

 <p><b>Policy</b></p>	<p><b>Provincial</b></p> <p>Applicable to all Manitoba SwimAbility programs and events (including pools and event locations).</p>	
	<p>Policy Name:</p> <p><b>Accessibility Policy: Customer Service</b></p>	<p>Date:</p> <p>November 1, 2018</p>

**1.0 Purpose:**

- 1.1** To support provision of accessible service to a person with a Disability and to those persons who are disabled by a Barrier and who may require a Support Person, rely on a Service Animal, or require an Assistive Device;
- 1.2** To comply with *The Accessibility for Manitobans Act* (the “Act”) and its Customer Service Standards Regulation, including the requirements for organizations to:
- 1.2.1** Ensure that all persons who are reasonably expected to access a good or service have the same opportunity to access that good or service;
  - 1.2.2** Identify and make efforts to remove existing Barriers to Accessible Customer Service so that persons with Disabilities can reasonably access the goods or services provided by the organization; and
  - 1.2.3** If an existing Barrier cannot be removed, ensure that persons with Disabilities are provided other ways to access the goods or services;
- 1.3** To enable access and provide a welcoming environment to all persons with a Disability who wish to access the services and events provided by Manitoba SwimAbility; and
- 1.4** To provide guidance and education to Manitoba SwimAbility Staff, Volunteers, Participants, Support Persons and Legal Guardians on how best to ensure persons with Disabilities have access to Manitoba SwimAbility services.

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**Disclaimer:** Please be advised that print versions of any policy or policies posted on external web pages may not be the most current version of the policy. Although we make every effort to ensure that all the information is accurate and complete, policies are regularly under review and in the process of being amended and we cannot guarantee the accuracy of printed policies or policies on external web pages. At any given time, the most current version of any Manitoba SwimAbility policy will be deemed to apply. Users should verify that any policy is the most current policy before acting on it.

## **2.0 Definitions:**

**2.1 Accessibility:** The ability to access and benefit from a system, service, product or environment.

**2.2 Accessible Customer Service:** All person who are reasonably expected to seek to obtain, use or benefit from a good or service have the same opportunity to obtain, use or benefit from that good or service, and are not prevented from doing so because of the existence of a barrier.

**2.3 Barrier:** Anything that interacts with a person's physical, mental, intellectual, or sensory Disability in a way that may hinder the person's full and effective participation in accessing Manitoba SwimAbility events and programs on an equal basis. Barriers may include physical, architectural, information or communication, attitudinal technological or perpetuated by policy or practice.

**2.4 Disability:** A condition that limits a person's daily activities, including temporary or permanent physical, mental, intellectual or sensory impairments which, in interaction with various Barriers, may hinder their participations on an equal basis with others.

**2.5 Legal Guardian:** in relation to a Participant, an individual responsible for the Participant's care and control while they attend at any Site.

**2.6 Participant:** Any individual who is the recipient of swimming lessons within a Site. Participants may be used interchangeably with the term swimmer.

**2.7 Service Animal:** An animal trained or being trained for a person with a Disability for reasons related to their Disability. Service Animals are working animals.

**2.8 Site:** includes aquatic facilities, community centre, and any other locations that Manitoba SwimAbility offers services and/or events.

**2.9 Staff:** all persons employed with Manitoba SwimAbility, including Program Coordinator, Administrative Coordinator, and others associated through contracts.

**2.10 Support Person:** in relation to a person who is disabled by a Barrier, an individual who accompanies the person to:

**2.10.1** Support the person obtaining, using or benefiting from Manitoba SwimAbility services or events; or

**2.10.2** Assist the person in addressing their communication, mobility. and which includes Support Persons who assist and support Legal Guardians while they attend on any Site to access services and/or events.

**2.11 Volunteer:** all persons volunteering with Manitoba SwimAbility, including members of the board, committee members, swim instructors, supervisors.

