

The Customer Service Standards

Under the Accessibility for Ontarians with Disabilities Act and Regulation 191/11

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Purpose of the Accessibility for Ontarians with Disabilities Act, 2005

The Accessibility for Ontarians with Disabilities Act, 2005 (or “the Act”) is a provincial law. Its goal is to make Ontario accessible for people with disabilities by 2025 by developing and enforcing accessibility standards.

Accessibility standards

The accessibility standards are the legal requirements that organizations in Ontario must follow to become more accessible to people with disabilities. They address key areas of daily life, including:

- customer service
- information and communications
- employment

The standards are found in the Integrated Accessibility Standards Regulation (O. Reg. 191/11) which was established under the Act.

Who must comply

The standards must be followed by:

- the Ontario government and Legislative Assembly
- all designated public sector organizations, which include municipalities, universities, colleges, hospitals, school boards and public transportation organizations
- private businesses and not-for-profit organizations that have one or more employees in Ontario

Who is a customer?

A customer can be anyone who is accessing your organization’s goods, services or facilities. They may include paying and non-paying members of the public, and individuals your organization might call customers, such as clients, members, patrons or patients.

Customers can also be other businesses or organizations (also referred to as third parties).

Definition of Disability and Being Alert to Barriers

Did you know that 1 in 7 people in Ontario have a disability? And that number is expected to increase as the population ages, as will the need for accessibility.

Who are people with disabilities?

When we think of disabilities, we tend to think of people who use wheelchairs and who have physical disabilities that are visible and obvious. But disabilities can also be non-visible. We can't always tell who has a disability. A disability can be temporary or permanent, and many of us will experience a disability at some point in our lives.

The Accessibility for Ontarians with Disabilities Act, 2005 uses the same definition of disability as the Ontario Human Rights Code, which includes physical disabilities as well as vision, hearing, speech, developmental, learning and mental health disabilities.

In the Act and the Code, "disability" means,

- a) any degree of physical disability, 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 coordination, blindness or visual impediment, 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, or
- 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.

Be alert to barriers to accessibility

Some people see disabilities as the barrier, but actually it's the environment that presents barriers. When you think about accessibility, it's important to be aware of both visible and non-visible barriers. For example, physical or structural barriers, such as stairs or doorways, often come to mind first. But sometimes a certain process or policy can create barriers unintentionally. Or providing information in a format that may not be accessible to everyone can create a barrier.

Attitudinal barriers stem from the way people think or behave. They can be based on stereotypes or simply lack of understanding. But attitude and how we do things are within our power to change.

Customer Service Standard – The Requirements

Meeting the following requirements prepares your organization to provide accessible customer service to people with all types of disabilities.

Create accessible customer service policies

- Set up policies on providing accessible customer service to people with disabilities according to the requirements of the standard.
- Make reasonable efforts to ensure that these policies are consistent with the key principles of independence, dignity, integration and equality of opportunity.
- All designated public sector organizations, and businesses and not-for-profit organizations with 50 or more employees, must put their accessible customer service policies in writing and provide them on request.

Consider a person’s disability when communicating with them

- Communicate with a person with a disability in a way that takes into account their disability.

Allow assistive devices

- Let people with disabilities use their personal assistive devices when accessing your goods, services or facilities.
- Identify the availability, if any, of other helpful measures your organization offers for people with disabilities to access your goods, services or facilities.

Allow service animals

- Let people with disabilities bring their service animals with them into areas open to the public or third parties.
- In situations where the animal is prohibited by another law, provide another way for the person to access your goods, services or facilities.

Welcome support persons

- Let people with disabilities bring their support persons with them while in areas open to the public or third parties.
- If your organization charges an admission fee or fare, let people know ahead of time what, if any, admission will be charged for a support person.
- When, in limited situations, your organization might **require** a person with a disability to be accompanied by a support person for health or safety reasons, the decision must be made by consulting with the person and considering available evidence. If it’s determined a support person is required, waive any fee or fare for the support person, if one exists.

Inform the public when accessible facilities or services are temporarily unavailable

- Let the public know when facilities or services that people with disabilities usually use are temporarily unavailable (for example, an elevator or accessible washroom that is out of service).
- Notice must include the reason for the disruption, how long it will last and any alternatives, if available.

Invite customers to provide feedback

- Set up a process for receiving and responding to feedback about the way your organization provides customer service to people with disabilities, including what action will be taken if a complaint is received.
- Make information about your feedback process available to the public.
- Ensure your feedback process is accessible by providing accessible formats or communication supports on request.

