

The AODA Customer Service Standard

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The *Accessibility for Ontarians with Disabilities Act* (AODA) is intended to develop, implement and enforce mandatory accessibility standards in key areas of daily living in the private and public sector. There are different standards for each sector, including condos, which fall into the private or not-for-profit sector.

The government plans establish regulations under the AODA that set out accessibility standards covering: Customer Service [full compliance by January 2012]; Employment; Information and Communications; Public Transportation; and Built Environment (refers to buildings and other structures).

For now, only one regulation has been enacted – the Customer Service Standard. Condos, as private sector organizations, will be required to comply by January 1, 2012.

The Customer Service Standard outlines what businesses and organizations in Ontario must do to make their goods and services more accessible to people with disabilities. Every person or organization that provides goods and services to members of the public or other third parties, and has at least one employee (which may include a regular contractor) must comply and must establish the policies, practices and procedures required under the AODA and its regulations. A condo with more than 20 employees must have written corporate policies and procedures, supported by staff training. If a condo has fewer than 20 employees, it must still comply with all the requirements of the regulation but written documents are not mandatory.

Even though some condos will not be required to have *written* policies, if they have one employee they still must have customer service policies and programs. There is a lot to cover and remember without having something written in place. Condos with one or more employees should consider whether it is easier and in the corporation's best interest to record their policies, practices and procedures anyway, either for their own reference or to demonstrate a visible commitment to accessibility.

Contact andrea.krywonis@gmalaw.ca for more details on GMA's pre-packaged, flat-rate policies, practices and procedures for condos to meet the Customer Service Standard requirements.

CCI/ACMO Conference - Unraveling the mystery of mediation

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The theme of this year's CCI/ACMO Condominium Conference, to be held November 4-5 in Toronto, is "Living in Balance: Corporation & Community." GMA is involved in several sessions, one being: Condo Mediation – Unraveling the Mystery.

Joining me in this session are condo mediators Colm Brannigan, Jennifer Bell and Marko Djurdjevac. Our goal is to deliver a program offering non-legalistic commentary on what seems like a mysterious process that is often tossed aside in the rush to get into court and vanquish the opposing side.

Before we finalize the program, we're interested to hear whether we can help address questions on your mind. Consider, for instance:

- What specifically would you like to hear about on the topic of condo mediation?
- If you haven't participated in mediation before, what would you need to know before deciding to mediate a case?
- Do you think that some types of cases better lend themselves to mediation than others?
- What role do your lawyers play in selecting the process for resolving disputes?

For those of you who have participated in condo mediation before:

- What would you tell a fellow property manager or condo director to help them navigate their own mediation case?
- What have you learned about mediation that didn't come from your lawyers?
- Was there a part of the process that you didn't understand?
- What is one thing you wished you knew about mediation before walking into the room?

Your ideas, questions and comments will help us deliver a session that will give you a better grip of this often misunderstood topic and, with luck, another tool to help solve disputes in your condo community. Email your responses to chris.jaglowitz@gmalaw.ca or as a comment to our blog post on the subject at: www.ontariocondolaw.com. Thanks in advance for your input, and be sure to attend our session at the condo conference!

