, and reporting from a nonprofit perspective. It also highlights key resources to help nonprofits become more accessible.

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1. What is the AODA?

The [Accessibility for Ontarians with Disabilities Act, 2005 \(AODA\)](#) is an Ontario law that aims to achieve accessibility for Ontarians with disabilities on or before January 1, 2025. Under this legislation, organizations (public, private, and nonprofit) with one or more employees (fulltime, part time, seasonal and contract) in Ontario are required to become more accessible for people with disabilities. The AODA focuses on four core principles: dignity, independence, integration, and equal opportunity.

2. Why should my nonprofit care about the AODA?

In Ontario, approximately [2.6 million people](#) are living with a disability. That translates to roughly one in four Ontarians. This number is projected to grow with Ontario's aging population in the next 25 years. [According to Statistics Canada](#), women reported a higher prevalence of disability than men, and older age cohorts were more likely to report any degree of disability.

People with disabilities are a diverse group, and experience things in varying ways. People can also experience multiple disabilities that intersect with other barriers, such as discrimination based on race, sexual orientation, age, etc.

People with disabilities are connected to every part of nonprofit organizations: they are service users, employers, employees, volunteers, and donors. Ensuring accessibility is a key aspect of deepening equity in nonprofit organizations - access means that people of all abilities have the opportunity to participate in everyday life.

Acknowledging the needs of people with disabilities is critical to advancing decent work within Ontario's nonprofit sector, and engaging in equitable, and accessible practices that support self determination. These practice include access to stable employment, accommodations within the workplace that advance employee success, and ongoing educational training to challenge microaggressions related to disability, and other forms of oppression.

People with disabilities have long experienced abuse, neglect, exclusion, and discrimination, which is ongoing today as a result of societal structures, and negative ableist attitudes. Organizations [have a legal duty](#) to take steps to prevent discrimination based on disability.

The AODA provides a framework to help nonprofits achieve accessibility, and hold organizations accountable to their goals.

An accessible nonprofit means that the organization can:

- Effectively serve diverse clients, and particularly people with disabilities.
- Gain access to a broader pool of employees to recruit from.

- Better support current employees to achieve their full potential, and increase retention.
- Effectively reach greater audiences, both in person and online.

3. Does the AODA apply to my organization?

The AODA applies to your organization if either one of the following is true:

- The organization has one or more employees (fulltime, part time, seasonal or contract) in Ontario, or
- The organization is providing goods or services in Ontario.

Every three years nonprofits [with 20 or more employees](#) will need to file an accessibility compliance report online to the Ontario government. The upcoming deadline to file an accessibility compliance report for nonprofits with 20 or more employees is December 31, 2023.

4. I have more than 20 employees, how do I complete a compliance report?

Before the reporting deadline, organizations should assess how compliant they are with AODA standards, and improve the accessibility of their services. Being AODA compliant means that your organization has made all of the reasonable accommodations for people with disabilities.

To file a report, you must first [download](#) the compliance report form, and complete it using Adobe Reader. You must submit it directly in Adobe Reader by clicking the “save and submit” button. No login is needed in the entire process.

Government of Ontario provides many resources to help organizations learn how to complete their accessibility compliance report, such as the following:

- [Completing your accessibility compliance report](#)
- [Watch video](#)
- [Watch described video](#)

5. What are the requirements under AODA?

Under AODA, government of Ontario has developed accessibility standards that identify, remove, and prevent barriers for people with disabilities in key areas of daily living. Currently, there are five standards under the AODA:

- Information and communications
- Employment
- Transportation
- Design of public spaces
- Customer service

These standards mandate how organizations must remove, and prevent barriers for people with disabilities. Not all standards apply to all organizations. For nonprofit organizations, different requirements apply to those with [fewer than 20 employees](#), [20 - 49 employees](#), and more than [49 employees](#). Learn how to [count your employees](#).

6. How long do I have to comply with the AODA?

The timeframe to comply with the AODA depends on which standards apply to your organization. The spirit of the AODA encourages progressive realization of a more accessible Ontario at a realistic pace. But the AODA has already been in place for almost a decade, and the expectation is that all nonprofits take reasonable steps to comply with the accessibility standards that apply to them.

The upcoming deadline to file an accessibility compliance report for nonprofits with 20 or more employees is December 31, 2023.

