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June 10, 2019

Disabilities Issues Office
630-240 Graham Avenue
Winnipeg, MB R3C 0J7
Via email: access@gov.mb.ca

To Whom It May Concern,

On behalf of the Association of Manitoba Municipalities (AMM) who represents Manitoba's 137 municipalities and is a member of the Accessibility Advisory Council (AAC), I would like to take this opportunity to provide some comments regarding the proposed accessibility standard for information and communications in accordance with *The Accessibility for Manitobans Act*.

The AMM would like to once again reaffirm its support for greater accessibility for all Manitobans. However, while the AMM appreciates the provincial government's commitment to offer assistance in the identification, prevention and removal of barriers to accessibility, legislation of this magnitude requires funding support to help municipalities comply with the corresponding standards. Since 2011, the AMM has repeatedly voiced concerns over the lack of provincial funding to municipalities to support the effective implementation of accessibility standards. Moreover, the AAC under the guidance of the Disabilities Issues Office (DIO) should consider and provide analysis of the financial implications of their recommendations on stakeholders.

Local communities in Manitoba cannot be expected to shoulder compliance costs and administrative burdens alone. Provincial funding must be provided to ensure the effective implementation of the standards as there are financial costs associated not only with the first two standards now in effect but also with the three subsequent standards under development. According to the recently-published independent review of the AMA legislation, the original direction given to those responsible for the law's implementation was that it was to be pursued in a cost-neutral manner. As a reminder, please see the enclosed copy of AMM Resolution #41-2017, which was passed with overwhelming support at our annual Convention in November 2017 by more than 800 mayors, reeves, councillors and municipal administrators from across Manitoba.



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In regards to the proposed information and communications accessibility standard specifically, the implementation of several sections as outlined would require the allocation of tens or hundreds of thousands of dollars to comply, which is unreasonable and unrealistic given the current fiscal pressures facing the provincial and municipal governments. For example, Section 7.1 mandates obligated organizations must create accessible web content that can be accessed on desktops, laptops, tablets and mobile devices. Based on municipal experiences in Ontario, the AMM is aware of cases in which municipalities have incurred costs greater than \$100,000 to re-format pre-existing web content and design new fully-accessible platforms in order to comply with provincial legislation. In light of constantly changing information and communications technology, specialized and highly-skilled trained staff are also required to operate ICT systems and manage documents. Given these realities and high costs, low rates of compliance are common throughout municipal Ontario due to unrealistic requirements and substantial financial burdens.

The AMM also understands that organizations in Ontario must currently adhere to WCAG 2.0 Level A criteria for all web content, evolving to WCAG 2.0 Level AA by 2021. The draft standard in Manitoba proposes organizations adhere to WCAG 2.1 Level AA criteria, which would lead to inconsistencies between the two jurisdictions. Moreover, the Discussion Paper does not define these criteria nor does it analyze the cost of implementing such standards in Manitoba. Thus, this section does not provide clear direction for obligated organizations such as municipalities.

In addition, the AMM believes that the proposed requirement for public sector organizations, including large municipalities, to make pre-existing information and communications accessible within four years is much too aggressive. Municipalities are an order of government and are unique when compared to other organizations and businesses. Forcing municipalities to retroactively reformat all pre-existing documents is simply unrealistic. Therefore, pre-existing documents should be excluded from this standard and requests for accessible documents should be considered on a case-by-case basis upon request.

In regards to Sections 13-14 concerning public libraries and educational institutions, the proposed standard lacks basic information about the potential impacts on budgets. For example, provincial funding for libraries has remained stagnant under the *Rural Library Operating Grant Program* since 2004. In effect, this 15-year stagnation has resulted in additional burdens as municipalities are addressing these financial shortfalls through greater municipal contributions in order to not cut programming available to residents. Thus, mandating accessibility standards with no funding support or proposing recommendations without considering the financial realities facing community libraries is alarming.



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Overall, the implementation of the information and communications standard as well as the other standards will continue to be undermined so long as no provincial funding and resource support is provided. That is why the AMM has long recognized the need for accompanying provincial funding and has been calling for a partnership with attached financial support. Going forward, it is essential that municipal concerns are seriously considered by the AAC and DIO in order to benefit all Manitobans through reasonable standards and practical regulations.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Joe Masi". The signature is written in a cursive, flowing style.

Joe Masi
Executive Director

cc: Honourable Heather Stefanson, Minister of Families



AMM Resolution #41-2017

Accessibility Legislation & Standards

Sponsor(s)

Russell-Binscarth, Municipality (Midw

Department(s)

Manitoba Families

WHEREAS the Province of Manitoba has mandated that municipalities must create an Accessibility Plan in accordance with the *Accessibility for Manitobans Act* and its corresponding standards; and

WHEREAS the costs associated with developing and implementing an Accessibility Plan are expected to be borne by municipalities; and

WHEREAS the requirement for an Accessibility Plan is just another example of provincial downloading by creating legislation or regulations that impose costs on municipalities without the provision of funding;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to significantly reduce the administrative and financial burdens on municipalities as a result of the *Accessibility for Manitobans Act* and its corresponding standards.

