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|  | <b>Title: ACCESSIBILITY – PROVIDING GOODS AND SERVICES TO PEOPLE WITH DISABILITIES</b> |   |
|   | <b>Policy Impact:</b><br>All Departments   | <b>Document Type:</b><br><b>POLICY</b>                    |
|   | <b>Policy Owner (editor/author):</b><br>Director, Communications and Mission           | <b>Final Approver:</b><br>Senior Management Council (SMC) |

## PURPOSE

Under the *Accessibility for Ontarians with Disabilities Act, 2005* all public sector organizations including Hôtel-Dieu Grace Healthcare (HDGH) must meet the requirements of accessibility standards established by regulation. This policy establishes the accessibility standards for customer service for HDGH, in accordance with Ontario Regulation 429/07. This policy applies to all employees, volunteers and any individual or organization that provides goods, services or facilities to the public, students/interns or other third parties on behalf of HDGH.

## DEFINITIONS

### *Accessibility*

- The extent to which a consumer or user can obtain a good or service at the time it is needed.
- The ease with which a facility or location can be reached from other locations.
- The ease of contact with a person or organization.
- Authorization, opportunity or right to access records or retrieve information from an archive, computer system or website.

### *Barrier*

Anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an informational or communications barrier, an attitudinal barrier, technological barrier, a policy or a practice.

### *Disability*

- Any degree of physical infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limit 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 impairment, 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 a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language.
- A mental disorder.
- 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***

Guide dog is defined in section 1 of the Blind Persons' Rights Act and means a dog trained as a guide for a blind person and having the qualifications prescribed by the regulation.

### ***Service Animal***

An animal described in subsection 4(9) of the Accessibility Standards for Customer Service. 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 regulated health professional including a doctor, nurse, Audiologist, Speech Language Pathologist, OT, PT, Psychologist, Optometrist, Psychotherapist, Registered Mental Health Therapist, that the person requires the animal for reasons relating to the disability.

### ***Support Person***

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 and services.

### ***Accessible Formats***

Formats that may include but are not limited to large print, recorded audio and electronic formats, Braille and other formats usable by persons with disabilities.

### ***Communication Supports***

Communication supports may include but are not limited to captioning, alternative and augmentative communication supports, plain language, sign language and other supports that facilitate effective communications.

### ***Kiosk***

An interactive electronic terminal, including a point-of-sale device, intended for public use that allows users to access one or more services or products or both.

## **PROCEDURE**

Hôtel-Dieu Grace Healthcare is committed to providing accessible service for its customers and patients. Health care and services will be provided in a manner that respects the dignity and independence to all patients, clients, residents and visitors. The provision of services to persons with disabilities will be integrated wherever possible. Persons with disabilities will be given an opportunity equal to that given to others, to obtain, use or benefit from the goods and services provided by and on behalf of the organization.

Documentation that describes this policy and its requirements shall be maintained on the Hôtel-Dieu Grace Healthcare’s website and provided to individuals upon request in an appropriate format or with communication support.

## **A. REQUIREMENTS**

### **1. Use of Service Animals and Support Persons at Hôtel-Dieu Grace Healthcare**

- a) If a person with a disability is accompanied by a guide dog or other service animal, Hôtel-Dieu Grace Healthcare will ensure that the person is permitted to enter our facility with the animal and keep the animal with him or her unless the animal is otherwise excluded. Where a service animal is excluded, HDGH will ensure that other measures are available to enable the person with a disability to obtain, use and benefit from HDGH’s care and services. The Patient Advocate will assist with facilitating a mutually agreeable solution where service animals may be excluded for Health and Safety reasons.

**Note:** Refer to [Appendix A](#) for additional detail on *Service Animal Description*.

- b) If a person with a disability is accompanied by a support person, HDGH will ensure that both persons are permitted to enter the facility, and that the person with a disability is not prevented from having access to the support person. Hotel-Dieu Grace Healthcare may only require a support person to accompany a person with a disability for health and safety reasons, in consultation with the person with a disability and when there is no other way to protect health or safety of the person and others. The office of the Patient Advocate will assist with facilitating a mutually agreeable solution where a support person may be excluded for Health and Safety reasons.

**Note:** Refer to [Appendix B](#) for additional detail on *Support Service Description*.

### **2. Notice of Temporary Disruptions**

- a) Hôtel-Dieu Grace Healthcare will provide notice of temporary disruptions. The notice will include information about the reason for the disruption, its anticipated duration, and a description of any alternative services. Notice will be made conspicuous and may be displayed at the location of the disruption, on the website, by telephone, in a mailing or in a pamphlet.

