



POLICY NO. D22-Accessibility-Customer Service
DATE ENACTED: March 1, 2010
AMENDED BY:
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SUBJECT: ACCESSIBLE STANDARDS FOR CUSTOMER SERVICE

POLICY STATEMENT

The Municipality of Leamington is committed to providing its goods and services in an accessible manner. The Municipality recognizes the diverse needs of all residents and strives to provide goods, services and facilities that are accessible to all.

The Municipality of Leamington promotes accessibility through policies, procedures and practices governing the provision of its services to people with disabilities. To do this we must use reasonable efforts to ensure that the policies, procedures and practices address integration, independence, dignity and equal opportunity.

PURPOSE

The Municipality of Leamington is committed to being responsive to the needs of all its residents. To do this, we must recognize the diverse needs of our residents and respond by striving to provide services and facilities that are accessible to all. As a provider of goods and services, the Municipality of Leamington is committed to ensuring its goods and services are provided in an accessible manner.

DEFINITIONS

Disability: The Municipality uses the Ontario Human Rights Code's definition of "disability." This definition includes but is not limited to physical, mental health, developmental and learning disabilities. A disability may be visible or not visible.

The "Municipality": In this policy the "Municipality" refers to the Municipality of Leamington and its service areas but does not include local boards. Local Boards may adopt this policy at their discretion.

POLICY

Reasonable efforts will be made to ensure the following:

- i) That goods and services be provided in a manner that respects the dignity and independence of people with disabilities.
- ii) The provision of goods and services to people with disabilities, and others, will 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 and services.
- iii) People with disabilities will be given an opportunity equal to that given to others to obtain, use and benefit from the goods and services.

Note: Equal opportunity may require an individual accommodation in addition to this policy.

PROCEDURES

The Municipality's departments will implement the following procedures and practices:

- i) When communicating with a person with a disability it will be done in a manner that takes into consideration a person's disability;
- ii) Staff members receive appropriate training on providing accessible customer service, policies, procedures and practice related to Accessibility Standards for Customer Service, Ontario Regulation 429/07;
- iii) Persons with disabilities accompanied by a guide dog or service animal are permitted in those areas of the premises owned or operated by the Municipality;
- iv) Persons with disabilities accompanied by a support person are permitted to be accompanied by that support person on the Municipality's premises;
- v) Prior notice is provided by the Municipality for admission fees applicable to support person who accompany persons with disabilities;
- vi) Notice is provided when it is known that facilities or services that people with disabilities rely on to access the Municipality's services are temporarily disrupted;
- vii) A feedback process is established which allows people to provide feedback on how the Municipality provides services to persons with disabilities;
- viii) Persons with disabilities are allowed to use their own personal assistive devices to obtain, use, or benefit from the services offered by the Municipality; and
- ix) The Municipality's policies, practices and procedures related to providing accessible customer service will be available to the public.

TRAINING

The Municipality shall require that the following people receive training about the provision of its goods or services to people with disabilities;

- a) Every person who deals with members of the public or other third parties on behalf of the Municipality, whether the person does so as an employee, agent, volunteer or otherwise.
- b) Every person who participates in developing the Municipality's policies, practices and procedures governing the provision of goods or services to members of the public or other third parties.

The Municipality shall provide training to its employees and volunteers and will log and maintain records which will record the details of the training provided, as well as the name of the person, location, and date the training was completed. Reporting statistics will be managed by the Director of Development Services.

The Municipality will provide training to each person as soon as practicable after he or she is assigned the applicable duties. Training will also be provided on an ongoing basis in connection with changes to applicable legislation, and/or Municipal policies, procedures and practices governing the provision of goods or services to person with disabilities.

Third party contractors who deal with the public or other third parties on behalf of the Municipality shall ensure that their employees, agents, subcontractors, etc. receive training in accordance with this policy and the Accessible Standards for Customer Service, Ontario Regulation 429/07 and upon request provide the training records to the Municipality.

The Municipality's employee/volunteer and third party contractor training will include a review of the purposes of the Accessibility of Ontarians with Disabilities Act 2005, S.O. 2005, c11 and the Accessible Standards for Customer Service Ontario Regulation 429/07, the requirements of this policy, and any other Municipal policies, practices and procedures regarding the provision of goods and services to persons with disabilities and instruction about the following matters:

- a) How to interact and communicate with people with various types of disability;
- b) How to interact with people 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;
- c) 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; and
- d) What to do if a person with a particular type of disability is having difficulty accessing the provider's goods or services.

