



**BY-LAW # 2018-32**

**BEING A BY-LAW TO ESTABLISH GUIDELINES ON PROVIDING GOODS AND SERVICES TO PERSONS WITH DISABILITIES.**

WHEREAS Section 10(2) of the Municipal Act, 2001, S.O., c.25, provides a Municipality may pass by-laws respecting accountability and transparency of the Municipality and its operations and of its local boards and their operations;

AND WHEREAS the Council of the Corporation of the Township of Nairn and Hyman deems it desirable to adopt an Accessible Customer Service Policy to comply with the requirements of the Accessibility for Ontarians with Disabilities Act, 2005 (AODA), Customer Service Standard - Ontario Regulation 429/07;

NOW THEREFORE the Council of the of Corporation of the Township of Nairn and Hyman hereby enacts as follows:

- 1) That the Corporation of the Township of Nairn and Hyman adopt the following Policies:
  - a) Accessible Customer Service Policy, attached hereto as Schedule "A".
  - b) Accessible Employment Standards Policy, attached hereto as Schedule "B".
- 2) That By-law number 2010-6, "Being a by-law to establish guidelines on providing goods and services to persons with disabilities", be hereby rescinded.
- 3) That this By-law shall come into force on the day it is finally passed.

**Read a first and second time this 10<sup>th</sup> day of September, 2018.**

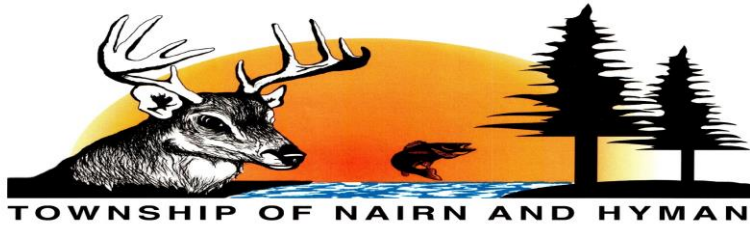
**Read a third time and finally passed this 10<sup>th</sup> day of September, 2018.**

(Original Signature on File)

\_\_\_\_\_  
Mayor

(Original Signature on File)

\_\_\_\_\_  
Clerk



**Schedule "A"**  
**to**  
**By-law 2018-32**  
**Accessible Customer Service Policy**

**Purpose:**

The purpose of this Policy is to establish guidelines on providing goods and services to persons with disabilities.

The Corporation of the Township of Nairn and Hyman (hereinafter referred to as the "Municipality") is committed to providing consistent customer service to persons with disabilities by putting into practice these four key principles:

- ▶ Dignity
- ▶ Independence
- ▶ Integration
- ▶ Equal Opportunity

**Prescribing Legislation:**

This Policy has been prepared pursuant to the requirements and information provided in the Ontario Regulation 429/07 made under the Accessibility for Ontarians with Disabilities Act, 2005.

**Glossary:**

- ▶ "guide dog" means a dog trained as a guide for a blind person and having the qualifications prescribed by regulation.
- ▶ "service animal" means a service animal for a person with a disability.
- ▶ "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 or medical needs or with access to goods or services.
- ▶ a dog or an animal is a service animal for a person with a disability:
  - (i) if it is readily apparent that the animal is used by the person for reasons relating to his or her disability; or
  - (ii) if the person provides a letter from a physician or nurse confirming that the person requires the animal for reasons relating to the disability.

**POLICY:**

**1.1 Use of Service Animal**

The Municipality is committed to welcoming visiting persons with disabilities who are accompanied by a service animal on the parts of its premises that are open to the public and other third parties.

- a) If a visiting person with a disability is accompanied by a guide dog or other service animal, the Municipality shall 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.

- b) If a service animal is excluded by law from the premises or it is deemed unsafe for a visiting person with a disability to be accompanied by a guide dog or other service animal, the Municipality shall ensure that other measures are available to enable the person with a disability to obtain, use or benefit from the Municipality's goods or services by bringing goods or services to the person in a part of the premises where the animal is not restricted or by offering a safe location where the service animal can wait, if the person is able to be separated from the animal while obtaining the service, and offering assistance to the person with a disability while they are separated from the service animal. Service animals are not permitted within kitchen facilities where food is prepared.
- c) The Municipality shall ensure that all staff, volunteers and other persons dealing with the public are properly trained in how to interact with visiting persons with disabilities who are accompanied by a service animal.
- d) If it is not readily apparent that the animal is used by the visiting person for reasons relating to his or her disability, the Municipality has the right to request a letter from a physician or nurse confirming that the person requires the animal for reasons relating to the disability.
- e) A visiting person with a disability who is accompanied by a service animal must maintain care and control of that animal at all times.
- f) If a customer or a staff member has an allergy to animals, the Municipality shall make every reasonable effort to meet the needs of all individuals.

