

Frequently Asked Questions: The Accessibility Standard for Customer Service

1. What is the accessible customer service standard?

The Accessible Customer Service Standard is a regulation under the Accessibility for Manitobans Act. It outlines what public and private organizations must do, and by when, to provide goods and services in a fair and respectful manner to all customers, including people disabled by barriers.

2. What are the most common barriers to accessible customer service?

There are a variety of barriers to accessible customer service; the most common are attitudinal barriers:

- **Attitudinal barriers** result when people think and act based on false assumptions. Example: a receptionist talks to an individual's support person because she or he assumes the individual with a disability will not understand.
- **Informational and communication barriers** are created when information is offered in a form that suits some, but not all, of the population. Example: print that is small for some people to read and public address systems that alert only people who can hear the message.
- **Technological barriers** occur when technology, or the way it is used, cannot be accessed by people with disabilities. Example: websites that are not accessible to people who are blind and use screen reader software.
- **Systemic barriers** are policies, practices or procedures that result in some people receiving unequal access or being excluded. For example, a printed registration form that is not accessible to people with a visual impairment.
- **Physical and architectural barriers** are physical obstacles that make it difficult for some to easily access a place. Example: a door knob that cannot be turned by a person with limited mobility or strength, or a hallway or door that is too narrow to allow a person who uses a wheelchair to pass through safely.

3. Who must comply with the Accessibility Standard for Customer Service and by when?

All organizations (Government, public and private) that provide goods and services in Manitoba with one or more employees will have to comply with the Accessible Customer Service Standard. Some sectors have more time than others to comply:

- The Government of Manitoba must comply by 2016.
- Large public sector organizations, such as schools, colleges, hospitals and large municipalities, school divisions have until November 2017.
- All other organizations, including business and non-profit, have a deadline of November 2018 – three years after the standard becomes law.

4. What is the public sector?

The public sector includes municipalities, regional health authorities, school divisions, universities, colleges, crown corporations and public agencies, boards and commissions.

5. What are the private and non-profit sectors?

The private sector includes businesses such as stores and shops, restaurants, hotels, bars, and conference centres. The non-profit sector includes charities, places of worship and community organizations.

6. What must my organization or business do to comply with the Accessibility Standard for Customer Service?

The standard includes a number of legal requirements. Organizations and businesses with at least one employee must introduce policies and practices in the following areas:

- Ensure communication with a person disabled by a barrier is done in a way that removes the barrier. For example, use easy-to-read fonts and plain language.
- Welcome the use of assistive devices to remove or reduce barriers. Do not charge fees for use of on-site assistive devices, such hearing technology, descriptive video, or wheelchairs.
- Welcome support persons to enter and remain with your customer. Avoid charges for a support person when possible. If there is an admission fee for a support person, give advance notice to the customer.
- Create barrier-free access to goods and services, so they benefit everyone as intended. For example, remove boxes or other obstructions from hallways.
- Inform the public when there are temporary barriers to buildings, spaces or services. An example is if the elevator is out of order.
- Introduce a process to receive and respond to feedback, including what action will be taken to respond to complaints. Make the information about the feedback process available to the public on-site, on the webpage and offer alternate format.
- Ensure employees receive training on how to serve people disabled by barriers. Include everyone who participates in, or is responsible for, the implementation of policies and practices.

Understand your organization's requirements under ***The Human Rights Code (Manitoba)*** to "reasonably accommodate" people by removing barriers. This often involves a simple and inexpensive change to how something is typically done, with little or no cost. For example, keep display aisles clear for easy passage of customers with mobility or visual impairments.

See also Employers' Handbook to Customer Service (http://accessibilitymb.ca/pdf/employers%20_handbook.pdf) and Employee Tips (http://accessibilitymb.ca/pdf/employers%20_handbook.pdf).

7. What happens to my organization's accessibility obligations when another company or contractor provides services on our behalf?