7. What are the consequences if I don't comply?

Keep in mind that the goal of provincial government is to bring organizations into compliance with AODA using a progressive compliance and enforcement approach that starts with education and outreach. If your organization is found to be out of compliance - either through a complaint received, your submitted compliance report, or through an audit - Ontario government will first attempt to provide support, and information you need to come into compliance.

You may be issued a legally binding direction from government detailing when, and how you must comply.

Only when necessary, typically when all other methods have been exhausted, and organizations demonstrate a track record of knowing non-compliance, measures may be escalated to administrative monetary penalties. The maximum penalties under the AODA are:

- A corporation/organization that is guilty can be fined up to \$100,000 per day.
- Directors and officers of a corporation/organization that is guilty can be fined up to \$50,000 per day.

8. What resources can organizations use to assist with AODA compliance?

Ontario government provides resources and tools to help you comply with the AODA.

- [Accessibility Standards Checklist](#): Use this self-assessment checklist to easily identify the AODA requirements that apply to your organization. Follow these steps to download and open the checklist PDF:
 - a. Go to the [Accessibility Standards Checklist](#) page on the Ontario Forms Repository.
 - b. Right-click on the “Accessibility Standards Checklist” PDF icon, and select “Save link as”, and save the file to your computer.
 - c. Open the PDF file on your computer using the [latest version of Adobe Reader](#). Do not open the file in your browser.
- [Accessibility rules for businesses and nonprofits](#)

Many nonprofit organizations also offer resources about the AODA, including examples of their own accessibility/AODA policies, check out their resources below:

- Arthritis society - [AODA infographic](#)
- [AODA.ca resources](#)
- The Canadian Bar Association’s - [Multi-year Accessibility Plan](#)
- Ronald McDonald House Charities South Central Ontario - [AODA Policy](#)

9. What resources are available to me if I want to make my organization more accessible?

If your organization is looking for ways to improve accessibility, many nonprofits have produced guides, and toolkits to help you with your journey. Ranging from general information to more specific areas of focus, we have gathered some resources below. Do you have a resource on accessibility for nonprofits that you would like to share with us? Email candice@theonn.ca.

General

- [Blindness Etiquette](#) (CNIB)
- [Accessibility Resources](#) (CNIB)
- [Access Forward](#)
- [Guide Dogs Fact Sheet](#) (CNIB, 2020)
- [ODEN Online Disability Awareness and Confidence Training for Employment Service Providers](#) (Ontario Disability Employment Network)
- [University of Waterloo Accessibility Toolkit](#) (University of Waterloo)
- [Leading Toward Disability Justice Podcast episode](#) (York University, 2022)
- [DeafBlind Ontario Services Resources](#) (DeafBlind Ontario Services)
- [ONN Accessibility resources](#) (ONN)
- [Black Accessibility Knowledge Hub](#) (Ase)

Information and communications

- [Inclusive Language in Media](#) (Humber College, 2017)
- [Accessible PowerPoint Presentations Checklist](#) (Queen's University)
- [Web Content Accessibility Guidelines \(WCAG\) international standard](#) (W3C Web Accessibility Initiative)

Employment

- [Employers' Toolkit: Making Ontario Workplaces Accessible to People with Disabilities](#) (The Conference Board of Canada, 2016)
- [How to Make Your Hiring Practices Accessible](#) (BC Museums Association, 2021)
- [Creating an Accessible and Welcoming Workplace](#) (Employer Assistance and Resource Network on Disability Inclusion)
- Ableism in the Workplace: [The Harassment and Violence at Work in Canada study](#) (May 2023)
- [Mental Health in the Workplace: An Accommodation Guide for Managers and Staff](#) (Mental Health Works, 2021)

Transportation

- [Sustainable, Accessible, Affordable Rural Transportation](#) (Inspiring Communities, 2023)

Design of public spaces

- [Accessibility in Creative Spaces A Toolkit for Ontario Arts Organizations](#) (ArtsBuild Ontario, 2019)
- [Accessibility Toolkit: A guide to making art spaces accessible](#) (Tangled Art + Disability, 2021)
- [Clearing Our Path: Creating accessible environments for people impacted by blindness](#) (CNIB Foundation)

Meetings and events

- [Guide to Accessible Public Engagement](#) (OMSSA, 2013)
- [Accessibility: Resources to Help Ensure Accessibility of Your Virtual Events for People with Disabilities](#) (National Endowment for the Arts)