## **1.2 Use of Support Person**

The Municipality is committed to welcoming visiting persons with disabilities who are accompanied by a support person.

## **1.3 Notice of Temporary Disruption**

The Municipality is committed to establishing, implementing and maintaining a process to provide notice of service disruptions.

- a) If, in order to obtain, use or benefit from the Municipality's goods or services, persons with disabilities usually use particular facilities of the Municipality and if there is a temporary disruption in those facilities or services in whole or in part, the Municipality shall give notice of the disruption to the public.
- b) Notice of the disruption must include the following information:
  - the reason for the disruption,
  - the anticipated duration, and,
  - a description of what alternative facilities or services are available, if any.
- c) Notice shall be given on the approved Notice of Disruption Form by posting the information at a conspicuous place at the location of the disruption which may include any or all entrances and by posting it on the Municipality's website or by such other method as is reasonable in the circumstances.

*\* A sample Notice of Temporary Disruption Form is attached hereto as Schedule "1" to this Policy.*

## **1.4 Training**

The Municipality is committed to establishing, implementing and maintaining a program for training staff on how to provide customer service to persons with disabilities.

- a) The Municipality shall ensure that the following persons receive training about the provision of its goods or services to persons with disabilities:
  - (i) Every person who deals with members of the public or other third parties on behalf of the Municipality, whether the person does so as an employee, agent, volunteer or otherwise.
  - (ii) Every person who participates in developing the Municipality's policies and procedures governing the provisions of goods and services to members of the public or other third parties.
- b) The training must include a review of the purposes of the Accessibility for Ontarians with Disabilities Act, 2005, the requirements of this Regulation, the Ontario Human Rights Code, as it relates to people with disabilities and instruction about the following matters as it relates to their specific roles:
  - (i) Required topics for the Customer Service Standard training.
  - (ii) General Requirements.
  - (iii) Requirements of the Information and Communication Standard.
  - (iv) Requirements of the Employment Standard.
  - (v) Requirements of the Design of Public Spaces.
  - (vi) Requirements of the Transportation Standard.
  - (vii) Ontario Human Rights Code, as it relates to people with disabilities.
- c) The training shall be provided to each person as soon as practical after he or she is assigned the applicable duties.
- d) The training shall be provided on an ongoing basis in connection with changes to the policies, practices and procedures governing the provision of goods or services to persons with disabilities.
- e) The training content may vary depending on who is receiving the training and the nature of the services provided and depending on the individual departmental requirements.
- f) The training format may include:
  - a three-hour session,
  - a one-hour session,
  - an eLearning Session with a questionnaire,
  - a self-training manual with a questionnaire,
  - any other format as required.
- g) The training provided to staff who deal with the public on a regular basis shall be more focused on person-to-person interaction than the training provided to staff who have less contact with customers. The trainer, in collaboration with Department Managers, may choose the particular content of the training and the way each of the topics described above is addressed.
- h) Records shall be kept by the trainer of who was trained, when they were trained and in which format the training was delivered.
- i) The persons in the following areas shall be included in the training. Changes to the Municipal Structure and Elected Officials shall form part of this Policy.

**Elected Officials**

Mayor and Council

**Municipal Departments**

Administration - Accounting/ Clerk's Office

Building Services

Fire Services

Leisure/Recreation Services

Public Works Department

**Other**

All Council Board and Committees

- j) The Municipality shall include, in all its contracted services agreements, a clause requiring the contractor to meet the requirements under this legislation.

*\* A sample clause for Contracted Services is attached hereto as Schedule "3" to this Policy.*

- k) The trainer shall keep Municipal Council, Municipal Departments, Committees and other related organizations informed of ongoing training opportunities and changes to the policies, practices and procedures governing the provision of goods and services to persons with disabilities.

**1.5 Feedback Process**

The Municipality is committed to establishing, implementing and maintaining a process for receiving and responding to feedback about how to provide goods and services to persons with disabilities.