**Note:** Refer to [Appendix C](#) for additional detail and the “*AODA Compliance Document – Temporary Disruption Description*”.

### **3. Procurement of goods, services, self-service kiosks or facilities**

- a) When procuring goods, services, self-service kiosks or facilities, HDGH shall incorporate accessibility criteria and features, unless it is not feasible (practicable). If not practicable, the hospital shall provide an explanation, upon request.

## **B. INFORMATION AND COMMUNICATION STANDARDS PROCEDURES**

### **1. Accessible Formats and Communication Supports**

Except as otherwise provided by the AODA, the HDGH shall, upon request, and in consultation with the person making the request, provide or make arrangements to provide accessible formats and

communication supports for persons with disabilities in accordance with the schedule set out in the AODA Integrated Standards Regulation. Accessible formats and communication supports shall be provided in a timely manner, taking into account the person's accessibility needs and at a cost that is no more than the regular cost charged to other persons.

## **2. Accessible Websites and Web Content**

Internet websites and web content controlled directly by the Ottawa Hospital or through a contractual relationship that allows for modification of the product shall conform to the World Wide Web Consortium Web Content Accessibility Guidelines (WCAG) 2.0, at Level A and AA in accordance with the schedule set out in the AODA Integrated Accessibility Standards.

## **3. Emergency Procedures, Plans and Information**

Hôtel-Dieu Grace Healthcare shall provide all existing public emergency procedures, plans and public safety information, upon request in an accessible format or with appropriate communication supports in a timely manner.

## **C. ACCESSIBILITY TRAINING POLICY**

1. Every person who deals with members of the public or who participates in developing Hôtel-Dieu Grace Healthcare's policies, practices and procedures governing the provision of goods and services to the public; including organization staff, volunteers, agents, students and interns, 3<sup>rd</sup> party contractors and others who provide service on behalf of the organization will receive training regarding the provision of goods and services to persons with disabilities.
2. The training will include the following information;
  - a) The purposes of the *Accessibility for Ontarians with Disabilities Act*.
  - b) How to interact and communicate with persons with various types of disabilities.
  - c) How to interact with persons with disabilities who use an assistive device, or require the assistance of a service animal or support person.
  - d) How to use equipment made available by the organization to help people with disabilities to access goods and services.
  - e) What to do if a person with a disability is having difficulty accessing the organization's goods and services.
  - f) Training will be provided to each person according to his or her needs and duties and as is practicable after he or she is assigned to the applicable duties. HDGH will ensure that training is provided in accessible formats upon request. Training will be provided on an ongoing basis in connection with changes to policies, practices and procedures governing the provision of goods or services to persons with disabilities. A record of the dates on which training is provided and the number of individuals to whom it is provided will be maintained.

## **D. FEEDBACK PROCESS**

Hôtel-Dieu Grace Healthcare has a feedback process through which people with disabilities are encouraged to provide information and feedback about the goods and services they receive. Feedback can be received in a variety of ways, in person, by mail or email, by telephone, fax or otherwise.

## **E. NOTICE OF AVAILABILITY OF DOCUMENTS**

Hôtel-Dieu Grace Healthcare will provide the public notice of the availability of the documents, required by the Accessibility Standards for Customer Service, (O. Reg. 429/07) upon request. Notice of availability will be provided on the website and through other printed methods.

## **F. FORMAT OF DOCUMENTS**

Hôtel-Dieu Grace Healthcare is required, by the *Accessibility for Ontarians with Disabilities Act, 2005*, to give a copy of a document to a person with a disability, the organization will take into account the person's ability to access the information and will provide the document or information contained in the document in a format that meets those needs as agreed upon with the person.

## **G. EMPLOYMENT STANDARDS**

### **1. Recruitment**

Hôtel-Dieu Grace Healthcare (HDGH) shall post information about the availability of accommodations for applicants with disabilities in its recruitment process. Job applicants who are individually selected for an interview and/or testing shall be notified that accommodations for material to be used in the process are available, upon request. HDGH shall consult with any applicant who requests an accommodation in a manner that takes into account the applicant's disability. Successful applicants shall be notified about the hospital's policies for accommodating employees with disabilities as part of their offer of employment.

### **2. Employee Supports**

Hôtel-Dieu Grace Healthcare will inform employees of the policies used to support employees with disabilities, including policies on the provision of job accommodations that take into account an employee's accessibility needs due to disability. HDGH will provide this information to new employees as soon as practicable after they begin their employment and provide updated information to all employees whenever there is a change to existing policies on the provision of job accommodations that take into account an employee's accessibility needs due to disability.

