

Accessibility for Ontarians with Disabilities Act, 2005**ONTARIO REGULATION 429/07****ACCESSIBILITY STANDARDS FOR CUSTOMER SERVICE**

Consolidation Period: From July 1, 2011 to the e-Laws currency date.

Last amendment: O. Reg. 205/11.

This is the English version of a bilingual regulation.

Purpose and application

1. (1) This Regulation establishes accessibility standards for customer service and it applies to every designated public sector organization and to every other person or organization that provides goods or services to members of the public or other third parties and that has at least one employee in Ontario. O. Reg. 429/07, s. 1 (1).

(2) In this Regulation,

“designated public sector organization” means the Legislative Assembly and the offices of persons appointed on the address of the Assembly, every ministry of the Government of Ontario, every municipality and every person or organization listed in Schedule 1 or described in Schedule 2 to this Regulation; (“organisation désignée du secteur public”)

“provider of goods or services” means a person or organization to whom this Regulation applies. (“fournisseur de biens ou de services”) O. Reg. 429/07, s. 1 (2).

Effective dates

2. The accessibility standards for customer service apply to the designated public sector organizations on and after January 1, 2010 and to other providers of goods or services on and after January 1, 2012. O. Reg. 429/07, s. 2.

Establishment of policies, practices and procedures

3. (1) Every provider of goods or services shall establish policies, practices and procedures governing the provision of its goods or services to persons with disabilities. O. Reg. 429/07, s. 3 (1).

(2) The provider shall use reasonable efforts to ensure that its policies, practices and procedures are consistent with the following principles:

1. The goods or services must be provided in a manner that respects the dignity and independence of persons with disabilities.

2. The provision of goods or services to persons with disabilities and others must be integrated unless an alternate measure is necessary, whether temporarily or on a permanent basis, to enable a person with a disability to obtain, use or benefit from the goods or services.
3. Persons with disabilities must be given an opportunity equal to that given to others to obtain, use and benefit from the goods or services. O. Reg. 429/07, s. 3 (2).

(3) Without limiting subsections (1) and (2), the policies must deal with the use of assistive devices by persons with disabilities to obtain, use or benefit from the provider's goods or services or the availability, if any, of other measures which enable them to do so. O. Reg. 429/07, s. 3 (3).

(4) When communicating with a person with a disability, a provider shall do so in a manner that takes into account the person's disability. O. Reg. 429/07, s. 3 (4).

(5) Every designated public sector organization and every other provider of goods or services that has at least 20 employees in Ontario shall prepare one or more documents describing its policies, practices and procedures and, upon request, shall give a copy of a document to any person. O. Reg. 429/07, s. 3 (5).

Use of service animals and support persons

4. (1) This section applies if goods or services are provided to members of the public or other third parties at premises owned or operated by the provider of the goods or services and if the public or third parties have access to the premises. O. Reg. 429/07, s. 4 (1).

(2) If a person with a disability is accompanied by a guide dog or other service animal, the provider of goods or services shall ensure that the person is permitted to enter the premises with the animal and to keep the animal with him or her unless the animal is otherwise excluded by law from the premises. O. Reg. 429/07, s. 4 (2).

(3) If a service animal is excluded by law from the premises, the provider of goods or services shall ensure that other measures are available to enable the person with a disability to obtain, use or benefit from the provider's goods or services. O. Reg. 429/07, s. 4 (3).

(4) If a person with a disability is accompanied by a support person, the provider of goods or services shall ensure that both persons are permitted to enter the premises together and that the person with a disability is not prevented from having access to the support person while on the premises. O. Reg. 429/07, s. 4 (4).

(5) The provider of goods or services may require a person with a disability to be accompanied by a support person when on the premises, but only if a support person is necessary to protect the health or safety of the person with a disability or the health or safety of others on the premises. O. Reg. 429/07, s. 4 (5).

(6) If an amount is payable by a person for admission to the premises or in connection with a person's presence at the premises, the provider of goods or services shall ensure that notice is given in advance about the amount, if any, payable in respect of the support person. O. Reg. 429/07, s. 4 (6).

(7) Every designated public sector organization and every other provider of goods or services that has at least 20 employees in Ontario shall prepare one or more documents describing its policies, practices and procedures with respect to the matters governed by this section and, upon request, shall give a copy of a document to any person. O. Reg. 429/07, s. 4 (7).

(8) In this section,

“guide dog” means a guide dog as defined in section 1 of the *Blind Persons’ Rights Act*; (“chien-guide”)

“service animal” means an animal described in subsection (9); (“animal d’assistance”)

“support person” means, in relation to a person with a disability, another person who accompanies him or her in order to help with communication, mobility, personal care or medical needs or with access to goods or services. (“personne de soutien”)
O. Reg. 429/07, s. 4 (8).

(9) For the purposes of this section, an animal is a service animal for a person with a disability,

(a) if it is readily apparent that the animal is used by the person for reasons relating to his or her disability; or

(b) if the person provides a letter from a physician or nurse confirming that the person requires the animal for reasons relating to the disability. O. Reg. 429/07, s. 4 (9).

