

ACCESSIBILITY STANDARD FOR CUSTOMER SERVICE

Does your organization provide goods or services to the public or other third parties in Ontario? Are you a member of a designated public sector organization? If so, you are now legally required to meet the requirements of the Accessibility Standards for Customer Service, Ontario Regulation 429/07 under The Accessibility for Ontarians with Disabilities Act, 2005 (AODA) by January 1, 2010.

The AODA has the goal of developing standards, "in order to achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises." A significant step has been taken with the coming into force of the Accessibility Standards for Customer Service. It is the first of four common standards under the AODA, which will also include built environment, employment, information and communication. The customer service standards address those organizations involved in providing goods and services "either directly to the public or to other organizations in Ontario (third parties) and that have one or more employees in Ontario".

Who Must Comply?

The standard for customer services addresses two groups. The first is designated public sector employers. This group includes Legislative Assembly, Ministries of the Government of Ontario, Provincial Boards, Commissions, Authorities and Agencies and the Broader Public Sector such as municipalities, District School Boards and hospitals. The second group is "every other organization that provides goods or services to the public or other third parties and has at least one employee in Ontario".

(For a complete list of designated public sector organizations please go to: www.e-laws.gov.on.ca/html/source/regs/english/2007/elaws_src_regs_r07429_e.htm)

Compliance Dates

The date for compliance with the standard is different for each of the two groups. For designated public sector organizations the date is January 1, 2010 and for all other organizations it is January 1, 2012. The rationale for the two dates is to allow organizations time to meet the requirements of the standards and train employees, volunteers, independent contractor and others who engage with the public on their behalf.

Compliance Requirements

If you are an organization covered by the standards you will need to comply with all 11 requirements. The following list was taken from the Guide to the Accessibility Standards for Customer Service, Ontario, Regulation 429/07.

1. "Establish policies, practices and procedures on providing goods and services to people with disabilities.
2. Set a policy on allowing people to use their own personal assistive devices to access your goods and use your services.
3. Ensure your policies, practices and procedures are consistent with the core principles of independence, dignity, integration and equality of opportunity.
4. Communicate with a person with a disability in a manner that takes into account his or her disability.

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Preparing early for compliance with the The Accessibility Standards for Customer Service ensures policies, practice, and systems can be embedded within the organizations operations and culture. It also demonstrates your respect and commitment to accessibility of service for all.

5. Train staff, volunteers, contractors, and any other people who interact with the public or other third parties on your behalf on a number of topics as outlined in the customer service standard.
6. Train staff, volunteers, contractors, and any other people who are involved in developing your policies, procedures and practices as outlined in the customer service standard.
7. Allow people with disabilities to be accompanied by their service animal into those areas of the premises that are open to the public.
8. Permit people with disabilities to be accompanied by a support person while accessing goods and services.
9. Where admission fees are charged, provide notice on admission fees, if any, for the support person or the person with a disability.
10. Provide notice to people with disabilities who use your service when your services are temporarily disrupted.
11. Provide a process for people to provide feedback to how you provide services to persons with disabilities.

If you are a designated public sector organization or other provider with 20 or more employees, you must:

1. Document in writing all your policies, practices and procedures for providing accessible customer service and meet other document requirements set out in the standard.
2. Notify customers that documents required under the customer service standard are available upon request.
3. When giving documents required under the customer service standard to a person with a disability, provide the information in a format that takes into account the person's disability."

Reporting Compliance

All organizations of 20 or more employees and designated public sector organizations will be required to file an accessibility report online through Service Ontario. The intention of the report is to establish the degree of compliance with the requirements of the accessibility standards. The first reporting date March 31, 2010 and is for designated public sector organizations, the second date will be in 2012 for all other organizations.

Enforcing Compliance

The Accessibility Standards for Customer Service is the law. Persons and organizations that are covered by this standard must comply with it. The compliance systems involve:

- Compliance reporting
- Inspections
- Orders and monetary penalties
- Appeals

For more information visit The Accessibility for Ontarians with Disabilities Act, 2005: <http://www.accesson.ca/mcss/english/pillars/accessibilityOntario>

Please note that the above is a selected summary for general informational purposes and is not intended as advice.

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