

Accessibility Standards for Customer Service, Ontario Regulation 429/07

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1. Background

- The Accessibility for Ontarians with Disabilities Act ("AODA") was passed in 2005.
- **Purpose:** to achieve accessibility for Ontarians with disabilities with respect to:
 - Goods & Services
 - Facilities
 - Accommodation
 - Employment
 - Buildings
 - Structures and Premises

2. Committees

- Five Standards Development Committees were created:
 1. Customer Service
 2. Transportation
 3. Accessible Information
 4. Communications
 5. Accessible Built Environment and Employment Accessibility

3. Who is Regulated?

- Regulations apply to all public, private, and non-profit businesses and organizations that:
 - Provide goods and services to the public; and
 - Have at least one employee.

4. Focus of Regulation

- Ontario Reg. 429/07 generally covers the following six areas:
 - i. Policies, Practices and Procedures
 - ii. Service Animal and Support Persons
 - iii. Disruptions in Service
 - iv. Training
 - v. Complaint Feedback Processes
 - vi. Documentation

i. Policies, Practices & Procedures

- The provision of goods or services to persons with disabilities must:
 - respect the dignity and independence of persons with disabilities;
 - must be integrated to enable a person with a disability to obtain, use or benefit from the goods or services (unless an alternate measure is necessary)
 - Provide for an opportunity to use and benefit from the goods or services (equal to that given to others to obtain)

ii. Service Animal and Support Persons

- Customers with disabilities who have support persons or service animals must be permitted to use them while accessing goods or services.
- Advance notice concerning what admission, if any, would be charged with respect to a support person must be provided.

iii. Disruptions in Service

- Notice must be provided when accessibility to services or facilities for customers with disabilities is temporarily disrupted.
- Signs at the entrance of a building to let customers know that one or more elevators is temporarily out of service.

iv. Training

- Businesses and organizations are required to provide training in the provision of accessible customer service.
- Training to be given to:
 - customer service staff
 - volunteers
 - people responsible for developing the organization's customer service policies, practices and procedures

v. Complaint Feedback Process

- Businesses and organizations are required to establish a process for customers to provide feedback respecting the provision of customer services to persons with disabilities and for the organization to take action on complaints.

vi. Documentation

- Provide a publication in an alternate format, such as audio or Braille to communicate in a manner that takes into account the customer's disability

5. Powers

- The AODA provides for inspectors with the power to require production of documents and to question people in relation to the Act (and to the regulations).

6. Offences

- It is an offence to produce false or misleading documentation or to obstruct the duties of an inspector, or to fail to comply with an Order under the Act.
- It is notable that directors or officers of a municipal organization are required by the Act to take all reasonable steps to prevent the corporation from committing an offence.

7. Penalties

- Contravention of the act may result in penalties of up to \$50,000 per day that the offence continues, with the corporation itself incurring up to \$100,000 per day.

8. AODA in Markham

- Establishment of the Markham Advisory Committee on Accessibility
- Accessibility Considerations are a major component of one of the Town's six strategic priorities, namely Diversity.

9. Accessibility Coordinator

- The Town is in the process of creating an “Accessibility Coordinator” position
- Major responsibilities:
 - Monitor the on-going delivery and implementation of the Town’s Accessibility Plan
 - Provide regular updates on same
 - Ensure the Town’s compliance with Ontario Regulation 429/07 and the other four pending Regulations
 - Serve as the staff resource for the Markham Advisory Committee on Accessibility as well as the Town’s internal staff Accessibility Working Group.

10. Questions