- a) The Municipality has established a process for receiving and responding to feedback about the manner in which it provides goods or services to persons with disabilities and shall make information about the process readily available to the public.
- b) The feedback process shall permit persons to provide feedback in person, by telephone, in writing, or by delivering and electronic text by email or online, on disk or otherwise.
- c) The feedback process shall include the following:
  - (i) The opportunity for the public to provide feedback in person, by telephone, in writing, or by delivering an electronic text by email or online, on disk or otherwise.
  - (ii) The opportunity to provide as much information as possible when providing feedback so that the event can be readily identified by the Supervisor and/or Manager responsible for where the event took place. This information may include dates, time, names, contact information, a description of the event, etc.
  - (iii) Feedback may be received by any person who deals with members of the public or other third parties on behalf of the Municipality, whether the person does so as an employee, agent, volunteer or otherwise and any person who participates in developing the Municipality's policies, practices and procedures governing the provision of goods or services to members of the public or other third parties. A copy of the feedback shall be forwarded to the responsible Supervisor and/or Manager for review and to

the Clerk's office for reporting purposes.

- (iv) An answer to the feedback is not mandatory, however, depending on the situation, the Supervisor and/or Manager responsible for where the event took place may deem it appropriate to respond to the customer. Should an answer be deemed appropriate and should the customer have chosen to supply his or her contact information, the customer may expect the said answer within 15 business days.

*\* A sample Feedback Form is attached hereto as Schedule "2" to this Policy.*

## **1.6 Availability of Documents**

The Municipality is committed to raising awareness towards accessibility and to breaking down barriers for persons with disabilities in order for them to have the same kind of opportunities as everyone else.

This Policy regarding Accessible Customer Service shall be displayed at the Municipal Office, the All Sports Centre, the Nairn Community Centre and the Municipal Website and shall be made available to anyone upon request.

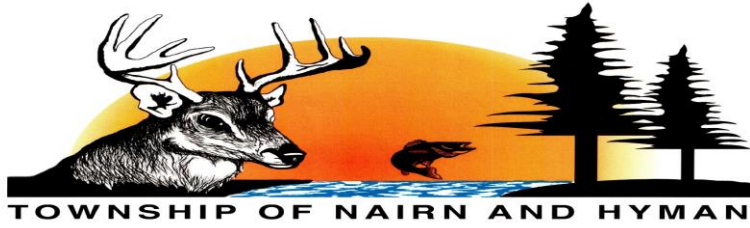
Questions or concerns regarding this policy and its implications should be addressed to the Clerk's Office.

## **1.7 Alternate Formats**

The Municipality is committed to providing individual accommodation to its customers where appropriate by creating its own alternate formats of printed materials. Upon request, alternate formats shall be provided in a manner in which is to be agreed upon by the requester and the Municipality.

### **Attachments**

Schedule "1"	Sample of Notice of Disruption Form
Schedule "2"	Sample of Feedback Form
Schedule "3"	Sample of Clause for Contracted Services
Schedule "4"	Request for Document in Alternate Format



Schedule "1"

## NOTICE OF DISRUPTION FORM

<b>Date:</b>	
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**Type of Disruption:** \_\_\_\_\_

\_\_\_\_\_

**Reason for Disruption:** \_\_\_\_\_

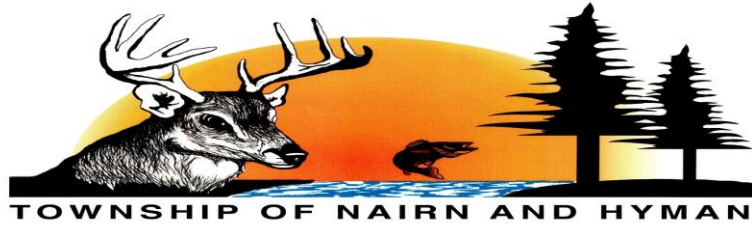
\_\_\_\_\_

**Anticipated Date of Terminated Disruption:** \_\_\_\_\_

**Alternative Facilities of Services:** \_\_\_\_\_

**Municipal Contact Person:**

Clerk Treasurer, CAO  
64 McIntyre Street  
Nairn Centre, Ontario  
P0M 2L0  
Telephone: (705) 869-4232  
Email: [nairncentre@personainternet.com](mailto:nairncentre@personainternet.com)



Schedule "2"

## ACCESSIBILITY FEEDBACK FORM

Thank you for visiting the Township of Nairn and Hyman. We value all our citizens and customers and strive to meet everyone's needs.