Notice of temporary disruptions

5. (1) If, in order to obtain, use or benefit from a provider’s goods or services, persons with disabilities usually use particular facilities or services of the provider and if there is a temporary disruption in those facilities or services in whole or in part, the provider shall give notice of the disruption to the public. O. Reg. 429/07, s. 5 (1).

(2) Notice of the disruption must include information about the reason for the disruption, its anticipated duration and a description of alternative facilities or services, if any, that are available. O. Reg. 429/07, s. 5 (2).

(3) Notice may be given by posting the information at a conspicuous place on premises owned or operated by the provider of goods or services, by posting it on the provider’s website, if any, or by such other method as is reasonable in the circumstances. O. Reg. 429/07, s. 5 (3).

(4) Every designated public sector organization and every other provider of goods or services that has at least 20 employees in Ontario shall prepare a document that sets out the steps to be taken in connection with a temporary disruption and, upon request, shall give a copy of the document to any person. O. Reg. 429/07, s. 5 (4).

Training for staff, etc.

6. (1) Every provider of goods or services shall ensure that the following persons receive training about the provision of its goods or services to persons with disabilities:

1. Every person who deals with members of the public or other third parties on behalf of the provider, whether the person does so as an employee, agent, volunteer or otherwise.
2. Every person who participates in developing the provider's policies, practices and procedures governing the provision of goods or services to members of the public or other third parties. O. Reg. 429/07, s. 6 (1).

(2) The training must include a review of the purposes of the Act and the requirements of this Regulation and instruction about the following matters:

1. How to interact and communicate with persons with various types of disability.
2. How to interact with persons with disabilities who use an assistive device or require the assistance of a guide dog or other service animal or the assistance of a support person.
3. How to use equipment or devices available on the provider's premises or otherwise provided by the provider that may help with the provision of goods or services to a person with a disability.
4. What to do if a person with a particular type of disability is having difficulty accessing the provider's goods or services. O. Reg. 429/07, s. 6 (2).

(3) The training must be provided to each person as soon as practicable after he or she is assigned the applicable duties. O. Reg. 429/07, s. 6 (3).

(4) Training must also be provided on an ongoing basis in connection with changes to the policies, practices and procedures governing the provision of goods or services to persons with disabilities. O. Reg. 429/07, s. 6 (4).

(5) Every designated public sector organization and every other provider of goods or services that has at least 20 employees in Ontario shall prepare a document describing its training policy, and the document must include a summary of the contents of the training and details of when the training is to be provided. O. Reg. 429/07, s. 6 (5).

(6) Every designated public sector organization and every other provider of goods or services that has at least 20 employees in Ontario shall keep records of the training provided under this section, including the dates on which the training is provided and the number of individuals to whom it is provided. O. Reg. 429/07, s. 6 (6).

Feedback process for providers of goods or services

7. (1) Every provider of goods or services shall establish a process for receiving and responding to feedback about the manner in which it provides goods or services to persons with disabilities and shall make information about the process readily available to the public. O. Reg. 429/07, s. 7 (1).

(2) The feedback process must permit persons to provide their feedback in person, by telephone, in writing, or by delivering an electronic text by email or on diskette or otherwise. O. Reg. 429/07, s. 7 (2).

(3) The feedback process must specify the actions that the provider of goods or services is required to take if a complaint is received. O. Reg. 429/07, s. 7 (3).

(4) Every designated public sector organization and every other provider of goods or services that has at least 20 employees in Ontario shall prepare a document describing

its feedback process and, upon request, shall give a copy of the document to any person. O. Reg. 429/07, s. 7 (4).

Notice of availability of documents

8. (1) Every designated public sector organization and every other provider of goods or services that has at least 20 employees in Ontario shall notify persons to whom it provides goods or services that the documents required by this Regulation are available upon request. O. Reg. 429/07, s. 8 (1).

(2) The notice may be given by posting the information at a conspicuous place on premises owned or operated by the provider, by posting it on the provider's website, if any, or by such other method as is reasonable in the circumstances. O. Reg. 429/07, s. 8 (2).

Format of documents

9. (1) If a provider of goods or services is required by this Regulation to give a copy of a document to a person with a disability, the provider shall give the person the document, or the information contained in the document, in a format that takes into account the person's disability. O. Reg. 429/07, s. 9 (1).

(2) The provider of goods or services and the person with a disability may agree upon the format to be used for the document or information. O. Reg. 429/07, s. 9 (2).

Compliance

10. For purposes of paragraph 3 of subsection 21 (3), paragraph 2 of subsection 21 (4), subsection 21 (5) and paragraph 2 of subsection 33 (8) of the Act, Part V (Compliance) of Ontario Regulation 191/11 applies, with necessary modifications, to contraventions of this Regulation. O. Reg. 192/11, s. 1.

Accessible Customer Service Plan

Providing Goods and Services to People with Disabilities

Lady York Foods is committed to excellence in serving all customers including people with disabilities.