SERVICE ANIMALS

For the purpose of this policy, a 'service animal' is defined as either:

- a) A "guide dog," as defined in section 1 of the Blind Person's Rights Act R.S.O. 1990, Chapter B.7; or
- b) A "service animal" for a person with a disability:
 - i) If it is readily apparent that the animal is used by the person for reasons relating to his or her disability; or
 - ii) If the person provides a letter from a physician or nurse confirming that the person requires the animal for reasons relating to the disability.

The Municipality will allow the person that is accompanied by a service animal to enter all the Municipality's premises, and to keep the animal with him or her unless the animal is otherwise excluded by law.

If a service animal is excluded by law from the premises which could include, but is not limited to, the Municipality's policy, bylaw, Federal and/or Provincial Public Health laws, policies and guidelines the provider of goods or services shall upon request use reasonable efforts to ensure the other measures are available to enable the person with a disability to obtain, use or benefit from the Municipality's program, service, or facility. The "other measures" described above will be addressed on a case by case basis.

The concept of service animals may be new for some customers; as a result there is the potential for misunderstandings between customers. People who use service animals often find themselves providing education about the use of service animals to those they meet; at times they report that they have difficulty with some individuals. If a customer accessing Municipal services experiences difficulty from another person regarding the treatment of the service animal or themselves the following could take place and the person with the service animal could:

- a) Mention to the other person that their animal is a service animal; and/or
- b) Request assistance from Municipal staff. Municipal staff will upon request assist in a professional manner within their capacity.

Persons with a disability with a service animal are responsible for the control of that animal at all times as well they must comply to all applicable legislation which includes but is not limited to the Provincial Dog Owner's Liability Act R.S.O. 1990, Chapter D.16 and Municipal By-laws.

If the guide dog or service animal is not kept under control Municipal staff may use their discretion to request that the guide dog or service animal, accompanied by a person leave the premises until the guide dog or service animal is under control. If the guide dog or service animal has bitten another person or animal or is a menace to the safety of other persons or animals, the guide dog or service animal, accompanied by a person, may be required to leave the premises. If this occurs, the person would be permitted to continue to access the Municipal goods or services without the service animal. In addition, Municipal staff will, upon request, consider alternate accommodations for the person in such circumstances. The service animal may not be permitted to accompany the person until such time as the person has demonstrated to the Municipality that the issue has been resolved and steps taken to correct the situation. The person could present the Municipality with a letter from a veterinarian and a physician or nurse that explains how the issue has been resolved and the steps taken to correct the situation. If the person plans on using Municipal facilities, programs or services with the guide dog or service animal it is expected that the person would make every effort to ensure the issue would be resolved within a reasonable period of time as alternate accommodations provided by the Municipality may be discontinued after a limited amount of time. Municipal staff may take further action as described in the laws noted above.

If a conflict should arise concerning a service animal, staff will attempt to balance the needs of all persons involved by following conflict resolution strategies. These strategies will include collecting appropriate information from all persons involved and observing the rights of all individuals involved according to the Ontario Human Rights Code and the Canadian Human Rights Act.

SUPPORT PERSONS

For the purpose of this policy a 'support person' is defined as, 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.

The Municipality will allow people with disabilities to be accompanied by a support person in all the Municipality's premises. The Municipality reserves the right to request the person with a disability be accompanied by a support person, in the event that it is considered necessary to protect the health or safety of the person with a disability or the health and safety of others on the premises.

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 the services will ensure that notice is given in advance about the amount, if any, payable in respect of the support person.

SERVICE DISRUPTION

For the purposes of this policy, a 'facility or service disruption' is defined as planned and unplanned unavailability of goods, facilities or services operated by or on behalf of the Municipality, including but not limited to closed washroom facilities, elevators that are inoperable due to maintenance and websites that are temporarily unavailable.

If, in order to obtain, use or benefit from the Municipality's goods or services, persons with disabilities usually use particular facilities or services of the Municipality and if there is a temporary disruption in those facilities or services in whole or in part, the Municipality shall give notice of the disruption to the public. Those responsible for posting the notice include facility and service managers or their designate.

