

# By-Law No. 05-2018 Schedule "A"

## Accessibility Standards for Customer Service Policy

### PURPOSE

*Ontario Regulation 429/07 – Accessibility Standards for Customer Service*, made under the Accessibility for Ontarians with Disabilities Act, 2005 came into force on January 1, 2008.

This regulation establishes accessibility standards for customer service and it applies to every designated public sector organization and to every other person or organization that provides goods or services to members of the public or other third parties and that has at least one employee in Ontario.

The accessibility standards for customer service apply to the designated public sector organizations on and after January 1, 2010 and to other providers of goods or services on and after January 1, 2012.

Ontario Regulation 429/07 was revoked on July 1<sup>st</sup>, 2016 and replaced by *Ontario Regulation 165/16 - Integrated Accessibility Standards*.

The regulation requires the Township of North Stormont to establish policy governing the following;

### Policy

#### 1. Establishment of Policies, Practices and Procedures

- a) The Township of North Stormont shall establish policies, practices and procedures governing the provision of its goods or services to persons with disabilities.
- b) The Township shall use reasonable efforts to ensure that its policies, practices and procedures are consistent with the following principles:
  - i. The goods or services must be provided in a manner that respects the dignity and independence of persons with disabilities.
  - ii. The provision of goods or services to persons with disabilities and others must be integrated unless an alternate measure is necessary, whether temporarily or on a permanent basis, to enable a person with a disability to obtain, use or benefit from the goods or services.
  - iii. Persons with disabilities must be given an opportunity equal to that given to others to obtain, use and benefit from the goods or services.
- c) When communicating with a person with a disability, a provider shall do so in a manner that takes into account the person's disability.

#### 2. Use of Service Animals

- a) If a person with a disability is accompanied by a guide dog or other service animal, the Township of North Stormont shall ensure that the person is permitted to enter the premises with the animal and to keep the animal with him or her unless the animal is otherwise excluded by law from the premises.
- b) If a service animal is excluded by law from the premises, the Township shall ensure that other measures are available to enable the person with a disability to obtain, use or benefit from the Township's goods or services.
- c) In this section,
  - **guide dog** means a guide dog as defined in section 1 of the Blind Persons Rights Act
  - **service animal** means a service animal for a person with a disability
- d) For the purposes of this section, an animal is a service animal for a person with a disability:
  - i. if it is readily apparent that the animal is used by the person for reasons relating to his or her disability; or

- ii. if the person provides a letter from a physician or nurse confirming that the person requires the animal for reasons relating to the disability.

### 3. Use of Support Persons

- a) If a person with a disability is accompanied by a support person, the Township of North Stormont shall ensure that both persons are permitted to enter the premises together and that the person with a disability is not prevented from having access to the support person while on the premises.
- b) The Township may require a person with a disability to be accompanied by a support person when on the premises, but only if a support person is necessary to protect the health or safety of the person with a disability or the health or safety of others on the premises.
- c) If an amount is payable by a person for admission to the premises or in connection with a person's presence at the premises, the Township shall ensure that the support person is not charged this fee.
- d) In this section:
  - **support person** means, in relation to a person with a disability, another person who accompanies him or her in order to help with communication, mobility, personal care or medical needs or with access to goods or services.

### 4. Notice of Temporary Disruptions

- a) If, in order to obtain, use or benefit from a Township of North Stormont's goods or services, persons with disabilities usually use particular facilities or services of the Township and if there is a temporary disruption in those facilities or services in whole or in part, the Township shall give notice of the disruption to the public.
- b) Notice of the disruption must include information about the reason for the disruption, its anticipated duration and a description of alternative facilities or services, if any, that are available.
- c) Notice may be given by posting the information at a conspicuous place on premises owned or operated by the Township of North Stormont of goods or services available, by posting it on the Township's website or by such other method as is reasonable in the circumstances.

### 5. Training for Staff

- a) The Township of North Stormont shall ensure that the following persons receive training about the provision of its goods or services to persons with disabilities:
  - i. Every person who deals with members of the public or other third parties on behalf of the Township, whether the person does so as an employee, agent, volunteer or otherwise.
  - ii. Every person who participates in developing the Township's policies, practices and procedures governing the provision of goods or services to members of the public or other third parties.
- b) The training must include a review of the purposes of the Act and the requirements of this regulation and instruction about the following matters:
  - i. How to interact and communicate with persons with various types of disability.
  - ii. How to interact with persons with disabilities who use an assistive device or require the assistance of a guide dog or other service animal or the assistance of a support person.
  - iii. How to use equipment or devices available on the Township's premises or otherwise provided by the Township that may help with the provision of goods or services to a person with a disability.
  - iv. What to do if a person with a particular type of disability is having difficulty accessing the Township's goods or services.
- c) The training must be provided to each person as soon as practicable after he or she is assigned the applicable duties.

- d) Training must also be provided on an ongoing basis in connection with changes to the policies, practices and procedures governing the provision of goods or services to persons with disabilities.

## **6. Employment**

When hiring staff, the Township's employment policy must consider all applicants equally, regardless of whether or not they have a disability.

- a) Require the Township to take all necessary steps to meet the particular needs of persons with disabilities as far as the site where the interviews are to be held and any special personal accommodations the candidate may require during the interview. Shall meet the needs of persons with disabilities concerning accessibility, pursuant to the *Human Rights Code* of Ontario, where said needs relate to their job, provided they do not generate excessive costs or genuine health and safety hazards. The Township will not refuse to adapt the job for reasons of cost without taking into consideration outside sources of financing available, where such exist;
- b) Should the Municipality exclude a person with disabilities from its employment benefits plan, from its pension plan or fund or from a group insurance contract signed with an insurance company because, in the opinion of the insurer, the person with disabilities represents a higher risk than the average person, the Township of North Stormont must provide payment of an indemnity equal to the contributions the Township provides for an employee with no disability, pursuant to the *Human Rights Code* of Ontario R.S.O. 1990, c. H.19, s. 25 (4); 2001, c. 32, s. 27 (5)
- c) Ensure municipal employees working in management or supervisory positions are aware of the Human Resource Policy and abide by its requirements aimed at creating equal opportunity with regard to hiring and job maintenance of persons with disabilities;

## **7. Feedback Process for the Township of North Stormont**

- a) The Township of North Stormont shall establish a process for receiving and responding to feedback about the manner in which it provides goods or services to persons with disabilities and shall make information about the process readily available to the public.
- b) The feedback process must permit persons to provide their feedback in person, by telephone, in writing, or by delivering an electronic text by email or otherwise.
- c) The feedback process must specify the actions that the Township is required to take if a complaint is received.

## **8. Notice of Availability of Documents**

- a) The Township of North Stormont shall notify persons to whom it provides goods or services that the documents required by this regulation are available upon request.
- b) The notice may be given by posting the information at a conspicuous place on premises owned or operated by the Township, by posting it on the Township's website, if any, or by such other method as is reasonable in the circumstances.

## **9. Format of Documents**

- a) If the Township of North Stormont is required by this regulation to give a copy of a document to a person with a disability, it shall give the person the document, or the information contained in the document, in a format that takes into account the person's disability.
- b) The Township and the person with a disability may agree upon the format to be used for the document or information.

## **10. Planning**

On an ongoing basis, review the current Accessibility Plan to develop and maintain a five year plan which outlines the various accessibility objectives that will be studied and or implemented as we move forward.