

CORPORATION OF THE MUNICIPALITY OF Morris-Turnberry

BY-LAW # 66 - 2009

“Being a by-law to adopt the Accessibility Standards for Customer Service and Use of Assistive Devices for the Municipality of Morris-Turnberry.”

WHEREAS the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11 Section 6 (a) states that an accessibility standard shall, set out measures, policies, practices and other requirements for the identification and removal of barriers;

AND WHEREAS, Accessibility Standards for Customer Service, O. Reg. 429/07 Section 3.(1) states that every provider of goods or services shall establish policies, practices and procedures governing the provision of goods or services to persons with disabilities;

AND WHEREAS, the Customer Service Regulation came into effect January 1, 2008 and public sector must comply by January 1, 2010;

AND WHEREAS, the Council of the Corporation of the Municipality of Morris-Turnberry has prepared a policy for Accessibility Standard for Customer Service and Use of Assistive Devices;

NOW THEREFORE, the Council of the Corporation of the Municipality of Morris-Turnberry enacts as follows:

1. THAT the policy for Accessibility Standards for Customer Service and Use of Assistive Devices is hereby attached as Schedule 'A' of this by-law;
2. THAT the Mayor and Clerk are hereby authorized to sign and execute the by-law and policy;
3. THAT this by-law and policy comes into force and effect on January 1, 2010 and may be cited as the 'Accessibility Standards for Customer Service and Use of Assistive Devices Policy'.

Read a First Time and Second Time 20th day of October, 2009.

Read a Third Time and Finally Passed 20th day of October, 2009.


Mayor Dorothy Kelly


Clerk- Nancy Michie

**SECTION 1
ACCESSIBILITY STANDARDS FOR
CUSTOMER SERVICE & USE OF ASSISTIVE
DEVICES**



Approved by: Morris-Turnberry Council

Date: October 20, 2009

Purpose:

The Municipality of Morris-Turnberry is committed to being responsive to the needs of all its residents. To do this, we must recognize the diverse needs of all of our residents and respond by striving to provide services and facilities that are accessible to all. As an employer, and a provider of services, the Municipality of Morris-Turnberry is committed to ensuring its services are provided in an accessible manner.

The Municipality of Morris-Turnberry will promote accessibility through the development of policies, procedures and practices and by ensuring they consider people with disabilities. To do this we must ensure the policies, procedures and practices address **integration, independence, dignity and equal opportunity.**

Definitions:

1. Disability:

The Accessibility for Ontarians with Disabilities Act, 2005, adopts its definition of disability from the Ontario Human Rights Code. It broadly defines disability to include:

- Physical disabilities
- Mental and intellectual disabilities
- Learning disabilities
- Injuries or disabilities for which Workplace Safety and Insurance benefits were claimed and received.

2. Barrier:

A barrier is anything that prevents people with disabilities from fully participating in all aspects of society. Examples of barriers are:

- Hard to turn doorknobs or heavy doors
- Confusing messages, unfamiliar language
- Small print sizes and hard to read fonts
- Steps and narrow doors
- Voice and messages- may be barriers for people who are deaf, deafened or hard of hearing.

Municipality of Morris-Turnberry Accessibility Policy

SECTION 1 ACCESSIBILITY STANDARDS FOR CUSTOMER SERVICE & USE OF ASSISTIVE DEVICES



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Principles:

- 1.23.1 Reasonable efforts will be made to ensure the following:
- (i) That goods and services be provided in a manner that respects the dignity and independence of persons with disabilities.
 - (ii) The provision of goods and services to persons with disabilities, and others, will be integrated unless an alternate measure is necessary, whether temporarily or permanently, to enable a person with a disability to obtain, use or benefit from the goods and services.
 - (iii) Persons with disabilities will be given an opportunity – equal to that given to others – to obtain, use and benefit from the goods and services.
 - (iv) The Municipality will attempt to remove any barriers for the provision of goods and services.