**3.0 General Customer Service Policy:**

**3.1** Manitoba SwimAbility, along with all Volunteers and Staff, shall:

**3.1.1** Seek to identify Barriers to Accessible Customer Service at all Sites;

**3.1.2** Seek to remove existing Barriers, so that all persons reasonably expected to obtain, use or benefit from the good or services provided by Manitoba SwimAbility can do so using the same means;

**3.1.3** Where an existing Barrier cannot reasonably be removed, provide persons with Disabilities an alternative way to access to the good or service, either temporarily or permanently;

**3.1.3.1** Manitoba SwimAbility will provide a method by which to register a Participant for lessons over the phone, when notified that an individual is not able to access the website registration due to a Barrier; and

**3.1.3.2** Manitoba SwimAbility will provide a method by which to register for any events hosted by Manitoba SwimAbility, in a manner that takes into consideration a individual disabled by a Barrier; and

**3.1.4** Seek to prevent new Barriers from being created.

**3.2** Volunteers and Staff shall complete training on Accessibility Customer Service by May 1, 2019 and as may be required in the future.

**3.3** Volunteers and Staff shall communicate with a person who self-identifies as having a Disability in a manner that takes into account the Disability, for example, by communicating in writing with a person who identifies as having a hearing Disability.

**3.4** Volunteers and Staff shall, in accordance with Manitoba SwimAbility policies contained herein, use their best efforts to reasonably accommodate a person with a Disability in the event they require Assistive Devices, Service animals or Support Persons to remove or reduce Barriers to access.

**3.5** For any public event held by Manitoba SwimAbility, the organizers shall:

**3.5.1** Give notice of the event in a manner that is accessible to persons with Disabilities;

- 3.5.2** Hold the event in a meeting space that is accessible;
- 3.5.3** Meet the physical and communication needs of persons with Disabilities upon request, including requests for materials to be provided in alternative formats;
- 3.5.4** Give notice that persons with Disabilities may request relevant supports; and
- 3.5.5** Take reasonable means to provide requested supports.

#### **4.0 Support Persons Policy**

- 4.1** As per Section 7 of the Customer Service Standards Regulation of the Act, Staff and Volunteers shall permit a Support Person to remain with the Participant with the Participant or Legal Guardian's consent, unless:
  - 4.1.1** The Support Person fails to comply with the law;
  - 4.1.2** The Support Person's behaviour presents a risk to the safety and health of others or themselves; or
  - 4.1.3** The Support Person fails to comply with any policies or procedures of the Site including but not limited to maintaining a respectful workplace.
- 4.2** Any such reason for not allowing the Support Person to remain with the Participant shall be documented by Staff and/or Volunteers.
- 4.3** Where a Participant has difficulty communicating with Staff and/or Volunteers and the Participant is accompanied by a Support Person, Staff and/or Volunteers shall reasonably seek to obtain information regarding the Participant's means of communication and other concerns and preferences with a knowledgeable and familiar Support Person who is present.
- 4.4** Where any other person who wishes to access the services and/or events provided by Manitoba SwimAbility and the person has difficulty communicating with Staff and/or Volunteers and the person is accompanied by a Support Person, Staff and/or Volunteers shall reasonably seek to obtain information regarding the person's means of communication and other concerns and preferences to reasonably allow the individual to access the services and/or events provided by Manitoba SwimAbility.
- 4.5** The Support Person shall be permitted to participate in the communication interaction between the Staff and/or Volunteer in a manner determined by the preferences of the Participant, Legal Guardian, or other individual who wishes to access the services and/or events provided by Manitoba SwimAbility.

**4.6** Where a Participant is accompanied by a Support Person, on initial contact and as necessary, Staff and Volunteers shall clarify the roles and responsibilities of Staff and Volunteer and Support Person. Staff and Volunteers shall document these interactions within the Participant's records to ensure accessibility at all Sites.

**4.7** Where a Participant is accompanied by a Support Person, Staff and Volunteers may request identification in order to confirm a Support Person's identity and their role as Support Person in relation to the Participant.

## **5.0 Service Animal Policy**

**5.1** Staff and Volunteers shall accommodate a Service Animal when the animal is clearly identified through any of the following: (a) observation of a Service Animal harness or jacket; or (b) where a Participant, Legal Guardian, Volunteer, Staff or other person wishing to access the services and/or events provided by Manitoba SwimAbility indicates or claims the animal is a Service Animal. No person shall be required to present identification verifying the training or the certification of the Service Animal but may be asked to indicate what work or tasks the Service Animal will perform.