### **3. Accessible Formats and Communication Supports for Employees**

Upon an employee's request, HDGH shall consult with the employee to provide or arrange for the provision of accessible formats and communication supports for:

- a) information that is needed in order to perform the employee's job; and,
- b) Information that is generally available to employees in the workplace.

HDGH will consult with the employee making the request in determining the suitability of an accessible format or communication support.

### **4. Workplace Emergency Response Information**

If an employee's disability is such that workplace emergency response information is necessary and HDGH is aware of the need for accommodation, this information shall be provided to employees. In addition, this information shall be provided, with the employee's consent, to the person designated to provide assistance. The information shall undergo review when the employee moves to a different location, when the employee's overall accommodation needs or plans are reviewed and when HDGH reviews its general emergency response plan.

#### **5. Documented Individual Accommodation Plans**

A written process for the development and maintenance of documented individual accommodation plans shall be developed for employees with disabilities. If requested, these plans shall include information regarding accessible formats and communications supports. If requested, the plans shall include individualized workplace emergency response information.

#### **6. Return to Work Process**

Hôtel-Dieu Grace Healthcare shall have in place a documented return to work process for employees returning to work due to disability and requiring disability-related accommodations. This return to work process shall outline the steps that the hospital shall take to facilitate the return to work.

### **H. RESPONSIBILITY AND MONITORING**

HDGH will assign accountability to appropriate staff for reviewing this policy annually and recommending amendments to ensure on-going compliance with regulated accessibility standards and legislated obligations.

The failure to comply with the AODA regulations can result in enforcement measures and/or financial penalties levied by the Province of Ontario. Managers and Directors shall monitor current practices to ensure compliance.

## REFERENCES

Accessibility for Ontarians with Disabilities Act, 2005

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_05a11\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_05a11_e.htm)

Accessibility for Ontarians with Disabilities Act, 2005 Customer Service Standard 429/07 [http://www.e-laws.gov.on.ca/html/source/regs/english/2007/elaws\\_src\\_regs\\_r07429\\_e.htm](http://www.e-laws.gov.on.ca/html/source/regs/english/2007/elaws_src_regs_r07429_e.htm)

Accessibility for Ontarians with Disabilities Act, 2005. Taking a close look at the Standards: Impact and Implications. Ontario Hospital Association Conference November 17, 2008. Toronto, ON

Blind Persons' Rights Act. R.S., c. 40, s. 1 <http://www.gov.ns.ca/legislature/legc/statutes/blindper.htm>

Accessibility for Ontarians with Disabilities Act, 2005. Training Resource: Customer Service Standard 429/07. February, 2009 <http://mcss.gov.on.ca/mcss/english/pillars/accessibilityOntario/accesson/>

Ontario Hospital Association, Sept 27, 2016. Enabling Change - 2016 AODA Compliance Update (webinar)

## APPENDIX A

### Service Animals Description

Service animals are used by people with many different kinds of disabilities. Examples of service animals include dogs used by people who are blind, hearing alert animals for people who are deaf, deafened or hard of hearing, and animals trained to alert an individual to an oncoming seizure and lead them to safety.

#### A. Purpose

Under the *Accessibility for Ontarians with Disabilities Act, 2005* all public sector organizations including Hôtel-Dieu Grace Healthcare must meet the requirements of accessibility standards established by regulation. This policy establishes the accessibility standards for customer service for HDGH, in accordance with Ontario Regulation 429/07. Appendix 1 applies to all employees, volunteers and contracted staff of HDGH.

#### B. Procedure

The requirements of the standard only apply to those areas of the premises where the public or third parties customarily have access. Service animals therefore may be denied access into places or areas where the public does not have access such as areas where food is prepared (kitchens).

If a person with a disability is accompanied by a guide dog or other service animal, HDGH will make every reasonable effort to ensure that the person is permitted to enter the premises with the animal and to keep the animal with him or her unless the animal is otherwise excluded by law from the premises. The person accompanied by a service animal will be held responsible for that animal while in the facility.

The customer service standard requires a provider to ensure that a person is permitted to be accompanied by his or her guide dog or other service animal in the areas of their premises that are open to the public or to third parties. This means that HDGH will allow the animal onto their premises and allow the person with a disability to be accompanied by the animal.

There is an exception to the requirement on allowing service animals under the customer service standard and that is when another law specifically states animals must be excluded or when, by operation of another law, the animal is excluded. Below are examples of laws that exclude animals. These are meant to be examples and do not necessarily cover every situation where an animal would be excluded by law. The provision of “otherwise excluded by law” applies only to this section of the customer service standard.