Please tell us about your visit:

Date and Time: \_\_\_\_\_ Location: \_\_\_\_\_

Did we meet your customer service needs on this visit?

Yes                       Somewhat                       No

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Was our customer service provided to you in an accessible manner?

Yes                       Somewhat                       No

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Did you have any problems accessing our goods and/or services?

Yes                       Somewhat                       No

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Please add any other comments you may have:

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Schedule "2" Continued

Providing your contact information is optional.

Name: \_\_\_\_\_

Name of Organization: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_

Work Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

This information is collected by the Corporation of the Township of Nairn and Hyman under the Freedom of Information and Protection of Privacy Act R.S.O. 1990, c. F. 31, s. 39 (2) for the purposes of improving accessible customer service. Questions about the collection of this information can be addressed to the Clerk Treasurer/ CAO:

Township of Nairn and Hyman  
64 McIntyre Street  
Nairn Centre, Ontario  
P0M 2L0

Phone: (705) 869-4232  
Fax: (705) 869-5248  
Email: [nairncentre@personainternet.com](mailto:nairncentre@personainternet.com)

**For Office Use Only:**

Date Feedback was received:	
Date Forwarded:	
Responsible Department:	
Contact Person(s):	
Follow-up Actions:	



Schedule "3"

## **ACCESSIBILITY REGULATIONS FOR CONTRACTED SERVICES**

In accordance with Ontario Regulation 429/07, Accessibility Standards for Customer Service Section 6, every provider of goods and services shall ensure that every person who deals with members of the public or participates in the developing of the service providers policies, practices and procedures governing the provision of goods and services to members of the public, shall be trained on the following:

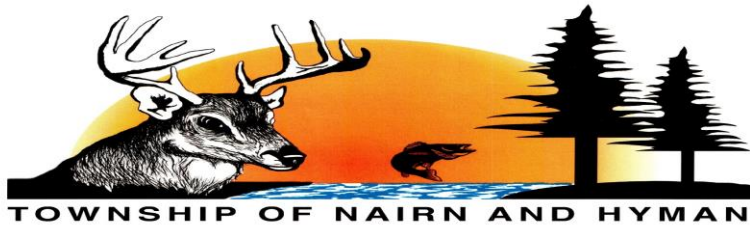
1. How to interact and communicate with persons with various types of disability.
2. How to interact with persons with disabilities who use assistive devices or require the assistance of a guide animal, or a support person.
3. How to use equipment that is available on the premises that may help in the provision of goods or services.
4. What to do if a person with a particular type of disability is having difficulty accessing the provider's goods or services.
5. Information on the policies, practices and procedures governing the provision of goods and services to people with disabilities.

Contacted employees, third party employees, agents and others that provide customer service on behalf of the Corporation of the Township of Nairn and Hyman must meet the requirements of Ontario Regulation 429/07 with respect to training.

A document describing the training policy, a summary of the contents of the training and details of training dates and attendees must be submitted to the Corporation of the Township of Nairn and Hyman upon request.

For more information regarding the content of this document, please contact:

Township of Nairn and Hyman  
Clerk Treasurer, CAO  
64 McIntyre Street  
Nairn Centre, Ontario  
P0M 2L0  
Phone: (705)869-4232  
Fax: (705)869-5248  
Email: [nairncentre@personainternet.com](mailto:nairncentre@personainternet.com)



Schedule "4"

## Request for Document in Alternate Format

The Township of Nairn and Hyman is committed to providing information in the format that meets your needs. If you need information in an alternate format, please use this form and let us know what format will work for you. Alternatively, please call 705-869-4232 to make your request by phone, or email us at [nairncentre@personainternet.com](mailto:nairncentre@personainternet.com).