Train your staff and others

- Train all employees and volunteers on providing accessible customer service and how to interact with people with various types of disabilities.
- All designated public sector organizations, and businesses and not-for-profit organizations with 50 or more employees, must keep a record of the training provided.

Customer Service Standard – The Documentation Requirements

The following organizations have documentation requirements:

- the Ontario government and Legislative Assembly
- all designated public sector organizations
- businesses and not-for-profit organizations with 50 or more employees

These organizations must:

1. Put their accessible customer service policies in writing.
 - Let customers know these policy documents (or document) are available on request, for example, by posting a notice in a high traffic area or website.
 - Provide the document(s) in an accessible format or with communication supports, if requested, and in a timely manner and at no additional cost than what you would normally charge.
2. Keep a record of the accessible customer service training provided, including a summary of the content, when it's to be provided, the number of people trained and the dates.

Tips for providing documentation:

- Policies can be a collection of separate documents or combined into one policy document.
- Ensure you know your organization's procedure for taking a request for your policy document(s).
- Work with the customer to find a format that is accessible to them.
- If the customer asks for large print, be clear about what "large print" means to them. For some, it may be an 18-point size in a font style like Arial, while others may need larger print.

Serving People with Disabilities – Introduction

Openly communicating and responding to your customers' needs is the key to excellent customer service for all.

Accessible customer service is about

- not making assumptions about what a person can or cannot do because of their disability
- inclusion – making everyone feel welcome and included
- understanding that people with disabilities may have different needs

Serving customers with disabilities is also about showing sensitivity and respect. A good starting point is using appropriate language and terminology.

Use the right words

- Use “disability” not “handicapped.”
- Remember to put people first. Say “person with a disability” rather than “disabled person.”
- Reference specific disabilities when appropriate, such as a person with a developmental disability, a person who is blind or has vision loss, or a person who uses a wheelchair.
- Avoid sympathetic phrases such as victim of, suffers with, confined to a wheelchair, physically challenged, or stricken with a particular illness or disability.

Now, let's take a look at tips and good practices for serving people with different types of disabilities.

People with Physical or Mobility Disabilities

Only some people with physical or mobility disabilities use a wheelchair. Someone with arthritis may use a cane or walker, while someone with a heart or lung condition may not use a mobility device but may have difficulty walking longer distances.

Tips:

- Ask before you help. People with disabilities often have their own ways of doing things.
- Don't touch or move a person's equipment (for example, wheelchair or walker) without permission.
- If you have permission to move a person's wheelchair, don't leave them in an awkward, dangerous or undignified position, such as facing a wall or in the path of opening doors.
- If you need to have a lengthy conversation with someone who uses a wheelchair or scooter, consider sitting so you can make eye contact at the same level.
- If it applies, inform your customer of the accessible features in the immediate area (such as automatic doors, accessible washrooms, elevators or ramps).
- Think ahead and remove any items that may cause a physical barrier, such as boxes left in an aisle.
- If the service counter at your place of business is too high for a person using a wheelchair to see over, step around it to provide service. Have a clipboard handy if filling in forms or providing a signature is required.
- Keep in mind that a person's physical disability may not be visible or obvious. For example, a person may have difficulty standing for long periods of time and may ask to sit while waiting to be served.

People with Vision Loss

Vision loss can restrict someone's ability to read documents or signs, locate landmarks or see hazards. Some people may use a guide dog, a white cane, or a support person such as a sighted guide, while others may not.

Tips:

- When you know someone has vision loss, don't assume the person can't see you. Not everyone with vision loss is totally blind. Many have some vision.
- Identify yourself when you approach and speak directly to your customer if they are with a companion.
- Ask if they would like you to read any printed information out loud to them, such as a menu, a bill or schedule of fees.
- When providing directions or instructions, be precise and descriptive (for example, "two steps in front of you" or "a metre to your left"). Don't say "over there" or point in the direction indicated.
- Offer your elbow to guide them if needed. If they accept, lead – don't pull.
- Identify landmarks or other details to orient the person to the surroundings. For example, if you're approaching stairs or an obstacle, say so.
- If you need to leave the customer, let them know by telling them you'll be back or saying goodbye.
- Don't leave your customer in the middle of a room – guide them to a comfortable location.

People with Hearing Loss

People who have hearing loss may identify in different ways. They may be deaf, oral deaf, deafened, or hard of hearing. These terms are used to describe different levels of hearing or the way a person's hearing was diminished or lost.

A person with hearing loss might use a hearing aid, an amplification device or hearing ear dog. They may have preferred ways to communicate, for example, through sign language, by lip reading or using a pen and paper.

