



Mark Your Calendar: AODA Compliance Report Deadline Approaching on December 31, 2023

November 2023

There are important legislative compliance deadlines that Ontario employers should be preparing towards.

The *Accessibility for Ontarians with Disabilities Act, 2005* (“**AODA**”) establishes accessibility standards in the province and imposes accessibility deadlines based on the size and nature of organizations through its [Integrated Accessibility Standards](#). Under the AODA, all businesses operating within Ontario with 20 or more employees must file an Accessibility Compliance Reporting Form (“**Compliance Report**”) every three years. The next Compliance Report is due **December 31, 2023**. (*Employers with less than 20 employees still have AODA obligations. Filing a report simply isn’t among them.) We recommend employers download the Compliance Report – [available here](#) – to assess if their organization has any compliance gaps. Most gaps can be resolved with thoughtful planning over the coming months, but the time to take the initiative is now.

One important obligation for “large organizations” (50-plus employees in Ontario) is in respect of online accessibility. Such organizations have been required to satisfy [Web Content Accessibility Guidelines 2.0](#) (“**WCAG**”) since **January 1, 2021**. This includes Level AA of the WCAG, except for some of the more onerous requirements involving closed captioning (s. 1.2.4 of WCAG) and audio descriptions (s. 1.2.5 of WCAG). We anticipate there will be little regulatory sympathy for employers who have failed to satisfy their web accessibility obligations three years following the initial deadline. Another obligation for large employers to be mindful of is the development of a multi-year accessibility plan.

The Compliance Report includes a statement certifying that all the required information provided is accurate. It must be executed by a member of management, although another designate can serve as the point of contact with the Ministry of Seniors and Accessibility. We recommend a director of human resources or other such executive lead the completion of the Compliance Report and the resolution of outstanding compliance gaps.

If you have any questions regarding the AODA or Compliance Reports, please contact your relationship partner at Aird & Berlis LLP.

Disclaimer: This article offers general comments on legal developments of concern to business organizations and individuals and is not intended to provide legal advice. Readers should seek professional legal advice on the particular issues that concern them.

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Fiona has extensive experience advising international businesses entering the Canadian market. To date, she has advised more than 100 companies expanding into Canada. Fiona advises clients in this space all day, every day. She has been practising for more than a decade and is a regular speaker and writer on market expansion matters. Fiona is proud to have been recognized by *The Best Lawyers in Canada*, *The Canadian Legal Expert Directory* and *Benchmark Canada*.

A proactive and comprehensive approach is required to succeed in a new market. Fiona manages teams of other lawyers and patent agents to provide her clients with a full range of legal services to help their businesses grow. She acts as project manager to ensure her clients receive seamless legal services in all relevant areas.

Fiona takes great care to understand her clients' businesses and deliver advice that is tailored to meeting their specific needs. Her responsiveness, dedication to clear communication and hands-on approach show that she is personally invested in the success of her clients.



Alex Kagan

Partner

Alex prides himself on identifying practical solutions for complex employment issues. Prior to law school, Alex had a career in marketing and advertising and developed original brand strategy for some of the country's largest businesses and not-for-profit organizations. He appreciates that the modern workplace is increasingly fluid and the only constant is change.

As a litigator and member of the firm's Workplace Law Group, Alex assists employers in defending a variety of employment and labour claims. Alex also works closely with clients to identify strategic vulnerabilities with the goal of resolving issues before litigation arises. In addition to diligent advocacy, Alex leverages his experience conducting workplace investigations as well as drafting and implementing employment agreements and various workplace policies.

Hannah Downard, an articling student at Aird & Berlis LLP, assisted in the drafting of this article.