

Accessibility for Ontarians with Disabilities Act

1 Accessibility Standards for Customer Service

In 2005, Ontario passed into law the Accessibility for Ontarians with Disabilities Act (AODA). Under the AODA, businesses and organizations that provide goods and services, will have to meet accessibility standards with the goal of making Ontario fully accessible by 2025.

Why It's Important

We all benefit when everyone has access to places, people, and experiences. Ontario benefits daily from the many contributions made by people with disabilities. Greater accessibility will also help prepare Ontario for the future. As our population ages, the number of people with disabilities will increase.

If we make our workplace more accessible to people with disabilities, we commit to making Ontario a place where everyone has the opportunity to succeed. As workplace employees you have an important role to play in helping people with disabilities gain greater access to our workplace.

2 Purpose of the Act

The purpose of the Act is to develop, implement, and enforce accessibility standards in key areas of daily living to address barriers for people with disabilities.

The standards are developed by committees that include people with disabilities, the provincial government, and representatives of various industries and sectors. People have an opportunity to review and comment on the standard before they are completed. The standards may be adopted as regulations under the Act.

The first standard developed under the act is the “**Accessibility Standards for Customer Service**”.

Other standards are expected to cover:

- Transportation.
- Information and Communications.
- Employment.
- The Built Environment – interior / exterior of buildings

“Disability” means,

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

3 What are barriers?

When you think about accessibility, it is important to be aware of both visible and invisible barriers. A barrier is anything that keeps someone with a disability from fully participating in all aspects of society because of their disability.

Barriers to accessibility

Type of barriers	Examples
Attitudinal: barriers are those that discriminate against people with disabilities.	<ul style="list-style-type: none"> • thinking that people with disabilities are inferior • assuming that a person who has a speech impairment can't understand you
Information or communications: barriers happen when a person can't easily understand information.	<ul style="list-style-type: none"> • print is too small to read • websites that can't be accessed by people who are not able to use a mouse • signs that are not clear or easily understood.
Technology: barriers occur when a technology can't be modified to support various assistive devices.	<ul style="list-style-type: none"> • a website that doesn't support screen-reading software
Organizational: barriers are an organization's policies, practices or procedures that discriminate against people with disabilities.	<ul style="list-style-type: none"> • a hiring process that is not open to people with disabilities
Architectural and physical: barriers are features of buildings or spaces that cause problems for people with disabilities.	<ul style="list-style-type: none"> • hallways and doorways that are too narrow for a person using a wheelchair, electric scooter or walker • counters that are too high for a person of short stature • poor lighting for people with low vision • doorknobs that are difficult for people with arthritis to grasp • parking spaces that are too narrow for a driver who uses a wheelchair • telephones that are not equipped with telecommunications devices for people who are Deaf, deafened or hard of hearing

4 Accessibility Standards for Customer Service

The Accessibility Standards for Customer Service are now law in Ontario. Through Ontario Regulation 429/07, businesses and organizations in Ontario are required to provide customer service that is accessible to people with disabilities.

Requirements of the Customer Service Standard

1. **Policies, Practices, and Procedures:** Create policies, practices and procedures on providing goods or services to people with disabilities.
2. **Independence, Dignity, Integration and Equality:** Ensure policies, practices and procedures are consistent with the key principles of independence, dignity, integration and equality of opportunity.
3. **Personal Assistive Devices:** Set a policy on allowing people with disabilities to use assistive devices to access goods and services.
4. **Communicate:** Be prepared to communicate with a person with a disability in a manner that takes into account his or her disability. The Customer Service standard outlines what businesses and other organizations in Ontario must do to make the provision of their goods and services more accessible to people with disabilities.
5. **Service Animals:** Allow people with disabilities to bring their service animals onto the public parts of the premises except where excluded by law.
6. **Support Persons:** Let people with disabilities be accompanied by their support persons while accessing goods or services.
7. **Training:** Train staff, volunteers, and contractors on serving people with disabilities. Include in the training those involved in developing customer service policies, practices, and procedures.
8. **Admission Fees:** Inform people in advance if any admission will be charged for a support person.
9. **Notice of Service Disruption:** Inform people when facilities or services regularly used by people with disabilities are temporarily unavailable.
10. **Feedback:** Establish a process to receive and to respond to feedback on services to people with disabilities. Inform people about the feedback process.
11. **Documentation:** Write and make public information on policies, practices, and procedures related to all the service standards. Make the information available in formats that take into account the needs of people with disabilities.

Who Must Comply

The Customer Service Standard applies to all organizations both public and private that provide goods or services either directly to the public or to other organizations in Ontario (known as third parties).

