



ACCESSIBILITY – SERVICE ANIMALS IN THE WORKPLACE (2018)

1. Purpose

YSB is committed to fostering an atmosphere that removes and prevents barriers that impact the accessibility of our buildings, services and programs for people with disabilities. This includes consumers of our services, staff, students, and volunteers. YSB acknowledges the relationship that exists between a person with a disability and their service animal.

The purpose of this policy is to provide clarity to staff and consumers of YSB's services regarding YSB's obligations under the AODA and its Integrated Accessibility Standards, the Ontario Human Rights Code, and other relevant legislation, regarding service animals on YSB properties.

2. Scope

This Policy applies to all consumers, staff, students, and volunteers of YSB at all YSB sites and programs.

3. Definitions

Disability

According to the Ontario Human Rights Code and the AODA, "disability" is defined as:

- a. 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,
- b. a condition of mental impairment or a developmental disability,
- c. a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- d. a mental disorder, or

- e. an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

Handler

For the purposes of this policy, the “handler” is the owner or the individual in control of the service animal.

Guide Dog

According to the Integrated Accessibility Standards and the Blind Persons’ Rights Act, a “guide dog” is a dog trained as a guide for a person with a visual impairment and having the qualifications prescribed by the Guide Dogs regulation.

Service Animal

According to the Integrated Accessibility Standards, an animal is a “service animal” for a person with a disability if;

- a. The animal can be readily identified as one that is being used by the person for reasons relating to the person’s disability, as a result of visual indicators such as the vest or harness worn by the animal; or
- b. The person provides documentation from one of the following regulated health professionals confirming that the person requires the animal for reasons relating to supporting the disability:
 - i. A member of the College of Audiologists and Speech-Language Pathologists of Ontario
 - ii. A member of the College of Chiropractors of Ontario
 - iii. A member of the College of Nurses of Ontario
 - iv. A member of the College of Occupational Therapists of Ontario
 - v. A member of the College of Optometrists of Ontario
 - vi. A member of the College of Physicians and Surgeons of Ontario
 - vii. A member of the College of Physiotherapists of Ontario
 - viii. A member of the College of Psychologists of Ontario
 - ix. A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario

“Service animal” includes a “guide dog.”

4. Policy

- 4.1. YSB will make all reasonable efforts to accommodate persons with disabilities and their service animals
- 4.2. In the event of potentially competing human rights claims, YSB will attempt to resolve these complaints quickly, showing dignity and respect for the individuals involved. YSB will refer to the Ontario Human Rights Commission’s Policy and analysis for addressing situations of competing human rights.
- 4.3. Service animals are permitted in all areas of YSB that are open to the public, except as otherwise indicated, and provided the service animal does not pose a direct threat to any individual or fundamentally alters YSB’s operations or procedures.
- 4.4. Service animals are not permitted in any area where food is prepared, processed, packaged, transported, manufactured, handled, or displayed, in accordance with the Food Premises regulation to the Health Protection and Promotion Act ; this includes food preparation areas such as the communal kitchen in YSB Shelters.
- 4.5. In the event that a service animal is excluded by law from YSB premises or parts of YSB premises, YSB shall ensure that other measures are available to enable a person with a disability to obtain, use, or benefit from YSB’s goods, services, or facilities.
- 4.6. YSB will ensure that all staff dealing with the public are provided with training regarding interacting with people with disabilities who are accompanied by a service animal.
- 4.7. In emergency situations that require evacuation of a facility, staff should be aware that a service animal may

- become disoriented or confused by smoke, fire, or alarms. Every effort will be made to keep the service animal together with the client; however the first obligation of staff is to ensure the safety of the client.
- 4.8. The handler of the service animal is responsible for maintaining control over the service animal at all times. Any service animal that presents a direct threat of harm to any employee, client, or member of the public may be asked to be removed from the premises.
 - 4.9. The handler is responsible for any damage caused by the service animal and will be responsible for any required clean up from the service animal.

5. Responsibilities

Employees

- a. Employees will allow a service animal to accompany the handler at all times while on YSB premises, except where service animals are specifically prohibited by law, by this Policy, or for health and safety reasons.

Service Animal Handlers

- a. The handler must ensure that their service animal has been immunized against diseases common to the type of animal and that all vaccinations are up-to-date, and be able to provide confirmation on request. Dogs must have the general maintenance vaccine series, including vaccinations against rabies and distemper. Dogs must wear a rabies vaccination tag.
- b. The service animal must comply with local licensing requirements.
- c. The handler may be required to provide evidence that they have a disability and that the animal assists with disability-related needs, where it is not immediately obvious that the animal is performing a service.
- d. The service animal must be on a leash, harness or tether at all times, unless the handler's disability prevents use of harness or tether, or the use of harness or tether will interfere with the animal's performance of its duties.
- e. The handler must have the service animal under their full control at all times, whether through voice control, signals, or other effective means.
- f. If the service animal must be separated from the handler, it is the responsibility of the handler to arrange for care and supervision of the animal during the period of separation.
- g. The handler is responsible for clean-up of the service animal's feces and urine whenever the animal is on YSB property.

References:

- Accessibility for Ontarians with Disabilities Act, 2005, SO 2005 c 11 (the "AODA"); and Integrated Accessibility Standards, O Reg 191/11
- Blind Persons' Rights Act, RSO 1990, c B.7; and Guide Dogs, RRO 1990, Reg 58
- Ontario Human Rights Code, RSO 1990 C H.19
- Health Protection and Promotion Act, RSO 1990, c H7; and Food Premises, O Reg 493/17
- Ontario Human Rights Commission Policy on Competing Human Rights
- Occupational Health & Safety Act, RSO 1990 c O.1
- YSB Accessibility Policy, HR-27
- YSB Client Complaint Policy, C-02
- YSB Customer Services Policy, HR-28
- YSB Multi-Year Accessibility Plan

Procedural Appendix October 2018

1. Service animals are permitted on YSB properties in areas that are open to the public provided that they are in harness/tether and/or have identification in the form of medical certification.
2. Service animals are not permitted in any food preparation areas such as the communal kitchen in YSB Shelters.
3. Where the service animal is not clearly identified, a staff member may ask the handler to provide appropriate documentation of their need for a service animal provided by a regulated health professional as outlined in the definition of "service animal," above.
4. Employees will not inquire about the nature of a person's disability. They may ask if an animal is required because of a disability and, if not obvious, what work the animal is trained to perform.
5. Staff will not:
 - a. Pet a service animal
 - b. Feed a service animal
 - c. Distract or deliberately startle a service animal
 - d. Separate or attempt to separate the handler from their service animal
6. The handler must be in control of the service animal at all times. Animals that place another individuals (staff or consumer) in direct threat of harm (growling, snapping biting, etc.) will be asked to leave, in which case YSB will ensure that other measures are available to enable a person with a disability to obtain, use, or benefit from YSB's goods, services, or facilities.
7. In the event of competing human rights, such as an individual with a severe allergic reaction to the service animal or cultural considerations related to interaction with the animal, YSB will attempt to find a solution that accommodates both parties while showing dignity and respect for the individuals involved. Where solutions cannot be easily found staff are to involve their Director or Human Resources in resolution.
8. YSB will train their managers on accessibility, service animals, human rights and the OHRC Policy on Competing Human Rights.
9. Individuals with any complaints regarding access of service animals may make a complaint to YSB pursuant to its Client Complaint Policy, using the Complaint Procedure Form

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