

EMPLOYMENT MATTERS

October 2012

IS YOUR ACCESSIBILITY POLICY IN PLACE?

What is the issue?

The "Accessibility for Ontarians with Disabilities Act, 2005", Customer Service Standard (Regulation 429/07), requires organizations who provide goods or services to the public or other third parties to have policies and procedures in place with respect to people with disabilities.

What are the requirements?

There are 11 requirements to the Customer Service Standard. Among other things, your organization must:

- Establish policies, practices and procedures on providing goods and/or services to people with disabilities;
- Train your staff, volunteers, contractors and any other people who interact with the public or other third parties on your behalf;
- Post service disruption notices; and
- Establish a feedback process.

If you are a designated public sector organization or a service provider with 20 or more employees, you must also:

- Document in writing all your policies, practices and procedures for providing accessible customer service, and comply with all documentary requirements under the regulation;
- Notify your clients/customers that the documents are available upon their request;
- When providing documents, you must provide the information in a form that takes into account the person's disabilities; and
- **Meet reporting requirements. This year's deadline is December 31, 2012.**

Can I be held personally liable if my organization is not in compliance?

Yes. Officers and directors can be personally fined up to \$50,000 for each day their organization is not in compliance. In addition, your organization can be fined up to \$100,000 for each day it is not in compliance.

Need help with this legislation?

If you have any questions about how to come into compliance with the Customer Service Standard, feel free to contact me at 416-365-3703 or amarsland@foglers.com.



[Andrea M. Marsland](#),
Partner
amarsland@foglers.com
416-365-3703

Fogler, Rubinoff LLP
Barristers & Solicitors
95 Wellington Street West
Suite 1200
Toronto - Dominion Centre
Toronto, ON M5J 2Z9
Direct: 416-365-3703
Main: 416.864.9700
Fax: 416.941.8852
www.foglers.com