Some of the organizations the standard applies to include:

- Ministries of Government of Ontario.
- Stores and Restaurants.
- Hospitals.
- Schools, Universities, Colleges.
- Charities and Non-Profit Organizations.
- Professional Practices.
- Theatres and Stadiums.

Public sector organizations, including colleges, must comply with the standard starting January 1, 2010, and file accessibility reports starting in 2010.

Private sector, non-profit and non-designated public sector businesses and organizations must comply with the standard starting January 1, 2012.

Those with 20 or more employees must also file accessibility reports starting in 2012.

5 Serving People with Disabilities

5.1 General Service Tips

Some of the best tips for supporting customers with disabilities are the simplest. Here are a few examples:

- If you're not sure what to do, ask your customer, "**May I help you?**" Your customers with disabilities know if they need help and how you can provide it.
- *Speak directly to the person* with a disability, not to his or her support person or companion.
- Avoid stereotypes and *make no assumptions* about what type of disability or disabilities the person has. Some disabilities are not visible and customers are not required to give you information about any disabilities they may have.
- Take the time to get to *know your customer's needs* and focus on meeting those needs just as you would with any other customer.
- **Be patient.** People with some kinds of disabilities may take a little longer to understand and respond. A good start is to listen carefully.
- Make an effort to learn about *appropriate language and terminology* to use when referring to people with disabilities.
- If you cannot understand what your customer is saying, *politely ask them to repeat themselves.*
- *Don't touch or speak to service animals,* they are working and have to pay attention at all times.
- Don't touch assistive devices, including wheelchairs, without permission.
- Consider offering interactive devices (such as self-serve checkouts, direct payment devices) that can be used by people with various types of disabilities or offering alternate services.
- Consider including people with disabilities in the testing or evaluation of your communication services.

5.2 Vision Loss

Don't assume people with this disability are blind. While most individuals with this disability have some residual vision, they may have trouble reading signs, locating landmarks, or seeing hazards.

- Some people may use a guide dog or white cane while others may simply need to use a magnifier to view written materials.

Respond

- Identify yourself when you approach the person and speak directly to them.
- Don't touch your customer without asking permission.
- Don't touch or speak to service animals – they are working and have to pay attention at all times.
- Offer your elbow to guide the person and wait for permission before starting to move. If they accept, walk slowly.
- Guide them to a chair or a comfortable location and don't walk away without saying good-bye.
- Identify landmarks or other details to help orient the person. Be clear and precise when giving directions, e.g., two steps behind you, a metre to your left, etc. Don't use "over there" or point in the direction.
- Make written materials available in large print or offer to describe information. For example, verbally itemize the bill.

5.3 Deaf / Hard of Hearing

People with hearing loss may be deaf, oral deaf, deafened, or hard of hearing.

- People with hearing loss may use assistive devices including hearing aids, special telephones, sign language interpreters, various amplifiers, or a pen and paper

Respond

- Attract the person's attention before speaking by a gentle touch on the shoulder or a wave of your hand.
 - When addressing a person who is deaf or hard of hearing, make sure they can clearly see your face.
- Never shout to try to make yourself understood.
 - If the person uses a hearing aid, try to reduce background noise or move to a quieter area.
- If necessary, ask if another method of communicating would be easier, for example, using a pen and paper.

5.4 Deafblind

- A person who is deafblind cannot see or hear to some degree.
 - A person may not necessarily be completely deaf and blind. Individuals who are deafblind may have some residual vision and/or hearing.

Respond

- Speak directly to the person.
 - A person who is deafblind will explain to you how to communicate with them.
 - People who are deafblind may be accompanied by an intervenor, a professional who helps with communicating. Identify yourself to the intervenor when you approach.

5.5 Physical / Mobility

- There are many types and degrees of physical disabilities, and not all require a wheelchair. People who have arthritis, heart or lung conditions or amputations may also have difficulty with moving, standing or sitting. It may be difficult to identify a person with a physical disability.
 - Physical disabilities may require people to use wheelchairs, scooter, walkers, canes, support person, or other assistive devices.

Respond

- People with physical disabilities often have their own way of doing things. Ask them how you can help. Remove items that are in the way.
 - Respect the person's personal space. Don't lean over them or on an assistive device. When speaking to a person in a wheelchair for more than a minute, sit or crouch down to their eye level.
 - Never move devices such as canes or walkers, out of the person's reach.
 - If you are assisting a person in a wheelchair, make sure they are ready to be moved and describe what you are going to do before moving them.
 - Let your customer know about accessible features in the immediate area (i.e., automatic doors, accessible washrooms, elevators, ramps, etc.).

