



## **The New Customer Service Standard under the *Accessibility for Ontarians with Disabilities Act: Who, What and When?***

The *Accessibility for Ontarians with Disabilities Act* (“AODA”), came into force in Ontario in 2005. The goal of AODA is to improve accessibility to goods and services across Ontario for persons with disabilities. AODA aims to create accessibility standards in the areas of customer service, transportation, information and communications, employment and the built environment to be adopted by organizations throughout Ontario over the next few years.

The customer service standard came into force on January 1, 2008 and as of January 1<sup>st</sup>, 2012, all service providers must be in compliance. The customer service standard applies to virtually every organization, both public and private, that provides goods or services to members of the public or other third parties and that has **at least one** employee in Ontario.

In order to be in compliance, organizations must take various steps including:

- Establish policies, practices and procedures governing the provision of goods and services to persons with disabilities, including ensuring that they are consistent with the core principles of independence, dignity, integration and equality of opportunity.
- Ensure that the policies address the usage of assistive devices, as well as the usage of service animals and support persons.
- Ensure that they communicate with persons with disabilities in a manner that takes in account their disability.
- Train all persons (employees, agents, contractors or volunteers) who act on their behalf and all persons who participate in the development of policies, practices and procedures, regarding the provision of services to persons with disabilities.
- Provide for a feedback process readily accessible to the public.
- Provide notice of temporary disruption of services or facilities usually used by persons with disabilities.
- Provide information as to admission fees, where charged for a support person of a person with a disability.

**Where an organization has 20 or more employees, the following additional steps must be taken:**

- ***Document in writing*** all policies, practices and procedures relating to the provision of goods and services to persons with disabilities.



- Notify customers that the documents required under the standard are available upon request by posting a notice in a conspicuous place on the premises or on the service provider's website.
- Provide the required documents to persons with disabilities in a format that takes into account the person's disability.
- **Document in writing** all training policies and keep a record of the training provided, including the dates on which training is provided and the number of individuals to whom it is provided.

One should be aware that AODA grants inspection rights and administrative powers to directors in order to enforce non-compliance. Non-compliance amounting to an offence may be penalized by way of a fine of up to \$50,000/day for individuals and \$100,000/day for companies where serious contraventions and a significant contravention history are involved. Directors and officers of a company are also subject to fines in relation to any contravention by the company.

Dale & Lessmann LLP would be happy to provide you with further information on what you or your organization needs to do in order to be in compliance with the AODA Customer Service Standard for January 1<sup>st</sup>, 2012; please contact us at the number listed below.