

Accessibility for Ontarians with Disabilities Act
Accessibility Standards for Customer Service Policy

Date: August 25, 2014

Responsible Department: Human Resources (CAO)

Policy Recommended By: Human Resources (CAO)

Policy Approved By: Partnership Board

Scope: This policy applies to Partners/Lawyers/Employees of Harrison Pensa and Lexis Services.

Policy for Harrison Pensa LLP and Lexis Services LP (the management firm for Harrison Pensa LLP), hereinafter referred to as the 'Firm'.

BACKGROUND

The following policy has been established by the Firm to govern the provision of its services in accordance with Regulation 429/07, "Accessibility Standards for Customer Service" ("Regulation") under the Accessibility for Ontarians with Disabilities Act, 2005. These standards are developed to break down barriers and increase accessibility for people with disabilities. All goods and services provided by the Firm will follow the principles of dignity, independence, integration and equal opportunity.

The Firm is governed by this policy as well as the Integrated Accessibility Standards Policy, the Accessibility for Ontarians with Disabilities Act, 2005 and the Human Rights Code in meeting the accessibility needs of persons with disabilities.

This policy applies to all staff and lawyers of the Firm, whether part-time, full-time or casual. The policy also applies to others in the work context, such as volunteers, articling students, co-op students, and dependent and independent contractors; including when the provision of goods and services occurs on behalf of the Firm but off the premises of the Firm.

The section of this policy that addresses the use of guide dogs, service animals and service dogs only applies to the provision of goods and services that take place at premises owned and operated by the Firm.

Definitions

Assistive Device – is a technical aid, communication device or other instrument that is used to maintain or improve the functional abilities of people with disabilities. Personal assistive devices are typically devices that clients bring with them such as a wheelchair, walker or a personal oxygen tank that might assist in hearing, seeing, communicating, moving, breathing, remembering and/or reading.

Disability – the term disability as defined by the *Accessibility for Ontarians with Disabilities Act, 2005*, and the *Ontario Human Rights Code*, refers to:

- 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;
- a condition of mental impairment or a developmental disability;
- a learning disability, or dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
- a mental disorder; or
- an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

Guide Dog – is a highly-trained working dog that has been trained at one of the facilities listed in Ontario Regulation 58 under the *Blind Persons' Rights Act*, to provide mobility, safety and increased independence for people who are blind.

Service Animal – as reflected in *Ontario Regulation 429/07*, an animal is a service animal for a person with a disability if:

- it is readily apparent that the animal is used by the person for reasons relating to his or her disability; or
- if the person provides a letter from a physician or nurse confirming that the person requires the animal for reasons relating to the disability.

Service Dog – as reflected in *Health Protection and Promotion Act, Ontario Regulation 562* a dog other than a guide dog for the blind is a service dog if:

- it is readily apparent to an average person that the dog functions as a service dog for a person with a medical disability;
- or the person who requires the dog can provide on request a letter from a physician or nurse confirming that the person requires a service dog.

Support Person – as reflected in *Ontario Regulation 429/07*, a 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, medical needs or access to goods and services.

POLICY & PROCEDURES

In accordance with the Accessibility Standards for Customer Service, Ontario Regulation 429/07, this policy addresses the following:

1. Provision of Goods and Services to Persons with Disabilities;
2. Training
3. Use of Assistive Devices
4. Use of Guide Dogs, Service Animals and Service Dogs
5. Use of Support Persons
6. Notice of Service Disruptions
7. Feedback Process
8. Notice of Availability and Format of Required Documents

The Provision of Goods and Services to Persons with Disabilities

The Firm will make every reasonable effort to ensure that its policies, practices and procedures are consistent with the principles of dignity, independence, integration and equal opportunity by:

- ensuring that all clients receive the same value and quality;
- allowing clients with disabilities to do things in their own ways, at their own pace when accessing goods and services as long as this does not present a safety risk;
- using alternative methods when possible to ensure that clients with disabilities have access to the same services, in the same place and in a similar manner;
- taking into account individual needs when providing goods and services; and
- communicating in a manner that takes into account the client's disability.

Training

The Firm ensures that training is provided on the requirements of the accessibility standards referred to in the Regulation as it pertains to persons with disabilities, to:

- all its employees and volunteers;
- all persons who participate in developing the Firm's policies; and,
- all other persons who provide goods, services or facilities on behalf of the Firm.

As reflected in Ontario Regulation 429/07, regardless of the format, training covers the following:

- A review of the purpose of the Accessibility for Ontarians with Disabilities Act, 2005.
- A review of the requirements of the Accessibility Standards for Customer Service, Ontario Regulation 429/07.
- Instructions on how to interact and communicate with people with various types of disabilities.
- Instructions on how to interact with people with disabilities who:
 - use assistive devices;
 - require the assistance of a guide dog, service dog or other service animal; or
 - require the use of a support person.
- Instructions on how to use equipment or devices that are available at our premises or that we provide that may help people with disabilities.
- Instructions on what to do if a person with a disability is having difficulty accessing your services.
- The Firm's policies, procedures and practices pertaining to providing accessible customer service to clients with disabilities.

