

# WHAT YOU NEED TO DO TO COMPLY WITH THE ACCESSIBLE CUSTOMER SERVICE REGULATION

This article was written by [People Access Division of Excellence Canada](#), formally known as the [National Quality Institute](#).

Providing accessible services for people with disabilities is not just good practice, **it is now the law**. In June, 2005, the Ontario Legislature passed the *Accessibility for Ontarians with Disabilities Act (AODA)*. Under this legislation, five standards were developed setting out requirements on accessible customer service, information and communication, transportation, employment and the built environment which deals with building, entranceways, parking etc. The first standard on accessible customer service is now in force. The information below will help you understand what you need to do to comply.

## **Who Needs to Comply? Is my organization included?**

All organizations and businesses that operate in Ontario, have at least one employee and provide goods or services must comply. The only organizations that do not need to comply are unincorporated sole practitioners and organizations run entirely by volunteers. If you are a sole practitioner but your incorporation documents name you as an employee of your company, you need to comply. Even if you only have part time or part year employees, you still need to comply. One way of looking at it is, if your organization issues T4s, you need to comply.

## **When do I need to comply?**

**January 1, 2012** is the date that all organizations in the private or non-profit sector must be in compliance with the accessible customer service standard. Organizations in the broader public sector such as hospitals, universities and municipal governments were required to comply by January 1, 2010.

## **I don't have "customers". Are you sure this applies to me?**

The government chose the word "customer" as shorthand to refer to anyone that an organization provides with goods and services. Students, patients, clients are all included under this term.

## **What do I need to do?**

The following requirements apply to all organizations with one employee or more.

- Establish a set of policies, practices and procedures on how you and your employees will provide goods and/or services to customers with disabilities.
- Allow customers with disabilities to use personal assistive devices e.g. hearing aids, wheelchairs, walkers, oxygen tanks, to access your services and/or goods
- Communicate with a person with a disability in a manner that takes into account his or her disability

- Train all staff to provide accessible customer service. The regulation is clear that it isn't just front line staff but also management that must understand how to provide accessible customer service. You must also train volunteers and contractors if they will be acting on your behalf with patients, clients or customers.
- Allow people with disabilities to bring a guide dog or service animal with them to your premises, unless otherwise prohibited by law. For example, animals are not allowed by law in a restaurant kitchen or an operating theatre in a hospital.
- Permit people with disabilities who require a support person to bring that person with them. If you charge a fee, your organization can decide whether to waive or lower the fee for the support person.
- Provide notice when facilities or services that people with disabilities rely on to access your goods or services are temporarily disrupted.
- Establish a process for people to provide feedback on how you provide goods and/or services to people with disabilities.

Organizations and businesses with 20 or more employees will also need to file regular compliance reports. These are on-line checklist reports that are quick and easy to complete. If your organization has 20 or more employees, the government will be sending you instructions on how to complete your compliance report. Organizations and businesses with 20 or more employees are also required to prepare written policies, practices and procedures. Smaller organizations and businesses need to develop such policies, practices and procedures and communicate them to all employees, but don't have to have them written down.

### **What will happen if I don't comply?**

The government is hoping that most organizations and businesses will see the benefits to them of providing accessible customer service in terms of providing more effective service to all their customers or clients, gaining loyalty and attracting new clients or customers. Therefore the emphasis is on education and support to help organizations come into compliance. If your organization is found to be out of compliance either through a complaint received, through your submitted report or through an audit, the government will first attempt to provide the support and information you need to come into compliance. You may also be issued a director's order detailing when and how you must comply. You may be levied an administrative monetary penalty. While the emphasis is on helping organizations to come into compliance, **there are serious penalties for organizations that commit an offence under this legislation by refusing to comply with a directors' order, preventing an inspector from inspecting your premises or submitting a false report. If an offence is committed, your organization may be fined up to \$100,000 a day, and/or an individual responsible for the offence may be fined up to \$50,000 a day.**

### **Where can I learn more?**

You can go to [www.accesson.ca](http://www.accesson.ca) to view the legislation and the accessible customer service regulation and to access the tools that the government has developed to help you comply.

### **How can I get started so I will be in compliance by January 1, 2012?**

People Access, a division of Excellence Canada devoted to helping organizations in different sectors plan and implement the legislated AODA standards is a one-stop source of free and low-cost products, services, resources and tools to help you meet the upcoming deadline.

Go to [www.peopleaccess.ca](http://www.peopleaccess.ca) to learn more about what they provide.

**Your organization has an opportunity to make a real difference to your clients by providing accessible service. The (insert name of association) will continue to provide information and links to help you meet this goal.**