



Disability  
**Confidence**  
An Employer's Journey to Accessibility

# ACA Blueprint 1

FAQ Sheet for Federally  
Regulated Entities



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## GENERAL QUESTIONS

### What is the Accessible Canada Act (ACA)?

The ACA is a federal law that aims to create a barrier-free Canada by 2040. The ACA received Royal Assent on June 21, 2019, and came into force on July 11, 2019. The ACA requires federally regulated entities to develop accessibility plans, progress reports, feedback processes, and more. Follow this link to see a [Summary of the Accessible Canada Act](#).



### What are the Accessible Canada Regulations?

The Accessible Canada Regulations provide details and additional information about how regulated entities must fulfill the legal requirements of the ACA. The proposed Accessible Canada Regulations were published on February 13th, 2021, in the Canada Gazette, Part I. After consultations with the disability community, industry, government, and other relevant stakeholders, the proposed regulations were edited and published as full regulations in the Canada Gazette, Part II, on December 22nd, 2021. Follow this link to see [the Accessible Canada Regulations](#).

### What other regulations under the ACA exist?

Employment and Social Development Canada (ESDC) authored the Accessible Canada Regulations, whereas the Canadian Radio-Television and Telecommunications Commission (CRTC) and the Canadian Transportation Agency (CTA) have authored their own regulations for the ACA. To see these other regulations, follow these links for [the CRTC Regulations](#) and the [CTA Regulations](#).

### Which set of ACA regulations do I need to follow?

The ACA applies to entities in the federal jurisdiction, such as the telecommunications, transportation, and financial industries, as well as the Government of Canada. Visit this link for a [list of all federally regulated industries and workplaces](#). The CRTC Regulations apply to all television, radio, internet, and telephone companies. The CTA Regulations apply to all federal transportation providers. The Accessible Canada Regulations apply to banks (including authorized foreign banks); grain elevators, feed and seed mills, feed warehouses and grain-seed cleaning plants; First Nations band councils; Crown corporations; Port services, marine shipping, ferries, tunnels, canals, bridges and pipelines that cross international or provincial borders; uranium mining and processing and atomic energy; Canadian Forces and RCMP; federal public service; and Parliament.



## **Will there be any guidance published by the Government of Canada about how to fulfill obligations of the regulations?**

Yes, guidance materials will be published by ESDC to aid federally regulated entities. ESDC published the first round of guidance materials on December 22, 2021. The guidance modules will help federally regulated entities create accessibility plans as required by the Accessible Canada Regulations. They also contain additional tips, best practices, and resources that may inspire entities to go farther in eliminating barriers to accessibility. CCRW is a nationally registered not-for-profit organization committed to supporting and promoting meaningful and equitable employment of persons with disabilities. CCRW is available and ready to support federally regulated entities as they navigate implementation of the ACA and will also offer additional resources for writing an accessibility plan.



## What are accessibility standards?

Accessibility standards are voluntary and represent best-practice recommendations in each priority area under the ACA. Accessibility standards will be developed, published, and submitted to the Minister of Employment, Workforce Development, and Disability Inclusion. Organizations under federal rule will be legally obliged to follow these standards only if they are adopted as regulations by the Minister. For more information about this process, please visit the [Accessible Standards Canada website](#) or consult our other ACA Blueprints [here](#).

## What is Accessibility Standards Canada?

Accessibility Standards Canada is an organization established by the ACA and aims to support the realization of a Canada without barriers. Accessibility Standards Canada will develop and revise accessibility standards. Within Accessible Standards Canada, Technical Committees have been and will be appointed to develop accessibility standards in priority areas identified by the ACA. For additional information about the progress of Accessibility Standards Canada, please visit: CCRW's ACA Blueprint titled "Where We Are with Accessible Standards Canada" for more information.

## What are Technical Committees and who serve on them?

Technical Committees identify where persons with disabilities may face barriers in a recognized priority area and develop national accessibility standards that remove or prevent such barriers. Individual members of each Technical Committee are recruited on a voluntary basis from various backgrounds, a majority of which will represent organizations.



## When will accessibility standards be available?

Accessibility Standards Canada has yet to indicate exact dates for when standards will be available. However, information on the [Accessible Standards Canada website](#) indicates that once a Technical Committee is formed on any given priority area, standards can be expected within 18-24 months. Stakeholders and members of the public will also have the opportunity to comment on any forthcoming standards through the Accessible Standards Canada website. Once developed, draft standards will be available on the website for a period of 60 days. During this time, the public may provide their feedback. The Technical Committee will then consider that feedback moving forward.

## Where will standards be accessible?

When standards are published, they will be available on the Accessible Standards Canada website as well. Everyone will be able to view and use them for free.

