

THE CORPORATION OF THE CITY OF WINDSOR
ACCESSIBILITY POLICY

Service Area:	Office of the City Clerk	Policy No.:	
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Division:		Approved By:	CR273/2014
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Prepared By:	Diversity and Accessibility Officer		Date: December 14, 2009 CR441/2009

1. POLICY

This policy acknowledges the legislative requirement for and the commitment by the Corporation of the City of Windsor (the “Corporation”) to provide high quality goods and services that are accessible to all persons that we serve.

2. PURPOSE

This policy and related procedures are intended to fulfill the policy requirements set out in the Accessibility for Ontarians with Disabilities Act, 2005 and its regulations.

3. SCOPE

3.1 This Policy shall apply to every person who deals with members of the public or other third parties on behalf of the Corporation, whether the person does so as an employee, member of Council, agent volunteer or otherwise.

3.2 This policy shall also apply to all persons who participate in the developing the Corporation’s policies, practices and procedures governing the provision of goods and services to members of the public or third parties.

4. **RESPONSIBILITY**

4.1 **Chief Administrative Officer**

- Ensures that the Corporation of the City of Windsor implements and updates this policy and related procedures as appropriate.

4.2 **Senior Management and Managers**

- Ensure employees and volunteers and any third party who report to them or conduct business on their behalf are trained on accessible customer service following corporate standards.
- Ensure that procedures under this policy are communicated to staff and are carried out consistently.
- Ensure that feedback from the public regarding accessible customer service is addressed in accordance to the policy and related procedures.

4.2 **Employees**

- Ensure that accessible customer service is provided to all customers in accordance to the policy and related procedures.

5. **DEFINITIONS**

5.1 “Assistive device”- Is a technical aid, communication device or medical aid that is used to increase, maintain, or improve the functional abilities of people with disabilities, in seeing, hearing, speaking, mobility, walking, breathing, performing manual tasks, learning, working, or self-care.

5.2 “Disability “-For the purposes of this policy ‘disability’ is defined according to the Accessibility for Ontarians with Disabilities Act 2005 as:

- (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 co-ordination, 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; (“handicap”)

5.3 “Service animal” - An animal is a service animal for a person with a disability,

(a) if it is readily apparent that the animal is used by the person for reasons relating to his or her disability; or

(b) if the person provides a letter from a physician or nurse confirming that the person requires the animal for reasons relating to the disability. O. Reg. 429/07, s. 4 (9).

Service animals include, but are not limited to “guide dogs”: a guide dog as defined in section 1 of the Blind Persons’ Rights Act; (“chien-guide”) means a dog trained as a guide for a blind person and having the qualifications prescribed by the regulations under the Blind Persons’ Rights Act. (“chien d’aveugle”) R.S.O. 1990, c. B.7, s. 1 (1).

5.4 “Support person,” means, 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. (“personne de soutien”) O. Reg. 429/07, s. 4 (8).

6. GOVERNING RULES AND REGULATIONS

This policy is drafted in accordance with the Accessibility Standards for Customer Service (Ontario Regulation 429/07) and the Integrated Accessibility Standards (Ontario Regulation 191/11) and addresses the following:

- A. The provision of goods and services to persons with disabilities;
- B. The use of assistive devices by persons with disabilities;
- C. The use of service animals by persons with disabilities;
- D. The use of support persons by persons with disabilities;
- E. Notice of temporary disruptions in services and facilities;
- F. Training;
- G. Customer feedback regarding the provision of goods and services to persons with disabilities; and
- H. Notice of availability and format of documents.
- I. Integrated Accessibility Standards

A. Providing goods and services to people with disabilities

The Corporation will make reasonable efforts to:

- Provide its goods and services in a way that respects the dignity and independence of people with disabilities.
- Give people with disabilities the same opportunity to access our goods and services and allow them to benefit from the same services, in the same place and in a similar way as other customers.
- Communicate in a manner that takes into account the person's disability.

B. Assistive devices

Customer's own assistive device(s)

A person with a disability may provide their own assistive device for the purpose of obtaining, using and benefiting from the Corporation's goods and services unless otherwise prohibited by law (i.e.: health and safety reasons). In such situations the City may offer person with a disability other reasonable measures to assist him or her in obtaining, using and benefiting from the Corporation's goods and services, where the Corporation has such other measures available.

Assistive devices provided by the City

Where applicable, assistive devices owned and operated by the Corporation will be available to assist with serving the customer's needs and requirements while utilizing the goods and services offered by the Corporation. Available assistive devices, and the procedure for accessing them, are outlined in the City of Windsor Assistive Devices Procedure.

C. Use of Service Animals

We are committed to welcoming people with disabilities who are accompanied by a service animal on the parts of our premises that are open to the public and other third parties. If a guide dog or other service animal accompanies a visiting person with a disability, the Corporation shall ensure that the person is permitted to enter the premises with the animal and keep the animal with him or her.

Exceptions to the rule

Service animals will not be permitted:

- i. Where food preparation is being undertaken;

- ii. As otherwise disallowed by law.

If a service animal is excluded by law, the Corporation will ensure that alternate means are available to enable the person with a disability to obtain, use or benefit from the Corporation's goods and services.

Recognizing a Service Animal

Where an animal is not a trained guide dog and it is not readily apparent that the animal is used by the customer for reasons relating to his or her disability, the Corporation may request a letter from a physician or nurse confirming that the person requires the animal for reasons related to the disability.

The customer may have an alternate form of verification that they prefer to offer; in such a situation the Corporation may also accept as confirmation a valid identification card signed by the Attorney General of Canada or a certificate of training from a recognized guide dog or service animal training school.