- *Where food is prepared, stored or sold*

Two (2) examples of laws that specifically exclude animals are regulations under the *Health Protection and Promotion Act and the Food Safety and Quality Act, 2001*.

Ontario Regulation 56 under the Health Protection and Promotion act States that animals are not allowed in places where food is manufactured, prepared, processed, handled, served, displayed, stored, sold or offered for sale. Other types of service animals are not included in this exception.

- *Health and safety requirements*

There may be rare circumstances where, for the reasons of health and safety of another person, allowing a person with a disability to enter a premises and be accompanied by their service animal needs to be considered. In the rare situation where another person's health and safety could be seriously impacted by the presence of a service animal on premises open to the public, the Patient Advocate will analyze all options for safely allowing the service animal. In general, people with allergies to animals are affected if they touch the animal or are in very close proximity for a lengthy period of time. Some of the options to consider may be creating distance between two individuals, eliminating in-person contact, using air purifiers and any other measures that would allow the person to use their service animal on the premises. HDGH will consider all relevant actors and option in trying to find a solution that meets the needs of both individuals.

### **How do I serve someone if their animal is excluded by law?**

If a service animal is excluded by law from the premises, HDGH will ensure that other measures are available to enable the person with a disability to obtain, use or benefit from the healthcare provider.

The Patient Advocate may be contacted in order to assist in coming to a mutually agreeable solution that will allow the person with a disability to attain the desired outcome while respecting HDGH's goals related to safety and well-being of others.

Where an animal is excluded by law from the premises, HDGH will still take steps to make sure that healthcare services can be provided to the person with a disability. The Patient Advocate will explain to the individual why the animal is excluded and see what other arrangements can be made to provide them with healthcare or services.

If the person with the service animal agrees, this might mean leaving the animal in a secure area where it is permitted by law. It might also mean offering to serve the person outside or in another location where the animal is permitted. The needs of the person with a disability must be addressed if his or her service animal is excluded.

### **How are service animals and guide dogs defined?**

Customer Service Standard – *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*

Section 4(8) – “guide dog” means a guide dog as defined in section 1 of the *Blind Persons' Rights Act*; (“chien-guide”).

“Service animal” means an animal described in subsection (9); (“animal d'assistance”)

Section 4(9) For the purposes of this section, 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 reasons relating to his or her disability or (b) if the person provides a letter from a regulated health professional including a doctor, nurse, Audiologist, Speech Language Pathologist, OT, PT, Psychologist, Optometrist, Psychotherapist, Registered Mental Health Therapist confirming that the person requires the animal for reasons relating to the disability.

*Blind Persons' Rights Act* Section 1(1) “guide dog” means a dog trained as a guide for a blind person and having the qualifications prescribed by the regulations.

A guide dog is a dog that has been trained at one of the facilities listed in Ontario Regulation 58

under the *Blind Persons' Rights Act* to act as a guide dog for people who are blind.

The customer service standard's provisions also apply to other service animals, including animals used by people with autism, mental health disabilities, those with physical or dexterity disabilities as well as others. To be considered a service animal under the standard, it must be readily apparent that the animal is being used because of a person's disability or the person with a disability must be prepared to show a letter from a doctor or nurse confirming that it is required for reasons relating to his or her disability.

- *Readily apparent*

It is "readily apparent" that an animal is a service animal when it is obvious by its appearance or by what it is doing. For example, it may be readily apparent that an animal is a service animal if it is: wearing a harness, saddle bags, a sign that identifies it as a service animal or has a certificate or identification card from a service animal training school or an identification card from the Attorney General of Ontario. It may also be readily apparent if a person is using the animal to assist him or her in doing things, such as opening doors or retrieving items.

- *A letter from a regulated health professional*

Where an animal is not a trained guide dog and it is not readily apparent to an average, informed person that the animal is a service animal, the most responsible person may ask the person using the service animal for a letter from a regulated health professional including a doctor, nurse, Audiologist, Speech Language Pathologist, OT, PT, Psychologist, Optometrist, Psychotherapist, Registered Mental Health Therapist that says the animal is needed because of a disability. The letter need only explain that the animal is required because of a disability and does not need to identify the disability, why the animal is needed or how it is used.

If HDGH maintains a copy of the letter, it should only be kept for as long as necessary and HDGH will be mindful of the privacy issues that may arise from collecting this information and obligations it has with respect to this type of information under other applicable laws (for example, *Freedom of Information and Protection of Privacy Act*, *the Municipal Freedom of Information and Protection of Privacy Act*, *the Personal Health Information Protection Act, 2004*).