Your policies and practices apply to third parties you employ such as consultants and contractors. If you contract organizations with at least one employee, they have their own 2018 deadline for compliance.

8. Which organizations (public and private) must put their accessible customer service policies and practices in writing?

Organizations and businesses with more than 20 employees must document the steps they are taking to comply with the Accessibility Standard in Customer Service. If there are fewer than 20 employees, the organization or business does not have to write down the policies and practices, but must still comply with the Accessibility Standard in Customer Service.

Documentation includes:

- Policies, practices and procedures on providing accessible goods or services
- Description of the process to receive and respond to feedback
- Employee training policy, summary of training content and when training is provided.

9. Who can access the documents?

The legislation allows customers to request these documents. They should be available on site, on your website and in alternate formats on request.

The Accessibility for Manitobans Act states that non-compliance may result in penalties.

10. What are the additional requirements to make public events accessible?

Large public sector organizations must make their events accessible by:

- Announcing events in a manner that is accessible.
- Holding events in accessible meeting places.
- Inviting requests for relevant disability accommodations.

Private and non-profit are encouraged to do the same.

11. Which organizations belong to the larger public sector:

The following organizations all belong to the larger public sector: government, regional health authorities, school divisions, colleges and universities and the following ten cities: Winnipeg, Brandon, Flin Flon, Selkirk, Steinbach, Winkler, Morden, Dauphin, Portage la Prairie and Morden.

12. What training in accessible customer service is required?

Accessible customer service training focuses on how to respectfully interact with persons affected by a wide range of barriers. A number of community organizations offer accessibility awareness training. Training should include:

- How to interact and communicate with persons disabled by barriers
- How to interact with persons disabled by barriers who use an assistive device or require the assistance of a support person or service animal
- How to use any equipment or assistive devices that may be available to assist persons disabled by barriers
- What to do if a person disabled by a particular barrier is having difficulty accessing a good or service.
- Information about *The Human Rights Code (Manitoba)*, in particular the duty to of all Manitobans to accommodate the needs of customers with disabilities, and an overview of The Accessibility for Manitobans Act.

Please also see Employers Handbook and Tips for Employees.

13. What help is available for training in accessible customer service?

The best training involves personal contact with persons with disabilities. This may not be practical for some large organizations or those in remote areas. Manitoba made training is available by some non-profit disability organizations and online services for training. Manitoba's Disabilities Issues Office is constantly developing tools to assist with training. Please visit link www.AccessibilityMB.ca for more information.

14. What supports or funding are available to assist organizations to comply with the Accessibility Standard in Customer Service?

All organizations and businesses should be prepared to use existing resources. It may be best to budget for the removal of costly barriers over time, while low or no cost changes are introduced right away. For example, providing respectful, accessible customer service may cost nothing at all.

See also link www.AccessibilityMB.ca for tools, guides and resources to assist compliance.

15. What are examples of accessible customer service?

Example 1: Focus on your client with a disability, not on the person who may be accompanying him or her. When a customer is accompanied by a support person to assist with daily activities, address the person with the disability.

Example 2: Provide equal access to information and communication. This means including an Active Offer on all publications: "Available in alternate formats upon request." Then, if the print on a registration form is too small for some people to read, they know they can request it in large print or an electronic format.

Example 3: Consider how to create documents and web content that meets the needs of all customers. When you use a photo, icon or graph, provide a description in alternative text for people who are visually impaired and use screen reader software.

Example 4: Remove physical obstacles that make physic access difficult for some people. This can be as simple as ensuring that your organization’s entrances and hallways are clutter and obstacle free for persons using wheelchairs or who have vision impairments.

Example 5: In stores and restaurants, ensure that at least one credit / debit machine is accessible to a person in a wheelchair, and not tightly locked to the counter.

Example 6: If your building or office is presently inaccessible, consider how to take the service to your customer.

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

If a building is inaccessible, customer service can still be provided. For example, if a library building is inaccessible, patrons can check the library’s catalogue or call the library directly to see if a particular item is available. Arrangements can be made to collect it at an accessible location: another branch; another location in the community; or, just outside the front entrance of the inaccessible library.

