


# POLICY

	Policy:	<b>Accessible Customer Service Standards</b>		
	Departments:	Office of the CAO		
	Divisions:	Clerk's Division	By-law No.:	N/A
	Administered By:	Clerk	Approval Date:	December 18, 2020
	Replaces:	Accessible Customer Service Standards Policy – June 13, 2016		
	Attachment(s):	N/A		

## 1. POLICY STATEMENT

The Corporation of the Town of Amherstburg is committed to fulfilling the requirements set out in the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)* and all regulations under that Act which require that the Town of Amherstburg establish policies, procedures and practices governing the provision of its goods and services to persons with disabilities.

## 2. PURPOSE

- 2.1. This policy ensures that persons with disabilities are provided equal opportunities and standards of service.
- 2.2. This policy provides requirements for the ongoing training and instruction on the *Accessibility for Ontarians with Disabilities Act*, the *Integrated Accessibility Standards Regulation*, O.Reg 191/11, under the Act and the *Human Rights Code, 1990*.

## 3. SCOPE

- 3.1. This policy applies to all persons who provide goods or services to the public on behalf of the Town, whether that person does so as an employee, member of Council, agent, volunteer, student, third party, or otherwise and all those who participate in developing policies, practices and procedures governing the provision of goods and services to members of the public.
- 3.2. This policy shall not apply during any period where Council has declared a “State of Emergency” as defined under the *Emergency Management Act, 1990*.
- 3.3. This policy shall be reviewed every five (5) years from the date it becomes effective, and/or sooner at the discretion of the CAO or designate.

## 4. DEFINITIONS

- 4.1. **Assistive Devices** are devices used to assist persons with disabilities in carrying out activities or in accessing services including auxiliary aids such as communication aids, cognition aids, personal mobility aids and medical aids (i.e. canes, crutches, wheelchairs, or hearing aids).
- 4.2. **Disability** as per the *Human Rights Code, 1990*, means:
  - 4.2.1. Any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of

paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device;

- 4.2.2. A condition of mental impairment or a developmental disability;
- 4.2.3. A learning disability or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
- 4.2.4. A mental disorder; or,
- 4.2.5. An injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*.

4.3. **Persons with Disabilities** are individuals have a disability as defined under the *Human Rights Code, 1990*.

4.4. **Service Animals** are any animals used by a person with a disability for reasons relating to the disability where it is readily apparent that the animal is used by the person for reasons relating to his or her disability; or where the person provides a letter from a physician or nurse confirming that he or she requires the animal for reasons relating to his or her disability; or a valid identification card signed by the Attorney General of Canada or a certificate of training from a recognized guide dog or service animal training school.

4.5. **Support persons** are any person whether a paid professional, volunteer, family member, or friend who accompanies a person with a disability in order to help with communications, personal care or medical needs, or with access to goods or services.

Common definitions, acronyms, and terms are available in the Glossary located on the Town's Policies webpage.

## 5. **INTERPRETATIONS**

Any reference in this policy to any statute or any section of a statute shall, unless expressly stated, be deemed to be reference to the statute as amended, restated or re-enacted from time to time. Any references to a By-law or Town policy shall be deemed to be a reference to the most recent passed policy or By-law and any replacements thereto.

## 6. **GENERAL CONDITIONS**

### 6.1. **Provision of Goods and Services to Persons with Disabilities**

6.1.1. The Town of Amherstburg will use reasonable efforts to ensure that its policies, procedures and practices are consistent with the following three (3) principles:

6.1.1.1. The Town's goods and services are provided in a manner that respects the dignity and independence of persons with disabilities.

6.1.1.2. The provision of goods and services to persons with disabilities are integrated with those goods and services that are provided to persons

without disabilities unless an alternative measure is necessary in order to provide the person with a disability to access goods and services provided by the Town.

- 6.1.1.3. Persons with disabilities are provided equal opportunity to that of persons without disabilities to obtain, use or benefit services provided by the Town.

## 6.2. **Communication with Persons with Disabilities**

- 6.2.1. When communicating with a person with a disability, the Town will do so in a manner that takes into account the person's disability.

## 6.3. **Assistive Devices**

- 6.3.1. The Town is committed to serving people with disabilities who use assistive devices to obtain, use or benefit from our goods and services. The Town will allow people to use their personal assistive device to access services. The Town will also ensure that staff is familiar with how to use or how to access information on the use of the assistive devices which are available in their respective area of responsibility.

## 6.4. **Service Animals**

- 6.4.1. If it is not readily apparent that the animal is a service animal, the Town may ask for documentation from one of the following regulated health professionals confirming that the person requires the animal for reasons relating to the disability:
  - 6.4.1.1. A member of the College of Audiologists and Speech-Language Pathologists of Ontario.
  - 6.4.1.2. A member of the College of Chiropractors of Ontario.
  - 6.4.1.3. A member of the College of Nurses of Ontario.
  - 6.4.1.4. A member of the College of Occupational Therapists of Ontario.
  - 6.4.1.5. A member of the College of Optometrists of Ontario.
  - 6.4.1.6. A member of the College of Physicians and Surgeons of Ontario.
  - 6.4.1.7. A member of the College of Physiotherapists of Ontario.
  - 6.4.1.8. A member of the College of Psychologists of Ontario.
  - 6.4.1.9. A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario.

6.4.2. It is the responsibility of the person with a disability to ensure that his or her service animal is being kept in control at all times.

## 6.5. **Support Persons**

6.5.1. If a person with a disability is accompanied by a support person, they are permitted to enter the premises together and are not prevented from having access to each other while on the premises.

6.5.2. The Town may require a person with a disability to be accompanied by a support person while on Town premises in situations where it is necessary to protect the health or safety of the person with a disability or the health and safety of others on the premises.

