

People Access

Making accessibility easier



Special Healthcare Provider Edition

of the

**Accessibility Standards for
Customer Service
*Summary Fill-in-the-Blanks Guide***

under the

**Accessibility for Ontarians with
Disabilities Act, 2005 (AODA)**

People Access is a division of

 EXCELLENCE * CANADA



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Introduction to this Guide

This summary Guide is designed to provide the answers you need to understand:

- What the Accessibility for Ontarians with Disabilities Act (AODA) is all about;
- If the first regulation under this act, the Accessible Customer Service regulation, applies to you;
- When you have to comply, and;
- What the requirements include.

The Guide also provides fill-in-the-blanks templates to help you meet a number of the requirements quickly and easily.

To feel confident that you are meeting all the requirements of the Accessible Customer Service regulation, and other accessibility regulations under the AODA, you will find information about training options, other practical tools, and contact information at the end of the Guide.

Why use this Guide?

People Access is a not-for-profit organization and an EnAbling Change partner with the Ontario government. *People Access* developed this Guide to simplify the compliance process for small organizations in the medical and healthcare sector, in consultation with regulatory experts and with Advisory Committee members from your regulatory colleges and healthcare associations.

We understand that time and money are scarce resources in a small business. We also want to help create a more inclusive and accessible society for people with disabilities. This Guide empowers you to begin the process of identifying and removing barriers to accessibility while meeting regulatory requirements quickly and effectively.

You are required to comply with the Accessibility Standards for Customer Service of the AODA by **January 1, 2012**, so let's get started! We welcome your feedback on the Guide. Please let us know how it meets your needs and what we can do to improve it. You can email us at: info@peopleaccess.ca or call us at 1-800-263-9648 ext. 224.

Accessibility for Ontarians with Disabilities Act (AODA): What Is It and Does It Apply to Me?

The purpose of the Accessibility for Ontarians with Disabilities Act, also known as the AODA, passed into law in 2005 to enable people with disabilities to fully participate in all activities in the province. To achieve the AODA objective of an accessible Ontario by 2025, five standards have been created that will require organizations, including health care practices, clinics, associations, and colleges, to provide:

- Accessible Customer Service
- Accessible Employment
- Accessible Information and Communication
- Accessible Transportation
- Accessible Built Environment

What is considered a disability under this legislation and its regulations?

Visible and invisible disabilities that may be temporary, short-term, long-term or permanent are all included in the definition of disability for the AODA and its regulations. The emphasis is on the accommodation needs of the person, rather than the identification of the person's disability or disabilities.

Types of disabilities include:

- mobility
- vision
- hearing
- deaf-blindness
- speech or communication
- mental health
- intellectual or developmental
- learning
- sensory perception

Also included are people with seizure disorders, severe allergies, heart conditions, cancer, or any other disease or condition that affects people in such a way that they require an accommodation to access services or employment.

Are all these Standards currently law?

Ontario Regulation 429/07, the Accessibility Standards for Customer Service Regulation, has been law since January 2008 and if you are an employer in the private or non-profit sector, you must comply with this standard by January 1, 2012. The public sector had to comply two years earlier.

Ontario Regulation 191/11, the Integrated Accessibility Standards Regulation (IASR), has been law since July 2011 and includes three standards, namely Employment, Transportation, and Information & Communication. Compliance dates are spread out over the next 9 years.

This IASR has only one requirement that you must meet by January 1, 2012. You must ensure that if you have an emergency measures plan for your organization, it is an accessible plan that takes into account the needs of people with disabilities.

The last regulation will deal with the Accessibility Standard for the Built Environment and it has been released as a draft only, so it is not yet law. In July 2009, the government made a public announcement that this standard will not require buildings to be renovated or retrofitted to meet accessibility requirements. This means that if passed into law, this standard will make improvements on a go-forward basis. However, buildings that undergo extensive renovations will be required to conform to accessibility requirements as is currently the case under the Ontario Building Code.

Who has to comply?

Every organization offering goods or services in Ontario and having at least one employee in Ontario must comply.

