



NEW Service Standard Legislated for Customers with Disabilities

Businesses operating in Ontario, Canada need to be aware of important rules and regulations for service to customers with disabilities.

The Ontario Ministry of Community and Social Services is responsible for developing accessibility standards for people with disabilities in accordance with the Accessibility for Ontarians with Disabilities Act (AODA) in the following five areas: **customer service, employment, information and communications, transportation, and built environment.**

Effective January 1, 2012, Ontario businesses will be required to have developed and implemented a Customer Service Standard (CSS) for persons with disabilities under the AODA. The CSS must address the following issues:

- The use of assistive devices (e.g., cane, wheelchair, oxygen tank, etc.) by people with disabilities
- The use of a guide dog or service animal in areas of a business that are open to the public
- Permitting support persons to accompany and assist those with disabilities
- Posting what, if any, admission will be charged for a support person if a business charges an admission fee
- Informing the public when facilities or services (such as an elevator) utilized by persons with disabilities are not available
- Use of reasonable efforts to ensure that policies and procedures are consistent with the principles of independence, dignity, integration, and equality of opportunity
- Training staff, volunteers, and contractors to serve customers with disabilities. *Note: ensure your timetable allows for the training program to be completed by January 1, 2012*
- Establishing a feedback process and taking action on complaints

If a business employs 20 or more persons, taking into account all seasonal, contract, part time, and full time employees, it must also comply with additional AODA requirements, including:

- Notifying customers that documents required under the CSS are available upon request



- When giving documents required under the CSS to a person with a disability, providing the information in a format that takes into account the person's disability

- Documenting in writing all policies, practices, and procedures for providing accessible customer service and describing the feedback process

As could be expected, failure to comply with CSS requirements may result in monetary penalties. We recommend documenting the preparation and implementation of training programs, as the documentation may someday be critical in proving "due diligence."

For more information about AODA and ensuring legal compliance with the CSS, please contact the author or Jennifer Shilson at 519.561.7414.

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PRACTICAL COMPLIANCE EXAMPLES

On its website, the Ontario Ministry of Community and Social Services cites the following as examples of steps businesses can take to comply with CSS:

- A coffee shop might have a policy which states that wait staff should read the bill to a customer who is blind or has low-vision
- A florist shop could provide notepads and pens by the cash register for customers who are hearing impaired to write notes
- A dinner theater might post a notice on its website and at its ticket window indicating that support persons will not be charged if they are not consuming food during the show