

Have You Complied With The AODA's Customer Service Standard? Time is Running Out

By Faren H. Bogach

Effective January 1, 2012, the Customer Service Standard under the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)* applies to all people, businesses and organizations that provide goods or services, either to the public or other businesses and have one or more employee in Ontario. This new standard requires all organizations to take reasonable steps to accommodate customers with disabilities, including developing an accessibility plan and providing accessibility training for employees.

To ensure you comply with the Customer Service Standard, and to avoid the consequences of non-compliance, it is important to make sure that all staff have been trained, your plan has been prepared, and your accessibility compliance report (for organizations with more than 20 employees) has been filed with Service Ontario by December 31, 2012.

Establish and Accessibility Plan

You must develop and put into place an accessibility plan that establishes policies, practices and procedures on the provision of goods and services to people with disabilities. The requirements for these policies are set out in the Customer Service Standard. [Click here to access the Customer Service Standard.](#)

You must notify persons to whom you provide goods or services that the documents required by this standard are available upon request by posting a notice in a conspicuous location on your premises and on your website.

Train Your Employees

All staff, volunteers, contractors, and any other individuals who interact with the public or other third parties on your behalf for the provision of goods or services, or who are involved in developing your policies and procedures, must be trained on providing accessible customer service.

File Your Accessibility Compliance Report

If your organization has 20 or more employees, you are required to maintain documents

containing the general policies, feedback processes and training materials developed in accordance with the Customer Service Standard.

Accessibility compliance reports must be filed annually through Service Ontario. Click [here](#) for more information and instructions relating to filing your compliance report.

Enforcement and Consequences of Non-Compliance

Under the AODA, the deputy minister has the power to appoint inspectors to determine if organizations are complying with the AODA and its regulations. A director appointed by the government will be able to issue orders, such as providing more information on the organization's implementation of the standard or filing the required reports, as well as issue administrative penalties. Those employers or organizations who do not comply with an order may also be subject to court prosecution and additional fines. All directors and officers of a corporation must take reasonable care to prevent offences under the AODA and are also subject to fines for offences.

If you have any questions concerning the AODA or compliance with the Customer Service Standard, please contact Faren Bogach.

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Faren is an associate in the litigation practice group. Faren has experience in a wide variety of civil litigation matters, including contractual disputes, commercial tenancy disputes, employment law and franchise law issues. She has appeared before masters and judges in Superior Court, as well as the Divisional Court.

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