In the healthcare sector, this means that every hospital, clinic, lab, and private practice with at least one employee who works full time, part time or part-year must comply. In addition, every association and regulatory organization, as well as academic healthcare or medical colleges, must comply.

Only non-incorporated practitioners with no employees and organizations run entirely by volunteers are excluded. If you run your own business and it is incorporated, you may be an employee of the corporation and therefore would need to comply.

Organizations that have twenty or more employees have a few more requirements around documenting their accessibility and reporting on their compliance, so be sure you take this into account when you look at the requirements.

How do I count my employees? Does the number include volunteers and casual help?

An employee is someone in an employee-employer relationship with an employer. In most situations it is clear whether someone is an employee or not. Usually this will depend on whether you pay the employee wages or a salary, have control over the work assigned to the employee and have a right to control the details of the work. In general, if you have to prepare an annual T-4 “Statement of Remuneration Paid” for a staff member, that person is considered an employee. This includes all full-time, part-time, and part-year employees. Volunteers and independent contracted workers are not considered employees.

I don't have customers. I have patients, clients or members. Are you sure this applies to me?

The word “customer” refers to anyone that an organization, professional or practitioner provides goods or services to. This could include patients, clients, members, parishioners, students, the general public, citizens or anyone outside your organization that you serve. In the healthcare sector, most of you will probably refer to your “customers” as “patients, clients or members”, so that’s how we will refer to your “customers” from now on in this Guide.

When do I have to be in compliance?

Private sector businesses and non-profit organizations including health care practices, clinics, labs, associations or regulatory colleges must comply with the Accessibility Standards for Customer Service by January 1, 2012.

The broader public sector, including hospitals, academic colleges and universities schools, municipalities and the provincial government, were required to comply with the Accessibility Standards for Customer Service by January 1, 2010.

What will happen if I don't comply?

You may be audited, inspected and/or fined if you do not comply. The government hopes that all organizations, including healthcare sector practices, clinics, centres, associations, and colleges will see the benefits of accessibility to build your client, patient or member base and to provide better service for everyone. Therefore, if you are found to be non-compliant, the government may first offer you support in terms of information or training. However, if you still don't comply, you may be issued a Director's order or an administrative monetary penalty.

Note that if you submit a false accessibility compliance report, fail to comply with a Director's order, or prevent an enforcement officer sent out to inspect your premises from doing his or her job, you will have committed an offence. The AODA provides for fines for such an offence that can be as high as \$100,000 a day for an organization, and up to \$50,000 a day for an individual in your clinic, lab, practice, association or college.

Will regulatory colleges or professional associations have responsibility for monitoring or regulating my compliance with accessibility standards?

No, only the government has the responsibility for monitoring and regulating compliance with regulations under the AODA. Your professional association and/or regulatory college can be a resource for information and tools that will help you comply. Many healthcare associations and regulatory colleges are working with *People Access*, a division of Excellence Canada, to help develop tools and to get information out to healthcare providers to ensure that they can comply.

I am a healthcare professional who works out of an office in a hospital, but I am not a hospital staff member. Do I have responsibility for accessible customer service, or is this the responsibility of the hospital?

The hospital does have responsibility to ensure that anyone who it contracts with, and is seen as representing the hospital, has been trained in providing accessible customer service. However, this is where the hospital's responsibility ends. As a separate healthcare provider, if you are incorporated and/or have any employees of your own, you are responsible for ensuring that you provide accessible service to your patients or clients.

I rent my office space. How can I be held responsible for making my office accessible?

The accessible customer service standard is not about bricks and mortar or ramps and elevators. These structural accessibility features will be covered under the Accessible Built Environment Standard that is not yet law.

However, whether you rent or own, if your premises aren't physically accessible you still have a responsibility to provide accessible customer service. If your office is not accessible for someone who has a mobility disability or another disability that makes it difficult for them to come to your office, you need to decide how you could provide accessible service to them. For example, can you make arrangements with a colleague who has an accessible office, to use his or her premises when you have a patient, client or member who cannot access your office? Can you go to the person's home or to a location that the client, patient or member suggests? Can you refer the client, patient or member to another professional?

