


# POLICY

	Policy:	<b>ACCESSIBLE CUSTOMER SERVICE STANDARDS POLICY</b>		
	Department:	Office of the CAO		
	Division:	Human Resources	By-Law No.:	2016-62
	Prepared By:	Michelle Rose	Approval Date:	June 13, 2016
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## INDEX

1. POLICY STATEMENT	PAGE 1
2. PURPOSE	PAGE 1
3. SCOPE	PAGE 1
4. DEFINITIONS	PAGE 2 to PAGE 3
5. INTERPRETATIONS	PAGE 3
6. GENERAL CONDITIONS	PAGE 3 to PAGE 7

APPENDIX A – Accessible Customer Service Feedback Form

## **1. POLICY STATEMENT**

- 1.1. 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) which requires that the Town of Amherstburg establish a policies, procedures and practices governing the provision of its goods or services to persons with disabilities

## **2. PURPOSE**

- 2.1. This policy ensures that persons with disabilities are provided equal opportunities and standards of service.

## **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 the members of the public.
- 3.2. This Accessibility Customer Service Standards Policy shall not apply during any period where Council has declared a “State of Emergency” as defined under the Emergency Management Act.
- 3.3. This policy shall be reviewed every 2 years from the date it becomes effective, and/or sooner at the discretion of the CAO or Manager, Human Resources.

## 4. DEFINITIONS

- 4.1. **Accessibility for Ontarians with Disabilities Act, 2005 (AODA)**
- 4.2. **Chief Administrative Officer (CAO)** is the Chief Administrative Officer for the Corporation of the Town of Amherstburg, which includes the roles and responsibilities as laid out in Section 229 of the Municipal Act, 2001.
- 4.3. **Clerk** is the Municipal Clerk for the Corporation of the Town of Amherstburg, which includes the roles and responsibilities as laid out in Section 228 of the Municipal Act, 2001.
- 4.4. **Council** refers to the current elected Council for the Corporation of the Town of Amherstburg. This includes, as an entirety, the Mayor, Deputy Mayor and Councillors.
- 4.5. **Manager** reports directly to a Director (or the CAO in some instances) and who is responsible for a department within a division of the Corporation, as defined on the Town's organizational structure.
- 4.6. **Staff** is any person (or group thereof) who supplies services to the Corporation for wages including any union or non-union, regular or temporary, full-time, part-time, seasonal or casual staff member, including but not limited to permanent staff, temporary staff, committee members, students, recreation staff, contract employees, paid work placements, and adult crossing guards.
- 4.7. **Town** is the Corporation of the Town of Amherstburg.
- 4.8. **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).
- 4.9. **Disabilities** as per the Ontario Human Rights Code, means:
  - a. 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
  - b. a condition of mental impairment or a developmental disability
  - c. a learning disability or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language
  - d. a mental disorder; or

- e. an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997. (“handicap”)

4.10. **Persons with Disabilities** are individuals who are afflicted with a disability as defined under the Ontario Human Rights Code.

4.11. **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.

4.12. **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.

## 5. **INTERPRETATIONS**

5.1. 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:

- a. The Town’s goods and services are provided in a manner that respects the dignity and independence of persons with disabilities.
- b. The provision of goods and services to those 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.
- c. Those 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 a person with a disability is accompanied by a service animal, the Town will permit the person to enter the premises with the animal and keep it with him or her, unless the animal is otherwise excluded by law from the premises. If the service animal is excluded by law from the premises, the Town will look to other available measures to enable the person with a disability to obtain, use or benefit from the Town's goods and services.

6.4.2. If it is not readily apparent that the animal is a service animal, the Town may ask the person with a disability for a letter from a physician or nurse confirming that the person requires the animal for reasons relating to his or her disability. The Town may also, or instead, ask for 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.

6.4.3. It is the responsibility of the person with a disability to ensure that his or her service animal is 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.

## 6.6. **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 indentifying 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 through the Clerk's Office:
- a. by sending mail addressed to: 271 Sandwich Street South, Amherstburg N9V 2A5
  - b. by phone to: 519-736-0012 x 2238
  - c. in person at: 271 Sandwich Street South, Amherstburg
  - d. by email to: [accessibility@amherstburg.ca](mailto:accessibility@amherstburg.ca)
  - e. by accessing the municipal website at [www.amherstburg.ca](http://www.amherstburg.ca)
- 6.7.3. Feedback will be responded to within three (3) business days of its receipt by the Town.
- 6.7.4. A sample Feedback Form is attached hereto as a Schedule to this Policy.

## 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:

- a. a review of the purposes of the AODA
- b. the requirements of the Accessibility Standards for Customer Service (Ontario Regulation 429 / 07)
- c. instruction on the Town's policies, procedures and practices pertaining to the provision of goods and services to persons with disabilities
- d. how to interact and communicate with persons with various types of disabilities
- e. what to do if a person with a particular type of disability is having difficulty accessing the Town's goods or services
- f. how to interact with persons with disabilities who use assistive devices or who require the assistance of a support person or service animal
- g. 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**

The Corporation of the Town of Amherstburg is committed to providing training in the requirements of Ontario's Accessibility laws and the Ontario Human Rights Code 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").
- 6.10.2. The Amherstburg Police Service and Amherstburg Fire Department shall provide the Town with training records on a quarterly basis.
- 6.10.3. The Town shall include, in all its contracted services Agreements, a clause requiring the contractor to meet the 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 any other method or format as is reasonable in the circumstances.

## **7. RESPONSIBILITIES AND AUTHORITIES**

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

- 7.1.1. Ensure the enforcement of accessibility standards in order to achieve accessibility for Ontarians with disabilities with respect to providing its goods or services to persons with disabilities.

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

- 7.2.1. Oversee the responsibilities of the Clerk and Manager of Human Resources to ensure the Town complies with the legislated requirements of AODA and the Accessible Customer Service Standards regulation.

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

- 7.3.1. Ensure that all staff is aware of and complying with the legislated requirements of AODA and Accessible Customer Service Standards Regulation.
- 7.3.2. Ensure that the appropriate reports are filed with the Accessibility Directorate as required by the legislation.
- 7.3.3. Ensure compliance of all Town policies with current AODA and IASR legislation.
- 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 staff is provided with appropriate training with respect to this policy and all others pertaining to AODA and IASR legislation.
- 7.4.2. Ensure that all staff is provided equal opportunity as it relates to training, education and materials.

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

- 7.5.1. Ensure that all accessibility standards in this policy and other related policies are met.

## **8. REFERENCES AND RELATED DOCUMENTS**

- 8.1. (AODA) Accessibility for Ontarians with Disabilities Act, S.O. 2005
- 8.2. Accessibility Standards for Customer Service, O.Reg 429/07
- 8.3. (IASR) Integrated Accessibility Standards Regulation, O.Reg 191/11
- 8.4. The Ontario Human Rights Code, R.S.O. 1990
- 8.5. Town of Amherstburg Multi-Year Accessibility Plan
- 8.6. Workplace Violence, Harassment and Discrimination
- 8.7. Integrated Accessibility Standards Regulation (IASR)