6.5.3. Where fees for goods and services are advertised or promoted by the Town of Amherstburg, it will provide advance notice of the amount payable, if any in respect of the support person.

6.5.4. The Town will endeavour to provide goods, services and programming to support persons accompanying a person with a disability at either a reduced rate or free of charge where possible.

## 6.6. **Disruption of Services**

6.6.1. If there is a disruption in a particular facility or service used to allow a person with a disability to access goods or services, the Town will give notice of the disruption to the public by posting the reason for the disruption, the anticipated duration of the disruption, and alternative facilities or services that may be available. This posting will be in a conspicuous place on the premises of the Town of Amherstburg, or by other reasonable methods in the circumstances.

6.6.2. If the Town anticipates a disruption, the Town will provide a reasonable amount of advance notice of the disruption. If the disruption is unexpected, notice will be provided as soon as possible.

## 6.7. **Feedback Process**

6.7.1. The Town of Amherstburg is committed to providing high quality goods and services to all members of the public. Feedback from the public is welcomed as it assists the Town in identifying any areas that may require change.

6.7.2. The public can provide feedback on the accessibility of the provision of goods and services by the Town of Amherstburg by phone or in writing through the Clerk's Office and through the accessibility feedback process on the Town webpage.

## 6.8. **Training**

6.8.1. The Town will ensure that all persons to whom this policy applies receive training as required. The amount and format of training given will be tailored to suit each person's interactions with the public and his or her involvement in the development

of policies, procedures and practices pertaining to the provision of goods and services.

6.8.2. The content of the training will include:

6.8.2.1. A review of the purposes of the *Accessibility for Ontarians with Disabilities Act, 2005*;

6.8.2.2. The requirements of the *Integrated Accessibility Standards Regulation, O.Reg 191/11*, under the Act;

6.8.2.3. Responsibilities under the *Human Rights Code, 1990*;

6.8.2.4. Instruction on the Town's policies, procedures and practices pertaining to the provision of goods and services to persons with disabilities;

6.8.2.5. How to interact and communicate with persons with various types of disabilities;

6.8.2.6. What to do if a person with a particular type of disability is having difficulty accessing the Town's goods or services;

6.8.2.7. How to interact with persons with disabilities who use assistive devices or who require the assistance of a support person or service animal; and,

6.8.2.8. Information about the equipment or devices available on the Town's premises that may help with the provision of goods or services to persons with disabilities.

6.9. **Timeline for Training**

6.9.1. The Corporation of the Town of Amherstburg is committed to providing training in the requirements of the *Accessibility for Ontarians with Disabilities Act, 2005*, all regulations under that Act and the *Human Rights Code, 1990* as it applies to people with disabilities. Training will be provided upon hire specific to the duties of the employee and every two years thereafter or as changes occur to the Town's policies, procedures and practices governing the provision of goods or services to persons with disabilities.

6.10. **Records of Training**

6.10.1. The Town will keep records of training, including the date on which training is provided and the names of individuals trained, subject to the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, 1990.

6.10.2. The Town shall include, in all its contracted services agreements, a clause requiring the contractor to meet with requirements under this legislation.

## 6.11. Availability of Documents

- 6.11.1. This policy will be made available upon request in a format that takes into account the person's disability to any person to whom it provides goods or services.
- 6.11.2. Notwithstanding the above, this policy will be made available on the Town of Amherstburg website, and made available to any person to whom it provides goods or services by other methods or formats as is reasonable in the circumstances.

## 7. RESPONSIBILITIES AND AUTHORITIES

- 7.1. **Council** has the authority and responsibility to:

- 7.1.1. Adopt the *Accessible Customer Service Standards Policy*.

- 7.2. **The CAO** has the authority and responsibility to:

- 7.2.1. Ensure compliance with the *Accessible Customer Service Standards Policy*.

- 7.3. **The Clerk** has the authority and responsibility to:

- 7.3.1. Ensure that all staff are aware of and comply with the legislated requirements of the *Accessibility for Ontarians with Disabilities Act, 2005*.

- 7.3.2. Ensure that the appropriate reports are filed with the Accessibility Directorate of Ontario as required by legislation.

- 7.3.3. Ensure compliance of all Town policies with the *Accessibility for Ontarians with Disabilities Act, 2005*, the *Integrated Accessibility Standards Regulation O.Reg 191/11*, and, the *Human Rights Code, 1990*.

- 7.3.4. Ensure that the appropriate accessible options are available for all staff and residents and assist as required.

- 7.4. **The Manager of Human Resources** has the authority and responsibility to:

- 7.4.1. Ensure that all persons who provide goods or services to the public on behalf of the Town are provided appropriate training with respect to this policy and all others pertaining to the *Accessibility for Ontarians with Disabilities Act, 2005*, the *Integrated Accessibility Standards Regulation O.Reg 191/11*, and, the *Human Rights Code, 1990*.

- 7.4.2. Ensure that all persons who provide goods or services to the public on behalf of the Town are provided equal opportunity as it relates to training, education and materials.

- 7.5. **Staff** has the authority and responsibility to:

- 7.5.1. Comply with the provisions of the *Accessible Customer Service Standards Policy*.

## 8. REFERENCES AND RELATED DOCUMENTS

- 8.1. *Accessibility for Ontarians with Disabilities Act (AODA), S.O. 2005*
- 8.2. *Integrated Accessibility Standards Regulation (IASR), O.Reg 191/11*
- 8.3. *Human Rights Code, R.S.O. 1990*
- 8.4. Town of Amherstburg Multi-Year Accessibility Plan
- 8.5. *Workplace Violence, Harassment and Discrimination Prevention Policy*
- 8.6. *Integrated Accessibility Standards Regulation Policy*