

Frequently Asked Questions on the Accessibility Standard for Customer Service

This document is available in alternate formats on request.

Please contact the Disabilities Issues Office by email at DIO@gov.mb.ca or by phone at 204-945-7613 (in Winnipeg) or toll free at 1-800-282-8069, ext. 7613 (outside Winnipeg).

The Accessibility Standard for Customer Service

1. What is the Accessibility Standard for Customer Service?

The Accessibility Standard for Customer Service is the first regulation under [The Accessibility for Manitobans Act](#) (AMA), which aims to make Manitoba a more inclusive and accessible society.

The Accessibility Standard for Customer Service outlines what organizations must do, and by when, to provide goods and services in an accessible way to all Manitobans, including people with disabilities.

2. Do I need to comply with the Accessibility Standard for Customer Service?

If your business or non-profit organization provides goods and services and has one or more employees, you have to comply with the Accessibility Standard for Customer Service.

Businesses include shops, restaurants and hotels, and legal, healthcare and other professional services.

Non-profit organizations include charities, unions, places of worship, community organizations and member associations.

For more information, and to learn how you can comply with the law, please see the [Employers' Handbook](#) on the Accessibility Standard for Customer Service and [Employee Tips](#).

If you are a **public sector organization**, you also have to comply with the Accessibility Standard for Customer Service and have additional requirements. Public sector organizations include municipalities, regional health authorities, school divisions, universities, colleges, crown corporations and public agencies, boards and commissions. For more information on public sector requirements, please visit: [Public Sector](#).

3. Who is a “customer” in this regulation?

A customer is a person expected to obtain, use or benefit from your goods or services, whether or not the person paid for them. The regulation applies to any customers, clients, service recipients and members, and any other terms you use to describe people who seek your goods and services.

4. How will the Manitoba government monitor compliance?

A Made-in-Manitoba compliance framework will provide a range of activities to monitor compliance. We will continue educating into compliance and will include traditional compliance activities, such as audits.

The Manitoba government expects to start compliance activities related to the first standard during 2019/20.

5. What is a service animal?

The Accessibility Standard for Customer Service uses the definition of a service animal found in [The Human Rights Code](#) (The Code). In The Code, a service animal is “an animal that has been trained to provide assistance to a person with a disability that relates to that person's disability.”

Service animals help people with various kinds of disability-related needs. Sometimes the assistance they provide is obvious, such as guiding a person who is blind or pulling a person in a wheelchair.

Service animals also support people with less obvious or invisible disability-related needs. For example, service animals may be trained to support people with a hearing impairment, post-traumatic stress disorder or autism. Service animals may also alert handlers about their health conditions or remind them to take medication.

Animals that provide comfort and companionship and that are not trained to assist with a person's disability-related need are *not* service animals.

If you aren't sure if an animal is a service animal, you can ask:

Has this animal been trained to help with a disability-related need?

Please remember that a handler should not have to disclose a diagnosis or personal health information.

5. How do I know if an animal is a service animal and not a pet?

Often, but not always, the service animal is identified by its vest or harness. If you are uncertain whether an animal is providing assistance to a person with a disability-related need, you may ask for more information. Please remember to be respectful when making your inquiry.

Many handlers carry documentation (such as a letter, note or form) from a regulated health professional, care provider or service animal trainer that states that they require the animal because of a disability-related need. You may consider asking for documentation only when the service the animal is providing is not obvious.

If a service animal is barking, whining, or wandering, you can request that the handler control the service animal. If the service animal continues to misbehave, you can ask the handler to leave with the service animal.

More information on service animals can be found at the Manitoba Human Rights Commission [website](#), and by reviewing their [guideline](#) and [fact sheet](#) on service animals.

6. Does the Accessibility Standard for Customer Service require me to renovate my building?

No. Under the Accessibility Standard for Customer Service, you need to ensure that your existing accessibility features – supports and structures in your physical space – are in good working order so that people can use them as intended. For example, this means ensuring you are not blocking existing ramps, elevators or accessible washrooms with clutter, or ensuring that automatic doors are working properly.

7. Do I need to make public events accessible?

Under the Accessibility Standard for Customer Service, public sector organizations (except smaller municipalities) must make public events accessible by:

- Communicating about events in an accessible way;
- Holding events in accessible spaces; and
- Letting the public know that they can request accessibility accommodations.

Businesses, non-profit organizations and smaller municipalities are encouraged to do the same.

Please see [Understanding Accessibility](#) and [Tools to Support Accessibility](#) for more information on organizing accessible events.

8. How can I offer accessible customer service if my building is not accessible?

If your building isn't accessible, you can still provide customer service by looking into ways to take service to the customer. If someone requires consultation, consider meeting at another location. Or, if someone is purchasing a product, consider delivering it to them.

