

# Are You Prepared for the New Customer Service Accessibility Laws?

November 27, 2008

By April D. Brousseau

## What it means to you

The customer service standards under the AODA came into force on January 1, 2008. These standards govern your organization's provision of goods or services to persons with disabilities.

Beginning in either 2010 (public sector) or 2012 (private sector), you will be required to comply with these standards and use reasonable efforts to ensure that you provide your goods or services in a manner that respects the dignity and independence of persons with disabilities.

Specifically, your manner of goods or service delivery should be integrated with that provided to others (unless an alternate measure is necessary) and ensure disabled clients have an equal opportunity to obtain, use, and benefit from your goods or services. Among other things, this means permitting the use of service animals, support persons, or other means of assistance when necessary, and facilitating alternative measures where the use of service animals is otherwise prohibited by law.

In addition, all organizations must:

- ☐ Establish policies that outline how you will provide goods or services to persons with disabilities with these policies reduced to writing for all public sector organizations and those private sector companies with at least 20 employees. These written policies must be made available to individuals upon request. Organizations must also file accessibility reports with the Ministry of Community and Social Services.
- ☐ Provide training to all persons (employees, agents, volunteers, etc.) who deal with members of the public or other third parties on behalf of your organization, and to all persons involved in developing your organization's accessibility policies.
- ☐ Provide a process for receiving and responding to feedback on how your organization provides services to the disabled.

## A new age in enforcement

In addition to any enforcement process developed specifically under the AODA, the AODA is also subject to the Regulatory Modernization Act, 2006, which provides an integrated approach to enforcing provincial laws and regulations across Ontario government ministries.

This means that inspectors who collect information about your organization in the course of their duties under one provincial law or regulation can now make observations that are likely to be relevant to enforcement or administration under the AODA. These observations can then be shared with AODA enforcement officials. This effectively expands the potential scope of inspection to which your organization may be subject and increases the chance that you'll face a full or partial inspection you are not prepared for.



With the deadline for the public sector to comply with AODA accessibility standards just over a year away, and the private sector's deadline also approaching, this is the time to review the AODA requirements and assess the actions that may be needed for your organization to comply.

**WeirFoulds**<sup>LLP</sup>

[www.weirfoulds.com](http://www.weirfoulds.com)

**Toronto Office**

4100 – 66 Wellington Street West  
PO Box 35, TD Bank Tower  
Toronto, ON M5K 1B7

Tel: 416.365.1110  
Fax: 416.365.1876

**Oakville Office**

1320 Cornwall Rd., Suite 201  
Oakville, ON L6J 7W5

Tel: 416.365.1110  
Fax: 905.829.2035