## **APPENDIX B**

### **Support Person Description**

A support person is an individual hired or chosen by a person with a disability to provide services or assistance with communication, mobility, personal care, medical needs or with access to goods or services. Personal care needs may include, but are not limited to: physically transferring an individual from one location to another, or assisting an individual with eating or using the washroom or facilitation communication where an individual may have speech impairment. Medical needs may include, but are not limited to: monitoring an individual's health or providing medical support by being available in the event of a seizure.

A support person may be a paid professional, a volunteer, a family member or a friend of the person with a disability. He or she does not necessarily need to have special training or qualifications.

#### **A. Purpose**

Under the *Accessibility for Ontarians with Disabilities Act, 2005* all public sector organizations including HDGH must meet the requirements of accessibility standards established by regulation. This policy established the accessibility standards for customer service for HDGH, in accordance with the Ontario regulation 429/07. Appendix 2 applies to all employees, volunteers and contracted staff of Hôtel-Dieu Grace Healthcare.

#### **B. Description**

The requirements of the standard only apply to those areas of the premises where the public or third parties customarily have access. Support persons therefore may be denied access into places or areas where the public does not have access.

Customer Service Standard – *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*

*4(4) if a person with a disability is accompanied by a support person, the provider of goods or services shall ensure that both persons are permitted to enter the premises together and that the person with a disability is not prevented from having access to the support person while on the premises.*

HDGH must allow a person with a disability to be accompanied by his or her support person while in those areas of the premises that are open to the public or other third parties.

In some cases a support person may have to agree to rules or requirements that are specific to the kinds of services provided. Where confidentiality is important because of the kinds of information discussed, the support person may be required to sign a confidentiality agreement.

Customer Service Standard – *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*

*4(5) the provider of goods or services may require a person with a disability to be accompanied by a support person when on the premises, but only if a support person is necessary to protect the health or safety of the person with a disability or the health or safety of others on the premises.*

Most providers will not encounter situations where they would require a person with a disability to be accompanied by a support person. However, in certain situations it may be necessary. This would only occur where, after consultation with the person with the disability, requiring a support person is the only means available to allow the person to be on the premises and, at the same time, fulfill the provider's obligations to protect the health or safety of the person with a disability or of others on the premises.

- *Accepting personal risk*

People with disabilities are free to accept a reasonable risk of injury to themselves, just as others do. Different individuals will have a different tolerance for risk. Risk should be weighed against any benefit for the person with the disability.

- *What is a health and safety risk that would require a support person?*

It is not enough that the support person might help to protect health and safety; a support person must be necessary or essential to protect health and safety before you can require one, such that the risk cannot be eliminated or reduced by other means.

Any considerations on protecting health or safety should be based on specific factors and not on assumptions. Just because someone has a disability does not mean they are not capable of meeting health and safety requirements.

**APPENDIX C**  
**AODA Compliance Document – Temporary Disruption**

Customer Service Standard – *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*

*5(1) If, an order to obtain, use or benefit from a providers goods or services, persons with disabilities usually use particular facilities or services of the provider and if there is a temporary disruption in those facilities or services in whole or in part, the provider shall give notice of the disruption to the public.*

*5(2) Notice of the disruption must include information about the reason for the disruption, its anticipated duration and a description of alternatives facilities or services, if any, that are available.*

*5(3) Notice may be given by posting the information at a conspicuous place on premises owned or operated by the provider of goods or services, by posting it on the provider's website, if any, or by such other method as is reasonable in the circumstances.*

**A. Procedure**

HDGH shall provide public notice when services are temporarily unavailable or if services are expected to be temporarily unavailable in the near future. These may include, but are not limited to: elevators, accessible washrooms, amplification systems, and TTY services.

HDGH shall provide notice of all disruptions, even those that are not expected. If HDGH knows in advance that a disruption will occur, a notice must be made available in a reasonable time in advance. When a disruption occurs unexpectedly, notice must still be provided as soon as possible. Notice can be at the point of the disruption.

The notice should identify the reason for the disruption, how long it is expected to last, and what alternative facilities or services exist to allow people with disabilities to access healthcare during the disruption. If it is too difficult to post a notice on the website during an unexpected disruption, it may be handled with signs and or HDGH employees, security guards, volunteers etc. who will provide alternate directions as required. The person providing the alternative directions should be able to communicate the nature of the outage and expected duration, whenever possible. HDGH will endeavor to ensure that planned multiple accessible service disruptions do not occur at the same time.