Procedures and Practices:

- 1.23.2 Procedures and practices will strive to reflect or achieve the following:
- (i) Communication will be considered, in a manner that takes into consideration a person's disability.
 - (ii) Staff will receive appropriate training.
 - (iii) Persons with disabilities accompanied by a guide dog or service animal will be permitted in those areas of the premises owned or operated by the Municipality of Morris-Turnberry that are open to the public.
 - (iv) Persons with disabilities accompanied by a support person will be permitted to be accompanied by that support person in premises open to the public.
 - (v) Admission fees will be waived for a support person who accompanies a person with a disability.
 - (vi) Notice will be provided when facilities or services that people with disabilities rely on to access Municipality of Morris-Turnberry services are temporarily disrupted.

Municipality of Morris-Turnberry Accessibility Policy

SECTION 1 ACCESSIBILITY STANDARDS FOR CUSTOMER SERVICE & USE OF ASSISTIVE DEVICES



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- (vii) The Municipality of Morris-Turnberry will establish a feedback process to allow people to provide feedback on how we are providing services to person's with disabilities.
- (viii) The Municipality of Morris-Turnberry will allow persons with disabilities to use their own personal assistive devices to obtain, use or benefit from the services offered by the Municipality of Morris-Turnberry.

PROCEDURES

Support Persons

- 1.23.3 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.
- 1.23.4 The Municipality of Morris-Turnberry will allow people with disabilities, who require, to be accompanied by a support person in all Municipality owned and operated public facilities. *The Municipality of Morris-Turnberry reserves the right to request the person with a disability be accompanied by a support person, in the event that it is considered necessary to protect the health and safety of the person with a disability or others on the premises.*
- 1.23.5 The Municipality of Morris-Turnberry will waive admission fees for support persons who accompany a person with a disability, into facilities where admission is charged.
 - (a) Member of public should notify a staff member about the presence of the support person.
 - (b) If there is confidential information to be disclosed, consent must be received from the person with the disability.

Municipality of Morris-Turnberry Accessibility Policy

SECTION 1 ACCESSIBILITY STANDARDS FOR CUSTOMER SERVICE & USE OF ASSISTIVE DEVICES



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Feedback Process

1.23.6 To submit a complaint:

Should a member of the public wish to make a complaint regarding the service they have received:

- (a) The member of the public with the complaint or concern should have a discussion with the staff person at the Municipality of Morris-Turnberry who is involved in the situation.
- (b) Should the discussion not resolve the complaint or the member of the public is uncomfortable discussing the issue with the staff person, the member of the public should fill out a complaint form. The staff person can assist the member of the public with the *complaint form* in a manner that takes into consideration their disability.
- (c) The information to be provided by the member of the public should include their personal contact information, the date, a description of the complaint, and what the member of the public requests to resolve the complaint. This information should be documented on the complaint form.
- (d) The complaint should be forwarded to the manager responsible for the department and the appropriate corporate department
- (e) The department manager will attempt to resolve the complaint in a timely manner, with the assistance of the appropriate Municipality department.
- (f) The member of the public will be contacted once a resolution has been reached.

1.23.7 To submit a suggestion:

Should a member of the public wish to provide the Municipality of Morris-Turnberry with a suggestion on how to improve our service:

- (a) Member of the public will inform staff member of suggestion.

Municipality of Morris-Turnberry Accessibility Policy

SECTION 1 ACCESSIBILITY STANDARDS FOR CUSTOMER SERVICE & USE OF ASSISTIVE DEVICES



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- (b) Staff member will assist member of the public in filling out the suggestion form, should they require assistance.
- (c) Member of the public will be notified in a timely manner of how the Municipality of Morris-Turnberry will proceed with their suggestion.
- (d) Staff response should include: an explanation of how we will implement the suggestion, a response indicating further investigation or an explanation why we are unable to implement the suggestion.