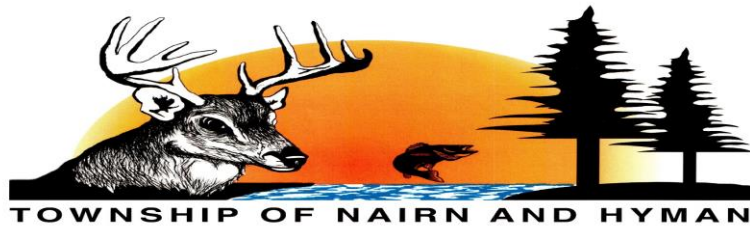
<b>Name:</b>	
<b>Address:</b>	
<b>Telephone Number:</b>	
<b>Email Address:</b>	
<b>Name of Document Required:</b>	

**Format requested:**

- Large Font
- Colour contrast required
- Electronic copy (eg. pdf, word, etc.)
- Other (please specify)

**Return form to:**

Township of Nairn and Hyman  
Clerk Treasurer, CAO  
64 McIntyre Street  
Nairn Centre, Ontario  
P0M 2L0  
Telephone: 705-869-4232, Fax: 705-869-5248  
Email: [nairncentre@personainternet.com](mailto:nairncentre@personainternet.com)



**Schedule "B"**  
to  
**By-law 2018-32**  
**Accessible Employment Standards Policy**

**Purpose:**

The purpose of this policy is to establish guidelines on providing Accessible Employment Standards to persons with disabilities.

The Municipality is committed to pro-actively removing barriers across the employment life cycle, helping to create workplaces that are accessible and which allow employees to reach their full potential.

**Prescribing Legislation:**

The policy has been prepared pursuant to requirements and information provided in Ontario Regulation 191/11 made under the Accessibility for Ontarians with Disabilities Act, 2005.

**Definitions:**

"performance management" means activities related to assessing and improving employee performance, productivity and effectiveness, with the goal of facilitating employee success. O. Reg. 191/11, s. 30 (2).

"career development and advancement" includes providing additional responsibilities within an employee's current position and the movement of an employee from one job to another in an organization that may be higher in pay, provide greater responsibility or be at a higher level in the organization or any combination of them and, for both additional responsibilities and employee movement, is usually passed on merit or seniority, or a combination of them. O. Reg. 191/11, s. 31 (2).

"redeployment" means the reassignment of employees to other departments or jobs within the organization as an alternative to layoff, when a particular job or department has been eliminated by the organization.

**Policy:**

**1. General Recruitment**

- a) The municipality shall notify its employees and the public about the availability of accommodation for applicants with disabilities in its recruitment processes.
- b) During the recruitment process, the municipality shall notify job applicants, when they are individually selected to participate in an assessment or selection process that accommodations are available upon request in relation to the materials or processes to be used.
- c) If a selected applicant requests an accommodation, the municipality shall

consult with the applicant and provide or arrange for the provision of a suitable accommodation in a manner that takes into account the applicant's accessibility needs due to disability.

## **2. Notice to Successful Applicants**

- a) The municipality shall, when making offers of employment, notify the successful applicant of its policies for accommodating employees with disabilities.

## **3. Informing Employees of Supports**

- a) The municipality shall inform its employees of its policies used to support its employees with disabilities.
- b) The municipality shall provide updated information to employees whenever there is a change to existing policies on the provision of job accommodation that take into account an employee's accessibility needs due to a disability.
- c) Upon the request of the employee the municipality shall consult with the employee to provide or arrange for the provision of accessible formats and communication supports for:
  - i) Information that is needed in order to perform the employee's job; and
  - ii) Information that is generally available to employees in the workplace.

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

- a) Upon request, the municipality shall provide individualized workplace emergency response information to employees who have a disability.

The individualized workplace emergency response plan will be reviewed by the municipality when:

- i) The employee moves to a different location within the municipality;
  - ii) When the employee's overall accommodations needs or plans are reviewed; and
  - iii) When the municipality reviews its general emergency response policy.
- b) When assistance is required for an employee who receives individualized workplace emergency response, a copy of the response will be given to the person designated by the municipality to provide assistance to the employee as soon as it is practical to do so.

## **5. Return to Work Process**

- a) The municipality shall:
  - Have in place a return to work process for its employees who have been absent from work due to a disability and require disability-related accommodations in order to return to work; and
  - Shall document the process
- b) The return to work process shall:
  - Outline the steps the municipality will take to facilitate the return to work of employees who were absent because their disability required them to be away from work; and
  - Use documented individual accommodation plans.
- c) The return to work process referenced in this section does not replace or

override any other return to work process created by or under any other statutes.

## **6. Documented Individual Accommodation Plans**

The municipality shall develop and have in place a written process for the development of documented individual accommodation plans for employees with disabilities.