The Firm will provide training as soon as practicable. Training will be provided to new employees, volunteers, agents and/or contractor who deal with the public or act on our behalf during orientation. Revised training will be provided in the event of changes to legislation, procedures and/or practices.

The Firm will keep a record of training that includes the dates training was provided and the number of employees who attended the training.

Use of Assistive Devices

Persons with disabilities may use their own assistive devices as required when accessing goods or services provided by the Firm.

In cases where the assistive device presents a safety concern or where accessibility might be an issue, other reasonable measures will be used to ensure the access of goods and services.

Use of Guide Dogs, Service Animals and Service Dogs

A client with a disability that is accompanied by a guide dog, service animal or service dog will be allowed access to premises that are open to the public unless otherwise excluded by law.

“No pet” policies do not apply to guide dogs, service animals and/or service dogs.

If it is not readily apparent that the animal is being used by the client for reasons relating to his or her disability, the Firm may request verification from the client.

Verification may include:

- a letter from a physician or nurse confirming that the person requires the animal for reasons related to the disability;
- a valid identification card signed by the Attorney General of Canada; or,
- a certificate of training from a recognized guide dog or service animal training school.

The client that is accompanied by a guide dog, service dog and/or service animal is responsible for maintaining care and control of the animal at all time.

If a health and safety concern presents itself (for example in the form of a severe allergy to the animal), the Firm will make all reasonable efforts to meet the needs of all individuals.

Use of Support Persons

If a client with a disability is accompanied by a support person, the Firm will ensure that both persons are allowed to enter the premises together and that the client is not prevented from having access to the support person.

In situations where confidential information might be discussed, consent will be obtained from the client, prior to any conversation where confidential information might be discussed (Addendum 1).

Notice of Disruptions in Service

Service disruptions may occur due to reasons that may or may not be within the control or knowledge of the Firm. In the event of any temporary disruptions to facilities or services that clients with disabilities rely on to access or use the Firm's goods or services, reasonable efforts will be made to provide advance notice. In some circumstances, such as in the situation of unplanned temporary disruptions, advance notice may not be possible.

In the event that a notification needs to be posted the following information will be included, unless it is not readily available or known (see Addendum 2 for example):

- goods or services that are disrupted or unavailable
- reason for the disruption
- anticipated duration
- a description of alternative services or options

When disruptions occur the Firm will provide notice by:

- posting notices in conspicuous places including at the point of disruption, at the main

entrance and the nearest accessible entrance to the service disruption and/or on the the Firm's website;

- contacting clients with appointments;
- verbally notifying clients when they are making an appointment; or
- by any other method that may be reasonable under the circumstances.

Feedback Process

The Firm will provide clients with the opportunity to provide feedback on the services provided to clients with disabilities. Information about the feedback process will be readily available to all clients and notice of the process will be made available. Feedback forms along with alternate methods of providing feedback such as verbally (in person or by telephone) or written (hand written, delivered, website or email), are available upon request.

Clients can submit feedback to:
Human Resources
519-679-9660
450 Talbot Street
London, ON N6A 5J6
hr@harrisonpensa.com
www.harrisonpensa.com

Clients who provide formal feedback will receive acknowledgement of their feedback, along with any resulting actions based on concerns or complaints that were submitted.

Notice of Availability and Format of Required Documents

The Firm shall notify clients that the documents related to the Accessibility Standard for Customer Service are available upon request and in a format that takes into account the client's disability. Notification will be given by posting the information in a conspicuous place owned and operated by the Firm, the Firm's website and/or any other reasonable method.

Administration

If you have any questions or concerns about this policy or its related procedures please contact:
Human Resources
519-679-9660
450 Talbot Street
London, ON N6A 5J6
hr@harrisonpensa.com
www.harrisonpensa.com

This policy and its related procedures will be reviewed as required in the event of legislative changes.

ADDENDUMS

Addendum 1: Consent Form for Clients and Support Person

**Consent Form
For Clients and Support Persons**

I, _____ consent to the sharing of confidential information by
(Client Name)
Harrison Pensa LLP related to my legal services provided in the presence of my support person.

(Client Signature) (dd/mm/yyyy)

My support person, _____, consents to safeguarding the
(Support Person's Name)
confidential information shared.

(Support Person Signature) (dd/mm/yyyy)

(Lawyer/Employee Name)

(Lawyer/Employee Signature) (dd/mm/yyyy)

Addendum 2: Example Notice of Disruptions in Service

In accordance with section 5 of the Accessibility Standards for Customer Service (Ontario Regulation 429/07), made under the Accessibility for Ontarians with Disabilities Act, 2005 (“AODA”), Harrison Pensa LLP provides the following:

Notice of Temporary Service Disruption

The following service is temporarily unavailable:
Main Elevator

This service will be unavailable:
July 15, 2014

The reason for this service disruption is:
Regular Maintenance

Alternative services or options:
Rescheduling appointment
Meeting offsite

For more information about this service disruption, please contact:
Human Resources at 519-679-9660

Harrison Pensa LLP thanks you for your patience.

Revision History/Replaced Policies:

Revision 0.0 August/2014
Replaces Accessibility Standards for Customer Service (Existing Policy)
Replaces Accessibility Standards for Customer Service Plan (Existing Policy)