Assistive devices

We will ensure that our staff is trained and familiar with various assistive devices we have on site or that we provide that may be used by customers with disabilities while accessing our goods or services.

Communication

We will communicate with people with disabilities in ways that take into account their disability.

Service animals

We welcome people with disabilities and their service animals. Service animals are allowed on the parts of our premises that are open to the public.

Support persons

A person with a disability who is accompanied by a support person will be allowed to have that person accompany them on our premises.

Notice of temporary disruption

In the event of a planned or unexpected disruption to services or facilities for customers with disabilities **automatic doors and/or the asphalt ramp at side entrance, Lady York Foods** will notify customers promptly. This clearly posted notice will include information about the reason for the disruption, its anticipated length of time, and a description of alternative facilities or services, if available.

The notice will be placed at **the main entrances to the premises.**

Training

Lady York Foods will provide training to employees, volunteers and others who deal with the public or other third parties on our behalf.

Individuals in the following positions will be trained:

Management, Volunteers, and all members of staff.

This training will be provided to staff **immediately after hiring.**

Training will include:

- An overview of the Accessibility for Ontarians with Disabilities Act, 2005 and the requirements of the customer service standard
- **Lady York Foods'** plan related to the customer service standard.
- How to interact and communicate with people with various types of disabilities
- How to interact with people with disabilities who use an assistive device or require the assistance of a service animal or a support person
- How to use the **automatic doors and handicap passage at the Express Counter**
- What to do if a person with a disability is having difficulty in accessing **Lady York Foods'** goods and services

Staff will also be trained when changes are made to your accessible customer service plan.

Feedback process

Customers who wish to provide feedback on the way **Lady York Foods** provides goods and services to people with disabilities can **provide comments at the Courtesy counter, speak to a manager on duty, call the store, or email info@ladyyorkfoods.com.**

All feedback, including complaints, will be **addressed immediately by forwarding the comments to Management.**

Customers can expect to hear back **within 2 days.**

Modifications to this or other policies

Any policy of **Lady York Foods** that does not respect and promote the dignity and independence of people with disabilities will be modified or removed. A copy of this document is available at the *Courtesy Counter* upon request.

Important Concepts re: Accessibility Standards

Dignity Principles

The concept of global dignity includes the following five principles:

1. Every human being has a right to lead a dignified life.
2. A dignified life means an opportunity to fulfill one's potential, which is based on having a human level of health care, education, income and security.
3. Dignity means having the freedom to make decisions on one's life and to be met with respect for this right.
4. Dignity should be the basic guiding principle for all actions.
5. Ultimately, our own dignity is interdependent with the dignity of others.

Equal Opportunity

All people should be treated similarly, unhampered by artificial barriers or prejudices or preferences, except when particular distinctions can be explicitly justified. Individuals should succeed or fail based on their own efforts and not extraneous circumstances such as religion, sex, or caste.



Accessible Customer Service Reminders

- Lift the bar at the Express Counter for customers with disabilities to come in or go out
- Get products down from the shelves for those customers with disabilities who cannot reach
- Open doors for the customers with assistive devices who cannot otherwise enter
- Call wheelchair transport or a taxi company if so needed by a customer with disabilities
- Get a chair for a customer with disabilities if so needed
- Assist a customer with disabilities in finding a product
- Assist a customer with disabilities in bagging and carrying their groceries out the store
- Be courteous and patient when dealing with a customer with disabilities
- Direct and assist a customer with disabilities to the washroom facilities



Accessibility Standards for Customer Service Assessment

Regulation 429/07:

1. Every provider of goods and services shall use reasonable efforts to ensure that its goods and services are provided in a manner that respects the dignity and independence of persons with disabilities.
TRUE FALSE

2. Every designated public sector organization and every other provider of goods and services that has at least 20 employees in Ontario shall notify persons to whom it provides goods or services that the documents required by this Regulation are available upon request.
TRUE FALSE

Lady York's Accessible Customer Service Plan:

3. We, at Lady York Foods, welcome people with disabilities and their service animals. Service animals are allowed on the parts of our premises that are open to the public.
TRUE FALSE

4. Customers who wish to provide feedback on the way Lady York provides goods and services to people with disabilities can do so by:
 - a. Speaking to a manager;
 - b. Email;
 - c. Calling the store;
 - d. All the above

Situational:

5. A customer with a disability cannot reach a product on the top shelf of a display. Seeing this customer having difficulty, you:
 - a. Help the customer by getting the product down;
 - b. Ignore him/her;
 - c. Walk away

6. A customer with a disability is unable to physically enter the premises due to their assistive device (wheelchair, walking stick, service animal) preventing them from opening the door. Seeing this customer having difficulty, you:
 - a. Tell them they are not welcome at Lady York;
 - b. Walk away;
 - c. Open and hold the door for the customer to enter

I, _____, have read Ontario Regulation 429/07 and Lady York's Accessible Customer Service Plan and will comply with the policies and procedures outlined in set plan.

Signature

Date