Notice of the disruption will include information about the reason for the disruption, its anticipated duration and a description of alternative facilities or services, if any, that are available.

Notice of the disruption will be given by posting the information in a conspicuous place on the relevant Municipal premises and, whenever possible by posting it on the Municipality's website and in the media as appropriate.

If the Municipality's website should expect a planned temporary service disruption, advance notice where possible, keeping with the conditions of the service disruption section of this policy, shall be provided on the website.

FEEDBACK PROCESS

The Municipality has established a process for receiving and responding to feedback on the manner in which the Municipality provides goods and services to people with disabilities. Information about this process is available to any person.

Should a member of the public wish to provide feedback they can do so:

- (1) In person to a Municipal Manager, Supervisor, Director, Chief Administrative Officer or the Director of Development Services;
- (2) By telephone to the Director of Development Services 519-326-5761;
- (3) In writing to the attention of the Director of Development Services or designated at , 38 Erie Street North, Leamington, ON N8H 2Z3;
- (4) By using the form included in Appendix B;
- (5) Electronically: by email at info@leamington.ca

Once the feedback has been received the following process will be implemented:

- a) If the feedback is received by the Municipality's staff person other than a Manager, Supervisor, or Director the staff person will forward the form to the Director of Development Services.
- b) The feedback will be forwarded to the Director of Development Services.
- c) The Director of Development Services will forward the form to the relevant Service Area or staff person.
- d) The relevant staff person will take appropriate action in a timely manner with the assistance of the Director of Development Services and members of other departments if needed.

- e) Whether the feedback is intended to be a helpful suggestion or a complaint, the staff person along with the Director of Development Services will assess current policies, practices, and procedures to determine if any changes are required.
- f) Staff will follow up with the person who submitted the feedback if more clarification is needed or if the person has requested that follow up take place.
- g) Staff will keep records of all steps including any discussions with the person submitting the feedback and any actions taken.

FORMAT OF DOCUMENTS

The Municipality shall give a person with a disability the Municipality's public document, or the information contained in the document, in a format that takes into account the person's disability upon their request. These alternate formats could include but are not limited to providing a document with color contrast between the font and the background a plain language version or an audio version of a text document.

The Municipality's material printed in-house or publications produced on behalf of the Municipality for the public should contain a note indicating, "Alternate formats are available upon request" and include relevant contact information.

The Municipality of Leamington and the person with a disability requesting the document shall agree upon the format to be used for the Municipal document or information.

The timeframe attached to the process to convert the Municipal document to an alternate format may vary depending on the media, the size, complexity, quality of the source documents and number of documents to be converted.

ASSISTIVE DEVICES

The Municipality of Leamington will allow people with disabilities to use their own personal assistive devices to obtain, use or benefit from the services offered by the Municipality of Leamington.

Should a person with a disability be unable to access the Municipality's services through the use of their own personal assistive device, the Municipality of Leamington will assess service delivery and potential service options to meet the needs of the individual.

CONTACT INFORMATION

For more information about this policy or questions related to accessibility at the Municipality of Leamington, please contact us:

Director of Development Services
Municipality of Leamington
38 Erie Street North
Leamington, ON N8H 2Z3
Phone: 519-326-5761 ext. 233
Fax: 519-326-5481
Email: info@leamington.ca

LINKS

Customer Service Standard, Ontario Regulation 429/07:

http://www.e-laws.gov.on.ca/html/source/regs/english/2007/elaws_src_regs_r07429_e.htm

Accessibility for Ontarians with Disabilities Act, 2005:

http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_05a11_e.htm

Ministry of Community and Social Services:

<http://www.mcass.gov.on.ca/mcass/english/pillars/accessibilityOntario>

AccessON:

www.accesson.ca/compliance

Ontario Human Rights Commission:

<http://www.ohrc.on.ca/en>

Dog Owners Liability Act R.S.O. 1990, c.D.16:

http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90d16_e.htm

Blind Persons' Rights Act R/S/P/ 1990. c/B/1:

http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_900058_e.htm

Animal Control By-Law:

<http://www.leamington.ca/municipal/documents/668-06-RegistrationofDogs.pdf>

MUNICIPALITY OF LEAMINGTON RESOURCE DOCUMENTS

Available on the Internet and/or Intranet under Accessibility:

- Service Disruption Notice;
- Feedback Form