If you rent your office space, you may want to talk to your landlord to see if there are some changes that could reasonably be made to make your premises more accessible. Sometimes just moving some hall furniture, like bookcases or filing cabinets, can provide enough room for someone in a scooter or wheelchair to use the hallway. You should also ensure that your landlord knows that under the Accessibility Standards for Customer Service, service animals and support people, as well as assistive devices like oxygen tanks, scooters and walkers, must be permitted if a person needs them to access your services.

Note: Your landlord must also be compliant with the Accessibility Standards for Customer Service by January 1, 2012, so he or she must provide accessible service to you. You are the client or customer of your landlord.

Next Steps.....

We hope we've answered your questions about if and how the legislation and regulations apply to you. The next three pages provide a checklist of requirements under the Accessible Customer Service Standard to give you a summary answer to the key question on your mind, "**What do I have to do to comply?**"

If you want a more detailed low cost Guide providing step by step instructions on each of the requirements, organized by module, go to the last page of this Guide

to see some resource options *People Access* has developed for Health Care Providers.

If you have other questions about the scope of the AODA or whether these standards apply to you, please feel free to contact us by email at info@peopleaccess.ca or by phone at 1-800-263-9648 ext. 224.

You can also access a number of free resources tailored to the health care sector by going to www.Peopleaccess.ca or by going to the government accessibility site www.accessON.ca.

What do I need to do? Checklist for Accessible Customer Service

Policies:

- Draft policies, practices and procedures governing the provision of services to people with disabilities
- Include a policy allowing people with disabilities to use assistive devices when accessing your services
- Ensure that your policies and procedures are consistent with the principles of independence, dignity, integration and equal opportunity.
- Document your policies, practices and procedures if your organization has 20 or more employees. If you are a smaller organization you may also choose to document your policies, practices and procedures to provide clarity and proof of accessibility for your employees and clients, patients or members.

See the Policy Template on Page 12- Just Fill in the Blanks

Service Animals & Support Persons:

- Ensure service animals are permitted where you are providing your services.
- Ensure support people are also permitted.
If any part of your service requires an admission fee (e.g. for an information workshop) determine whether you will charge full, partial or no fee for the support person
- Document policies, practices, and procedures about service animals and support people if your organization has 20 or more employees.

Notice of Service Disruption:

- Provide Information about the reason, type and length of the disruption
- Identify alternative services available during the disruption e.g. can you provide services in a different location, go to your patients' or clients' homes, ask a colleague to take your patients during the time of disruption?

- Brainstorm on possible disruptions that would impact people with disabilities, so you can act quickly in case of a service disruption e.g. if you know that some of your patients or clients with disabilities rely on your website or email to confirm or change appointments, you would want to ensure that you posted a notice of service disruption on your website or email message as soon as possible if your computer system or server was down. Many people with disabilities may rely on having a working elevator to get to your office. Ensure that if they are scheduled for an appointment while the elevator is out that you contact them to let them know and if necessary reschedule the date of the appointment, or suggest an alternate solution like coming to their home.
- Decide on different ways and places to post the notice like your front door, your phone message, your website

See the Template for Temporary Disruption of Service on Page 15- Just Fill in the Blanks

Training:

Training must be provided on the:

- Purpose of the act
- How to interact and communicate with people with disabilities
- How to interact with people with disabilities who use an assistive device ,a service animal, or a support person
- How to use assistive devices that you may have on your premises, such as a TTY or stair chair lift.
- What to do if people with disabilities are having difficulties accessing your services. This would involve training on your policies, practices and procedures about how to provide accessible service for people with disabilities and also on how to interact and communicate with people with disabilities, but applied directly to your location and your patients, clients or members.
- If your organization has twenty or more employees, document the training policy, summary of training contents and details of when the training is to be provided
- Keep track of the dates when training is provided and number of individuals taking the training

- Record attendance/completion of training and the method used for each employee who takes the training

There are training options suggested at the end of the Guide

Feedback:

- Establish a process for receiving and responding to feedback
- You must allow feedback in a variety of formats such as by telephone, in person, in writing, by email, etc
- The feedback process must include the actions you will take after a complaint or positive feedback is received
- A description of the process must be available to public. This description can be provided verbally if you are in a practice, clinic, association or college with fewer than 20 employees, but must be written if your organization has twenty or more employees

