

Summary of Discussions
Customer Service Standard Development Committee Meeting
Friday, September 5, 1:00 p.m. – 3:30 p.m.
2nd Floor Boardroom, Norquay Building, 401 York Avenue

Present: Jan Sanderson (Chairperson), Jim Derksen, Yvonne Peters, Jim Baker, Scott Jocelyn, Lanny McInnis, Judy Redmond, Doug Momotiuk, Diane Driedger, Dave Schellenberg

Regrets: Eileen Clark, Nicole Chammartin

The meeting was called to order at 1:10 p.m. The first portion of the meeting focused on the “Use of Service Animal” section of the proposed standard. “If a service animal is excluded by law from the premises” is used in a number of provisions of the of the Ontario standard on customer service. Although the phrase was not used in the Initial Proposed Customer Service Standard, this was reconsidered based on feedback from the public consultations. However, Committee members could not think of any laws or regulations where the public has access to premises where a service animal does not for health or safety reasons. It was noted that such laws would contravene the Manitoba Human Rights Commission (MHRC), which takes primacy. Therefore, including the phrase may be overstepping t the Code, The Secretary of the Committee will bring the issue to the MHRC and receive their opinion.

The final portion of the “Use of Service Animals” section relates to the definition of service animals. Concern was raised that the examples of tasks performed by service animals as outlined in the initial proposed standard was a source of much controversy in Ontario. From an operator’s perspective, the definition of service animal becomes meaningless when it includes all animals, including those that provide comfort rather than performing a particular task. Providers of goods or services are also particularly concerned with what constitutes a service animal versus a pet. Dogs and other animals whose sole function is to provide comfort or emotional support are not service animals. Dogs and other animals that do work or perform a task such as specifically calming an individual with Post Traumatic Stress Disorder during an anxiety attack may be considered service animals, but it will depend on the nature of the individual's disability and their ability to demonstrate that the animal has been specifically trained to perform a task to assist them with their disability.

Unlike some other provinces, Manitoba does not have any laws which provides for certification or identification of animals deemed to be service animals. It is clear that further education and guidance are needed regarding the right of persons disabled by barriers to access public places accompanied by their service dogs. It is expected that the Manitoba Human Rights Commission will provide additional advice and direction on

this access issue in the near future, which will supplement the Customer Service Regulation.

The Committee began a final review of all provisions contained within the customer service standard. Some Committee members oppose providers of goods or services being able to charge admission for a support person if the provider changes an admission fee. The Secretary to the Committee will speak with Civil Legal Services to consider options to addressing this concern.

It is the hope of the Council to reach agreement on all recommendations for a customer service standard within the next several weeks when opinions from the MHRC and Civil Legal Services can be considered. A proposed customer service standard will be forwarded to Minister Howard in early October. It is expected that the government's response will be made available in early December. The public has a further 60 days to provide comment on the government's response. The target for the customer service standard to be established as a regulation is spring 2015.