5.6 Mental Health

- Includes several disorders ranging widely in severity, including; anxiety, depression, schizophrenia, and bipolar disorder.
 - Non-visible disabilities can be difficult to understand.
 - You may not know that your customer has a mental health disability unless you're informed of it.

Respond

- If someone is experiencing difficulty controlling his or her symptoms, or is in a crisis, you may want to help out. Be calm and professional and ask your customer how you can best help.
- Be patient.
- Reassure the person and listen carefully. Focus on meeting the person's needs. Remember, not all disabilities are visible.
 - Reassure the client that you are there to assist them.

5.7 Intellectual/Developmental

- Developmental or intellectual disabilities, ranging from mild to profound, can limit a person's ability to learn, communicate, perform everyday activities, and live independently.
 - It may be difficult to recognize someone who has this disability unless you are told, or you notice the way the person acts, asks questions, or uses body language.

Respond

- Use plain language and make sure the person understands what you've said. To confirm if your customer understands, consider asking the person to repeat the message back to you in his or her own words.
 - Provide one piece of information at a time. Break down the information into simpler concepts but avoid exaggerated speech or gestures.

5.8 Learning

- A variety of disorders that affect how a person processes information.
 - Learning disabilities can be associated with language-based learning, mathematics, or fine motor skills.
 - The person may have difficulty reading material or processing information.

Respond

- Take your time – people with learning disabilities may require more time to understand and respond.
 - Provide information in a way that best suits the person. Even using a pen and paper may help them review and absorb the information. Explain the information clearly and be prepared to repeat it.

5.9 Speech / Language

- Difficulty in communicating verbally such as word-finding difficulties or stuttering.
 - A person with a severe speech or language disability may use a communication board or other assistive device.

Respond

- Be patient. Give the person the time they need to get their point across.
 - If possible, ask questions that can be answered with a "yes" or "no".
 - Don't interrupt or finish sentences. Give them time to express themselves.

5.10 Other Disabilities

- Other disabilities, which may be temporary or permanent, visible or non-visible, may include fibromyalgia, chronic fatigue syndrome, arthritis, kidney disease, allergies, cardiovascular problems, seizure disorders, cancer, diabetes, and HIV infections.
 - These disabilities may affect a person’s cognitive and physical abilities.

Respond

- Be patient when communicating.
 - Make sure equipment and supplies are close to the person.

5.11 Tips on talking to customers with disabilities over the phone

- Speak naturally, clearly and directly.
- Don’t worry about how the person’s voice sounds. Concentrate on what they are saying.
- Don’t interrupt or finish your customer’s sentences. Give your customer time to explain or respond.
- If you don’t understand, simply ask again, or repeat or rephrase what you heard and ask if you have understood correctly.
- If a telephone customer is using an interpreter or a Relay Service, speak naturally to the customer, not to the interpreter.
- If you encounter a situation where, after numerous attempts, you and your customer cannot communicate with each other due to the customer’s disability, consider making alternate arrangements.

6 Support for People with Disabilities

People with disabilities may require assistance in the form of service animals, support persons, assistive devices.

6.1 Service Animals

Service Animals are allowed to go wherever people with disabilities go including restaurants, elevators, and offices. The person with a disability has supervision of the animal at all times. Service animals assist people with a variety of disabilities. For example, dogs can help guide people with vision loss, or alert people who are deaf or hard of hearing to alarms, open automatic doors for people with the physical disabilities, and warn people with neurological conditions of impending seizures.

6.2 Support Persons

Support person may accompany people with disabilities to assist with communications, mobility, personal care, or medical needs. Support Persons should be allowed to accompany a person with a disability anywhere they go. Always speak directly to the person with a disability and not the support person.

- When discussing confidential matters, confirm with the person whether they want the support person to be present.

If admission is being charged to an event, organizers are not required to give support persons free or reduced admission. Notice of fees should be posted.

6.3 Personal Assistive Devices

Personal assistive devices are part of the personal space of the people using them. It is inappropriate to lean on, reach over, or restrict the movement of an assistive device. It is the workplaces’ responsibility to develop appropriate policies, practices and procedures regarding assistive devices.

Front-line service staff must be trained to operate any personal assistive devices provided by the workplace before using them with people with disabilities.

Personal assistive devices include the following:

- Wheelchair, walker, or cane.
- Hearing aid, amplification device.
- Keyboard, pointing device
- Communication boards
- Magnification devices

7 Requirements of the standard

7.1 Policies, practices and procedures

Under the customer service standard, workplaces must provide ongoing training on changes to the policies, practices and procedures on serving people with disabilities.