If your office is on the second floor and there is no elevator, consider moving the meeting to the main floor in an appropriate space.

17. What is an Active Offer?

An *Active Offer* is a proactive way of letting the public know that your services are available and accessible to everyone. For example, many government departments display counter-top signage that reads:

“Do you need assistance because of a disability? We can provide information and services in different way. Please ask us.”

All publications should state, with contact information: Alternative formats are available, upon request.” Your customer may request larger print, an electronic version of the document, or having the document read out loud.

18. What is reasonable accommodation under *The Human Rights Code* and how does it relate to customer service?

Reasonable accommodation means adjusting a rule, a policy or even a physical space to allow for changes to the ways things are usually done. With flexibility and good communication, accommodation solutions are usually possible. In most cases, accommodation is simple and affordable.

For example, you may typically ask the public to wait until their number is called before receiving service. A reasonable accommodation would be to add a visual cue, like a posted number, for customers who are hard-of-hearing or Deaf.

Reasonable accommodation in customer service considers the specific needs of one or more individuals affected by barriers. Keep in mind the following:

- (1) The “**Active Offer**” to notify the public how to make a request for alternate formats of documents or disability accommodations to participate in a public event. If necessary, request more details about how documents will be used or what accommodations are required.
- (2) Timely response to the request. If not immediate, then include an estimation of how long it will take to fulfill the request.
- (3) Staff who are familiar with accommodation resources available in Manitoba. See link www.AccessibilityMB.ca

19. Can my organization charge a fee for accommodating someone with a disability?

No, reasonable accommodation requires the organization to take responsibility for an accommodation up to the point of “undue hardship” which means that it cannot afford the cost, or there is a safety concern. Inconvenience or some financial cost does not usually qualify as undue hardship. If an accommodation does result in undue hardship, other alternatives still must be explored.

20. Can I charge an admission fee for a support person?

Avoid charging fees for a support person, who accompanies a person with a disability to help with communication, mobility, personal care or medical needs, or to access goods or services. You may still charge admission to the patron with a disability, but not the additional cost of the accompanying person who makes participation possible. If you must charge the support person, provide advance notice of the amount.

21. How does the Accessibility Standard in Customer Service address service animals?

The Human Rights Code (Manitoba) defines a service animal as “an animal that has been trained to provide assistance to a person with a disability that relates to that person's disability.” Under the Accessibility Standard in Customer Service, organizations and businesses must support the right of a person with a service animal to enter any place where the public is allowed. Service animals are excluded from any “no pet” policy.

22. Where can I find more resources on service animals?

Service animal information http://www.manitobahumanrights.ca/service_animal_info.htm, can be found on the Manitoba Human Rights Commission website.

23. How can I organize an event in an accessible manner?

- Find an accessible meeting place for your event. Consider public transit and parking.
- Publicize the event using methods that are accessible to people with disabilities.
- Add to the publicity and registration form: disability accommodations are available on request. For example, if required, the participant may request front row seating, a print copy of the presentation or another means of engaging in your events and services. Captioning and ASL are other potential requests.
- Use a checklist to plan your accessible event. Please see Understanding Accessibility (www.accessibilitymb.ca/understanding-accessibility.html)

24. What is considered an accessible venue or meeting place?

It is always best to do an inspection of the venue before you book your event. View the accessible washrooms, entrance ways, doors, parking, etc. Check that the meeting rooms can accommodate wheelchairs, service animals, captioning and/or and sign language interpreters. Is there construction inside or outside that may affect accessibility? It is always good to ask a local disability organization about its experience with the venue.

25. Does compliance with the Accessibility Standard in Customer Service protect your organization/business from human rights complaints?

No. While proactive measures to be inclusive always speak well of an organization, they do not eliminate the possibility of discrimination as outlined in *The Human Rights Code (Manitoba)*, which overrides all other provincial laws.