**5.2** The care and control of the Service Animal shall be the sole responsibility of the individual requiring the services of said Service Animal, or, in the case of a Participant or Volunteer, the individual's Legal Guardian.

**5.3** A Service Animal who supports a Participant is not allowed to enter the water with the Participant but may be beside the pool during the time of the Participant's lesson.

**5.4** Individuals who require a Service Animal are required to:

- 5.4.1** Where possible, make reasonable efforts to provide the Volunteers and Staff with advance notice of the use of a Service Animal;
- 5.4.2** Ensure the Service Animal is clearly identifiable;
- 5.4.3** Collaborate with Staff and Volunteers if the Service Animal is involved in an incident of aggression or where an injury has been inflicted;
- 5.4.4** Perform hand hygiene where there is Service Animal contact. Alcohol based hand rub may be used unless visible soiling is present. If soiling present, wash hands with soap and water;
- 5.4.5** Keep the Service Animal leashed or tethered at all times unless this interferes with the animal's work or task, in which case, the individual must maintain care and control by voice signal or other means. Once the work or task is complete, the Service Animal must be returned to a leashed or tethered status.

**5.5 Staff and/or Volunteers shall:**

- 5.5.1** Not touch, pet, speak to, distract, deliberately startle, feed, impede or interfere, nor provide care for (e.g. toileting, exercising) the Service Animal, without first asking and receiving consent from the individual requiring the support of the Service Animal;
- 5.5.2** Where there is contact with the Service Animal, perform hand hygiene. Alcohol based hand rub may be used unless visible soiling is present. If soiling present, wash hands with soap and water;
- 5.5.3** Not request that the individual requiring the support of a Service Animal produce certification or proof of training for the Service Animal unless there is a reasonable basis to believe the animal is not a Service Animal;
- 5.5.4** Not refuse access to individuals accompanied by Service Animals to any area of the Site; and
- 5.5.5** Notify the Staff and Volunteers if they are unable to accommodate dealing with a Service Animal (e.g. due to allergies).

**5.6 Staff or Volunteers have ultimate decision making power to determine if a Service Animal shall be denied entry to, or be removed from a Site, as the circumstances require where:**

- 5.6.1** The individual requiring the support of the Service Animal or, in the case of a Participant, the Participant's Legal Guardian, is unable to control the Service Animal, the Service Animal is or becomes ill, aggressive, or if the Service Animal poses a Direct Threat to the health or safety of others.

**5.7 If a Participant or Volunteer requires the support of a Service Animal, this information will be recorded by Manitoba SwimAbility to ensure accessibility at all Sites.**

**6.0 Built Environment Policy**

**6.1** Manitoba SwimAbility shall use its best efforts to ensure that all Sites facilitate barrier-free access to the services and events it provides.

**6.2** If Manitoba SwimAbility is unable to provide a Site that does not provide barrier-free access, the organization shall notify all Participants, Legal Guardians and Volunteers by e-mail with the reason the Site is not barrier-free, when the unavailability will cease and details of any alternate means by which Manitoba SwimAbility's services can be accessed.

**7.0 Procedures:**

**7.1** If any individual wishes to provide feedback to Manitoba SwimAbility regarding the Accessibility of any Site, or the services provided by any Staff or Volunteer, the individual should contact the Director of Programming at [winnipeg@swimability.org](mailto:winnipeg@swimability.org) or via telephone at 1-204-750-1674.

**7.2** The Director of Programming shall, upon receipt of any feedback:

- 7.2.1** Bring the feedback to the attention of the President and, if required, the Board of Directors;
- 7.2.2** Respond to the individual within 7 days of receipt of the feedback with a solution for any issues identified or an explanation of why barrier-free access cannot be provided; and
- 7.2.3** Document any feedback received and any response required within 7 days of implementation of the solution or explanation.

**7.3** The Director of Programming shall:

- 7.3.1** Ensure that training about accessible customer service is provided to all Volunteers and all Staff;
- 7.3.2** Ensure that the training policy, summary of content, and time the training is provided is recorded and maintained at Manitoba SwimAbility's office.

**7.4** Manitoba SwimAbility shall post a notice on its website that any documentation surrounding the policies, measures and practices implemented as a result of this Policy is available upon request of any individual. Manitoba SwimAbility will respond to such requests within 14 days of receipt of the request.