Tips:

- Once a customer has self-identified as having hearing loss, make sure you face the customer when talking and that you are in a well-lit area so the person can see you clearly.
- As needed, attract the person's attention before speaking. Try a gentle touch on the shoulder or wave of your hand.
- Maintain eye contact. Use body language, gestures and facial expression to help you communicate.
- If the person uses a hearing aid, reduce background noise or if possible, move to a quieter area.
- Don't assume that the customer knows sign language or reads lips.
- If necessary, ask if another method of communicating would be easier (for example, using a pen and paper).
- When using a sign language interpreter, look and speak directly to the customer, not the sign language interpreter. For example, say "What would you like?" not "Ask her what she'd like."

People Who Are Deafblind

A person who is deafblind has some degree of both hearing and vision loss. People who are deafblind are often accompanied by an intervenor, a professional support person who helps with communication. Intervenors are trained in special sign language that involves touching the hands of the client.

People who are deafblind might also use the assistance of braille, large print, a hearing aid, magnification equipment, white cane or service animal.

Tips:

- Speak directly to your customer, not to the intervenor.
- The customer is likely to explain to you how to communicate with them or give you an assistance card or note.
- Don't assume what a person can or cannot do. Some people who are deafblind have some sight or hearing, while others have neither.

People with Speech or Language Disabilities

Cerebral palsy, stroke, hearing loss or other conditions may make it difficult for a person to pronounce words or express themselves. Some people who have severe difficulties may use a communication board or other assistive devices.

Tips:

- Don't assume that a person who has difficulty speaking doesn't understand you.
- Speak directly to the customer and not to their companion or support person.
- Whenever possible, ask questions that can be answered "yes" or "no."
- If the person uses a communication device, take a moment to read visible instructions for communicating with them.
- Be patient. Don't interrupt or finish your customer's sentences.
- Confirm what the person has said by summarizing or repeating what you've understood and allow the person to respond – don't pretend if you're not sure.
- If necessary, provide other ways for the customer to contact you, such as email.

People with Learning Disabilities

The term “learning disabilities” refers to a range of disorders. One example of a learning disability is dyslexia, which affects how a person takes in or retains information. This disability may become apparent when the person has difficulty reading material or understanding the information you are providing.

People with learning disabilities just learn in a different way.

Tips:

- Be patient and allow extra time if needed. People with some learning disabilities may take a little longer to process information or to understand and respond.
- Try to provide information in a way that works for your customer. For example, some people with learning disabilities find written words difficult to understand, while others may have problems with numbers and math.
- Be willing to rephrase or explain something again in another way, if needed.

People with Developmental Disabilities

Developmental disabilities (such as Down syndrome) or intellectual disabilities can mildly or profoundly limit a person’s ability to learn, communicate, do everyday physical activities or live independently.

Tips:

- Don’t make assumptions about what a person can or cannot do.
- Don’t exaggerate your speech or speak in a patronizing way.
- Use plain language.
- Provide one piece of information at a time.
- If you’re not sure of what is being said to you, confirm by summarizing or repeating what was said, or politely ask them to repeat it – don’t pretend if you’re not sure.
- Ask the customer if they would like help reading your material or completing a form, and wait for them to accept the offer of assistance.
- Be patient and allow extra time if needed.

People with Mental Health Disabilities

Did you know that one in five Canadians will experience a mental health disability at some point in their lives?

Mental health disability is a broad term for many disorders that can range in severity. A person with a mental health disability may experience depression or acute mood swings, anxiety due to phobias or panic disorder, or hallucinations. It may affect a person's ability to think clearly, concentrate or remember things.

You may not know someone has this disability unless you are told. Stigma and lack of understanding are major barriers for people with mental health disabilities.

Tips:

- If you sense or know that a customer has a mental health disability, treat them with the same respect and consideration you have for everyone else.
- Be confident, calm and reassuring.
- Listen carefully, and work with the customer to meet their needs. For example, acknowledge that you have heard and understood what the person has said or asked.
- Respect your customer's personal space.
- Limit distractions that could affect your customer's ability to focus or concentrate. For example, loud noise, crowded areas and interruptions could cause stress.
- Respond to the person's immediate behaviour and needs. Don't be confrontational. If needed, set limits with the person as you would others. For example, "If you scream, I will not be able to talk to you."

People Who Use Service Animals

There are various types of service animals who support people with various types of disabilities.

- A person with vision loss may use a guide dog.
- Hearing alert animals help people with hearing loss.
- Other service animals are trained to alert a person to an oncoming seizure, or to assist people with autism, mental health disabilities, physical disabilities and other disabilities.

Under the Customer Service Standard, there are no restrictions on what type of animal can be used as a service animal.

