



The Accessibility for Ontarians
with Disabilities Act, 2005
and
Accessibility Standards for Customer Service

Opportunities for New Milestones and Discoveries

Presentation to:
OCSWSSW Annual Meeting
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Purpose of today's session

- To give you an overview of:
 - the scope and purpose of the Accessibility for Ontarians with Disabilities Act
 - Accessibility standards in force and in development
 - the requirements of the Accessibility Standards for Customer Service regulation.
- To start a dialogue on the opportunities and benefits of accessibility for social workers and social service workers
- To encourage you to become accessibility champions!



Why is this Important to you?

- About 16% of Ontario's population or 1.85 million people have disabilities
- As our population ages, this percentage is likely to increase
- Accessibility benefits all of us – what assistive devices have you already used today?
- Accessibility is not just good practice, **it is the law**. The Accessible Customer Service Regulation is the first of five standards under the AODA, 2005.



Why is this Important to you?

Accessibility Creates Opportunities:

- Through your work you address barriers to social justice and promote the development and sustainability of a culture of equality, respect and inclusion...accessibility creates opportunities to achieve these goals
- By learning how to serve people with disabilities better, you may build loyalty and improve your services for everyone...**Are you missing out on opportunities?**



About the AODA: Purpose

Recognizing the history of discrimination against people with disabilities in Ontario, the purpose of this Act is:

To benefit **all people** in Ontario by:

- Developing, implementing and enforcing accessibility standards on or before January 1, 2025 and
- Involving people with disabilities and representatives of the private, not-for-profit and public sectors in the development of accessibility standards

GOAL: To make Ontario accessible by 2025



About the AODA: Definition of Disability

- Same as Ontario Human Rights Code
- Includes visible and invisible disabilities:
 - Broad range of physical disabilities
 - Developmental disabilities
 - Learning disabilities
 - Mental health disabilities
 - Injury or disability for which benefits were claimed or received under the Workplace Safety and Insurance Act
- The standard covers disabilities that people may have for a short time, a long time, or for their whole life



Types of Barriers

Visible:

- Architectural or structural
- Information/communication

Invisible:

- Attitudes
- Systemic e.g. no refund policy in a clothing store, assumption of high literacy levels in justice system :
What are your systemic barriers?





About the AODA: How is This Being Done?

- Accessibility standards are completed or being developed in five key areas of daily living:
 - Customer Service
 - Built Environment
 - Employment
 - Information and Communications
 - Transportation
- Inclusive, consensus-based approach to developing proposed standards by involving:
 - People with disabilities
 - Representatives of industries and economic sectors impacted by standards
 - Broad public consultation
- Standards Development Committees are expected to develop meaningful, realistic proposed standards





Standards Development: Current Status

Accessible Customer Service

- The customer service standard, Ontario Regulation 429/07, came into force on January 1, 2008
- Applies to all organizations and businesses in Ontario with at least one employee
- About 360,000 organizations must comply with the regulation





Standards Development: Current Status

Accessible Transportation

- Proposed standard expected to address the removal of barriers in access to transportation and aspects of accessible public transportation
- Final proposed standard posted for public information on the Ministry of Community and Social Services website January to March 2009

Accessible Information & Communications

- Proposed standard expected to address the removal of barriers in access to information and could include information being provided in person, through print, a website or other means
- Final proposed standard submitted to Minister June 2009 and posted for public information on ministry website from August to October 2009
- Emphasis on alternate formats and accessible websites



Standards Development: Current Status

Employment Accessibility

- Proposed standard expected to address paid employment practices relating to employee-employer relationships and could include recruitment, hiring, and retention policies and practices
- Standards Development Committee voted August 12, 2009 to submit final proposed standard to Minister
- Final proposed standard posted for public information on ministry website from October to December 2009

Note:

- For all three of these standards, the government is in the process of considering the recommendations made by these Standards Development Committees which can be accepted in full, in part, or with modifications
- The standards are not yet law
- The government is carefully considering how to implement the standards so that we do not create duplication



Standards Development: Current Status

Accessible Built Environment

- Proposed standard expected to address access into and within buildings and outdoor spaces and expected to build on Ontario's Building Code
- Public review from July 14, 2009 to October 16, 2009
- Final proposed standard is expected to be submitted to the Minister in Spring 2010
- Focus in initial proposed standard on preventing barriers on a go-forward basis – new buildings and building undergoing major renovations



Customer Service Regulation Overview

- Timetable for compliance and reporting:
 - Designated public sector organizations were required to comply by **January 1, 2010**, and file a report between January 1 and March 31, 2010

 - Organizations in the private and non-profit sectors, with 20 or more employees must comply by **January 1, 2012**, and file a report in 2012

