



# Notice

No: 10-05

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**APPLICABLE TO:****DATE: June 9, 2010**

<input checked="" type="checkbox"/>	<b>Municipal &amp; Private Non Profit</b>
<input checked="" type="checkbox"/>	<b>Co-operatives</b>
<input checked="" type="checkbox"/>	<b>Federal Non Profits</b>
<input type="checkbox"/>	<b>OCHAP/CSHP</b>
<input type="checkbox"/>	<b>Rent Supplement</b>

<input checked="" type="checkbox"/>	<b>Mandatory</b>
<input type="checkbox"/>	<b>For Information</b>

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**SUBJECT: *Accessibility for Ontarians with Disabilities Act (2005)*****BACKGROUND**

*The Accessibility for Ontarians with Disabilities Act, 2005 (AODA)* came into effect in 2005 and established regulations to improve accessibility across the province. The legislation is intended to identify, prevent and remove barriers that may limit opportunities for people with disabilities to fully participate in society.

This legislation is broken down into the following five areas:

- Customer Service
- Information and Communication
- Transportation
- Employment
- Built Environment

The **Customer Service Standard (Ontario Regulation 429/07)** is the first regulation to be passed under the AODA and came into effect on January 1, 2008. This regulation sets out what businesses and other organizations in Ontario must do to make the provision of their goods and services more accessible to people with disabilities. Housing providers are required to comply with this regulation.

Please refer to Appendix A for a checklist of the requirements of the Customer Service Standard.

**Note:** The deadline for compliance with the Customer Service Standard is January 1, 2012.

The Ontario Human Rights Code defines “disability” 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; and,
- d) a mental disorder, injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997* (“*handicap*”).

The definition of “barrier” is anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy or a practice.

### **Notice of Disruption of Services**

A component of the Customer Service Standard is the requirement to provide appropriate notice of disruption in a particular facility or service used by a person with a disability to access goods or services. The provider is required to give notice of the disruption to the public by posting the reason for the disruption, the anticipated duration of the disruption, and alternative facilities or services that may be available. The posting should be in a conspicuous place on the provider’s premises (common areas or next to elevator). If the disruption is anticipated or scheduled, the housing provider is required to provide a reasonable amount of advance notice of the disruption. If the disruption is unexpected, appropriate notice is required to be provided as soon as possible.

Disruption in services includes building mechanical components, such as elevators and automatic door openers, to a disruption in the provision of services that a housing provider regularly provides to people with disabilities.

Upon determining that a disruption in service will occur (or has just occurred), the following information must be posted:

- a) Reason for disruption
- b) Length of disruption
- c) Alternate services, if applicable
- d) A contact name and number

Refer to Appendix B for a sample Notice of Disruption poster.

### **Accommodating People with Disabilities at Meetings and Events**

When scheduling meetings and/or events, housing providers are required to insert the following phrase at the bottom of all meeting announcements to give members of the community the opportunity to inform the provider of their needs ahead of time so that they can be accommodated:

“If you require any accommodations for a disability in order to attend and participate in meetings or events, please let us know in advance so that arrangements can be made in a timely manner. Please contact (Name) at (phone #).”

As we move forward with the implementation of the various components of the *Accessibility for Ontarians with Disabilities Act (AODA)*, providers will be advised via NRH Notices of their obligations and requirements to ensure compliance and improve accessibility.

### **Feedback Process**

The provider's policies should also allow a mechanism for the public to provide feedback on the accessibility of the provider's goods and services. Providers will be required to respond to the feedback and address any barriers that are noted.

### **NRH Assistance**

In all cases, however, housing providers who receive a request related to the AODA and accessibility, and are not clear how to respond or proceed, should contact their Housing Administrator who will obtain clarification and direction from accessibility specialists.

### **Housing Provider's Role**

Housing providers are required to comply with the requirements of the AODA and Customer Service Standard (Ont. Reg. 429/07) and establish appropriate policies, practices and procedures for providing goods and services to people with disabilities.

Housing providers should contact their sector organization (ONPHA, CHF) and/or Social Housing Services Corporation (SHSC) to obtain related sample policies and procedures.

Attached as Appendix C is a copy NRH's policy related to the support services component of the Customer Service Standard (Ont. Reg. 429/07). Housing providers can use this to develop their own policy.

Housing provider staff are required to forward this Notice to their board of directors for information and action.

### **Service Manager's Role**

Accessibility Awareness training workshops will be arranged by NRH at various locations across Niagara for housing provider board members and staff. These workshops will be scheduled for the latter part of 2010 and all of 2011.

There will be a nominal fee for this training. More information on Board/staff training will be provided in the next few months.

The Customer Service Standard also requires that all contractors, hired by housing providers, receive training in accessibility awareness. NRH is reviewing the available options for contractor training that complies with the Customer Service Standard. More information on contractor training will be provided in future Notices.

If you have any questions or concerns regarding this notice, please contact your Housing Administrator at (905) 682-9201.

*(Original signed by Lora Beckwith)*

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Lora Beckwith, General Manager

Enclosures:

1. Appendix A - Checklist of Requirements
2. Appendix B - Example of Notice of Disruption Poster
3. Appendix C - NRH policy