See the Feedback template on Page 16- Just Fill in the Blanks

Documentation (This only applies to you if you have 20 or more employees)

- Develop written policy and procedure documents for each of the previous modules as described in each module.
- Provide notice of availability of all documents in a conspicuous place or places, for example on your website, in communications to your patients, clients or members, or in your reception area. In deciding how and where to provide notice of availability, think of how your patients, clients or members with disabilities are most likely to access information.
- Provide documents in formats appropriate to the person's disability. For example, you might provide a document in large font for someone with low vision, in audio form for someone who is legally blind, in an email for someone who uses a screen reader, in plain language for someone with a learning disability.

Customer Service Accessibility Policy

(the “Organization”)

NAME OF YOUR PRACTICE, CLINIC, ASSOCIATION OR COLLEGE

Purpose and Application

Under the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA), all organizations must meet the requirements of accessibility standards established by regulation. This policy establishes the accessibility standards for customer service for our Organization, in accordance with Ontario Regulation 429/07. This policy applies to all your employees, agents, volunteers and contracted service staff of the Organization.

Definitions

Accessible means customer service is provided in a manner that is capable of being easily understood or appreciated; easy to get at; capable of being reached, or entered; obtainable.

Assistive Device means any device or mechanism that assists a person with a disability in accessing, and benefiting from the services provided. Assistive devices may include, but are not limited to; American Sign Language (ASL) interpretation, wheelchair, walker, cane, assistive listening device, visual alarms, or assistive software programs.

Disability means:

- a) Any degree of physical infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impairment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal, or on a wheelchair or other remedial appliance or device,
- b) A condition of mental impairment or a developmental disability,
- c) A learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- d) A mental disorder,
- e) An injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*.

Guide Dog means a dog trained as a guide for a blind person and having the qualifications prescribed by the Blind Persons’ Rights Act R.S.O. 1990, c. B.7, s. 1 (1).

Service animal is an animal that provides assistance for a person with a disability. It may be readily apparent that the animal is used by the person for reasons relating to his/her disability; or a person may be asked to provide a letter from a physician or nurse confirming that the person requires the animal for reasons relating to the disability

Policy Statement

Goods and services will be provided in a manner that respects the dignity and independence of all customers. The provision of services to persons with disabilities will be integrated wherever possible. Persons with disabilities will be given an opportunity equal to that given to others, to obtain, use or benefit from the goods and services provided by and on behalf of the Organization.

Policy Requirements

1) Use of Service Animals, Support Persons, and Assistive Devices

- a. If a person with a disability is accompanied by a guide dog or other service animal, the Organization will ensure that the person is permitted to enter any facility with the animal and to keep the animal with him or her unless the animal is otherwise excluded by law. Where a service animal is excluded by law, the Organization will ensure that other measures are available to enable the person with a disability to obtain, use and benefit from the Organization's goods and services.
- b. If a person with a disability is accompanied by a support person, the Organization will ensure that both persons are permitted to enter any facility, and that the person with a disability is not prevented from having access to the support person. Where and if a fee is charged for the support person, prior notice of the fee will be made available.
- c. If a person with a disability uses one or more assistive devices to obtain, use or benefit from our goods and services, the Organization will allow the person to use the assistive device(s) when accessing our service. The Organization will also ensure that our staff is trained and familiar with various assistive devices at our premises that the person with a disability may use.

2) Notice of Temporary Disruptions

The Organization will provide notice of temporary disruptions. The notice will include information about the reason for the disruption, its anticipated duration, and a description of any available, alternative services. Notice will be made conspicuous and may be displayed at the location of the disruption, on the website, in a mailing or another reasonable method.