An animal is considered a service animal if:

- you can easily identify it's a service animal through visual indicators, such as when it wears a harness or vest, or
- the person with a disability provides documentation from a regulated health professional that confirms they need the service animal for reasons relating to their disability.

Tips:

- Don't touch or distract a service animal. It's not a pet, it's a working animal and has to pay attention at all times.
- If you're not sure if the animal is a pet or a service animal, ask your customer. You may ask to see their documentation from a regulated health professional.
- The customer is responsible for the care and supervision of their service animal. However, you can provide water for the animal if your customer requests it.

If another person's health or safety could be seriously impacted by the presence of a service animal, such as a severe allergy:

Consider all options and try to find a solution that meets the needs of both people. For example:

- creating distance between the two people
- eliminating in-person contact
- changing the time the two receive service
- any other way that would allow the person to use their service animal on the premises

If you can't easily identify that it's a service animal:

- Don't make assumptions. You can ask the person to provide documentation (such as a letter, note or form) from a regulated health professional that states that they require the animal because of their disability.

- If the person shows you the documentation, then they must be allowed to be accompanied by their service animal.
- The documentation must be from one of the following regulated health professionals:
 - i. A member of the College of Audiologists and Speech-Language Pathologists of Ontario.
 - ii. A member of the College of Chiropractors of Ontario.
 - iii. A member of the College of Nurses of Ontario.
 - iv. A member of the College of Occupational Therapists of Ontario.
 - v. A member of the College of Optometrists of Ontario.
 - vi. A member of the College of Physicians and Surgeons of Ontario.
 - vii. A member of the College of Physiotherapists of Ontario.
 - viii. A member of the College of Psychologists of Ontario.
 - ix. A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario.
- The person is not required to disclose their disability or demonstrate how the animal assists them.

When a Service Animal is Prohibited by Another Law

The law requires you to allow a person to bring their service animal with them into areas of your premises open to the public or to third parties.

Areas are considered open to the public even if they are only open to those people who have paid an admission fee, are members or have met certain eligibility or entrance requirements. These may include, for example, a fitness club, hotel, taxicab or school.

In cases where another law prohibits a service animal from entering certain areas (for example, a service animal would not be allowed in the kitchen of a cooking school), provide another way for the person to access your services.

While a service animal may be prohibited from certain areas (for example, areas where food is prepared) service dogs are allowed in areas where food is sold, served or offered for sale. This includes a restaurant's public dining area.

An example of a law that specifically prohibits animals:

Ontario Regulation 562 under the Health Protection and Promotion Act states that animals are not allowed in places where food is manufactured, prepared, processed, handled, served, displayed, stored, sold or offered for sale. However, it **does make an exception for service dogs** to allow them in areas where food is normally sold, served or offered for sale.

Tips if the service animal is prohibited by another law:

- Explain why to your customer, and discuss other ways to serve them, for example:
 - leaving the service animal in a safe area where it's allowed, and offering assistance to the person while they're separated from the animal, or
 - serving the customer in another area where the animal is allowed

Tips for decision makers – When an animal is prohibited by law

- Identify if there are any areas of your premises where a service animal would be prohibited by law, and if so, identify the law in your accessible customer service policy and the area(s) where service animals are prohibited.
- Consider options ahead of time that you or your staff could offer when a service animal is prohibited.

People with a Support Person

A support person can be a paid personal support worker, an intervenor, volunteer, family member or friend. A support person might help your customer with communication, mobility, personal care or with accessing your services.

A person with a disability is permitted to bring their support person with them to any area of your premises that is open to the public or to third parties.

If your organization charges for admission, such as a movie theatre, it must provide advance notice of what admission fee or fare, if any, will be charged for a support person, for example, through a prominently placed sign or a notice on your website.

Tips:

- If you're not sure which person is the customer, take your lead from the person using or requesting service, or simply ask.
- Speak directly to your customer, not to their support person.
- If your organization charges an admission fee or fare, be familiar with its policy on fees or fares for support persons.
- It's good practice to confirm with your customer whether they want the support person to be present while confidential matters are being discussed.

For decision makers – When it may be necessary to require a support person

In limited situations, you may require a person with a disability to be accompanied by a support person for health or safety reasons. You must first consult with the person with a disability and consider available evidence before you determine that:

- 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; and
- there is no other reasonable way to protect the health or safety of the person with a disability and the health or safety of others on the premises.

In such a situation, you must waive the admission fee or fare for the support person, if one exists.

Tip:

Identify ahead of time if there are situations where a support person might be required to accompany a person with a disability for health or safety reasons, and consider how you and your staff will handle such situations.