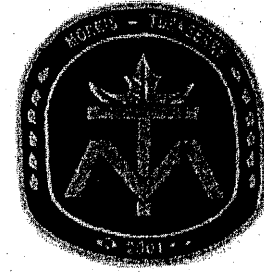
All complaints and suggestions should be recorded on a complaint form, and forwarded to the *department head and the appropriate Corporate department.*

Service Disruption

- 1.23.8 If, in order to obtain, use or benefit from a provider's goods or services, persons with disabilities usually use particular facilities or services of the provider (for example, elevators) and if there is a temporary disruption in those facilities or services in whole or in part, the Municipality of Morris-Turnberry shall give notice of the disruption to the public.
- 1.23.9 Notice of the disruption must include information about the reason for the disruption, its anticipated duration and a description of alternate facilities or services, if any, that are available.
- 1.23.10 Notice will be given by posting the information at a conspicuous place on premises owned or operated by the provider of goods or services, as well as by posting it on the Municipality of Morris-Turnberry website.
- 1.23.11 If the Municipality of Morris-Turnberry Website should expect a temporary service disruption, advance notice where possible, keeping with the conditions of section 1.23.9, shall be provided on the website.

Municipality of Morris-Turnberry Accessibility Policy

SECTION 1 ACCESSIBILITY STANDARDS FOR CUSTOMER SERVICE & USE OF ASSISTIVE DEVICES



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Service Animals

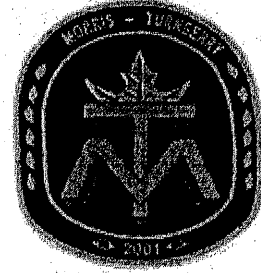
- 1.23.12 For the purpose of this policy, a 'service animal' is defined as either:
- (i) A "guide dog," as defined in section 1 of the *Blind Persons Rights' Act*; or
 - (ii) A "service animal" for a person with a disability. For the purpose of this policy, an animal is a service animal for a person with a disability,
 - (a) if it is readily apparent that the animal is used by the person for the 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.
- 1.23.13 The Municipality of Morris-Turnberry will allow the person and the animal onto all Municipality of Morris-Turnberry owned and operated public facilities that are open to the public, and will ensure that the person is permitted to keep the animal with him or her unless the animal is otherwise excluded by law.
- 1.23.14 If a service animal is excluded by law from the premises, the provider of goods or services shall ensure that other measures are available to enable the person with a disability to obtain, use or benefit from the provider's goods or services.

Format of Documents

- 1.23.15 Should the Municipality of Morris-Turnberry be required to give a copy of a document to a person with a disability, the Municipality of Morris-

Municipality of Morris-Turnberry Accessibility Policy

SECTION 1 ACCESSIBILITY STANDARDS FOR CUSTOMER SERVICE & USE OF ASSISTIVE DEVICES



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Turnberry shall give the person the document, or the information contained in the document, in a format that takes into account the person's disability.

1.23.16 Material printed in-house and publications produced on behalf of the Corporation of the Municipality of Morris-Turnberry should contain a note indicating, "alternate formats are available upon request" and include relevant contact information.

1.23.17 The Municipality of Morris-Turnberry and the person with a disability will try to agree upon the format to be used for the document or information, subject to section 1.23.19 of this policy.

1.23.18 Alternate formats that should be considered by the Municipality of Morris-Turnberry and the person with the disability will include, but are not limited to:

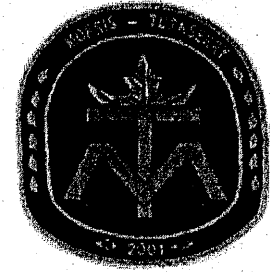
(i) Print Requests:

Requests for alternate formats should be honoured in the most practical manner depending on the media chosen, the size and complexity of the document, the quality and source of the documents, the feasibility of the request (including the cost) and the number of documents to be converted. It should be noted that when request for one of these formats is received and deemed feasible, staff should make every attempt to respond to the request in the most practical manner and to the satisfaction of the requestor. If it is determined that the format requested is not feasible, then other alternate methods of providing the information should be explored that will still meet the needs of the requestor (e.g. Audio CD or explaining the information verbally etc.).