3) Accessibility Training Policy

- a. Training will be provided to every person dealing with members of the public, or who participates in developing the Organization's policies, practices, and procedures governing the provision of goods and services to the public. This includes employees, volunteers, agents, contractors, and others who provide service on behalf of the Organization.
- b. The training includes the following information
 - i. The purpose of the Accessibility for Ontarians with Disabilities Act

- ii. How to interact and communicate with persons with various types of disabilities
 - iii. How to interact with persons with disabilities who use an assistive device, or require the assistance of a service animal or support person
 - iv. How to use equipment made available by the Organization to help people with disabilities access goods and services
 - v. What to do if a person with a disability is having difficulty accessing the Organization's goods and services
- c. Training will be provided to each person according to his or her needs and duties and as soon as is practicable after he or she is assigned the applicable duties. Training will be provided on an ongoing basis in connection with changes to policies, practices and procedures governing the provision of goods or services to persons with disabilities. A record of the dates on which training is provided and the number of individuals to whom it is provided will be kept.

4) Feedback process

- a. The Organization employs a feedback process through which people with disabilities are encouraged to provide information and feedback about the goods and services they receive. Feedback can be received in ways appropriate to the person's disabilities and includes in person, by mail, or email, by telephone, fax or other methods.
- b. The feedback process is promoted on the website and through other printed outreach methods. A copy of the feedback process and feedback form is available upon request.

5) Notice of availability of documents

The Organization will provide the public notice of the availability of the documents required by the Accessibility Standards for Customer Service, (O. Reg 429/07) upon request. Notice of availability will be provided on the web site and through other printed methods.

6) Format of documents

If the Organization is required, by the Accessibility for Ontarians with Disabilities Act, 2005, to give a copy of a document to a person with a disability, the Organization will take into account the person's ability to access the information and will provide the document or information contained in the document in a format that meets those needs as agreed upon with the person.

NOTICE of **SERVICE DISRUPTION**

The estimated length of the temporary disruption is from _____ to _____

The following services and/or facilities are currently unavailable:

_____ due to _____

_____ due to _____

The following alternative services and/or facilities are available:

[insert alternative service or facility name and location]

Thank you for your patience in this matter.

For questions or additional information please contact:

Name:

[insert department manager or supervisory staff person's name]

Phone: _____

Fax : _____

Email: _____

Customer Feedback Form Template

Customer Feedback

We welcome your feedback on the goods and services we provide. Please provide your comments below:

If you would like to receive a follow-up from us about how we will respond to your feedback, please provide information about how we may reply:

By email? E-mail address _____

By phone? Phone # _____

In writing? Address _____

In person? Preferred arrangement _____

Date:

Feedback received by:

Please contact us with any further information:[Your organization's information)

Call: _____

Email: _____

Fax: _____

In writing: _____

This feedback is collected under the Accessibility for Ontarians with Disabilities Act (AODA) Accessibility Standards for Customer Service. Feedback is responded to by using the following process:

[Describe Process Here]

Thank you for taking the time to provide us with feedback on our services.



TRAINING AND OTHER SUPPORT OPTIONS

Healthcare Professionals Accessibility Compliance Kit (HPACK)

2 Packages to fit Small Business needs

All KIT components are designed to work together as an integrated solution to achieve compliance with the AODA while saving you and your staff both time and money. Visit www.peopleaccess.ca/healthcare to get started today!

Kit #1 - for 1 to 19 people - \$149

INCLUDES:

- Up to 19 e-Learning seats and proof-of-training certificates
- Accessibility Policy Template
- Service Disruption Template
- Customer Feedback Template
- E-mail advice from qualified experts as needed
- Management and Staff Training Guide
- Staff Service Tips Pocket Guide

AND ongoing support in the form of updates, news, and advice from People Access as new accessibility legislation and best practices become available that could affect your organization

Kit #2 - for 20 to 49 people - \$299

INCLUDES:

- Up to 49 e-Learning seats and proof-of-training certificates
- Accessibility Policy Template
- Service Disruption Template
- Customer Feedback Template
- E-mail advice from qualified experts as needed
- One hour phone support
- Official Government Compliance Report
- Management and Staff Training Guide
- Staff Service Tips Pocket Guide

AND ongoing support in the form of updates, news, and advice from People Access as new accessibility legislation and best practices become available that could affect your organization

If you have 50 or more employees, please contact us to request a customized solution