

Accessibility Standards for Customer Service: Easy Read Guide
Discussion Document

Disability sector discussion
January 10, 2008
1:00 p.m. – 4:00 p.m.
777 Bay St., 6th Floor
Boardrooms F, G and H

Introduction

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

The Accessibility for Ontarians with Disabilities Act, 2005 (the AODA) provides for the development of accessibility standards that will apply to both the private and public sectors across Ontario. The purpose of the AODA is to achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, accommodation, employment, building, structures, and premises before 2025. The standards will set minimum requirements for organizations to identify and address barriers for people with disabilities.

Standards Development Committees

Standards are being developed by standards development committees, which consist of people with disabilities, representatives from industry and the business community, the public sector, and Ontario government ministries.

Each committee is responsible for:

- developing long-term accessibility objectives, requirements for removing and preventing barriers for people and organizations that are to be covered by the standard, and setting a timeframe for implementation;
- submitting the proposed accessibility standard to the Minister of Community and Social Services for public review;
- considering the input received from the public review; and
- submitting a final proposed accessibility standard to the Minister for the government's consideration for adoption by regulation.

The Minister will then decide whether to recommend that the standard be made into a regulation under the Act.

Accessibility Standards for Customer Service, Ontario Regulation 429/07

The Accessibility Standards for Customer Service which is Ontario Regulation 429/07, is the first regulation to be developed under the AODA. This regulation came into force on January 1, 2008. From this point on, the regulation is referred to in short form as the standard.

Easy Read Guide

The purpose of the Easy Ready Guide is to provide easy-to-read and easy-to-understand information about the standard. Specifically, this guide will explain the different requirements under the standard. It focuses on those parts of the standard that are most relevant to people with disabilities accessing services. It will also advise people with disabilities on what to do if a provider is not complying with the standard or if their disability-related needs are not being met.

This document is intended to be as accessible as possible to a large audience and therefore has been drafted using simple language.

The Discussion

Our discussion will involve representatives from disability organizations representing many different types of disabilities and people with disabilities.

The objective of this discussion is not to solicit comments on the content of the regulation or its interpretation. The regulation was developed based on a significant consultation process and is now law. The focus of our discussion is to generate feedback, ideas, suggestions, and constructive comments that will help to improve the document to produce a clearer and a more useful guide for the disability community.

To fully benefit from the diversity of perspectives of the individuals who will be taking part in the discussion, we are hoping to generate a structured discussion regarding the following specific issues:

Guide's Clarity:

a) Were there any examples that did not enhance the meaning of the explanation of the standard? Are there areas where you feel more examples would assist the explanation of meaning?

- *Definition of "Goods" and "Services" on page 11 (What does the standard say?). For example, a good is an item you have purchased, such as a dress. Services involve the performance of any duties or work for another person. A doctor, for example, provides medical services, a dentist provides dental services, a lawyer provides legal services, and banks provide banking services.*

Also in this vein, an example is given that states "it does not mean that the goods that providers sell have to be accessible" (last sentence, page 11). What does this mean for services?

- *Page 12 (Service Animals) – the phrase "where food is made" is too general. Perhaps consider "where food is cooked or prepared".*

As well, it may be helpful to provide examples of how providers can find ways for everyone to get services (after final sentence on page 12).

b) Did you find any sections of the guide awkward or difficult to read? Were there parts where the use of plain language was too simple or resulted in a loss of the meaning? Was the language level appropriate?

- *Page 8 – first paragraph, sentence three – "you can find out more detail of what a disability is by reading the AODA" – should disability read "barrier"? This sentence seems out of place. If it is to read "disability", perhaps move the text box definition of barrier up, and this sentence down to the bottom of the last paragraph for flow.*
- *Page 13 – last paragraph is confusing, particularly the last sentence "If the risk to you is the same as to other people, the provider cannot make you bring a support person".*
- *Page 17 – first sentence – "There are rules in the standard on which documents to make and keep". Consider revising to read "There are rules in the standard on which documents **providers must** make and keep".*

*Also, in second paragraph, first sentence, "The documents that providers keep...". Consider revising to read "The documents that providers **must make or keep**..."*

- c) Considering the audience of people with disabilities that you represent, are there areas of the guide that do not adequately explain the meaning of the regulation?

None were identified, but there are comments regarding the adequacy of language used to describe sections of the regulation in the “Usefulness” section of this discussion guide.

- d) Can you suggest any other ways to improve the clarity of the guide?

- *Define “accessibility” and “accessible” where they first appear in the document, and/or consider a definitions section. This will be challenging because it is not defined in the AODA.*

However, a definition may be provided on page 19 of the document (as provided in the standard) – the four principles. For example, it could be relayed at the beginning of the document that “accessibility” as used in the standard relates to four principles – dignity, independence, integration, and equal opportunity. Customer service is considered “accessible” when providers meet these principles in the delivery of their goods and services. This may involve moving the section on four principles up to the beginning of the document or condensing the principles for a brief explanation at the beginning of the document.

See additional comments about this section below (Usefulness – b)

- *It would be useful to include a definition of “employee” and to provide a sense of why the Standard only applies to corporations with 20 employees or more. Questions may arise regarding what “standard” corporations with fewer than 20 employees will be held to.*
- *Page 23 – first sentence, last paragraph – “Providers do not have to have a feedback process until the deadlines are set out in the standard”. It would be useful to restate the deadlines at the end of this sentence.*

- e) Is the language related to disability and accessibility appropriate?

As it pertains to the standard, yes, but “accessibility” should be defined.

- f) Is the format effective?

Overall, yes.

Guide's Usefulness:

- a) Does the guide increase your understanding of the standard?
Yes.
- b) Does the guide provide a clear explanation of what providers are required to do in order to comply with the standard?

- Page 19 – principles – “providers must **try** to treat you with respect”. Not certain the work “try” actually reflects what is written in the regulation:

The provider shall use *reasonable efforts* to ensure that its policies, practices and procedures are consistent with the following principles:

- 1. The goods or services must be provided in a manner that respects the dignity and independence of persons with disabilities.***
- 2. The provision of goods or services to persons with disabilities and others must 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 or services.***
- 3. Persons with disabilities must be given an opportunity equal to that given to others to obtain, use and benefit from the goods or services. O. Reg. 429/07, s. 3 (2).***

- Page 20 – First sentence – “It is **important** that providers follow the standard”. Again, this understates the duty of the provider. Perhaps consider rewording to read “Providers must legally follow the standard” or “Providers must work to follow the standard” or simply “Providers must follow the standard”.
- c) Are the suggestions on what to do if a provider is not complying with the standard helpful? Are there any other suggestions that could be included in the guide?

The information provided is helpful.

- d) Does the explanation in this guide fully meet the needs of people with disabilities that you represent? Are there parts of the standard that need to be more fully explained or are there parts of the explanation that are more fulsome than your community requires?

Provided the comments we have provided in this document are incorporated into the Guide, the Guide will likely meet the needs of the most members of our community.

- e) Is the information on what to do if your needs aren't being met useful? Would your community know what to do to help organizations comply?

Yes, this section is very clear and complete.

- f) Is there any useful information missing in the guide?

See comments in "Clarity" section of this discussion guide.