9. What about when another company or contractor provides services on our behalf?

Your policies, practices and measures apply to any third parties that you hire, such as a consultant or a contractor. If you hire an organization that has at least one employee, they should have their own accessibility policies.

10. What is reasonable accommodation and how does it relate to customer service?

Reasonable accommodation means adjusting a rule, a policy or a physical space to allow changes to the ways we usually do things. In most cases,

providing reasonable accommodation in customer service is simple and affordable.

Example:

You typically ask your customers to wait until you call their number before receiving service. You make a reasonable accommodation by adding a visual cue. In addition to calling out the numbers, you post the number you are serving next to let customers know it is their turn to receive service.

You can find more information at the Manitoba Human Rights Commission's website, including their [policy on reasonable accommodation related to disabilities](#) and [guideline for the hospitality industry](#).

11. Can my organization charge a fee for extra costs to provide accessible customer service to someone with a disability?

Reasonable accommodation requires a business or organization to take responsibility for an accommodation – including bearing the costs – up to the point of “undue hardship.” Undue hardship is met when there are extreme costs or significant health and safety risks to an accommodation.

Inconvenience, preferences or some costs do not usually qualify as undue hardship.

If an accommodation request creates undue hardship for you, you still need to explore other ways to provide accessible customer service. Work with the person who is making the request to find another way to provide customer service.

With flexibility, openness and good communication, accommodation solutions are usually possible, easy and inexpensive.

The Accessibility for Manitobans Act

1. What is The Accessibility for Manitobans Act?

The Accessibility for Manitobans Act (AMA) came into effect December 2013. The AMA recognizes that physical, attitudinal and systemic barriers prevent Manitobans with disabilities from going places, using services, and finding and securing employment. This law requires organizations to identify, prevent and remove barriers to ensure accessibility for all.

2. How does the AMA affect my organization?

Manitoba will create five accessibility standards (regulations) under the law to help make effective changes in Manitoba.

There will be standards in five essential areas of daily living: customer service, employment, information and communications, public spaces and transportation.

Each standard outlines specific requirements for public, private and non-profit sector organizations who have a responsibility to eliminate barriers. Timelines to comply with the standards will vary depending on the sector that your organization belongs to.

With these standards, the AMA will help to ensure we are moving toward a more inclusive and accessible society for all.

3. How does the AMA define disabilities?

Instead of focusing on the disability, the AMA requires you to focus on identifying, removing and preventing accessibility barriers. Barriers limit or prevent people from accessing your goods, services or facilities, not their disability.

Many disabilities are invisible, or hidden so that disability is not immediately noticeable to other people. This means that other people may not know who faces barriers.

One in six Manitobans currently face barriers to access. Most Manitobans will face barriers to access at some point in their lives. The AMA will improve the lives of anyone who faces barriers, including people with disabilities.

Please see [People Disabled by Barriers](#) for more information.

4. What are accessibility barriers?

Accessibility barriers are obstacles that make it harder for people with disabilities to participate fully in everyday life. Your organization may have barriers that prevent people with disabilities from shopping, being included in activities, or finding information about your goods or services.

More information about the different kinds of barriers is available at: [Barriers and Solutions](#).

5. Does the AMA require me to renovate my building?

No. The AMA does *not* set requirements for construction or renovation.

Accessibility standards under the AMA will not affect, contradict or duplicate the Manitoba Building Code in regulating new construction and major renovations.

The accessibility standard for the built environment, which will be established by 2020, will focus on *public spaces*, such as sidewalks, roadways and parks.

For more information on Manitoba's Building Code, please see the [Manitoba Office of the Fire Commissioner](#) - Codes and Standards section.

6. What is an Access Offer?

An *Access Offer* is a proactive way to people know that your goods and services are accessible to everyone. For example, many Manitoba government departments display counter-top signs:



Figure 1. Access Offer Sign with symbols

Another example of an access offer is when publications state, “Alternative formats are available on request” and add contact information so people know where to make the request.

7. Does compliance with The Accessibility for Manitobans Act protect my business or organization from human rights complaints?

No. While proactive accessibility measures to be inclusive always speak well of a business or organization, they do not rule out the possibility of discrimination as outlined in The Human Rights Code (Manitoba). The Human Rights Code supersedes all other provincial laws, unless specifically noted.

For more information, contact:

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Legal disclaimer: This information complements the application of the regulations under The Accessibility for Manitobans Act (AMA) and is not legal advice. For certainty, please refer to the [AMA](#) and the [Customer Service Standard Regulation](#).

For more information, please see the [Employers' Handbook](#) on the [Accessibility Standard for Customer Service](#).