People Who Use Assistive Devices

An assistive device is a piece of equipment a person with a disability uses to help with daily living.

Most assistive devices are “personal assistive devices,” such as a wheelchair or walker, white cane, hearing aid, oxygen tank or communication board. They belong to the person using them and are part of their personal space.

Tips for serving a customer with a personal assistive device:

- Don't touch or handle any assistive device without permission.
- Don't move assistive devices or equipment (such as canes or walkers) out of the person's reach.

Devices Offered by Your Organization

If your organization offers equipment or devices that can help customers with disabilities access your services, make sure you know how to use them. It may be helpful to have instruction manuals handy or an instruction sheet posted where the device is located or stored.

Some examples of devices that your organization might offer include:

- mobility devices, such as a manual wheelchair or motorized scooter
- lift, which raises or lowers people who use mobility devices
- technology that makes it easier for people with disabilities to communicate or access information, such as certain computer software, an amplification system or a TTY phone line
- adjustable desk or workstation, which changes the height or tilt of a writing surface
- accessible interactive kiosk, which might offer information or services in braille or through audio headsets

Serving People with Disabilities – At Home or Over the Phone

The following are good practices that can apply to all customers.

Tips for providing at-home service:

- Don't arrive unexpectedly. Confirm your arrival time in advance.
- Respect requests made by a customer with a disability to accommodate their needs. For example, a person with an environmental sensitivity may require that you refrain from wearing scented products in their home.
- Be patient. You may need to wait a few moments for your customer to open the door.
- Introduce yourself. Some customers may not be able to read identification cards and may want you to use a password. Check before you visit.
- Keep your customer informed of what you're doing.
- Make sure that you leave the home exactly as it was when you arrived. For example, someone with vision loss will expect that their furniture is in the same place and could trip if you've moved the sofa.

Tips for providing over-the-phone service:

- Speak naturally, clearly and directly.
- Focus on what the customer is saying. Don't interrupt or finish your customer's sentences. Give your customer time to explain or respond.
- If you're not sure what is being said to you, politely ask the customer to repeat what they said, or repeat or rephrase what you heard them say and ask if you have understood correctly.
- If the customer is using an interpreter or a telephone relay service, speak naturally to the customer, not to the interpreter.
- If you encounter a situation where, after numerous attempts, you and your customer cannot communicate with each other, consider making alternate arrangements that may work best for them.

If There Are Difficulties Accessing Your Goods, Services or Facilities

If you notice that your customer is having difficulty accessing your goods, services or facilities, a good starting point is to ask “How can I help you?”

Often, there are simple solutions. For example,

- **Your customer uses a wheelchair and cannot enter your shop because of a step at the front door.**
You could offer to serve the customer at the door, at another more convenient location, by phone, or by delivery to their home. You might also consider low-cost solutions such as a portable ramp that can be set out at your shop entrance on request and if suitable to the situation.
- **Your customer with hearing loss has a question.**
Ask the customer in writing if using a pen and paper to communicate would be a good way to serve him. Remember, if you’re discussing confidential information, offer to return the notes to the customer or to destroy them.
- **Your customer can’t reach some of your products because the displays or shelves are too high to reach from their scooter.**
Offer to bring the products to the customer.
- **The menu cannot be read by a customer with low vision or a learning disability.**
Offer to read the menu out loud, or post the menu online so they can access it beforehand.
- **Your customer has a mental health disability that makes it difficult for her to be in crowded spaces with other people. She explains her disability-related needs when she enters your reception area.**
Offer her a place to wait her turn for service in an area apart from other customers.
- **Your organization doesn’t have automatic door openers.**
Be prepared to help open the door.

Your customers are your best source for information about their needs. Being flexible and open to suggestions will help to create a good customer experience. A solution can be simple and the customer will likely appreciate your attention and consideration.

Recap – General Tips

Here are some general tips to keep in mind when serving people with disabilities:

- Ask before you help. Don't assume the person needs it.
- If you're not sure what to do, ask your customer, "How can I help you?" Your customer knows if they need help and how you can provide it.
- Don't make assumptions about the type of disability a person has or about what accommodation needs they may have. Your assumptions may be wrong.
- Some disabilities are not visible and customers are not required to tell you about their disabilities.
- Speak directly to your customer, not to their support person or companion.
- Take the time to get to know your customer's needs and focus on meeting those needs just as you would with any other customer.
- Listen carefully. If you're not sure what your customer is saying, confirm by summarizing or repeating what was said to you, or politely ask them to repeat it.
- Be patient. People with some kinds of disabilities may take a little longer to respond or do things.
- Use appropriate language and terminology when referring to people with disabilities.