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## ACCESSIBILITY PLANS

### What are key requirements of an accessibility plan?

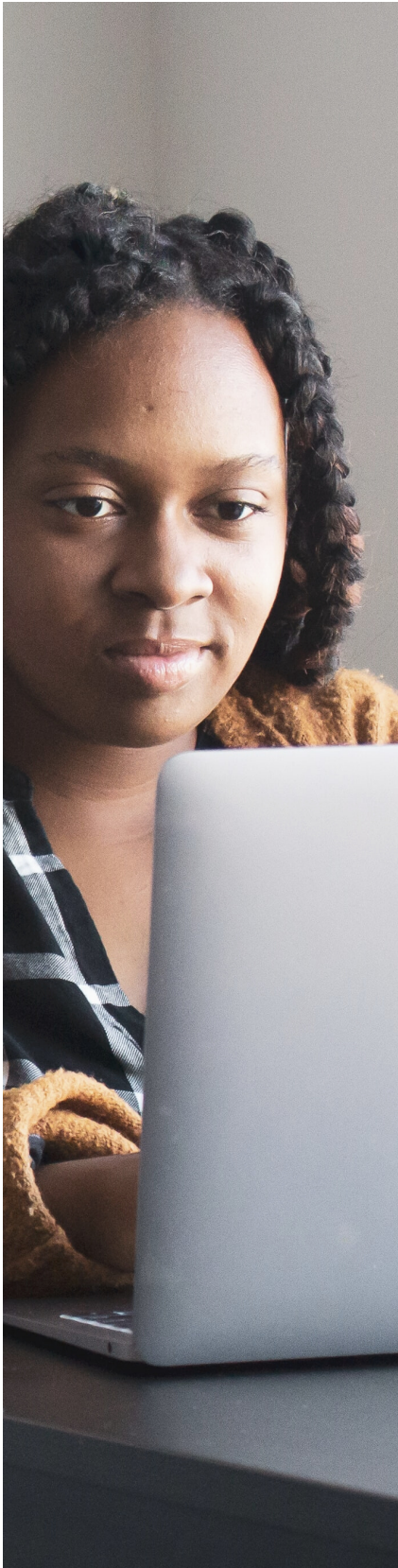
The key requirements of an accessibility plan vary slightly depending on your organization and whether you are regulated by ESDC, CRTC, or CTA. Accessibility plans have various requirements, such as headings, formats, and criteria for publication. As such, CCRW has prepared ACA Blueprints for the “Comparison on Legal Requirements Among Regulators” and “Accessibility Plans, Feedback Processes, and Progress Report Template” for more information.

### Do organizations and companies have to consult accessibility experts in the preparation of their accessibility plan?

No, organizations and companies do not have to consult with accessibility experts. However, the ACA does require that entities must consult with persons with disabilities – whether it be individually or with groups of persons with disabilities – in the preparation of their accessibility plan. Organizations should be consulting with the broadest spectrum of the disability community as possible to gain a cross-disability lens to identifying, removing, and reducing barriers to accessibility.

### Who should lead the development of accessibility plan writing within my organization?

While there are no formal recommendations from the Government of Canada on who should lead the development of accessibility plans within organizations, CCRW recommends that organizations assemble a variety of employees, including persons with disabilities, to collaborate and write accessibility plans. CCRW also suggests that organizations recruit across all levels of staff (i.e., executive, manager or supervisor, employee) and departments (i.e., HR, IT, leadership, general staff) to form the group that will write an accessibility plan. Remember, the ACA does require that entities consult with persons with disabilities - whether it be individually or with groups of persons with disabilities - in the preparation of their accessibility plan.



## What is a Feedback Process?

An entity must publish a feedback process at the same time as it publishes its initial accessibility plan. The feedback process must also be updated and re-published every time the feedback process changes. The feedback process must:

- Designate a person responsible for receiving feedback on behalf of the entity
- Provide the title of that person
- Allow people to provide feedback through mail, telephone, and email
- Allow people to provide feedback in any other means that the entity uses to communicate with the public (e.g., social media)
- Allow people to provide anonymous feedback
- Acknowledge the feedback in the same manner it was received

## What are Progress Reports?

Progress reports must be prepared and published during each year where an entity is not required to publish an updated accessibility plan. Progress reports must also:

- Be published within 12 months of the previous accessibility plan or progress report
- Include the same headings and information as an accessibility plan
- Include an additional heading “Feedback,” where any feedback received must be described, and entities must explain how feedback, whether critical or positive, was taken into consideration.

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For more information about how to fulfil the requirements of the Feedback Process and Progress report, please visit CCRW’s Blueprint titled “Accessibility Plans, Feedback Processes, and Progress Report Templates”.

## TIMELINES



### **When do I need to complete my organization's accessibility plan, feedback process, and progress report?**

The deadlines for accessibility plans, feedback processes, and progress reports vary depending on the size of your organization and whether you are regulated by ESDC, CRTC, or CTA. Please visit CCRW's ACA Blueprint titled "Timelines for Regulated Entities" and "Comparison on Legal Requirements Among Regulators" for more information.

## PENALTIES FOR NON-COMPLIANCE

### **How does the complaint process for the ACA work?**

Complaints cannot yet be filed under the ACA, as regulations must first be created and come into force.

### **What is the difference between feedback, complaints, and administrative penalties in the Accessible Canada Regulations?**

A person can provide feedback to a federally regulated entity about the implementation of its accessibility plan through their Feedback Process. Feedback must be acknowledged when it is received, and progress reports must explain how feedback, whether critical or positive, was taken into consideration.

Complaints are formally filed with the Accessibility Commissioner when a person believes they have suffered physical or psychological harm, property damage or financial loss, or otherwise adverse effects because an entity has not complied with a regulation under the ACA.

Administrative penalties are monetary penalties that can be assigned to any entity who violates administrative requirements of the ACA, such as failing to publish an accessibility plan. Administrative penalties depend on the seriousness of the violation, the size of the entity, the number of violations in the past five years, and the gravity value of the violation. They can range from \$250 - \$250,000.



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## Interested in learning more?

Check out CCRW's other ACA blueprints: [Link to be added](#)

### Questions? Please contact:

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