 - Organizations in the private and non-profit sectors, with one to 19 employees must comply by **January 1, 2012**, but are **exempted from reporting**

- Approximately 60,000 organizations will be required to file a report



Customer Service Regulation Highlights

Requirements cover nine areas:

1. Policies, practices and procedures
2. Training
3. Feedback process
4. Communication
5. Service Animals
6. Support Persons
7. Notice of temporary disruption of service
8. Documenting your compliance with the regulation
9. Reporting

8 and 9 apply to **all** broader public sector organizations and to private and not-for-profit organizations with 20 or more employees



Customer Service Regulation Highlights

1. Policy, Practice Procedures Requirements include:

- Set up **policies, practices and procedures** on providing goods or services to people with disabilities

- Make reasonable efforts to ensure that policies, practices and procedures are consistent with the key principles of **independence, dignity, integration and equality of opportunity**

- Have a policy about the use of **assistive devices**



Customer Service Regulation Highlights
(cont'd)

2. Training Requirements include:

- Ensure that certain **staff receive training** on how to serve people with disabilities, including staff involved in developing customer service policies, practices and procedures and people who deal with the public or other third parties on behalf of the provider
- Training must include:
 - overview of purposes of the AODA,
 - the requirements of the standard,
 - how to communicate with people with different disabilities and support needs
 - how to use assistive devices
 - What to do if person is having trouble accessing your goods or services



Customer Service Regulation Highlights
(cont'd)

3. Feedback Requirements include:

- Set up a process to **receive and respond to feedback**, including what action will be taken on any complaints. Make the information about the feedback process readily available to the public

4. Communication Requirements include:

- Communicate with a person with a disability in a manner that takes into account his or her disability



Customer Service Regulation Highlights
(cont'd)

5. Service Animal Requirements include:

- Let people with disabilities bring their **service animals** onto the parts of the premises open to the public or other third parties except where the animal is otherwise excluded by law (for example, a restaurant kitchen)
- Under section 4, subsection 9, an animal is a service animal if:
 - It is readily apparent that it is used by person for reasons related to disability or
 - Person provides a letter from doctor or nurse



Customer Service Regulation Highlights
(cont'd)

6. Support Person Requirements:

- Let people with disabilities bring their **support persons** with them when accessing goods or services on parts of the premises open to the public or other third parties
- If your organization charges an **admission fee**, let people know ahead of time what, if any, admission will be charged for a support person
- Under Section 4, Sub-section 8, a Support Person means a person who accompanies a person with a disability in order to help with: communication, mobility, personal care, medical needs or with access to goods or services



Customer Service Regulation Highlights
(cont'd)

7. Notice of Temporary Disruptions of Services Requirements

- Let the public know when **facilities or services** that people with disabilities usually use to access their goods and services are **temporarily not available**



Are you already providing accessible customer service?

- Do these requirements sound like the way you're already serving your customers?
- Does "business as usual" include some or all of these requirements?
- Are there opportunities for new milestones and discoveries in your organization through more accessible ways of serving your clients?





Customer Service Regulation – Documentation Requirements

Designated public sector organizations, and obligated businesses or organizations with 20 or more employees in the private and not-for-profit sector must:

- document in writing all their policies, practices and procedures for providing accessible customer service to people with disabilities
- let customers know that these documents are available on request
- provide this information to a person with a disability in a format that takes into account his or her disability



Accessibility Reporting under the AODA

- Under the AODA, businesses and organizations covered by a standard will be required to file an accessibility report, unless they are specifically exempted by regulation from filing a report
- Reports to be filed on-line, and in a simple checklist format
- Links to compliance materials to be included in the on-line report
- Proposed synchronized reporting across standards so that organizations file one report on all standards which apply to them
- AODA requires obligated organizations to make accessibility reports available to the public



Compliance Improvement

- Progressive approach to compliance will be used
- Will identify organizations that require compliance improvement based on reports and risk assessment
- Non-compliance will be addressed proportionately
- Emphasis on compliance improvement through information sharing/ compliance assistance



Your accessibility opportunities....

- I hope you will agree that accessibility opens up a whole new set of opportunities for your organizations
- What good accessibility practices can you share with your colleagues?
- How can you use the requirements of the Accessibility Standards for Customer Service to enhance your services?
- As each accessibility regulation comes into force, new compliance milestones will be created
- How can these requirements become opportunities that lead to discoveries and milestones for your organization and for you personally?



What Your Organization can do....

- Comply with the Customer Service Regulation
 - Learn about the new standards as they come into force
 - Nurture a culture of accessibility in your organization and community
 - Be an Accessibility Champion!!
- THANK YOU FOR YOUR INTEREST IN ACCESSIBILITY