Care and Control of the Animal

A customer with a disability who is accompanied by a service animal must maintain care and control of the animal at all times.

Allergies

If a customer or staff member has a severe allergy to animals, which could result in health and safety concerns, the Corporation shall make reasonable efforts to meet the needs of all individuals.

More specific information related to service animals may be found in the City of Windsor Service Animal Procedure.

D. Use of Support Persons

The Corporation is committed to welcoming people with disabilities who are accompanied by a support person. If a support person accompanies a visiting person with a disability, the Corporation shall ensure that both persons are entitled to enter the premises together and that the person with a disability is not prevented from having access to the support person while on the premises.

When a Support Person may be required

The Corporation may require a visiting person with a disability to be accompanied by a support person when on the premises, but only if a support person is necessary to protect the health or safety of the person with a disability or the health and safety of others on the premises.

Refer to the City of Windsor Support Person Procedure for details about the criteria that should be used in making such a determination.

Fees and admission

If an amount is payable by a support person for admission to the premises or in connection with a support person's presence at the premises the Corporation shall ensure that notice is given in advance about the amount, if any, payable in respect of the support person by posting notice of fees for support persons wherever Corporate fees are posted.

More specific information related to fees and admission for support persons may be found in the City of Windsor Support Person Procedure.

E. Notice of Temporary Disruption

Temporary disruptions in the Corporation's services and facilities may occur due to reasons that may or may not be within the Corporation's control or knowledge. The Corporation will make reasonable efforts to provide prior notice of planned disruptions if possible, recognizing that in some circumstances such as in the situation of unplanned temporary disruptions, advance notice will not be possible.

Information to be included in notice

The Corporation will make reasonable efforts to provide notice of the disruption to the public, including:

- i) information about the reason for the disruption;
- ii) its anticipated duration; and
- iii) a description of alternative facilities or services, if any, that may be available.

Manner of notification

When temporary disruptions occur to the Corporation's services or facilities, the Corporation will provide notice by:

- i) posting the information in visible places, and/or
- ii) on the Corporation's website, or
- iii) by any other method that may be reasonable under the circumstances as soon as reasonably possible.

More specific information about providing notice of service disruption is set out in the City of Windsor's Service Disruption Procedure.

F. Training for staff

Who must receive training?

The Corporation will provide training to all employees, volunteers and others who deal with the public or other third parties on their behalf, and all those who are involved in the development and approvals of customer service policies, practices and procedures.

Content of training

All training, regardless of format, will include:

- i) Instruction on the purposes of the AODA and all requirements set out in the standards;
- ii) Instruction on how to interact and communicate with people with various types of disabilities;
- iii) Instruction on how to interact with people with disabilities who use assistive devices or require the assistance of a guide dog, other service animal or a support person;
- iv) Instruction on how to use equipment or devices available at municipal premises or that are provided otherwise, that may help people with disabilities access municipal services, such as TTY telephones, elevators, lifts, accessible interactive kiosks or other technology; and
- v) Instruction on what to do if a person with a disability is having difficulty accessing municipal services.

When training will be conducted

The training will be provided 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 the policies, practices and procedures governing the provision of goods or services to persons with disabilities.

Training records

The Corporation shall keep records of the training provided under this section, including the dates on which the training is provided and the number of individuals to whom it is provided.

G. Feedback process

Comments on our services, regarding how well customer expectations are being met, are welcome and appreciated.

Feedback regarding the way the Corporation provides goods and services to people with disabilities can be made by a person with a disability in the manner deemed most convenient to them, such as in person, by telephone, TTY, Textnet, in writing or by delivering an electronic text by email or on CD or otherwise. More specific information about feedback procedures is set out in the City of Windsor Feedback Procedure.

H. Notice of availability and format of documents

The Corporation shall notify persons to whom it provides goods or services that the documents required under this regulation are available upon request and in a format that takes into account the person's disability. This notice may be given by posting the information at a conspicuous place owned and operated by the Corporation, the corporate website and or any other reasonable method.

I. Integrated Accessibility Standards

The Corporation is committed to ensuring an accessible environment for all persons with disabilities, and it is dedicated to meet the accessibility needs of persons with disabilities in a respectful, equitable and timely manner. This commitment extends to residents, visitors and employees with visible and non-visible disabilities.

The content of the Integrated Accessibility Standards Procedure will include the prescribed elements identified in regulations under the Accessibility for Ontarians with Disabilities Act including but not necessarily limited to:

- a) General requirements as set out the Integrated Accessibility Standard regulation
- b) Accessible Information and Communication
- c) Accessible Employment
- d) Accessible Transportation
- e) Accessibility Standards for the Built Environment

7. ADMINISTRATION

7.1 Questions about the policy or related procedures should be directed to the Accessibility and Diversity Officer or the Customer Service Division.

7.2 Documents generated as a result of this policy will be maintained in accordance with the Corporation's Record Retention By-law 12599.

7.3 This policy and related procedures will be reviewed every five years or as required in the event of legislative change.

7.4 References and related documents:

- Ontarians with Disabilities Act, 2001
- Accessibility for Ontarians with Disabilities Act, 2005
- Ontario Human Rights Code, 1990
- City of Windsor Customer Service Standards
- City of Windsor Customer Service Strategy
- City of Windsor Accessibility Plan 2009
- City of Windsor Record Retention By-law 12599
- Dog Owner's Liability Act, 1990
- Blind Person's Rights Act, 1990
- Ontario Regulation 562 – Health Protection and Promotion Act
- Ontario Regulation 429/07- Accessibility Standards for Customer Service
- Ontario Regulation 191/11- Integrated Accessibility Standards