Workplaces usually have some form of customer service policies, practices and procedures on serving customers with disabilities. Some of these are formal, documented practices. Others are unwritten and informal (i.e., “the way we do things around here”).

Under the customer service standard, providers must:

- Establish policies, practices and procedures for providing goods or services to people with disabilities. These policies, practices and procedures are in addition to those specifically identified in other sections of the standard.
- Use reasonable efforts to ensure the policies, practices and procedures on how you will provide your goods or services to people with disabilities are consistent with the principles in the customer service standard. These principles are dignity, independence, integration and equal opportunity.
- Establish a policy that deals with the use of assistive devices by people with disabilities to access your goods and services or the availability, if any, of other measures which enable them to do so.

7.2 Principles

Dignity - service is provided in a way that allows the person with a disability to maintain self-respect and the respect of other people. People with disabilities are not treated as an afterthought or forced to accept lesser service, quality or convenience.

Independence – allowing a person with a disability to do things on their own without unnecessary help, or interference from others.

Integration – service is provided in a way that allows the person with a disability to benefit from the same services, in the same place, and in the same or similar way as other customers, unless an alternate measure is necessary to enable the person to access goods or services.

Equal opportunity – people with disabilities have an opportunity equal to that given to others to access your goods or services.

7.3 Policies on the use of assistive devices

The standard requires workplace to have a policy about the use of a customer’s personal assistive device, or the availability of any other measures that enable a person with a disability to access your goods or services.

7.4 Disruptions in service

- Provide notice to the public when there is a temporary disruption to your facilities or services that are usually used by people with disabilities to access your goods or services. This applies whether a temporary disruption is planned or unexpected.
- In the notice, include information about the reason for the disruption, its expected duration and a description of alternate facilities or services, if available.
- Place the notice in an obvious location on your premises, such as on your website, if you have one, or post it by another method that is reasonable under the circumstances.

7.5 Communications and Feedback

- The Customer Service Standard requires implementing an accessible feedback process to receive and respond to comments on services provided. Workplaces are required to provide information about the accessible feedback process.
- People with disabilities should be able to provide feedback on services in person, by telephone, in writing, by e-mail, or by other electronic means.
- The workplace's response, if it is to a person with a disability, should be communicated in a way that takes into account his or her disability. The response should indicate how the comments will be addressed and what action will be taken on any complaints.

7.6 Documentation

Workplace must prepare the following documents and make them available upon request:

- Documents describing policies, practices and procedures on providing goods or services to people with disabilities, including the use of personal assistive devices to access the organization's goods or services or the availability, if any, of other measures which enable them to do so.
- Documents describing policies, practices and procedures with respect to the entry of service animals and support persons to those areas of the premises where goods or services are provided that are open to the public or other third parties, including:
 - When the provider may exclude service animals by law, if applicable
 - Alternative measures available if an animal is excluded by law
 - If admission is charged, what amount will be charged for support persons
 - If, and under what circumstances it may be necessary to require a person with a disability to be accompanied by a support person to protect the health or safety of the person with a disability or the health or safety of others on the premises.
- A document that sets out the steps that will be taken when there is a temporary planned or unexpected disruption to facilities or services that people with disabilities usually use to access your goods or services including:
 - The circumstances when a notice will be provided about a temporary disruption and where it will be posted
 - Information that will be included in the notice of a temporary disruption
 - What alternative facilities or services, if any, are available during the temporary disruption to continue to provide service to people with disabilities.
- A document describing your training policy on providing goods or services to people with disabilities, including a summary of the contents of training and the details of when that training will be provided.
- A document describing your process for receiving and responding to feedback on the manner in which goods or services are provided to people with disabilities, including what actions will be taken on any complaints received.



Under the standard, customers must be informed that these documents are available upon request. Notice may be given by posting the information in an obvious place on premises owned or operated by the provider, by posting it on the provider's website, if any, or by another method that is reasonable in the circumstances.

7.7 Availability of documents and their format

If your organization is required by the standard to give a document to a person with a disability, you must provide the document, or the information contained in the document, in a format that takes into account their disability.

Some people with disabilities, such as those with learning disabilities or vision loss, may use materials in CD-ROM or braille respectively. Other formats to consider are large print, e-mail, DVD or electronic text on a disk.

Under the standard, a provider and a person with a disability may agree upon the format to be used for the document or information. So, consider discussing with the customer the alternate format that they can use. For example, if the customer asks for large print, be clear about what "large print" means to them. For some, it may be an 18 point font size in a font style like Arial, and others may need larger print.