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## 2.8.1 Accessibility for Ontarians with Disabilities Policy

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### Intent

This policy is intended to meet the requirements of *Accessibility Standards for Customer Service, Ontario Regulation 429/07* and *Integrated Accessibility Standards, Ontario Regulation 191/11* under the *Accessibility for Ontarians with Disabilities Act, 2005*, and applies to the provision of goods and services to the public or other third parties, not to the goods themselves.

All goods and services provided by Fermar Paving Limited (Fermar) shall follow the principles of dignity, independence, integration and equal opportunity. Fermar is committed to meeting the accessibility needs of persons with disabilities in a timely manner.

### Scope

- a) This policy applies to the provision of goods and services at premises owned and operated by Fermar.
- b) This policy applies to employees, volunteers, agents and/or contractors who deal with the public or other third parties that act on behalf of Fermar, including when the provision of goods and services occurs off the premises of Fermar such as in: delivery services, call centers, vendors, drivers, catering and third-party marketing agencies.
- c) The section of this policy that addresses the use of guide dogs, service animals and service dogs only apply to the provision of goods and services that take place at premises owned and operated by Fermar.
- d) This policy shall also apply to all persons who participate in the development of the Fermar's policies, practices and procedures governing the provision of goods and services to members of the public or third parties.

### 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 customers 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.

## General Principles

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

- A. The Provision of Goods and Services to Persons with Disabilities;
- B. The Use of Assistive Devices

- C. The Use of Guide Dogs, Service Animals and Service Dogs
- D. The Use of Support Persons
- E. Notice of Service Disruptions
- F. Customer Feedback
- G. Training
- H. Information and Communication
- I. Employment
- J. Documented Individual Accommodation Plan

### A. The Provision of Goods and Services to Persons with Disabilities

Fermar 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 customers receive the same value and quality;
- allowing customers 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 customers 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 customer's disability.

### B. Assistive Devices

Customer's own assistive device(s):

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

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. For example, open flames and oxygen tanks cannot be near one another. Therefore, the accommodation of a customer with an oxygen tank may involve ensuring the customer is in a location that would be considered safe for both the customer and business. Or, where elevators are not present and where an individual requires assistive devices for the purposes of mobility, service will be provided in a location that meets the needs of the customer.

### C. Guide Dogs, Service Animals and Service Dogs

A customer with a disability that is accompanied by 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.

Exclusion Guidelines:

If a guide dog, service animal or service dog is excluded by law (see applicable laws below) Fermar will offer alternative methods to enable the person with a disability to access goods and

services, when possible (for example, securing the animal in a safe location and offering the guidance of an employee).

#### Applicable Laws:

*Dog Owners' Liability Act, Ontario:* If there is a conflict between a provision of this Act or of a regulation under this or any other Act relating to banned breeds (such as pitbulls) and a provision of a by-law passed by a municipality relating to these breeds, the provision that is more restrictive in relation to controls or bans on these breeds prevails.

#### Recognizing a Guide Dog, Service Dog and/or Service Animal:

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

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.

#### Care and Control of the Animal:

The customer 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.

#### Allergies:

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

### D. Support Persons

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

There may be times where seating and availability prevent the customer and support person from sitting beside each other. In these situations, Fermar will make every reasonable attempt to resolve the issue.

In situations where confidential information might be discussed, consent will be obtained from the customer, prior to any conversation where confidential information might be discussed.

## E. Notice of Disruptions in Service

Service disruptions may occur due to reasons that may or may not be within the control or knowledge of Fermar. In the event of any temporary disruptions to facilities or services that customers with disabilities rely on to access or use Fermar '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.

### Notifications will Include:

In the event that a notification needs to be posted the following information will be included unless it is not readily available or known:

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

### Notifications Options:

When disruptions occur Fermar will provide notice by:

- posting notices at main reception including at the point of disruption, and/or on the Fermar website;
- contacting customers with appointments;
- verbally notifying customers when they are making a reservation or appointment; or
- by any other method that may be reasonable under the circumstances.

## F. Feedback Process

Fermar shall provide customers with the opportunity to provide feedback on the service provided to customers with disabilities. Information about the feedback process will be readily available to all customers and notice of the process will be made available by posting at main reception and the Fermar website. 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), will be available upon request. Feedback forms are located at the reception desk and on the Fermar website.

### Submitting Feedback:

Customers can submit feedback to:

Human Resources  
416-675-3550  
1921 Albion Road, Etobicoke, Ontario M9W 5S8  
[kcooper@fermarltd.com](mailto:kcooper@fermarltd.com)

Customers that provide formal feedback will receive acknowledgement of their feedback, along with any resulting actions based on concerns or complaints that were submitted within 5 business days.

### G. Training

Feremar will provide training to all employees, all persons who participate in the development of Feremar's policies, and all other persons who act on behalf of the organization on the following subjects:

- A review of the requirements of the *Integrated Accessibility Standards*, Ontario Regulation 191/11; and
- The *Human Rights Code* as it pertains to people with disabilities.