The process for the development of documented individual accommodation plans shall include the following:

- a) Participation of the employee requesting accommodation.
- b) Obtain a letter from a Physician identifying disability.
- c) Upon request, the employee can have the participation of a representative from their bargaining agent, where the employee is represented by a bargaining agent, or other representative from the workplace, where the employee is not represented by a bargaining agent, in the development of the accommodation plan.
- d) A copy of the plan will be kept in the employee's file located in the Clerk's office.
- e) This plan shall be reviewed on a monthly basis, to ensure the plan benefits both parties.
- f) If an individual accommodation plan is denied, the municipality shall provide, in writing, the reasons for the denial to the employee.
- g) Upon request, the individual accommodation plan will be provided in an accessible form.
- h) Individual accommodation plans shall,
  - If requested, include any information regarding accessible formats and communications supports provided.
  - If requested, include individualized workplace emergency response information.
  - Identify any other accommodation that is to be provided.

## **7. Performance Management**

The municipality shall take into account the accessibility needs of employees with disabilities, as well as individual accommodation plans, when using its performance management process in respect of employees with disabilities.

## **8. Career Development and Advancement**

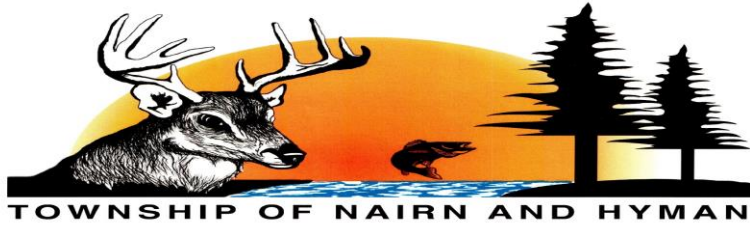
The municipality shall take into account the accessibility needs of its employees with disabilities as well as any individual accommodation plans, when providing career development and advancement to its employees with disabilities.

## **9. Redevelopment**

The municipality shall take into account the accessibility needs of its employees with disabilities, as well as individual accommodation plans, when redeploying employees with disabilities.

## **Attachments**

Schedule "5"	Accessible Formats for Employees with Disabilities
Schedule "6"	Individual Accommodation Plan/Individual Workplace Emergency Response Information



Schedule "5"

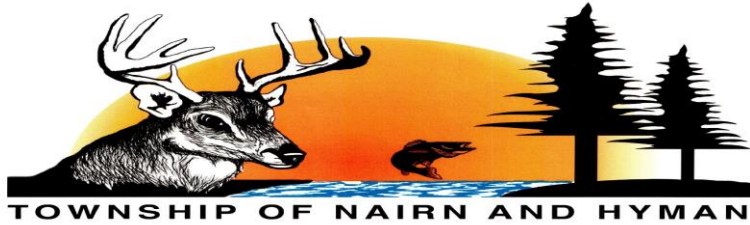
# ACCESSIBLE FORMATS FOR EMPLOYEES WITH DISABILITIES

<b>Date:</b>	
<b>Employee Name:</b>	
<b>Department:</b>	

**Type of Disability** \_\_\_\_\_  
\_\_\_\_\_

**Type of Accessible Support required (as discussed with employee)** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Municipal Contact Person:** Clerk Treasurer, Chief Administrative Officer  
Township of Nairn and Hyman  
64 McIntyre Street  
Nairn Centre, Ontario  
P0M 2L0  
Telephone: 705-869-4232  
Fax: 705-869-5248  
Email: [nairncentre@personainternet.com](mailto:nairncentre@personainternet.com)



Schedule "6"

# INDIVIDUAL ACCOMMODATION PLAN/INDIVIDUAL WORKPLACE EMERGENCY RESPONSE INFORMATION

This document is available in an alternative format upon request

<b>Date:</b>	
<b>Employee Name:</b>	
<b>Department:</b>	

<b>Reason for Plan/Treatment Required:</b>
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Approximate length of time needed for employee to be enrolled in an Individual Accommodation Plan: <b>(this shall be reviewed on a monthly basis, to ensure the plan benefits both parties.)</b>
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<b>Please describe in detail the provisions in place for the Accommodation Plan.</b>

\_\_\_\_\_  
Department Manager

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Clerk Treasurer,  
Chief Administrative Officer