- (a) Employee receives request from member of the public for alternate format.
- (b) Employee fills out alternative format request form.

Municipality of Morris-Turnberry Accessibility Policy

SECTION 1 ACCESSIBILITY STANDARDS FOR CUSTOMER SERVICE & USE OF ASSISTIVE DEVICES



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- (c) Forwards request onto the relevant department and the appropriate corporate department;
- (d) The department head and the appropriate corporate department determine feasibility;
- (e) Proceeds with alternate format request.
- (f) If not feasible; contact individual with feasible solution.

(ii) ASL Interpreter Request:

- (a) Employee receives request from public for ASL Interpreter.
- (b) Employee fills out alternative format request form.
- (c) Forwards request onto the relevant department and the appropriate corporate department.
- (d) The department or the Municipal Clerk contacts Canadian Hearing Society to make request.
- (e) Once Canadian Hearing Society confirms attendance of ASL Interpreter, the department or the Municipal Clerk contacts individual.
- (f) If ASL Interpreter is not available, individual will be contacted with an alternate solution.

1.23.19 Feasibility will be determined based upon cost in relation to size of document and time associated with processing document requests.

The time frame attached to the conversion process varies depending on the media chosen, the size, complexity, quality of source documents and number of documents to be converted. Documents shall be returned in a timely manner depending on the factors previously noted.

Conversion shall be processed in-house wherever possible. When a member of the public requests a piece of Municipal documentation in a

Municipality of Morris-Turnberry Accessibility Policy

SECTION 1 ACCESSIBILITY STANDARDS FOR CUSTOMER SERVICE & USE OF ASSISTIVE DEVICES



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multiple format, the department of origin shall be responsible for the cost of the conversion, materials and distribution, not the public requestor.

In-house printing, where possible, should adhere to the CNIB's Clear Print Standards.

Training

1.23.20 The Municipality of Morris-Turnberry shall ensure that the following persons receive training about the provision of its goods or services to persons with disabilities:

- (a) Every person who deals with members of the public or other third parties on behalf of the Municipality, whether the person does so as an employee, agent, volunteer or otherwise.
- (b) Every person who participates in developing the Municipality's policies, practices and procedures governing the provision of goods or services to members of the public or other third parties.

1.23.21 The training will include a review of the purposes of the Act and the requirements of this policy and instruction about the following matters:

- (a) How to interact and communicate with persons with various types of disability, as outline in this policy and procedures.
- (b) How to interact with persons with disabilities who use an assistive device or require the assistance of a guide dog or other service animal or the assistance of a support person, as outlined in this policy and procedures.
- (c) How to use equipment or devices available on the provider's premises or otherwise provided by the provider that may help with the provision of goods or services to a person with a disability.
- (d) What to do if a person with a particular type of disability is having difficulty accessing the provider's goods or services.

Municipality of Morris-Turnberry Accessibility Policy

SECTION 1 ACCESSIBILITY STANDARDS FOR CUSTOMER SERVICE & USE OF ASSISTIVE DEVICES



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- 1.23.22 The Municipality of Morris-Turnberry will log and retain records which will record the details of the training provided, as well as the name of the person, location, and date the training was completed.
- 1.23.23 The Municipality of Morris-Turnberry will customize the training going forward, based on the actual experiences, usage of the persons with disability in Municipality of Morris-Turnberry owned or operated facilities and legislative requirements as they come down from the province.

Assistive Devices

- 1.23.24 The Municipality of Morris-Turnberry will allow persons with disabilities to use their own personal assistive devices to obtain, use or benefit from the services offered by the Municipality of Morris-Turnberry.
- 1.23.25 Should a person with a disability be unable to access the Municipality's services through the use of their own personal assistive device, the Municipality of Morris-Turnberry will ensure the following measures:
- (a) Determine if service is inaccessible, based upon individual requirements.
 - (b) Assess service delivery and potential service options to meet the needs of the individual.
 - (c) Notify person with disability of alternative service and how they can access the service, temporarily or on a permanent basis.