Additional training in the area of customer service will be provided to:

- a) all employees, volunteers, agents and/or contractors who deal with the public or other third parties that act on behalf of Feremar; for example: salespersons, drivers, vendors, event operators, call centers and third-party marketing agents; and,
- b) those who are involved in the development and approval of customer service policies, practices and procedures.

#### Customer Service Training Provisions:

As reflected in *Ontario Regulation 429/07*, regardless of the format, training will cover 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 (including the handling of admission fees).
- 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.
- Feremar's policies, procedures and practices pertaining to providing accessible customer service to customers with disabilities.

### Training Schedule:

Fermar 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 their orientation. Revised training will be provided in the event of changes to legislation, procedures and/or practices.

### Record of Training:

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

## H. Information and Communications

The Fermar will provide information and communications to persons with disabilities in an accessible manner upon request.

If an accessibility request is received by any staff member, that staff member must immediately inform the Human Resources Manager.

The Human Resources Manager or her designate will consult in a timely manner with the person with a disability to ascertain their needs.

The Human Resources Manager or her designate will then determine the most appropriate accessible format, and will provide the information or communications to the person with a disability in that format in a timely manner and at a cost no greater than the cost to people without disabilities. Some examples of accessible formats include:

- Reading written information to a person directly or over the phone;

- Providing a larger print version of a document;

- Communicating by hand-written note;

- Providing specifically formatted electronic documents; or

- Any other method which meets the needs of the person with a disability.

If requested by an employee with a disability, Fermar will follow the procedure set out above. Material which is necessary to perform the employee's job or material which is generally available to other employees will be provided to employees who require information in an accessible format in such a format.

If a communication cannot be converted into an accessible format or it is not technically feasible to do so, Fermar will explain why it is unconvertible and provide a summary of the information contained in the communication.

Notification of the availability of accessible formats will be given by posting the information in a conspicuous place owned and operated by Fermar, the Fermar 's website and/or any other reasonable method.

Fermar endeavors to provide this service in a timely manner and at a cost that is no more than the regular cost charged to others.

### I. Employment

Fermar will include, with employment advertisements, a notice about the availability of accommodations during the applications process for applicants with disabilities. When applicants are selected for a job interview, Fermar will remind them about the availability of accommodations during the applications process.

If an applicant requests an accommodation for a disability during the recruitment process, the Human Resources Manager or her designate shall consult with the applicant about a suitable accommodation and provide one.

New employees will be informed of Fermar 's disability policy when making an offer of employment.

After hiring, Fermar will conduct its performance management, professional development and advancement of employees in a way which considers the individual needs of employees with disabilities.

If any employee of Fermar is known to have a relevant disability, the Human Resources Manager will work with that employee to create an individualized emergency response plan. Such a plan may include what to do in the event of a fire or serious incident of workplace violence.

### J. Documented Individual Accommodation Plan

Any employee with a disability may request that Human Resources develop an individual accommodation plan for that individual.

Fermar may require medical documentation in a format of Fermar 's choosing before drafting a plan. If the medical information provided by the employee is unsatisfactory, Fermar may request that the employee undergo an independent medical exam at Fermar 's expense.

After satisfactory medical evidence has been produced, the Human Resources Manager or her designate will meet, in person, if possible, with the employee to discuss their restrictions and possible accommodations. The employee may bring a friend or other representative to this meeting if that person is acceptable to Fermar.

Fermar will accommodate employees with a disability unless it would create an undue hardship to do so. Fermar reserves the right to choose any accommodation that meets the needs of the employee. If insufficient evidence has been provided, Fermar reserves the right to deny an accommodation. Fermar will provide an explanation for any denial.

The process of developing a plan will be conducted in a manner that takes into account, to the extent possible, the needs of the employee with a disability.



Only the accommodation and not the underlying medical information will be shared with other staff at Fermar.

If an employee has been absent from work because of a disability and requires accommodation on his or her return to work, Fermar will facilitate the employee's return to work using the individual accommodation plan process. For return-to-work plans, this process is mandatory, and the process will be documented by Fermar.

All individual accommodation plans may be reviewed from time to time at the sole discretion of Fermar, taking into account the changing needs of the person requiring accommodation.

## Administration

If you have any questions or concerns about this policy or its related procedures please contact:

Human Resources

## Appendix

- Appendix 1 Accessible Customer Service Plan
- Appendix 2 Customer Feedback Form
- Appendix 3 Record of Customer Feedback

## Related Documents

- Accessibility for Ontarians with Disabilities Act, 2005
- Accessibility Standards for Customer Service, Ontario Regulation 429/07
- Integrated Accessibility Standards, Ontario Regulation 191/11
- Blind Person's Rights Act, 1990
- Dog Owners' Liability Act, Ontario
- Ontario Human Rights Code, 1990

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

Approved signature: \_\_\_\_\_ Date: \_\_\_\_\_