

Government & Consumer Services

Know Your Rights – Legal Information Handbook

January 2022



Disclaimer

This content is provided as general information and is not legal advice. If you need advice about a specific legal issue, contact a lawyer.

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To learn more about the Know Your Rights project, please visit cnib.ca/KnowYourRights

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My Legal Rights

Q: What legal rights do I have when it comes to government and consumer services in Saskatchewan?

A: Under Saskatchewan laws, people with disabilities have important legal rights when it comes to government and consumer services:

- You have the right to receive an equal level of service from government and consumer service providers as anyone else without discrimination because of your disability.
- You have the right to receive **accommodations** for your disability from government and consumer service providers up to the point of **undue hardship**.
- Your needs must be accommodated in a manner that respects your dignity and that recognizes your right to privacy, confidentiality, comfort, autonomy and self-esteem. The accommodation should maximize your ability to participate in society.
- You cannot be denied services or denied access to spaces that are normally available to the public because you are accompanied by a service animal such as a guide dog.

Duty to Accommodate & Undue Hardship

A service provider's "**duty to accommodate**" means they are legally required to provide you with the supports you need to receive the same level of service as anyone else.

However, the duty to accommodate has a limit and this limit is called "**undue hardship**." **Undue hardship** is a legal term. It means that if a service provider can show that it is very difficult for them to provide you with a certain type of accommodation, then they don't have to provide it.

It is important to note that it is not enough for a service provider to **simply claim** undue hardship. A service provider **must show clear evidence** of undue hardship. Such evidence can relate to the following factors:

- Whether the cost of the accommodation is so high that it would significantly interfere with the operation of the business.

- Whether the accommodation would create serious health and safety risks.
- Whether there have been past unsuccessful efforts to accommodate.
- The type of facility and the size of the organization.

Even if a service provider shows that a certain type of accommodation will create undue hardship for them, they may still have a legal duty to provide you with the **next best** type of accommodation.

Q: Where do my legal rights come from?

A: Your legal rights come from a variety of different laws, including:

- The [Saskatchewan Human Rights Code](#)
 - Prohibits discrimination based on disability in most areas of public life, including government and consumer services.
- The [Canadian Charter of Rights and Freedoms](#)
 - Guarantees equality of the law including equal benefit of the law without discrimination.
- The [Consumer Protection and Business Practices Act](#)
 - Governs consumer purchases of goods or services in Saskatchewan.

The [United Nations Convention on the Rights of Disabled People](#) (“UNCRDP”) is also an important resource. The UNCRDP is an international human rights treaty aimed at protecting the rights and dignity of persons with disabilities without discrimination and on an equal basis with others.

Canada ratified the UNCRDP on March 11, 2010, and is therefore a party to the UNCRDP. Parties to the treaty are required to promote and ensure the full enjoyment of human rights of persons with disabilities, which includes full equality under the law.

Q: Who must comply with laws related to government and consumer services?

A: The following people and organizations are required to comply with the above laws:

- Businesses and any other organization, including all employees that perform common consumer transactions in Saskatchewan
- Consumers (individuals who purchase products and services within Saskatchewan)
- The Saskatchewan government (including its ministries and agencies) and Saskatchewan municipalities

Q: What can I do to enforce my legal rights?

A: If you feel you have been discriminated against by a government or consumer service provider, there are things you can do to stand up for yourself.

In general, you should first try to resolve your concerns by speaking with the people who are directly involved in an informal and collaborative way.

For more resources on self-advocacy, please visit the [Self-Advocacy section of the Know Your Rights website](#).

If your concerns can't be addressed through collaborative discussions, you can consider making a complaint to:

- The [Saskatchewan Human Rights Commission](#)
 - If you feel you have been discriminated against based on your disability when accessing goods or services
- The [Saskatchewan Ombudsman](#)
 - If you feel the provincial government, a provincial government agency, a crown corporation, a municipality, or a health entity has treated you unfairly based on your disability
- The [Financial and Consumer Affairs Authority of Saskatchewan](#)
 - If you have purchased goods or services and feel that the seller or manufacturer has not lived up to their obligations under [consumer protection laws](#)

- The [Better Business Bureau of Saskatchewan](#)

- If you have issues with how a business has handled your interaction with them

You may also wish to consult with a lawyer to determine if you have grounds for a complaint and discuss other options that may be open to you.

Common Scenarios

Even though there are laws to protect you from discrimination, people with disabilities still face barriers to receiving an equal level of service as anyone else from government and businesses.

This section describes barriers that are commonly experienced and suggests practical next steps. Keep in mind that, in most situations, you should first try to resolve your concerns by speaking with the people who are directly involved in an informal and collaborative way.

Government Websites and Forms

Q: Due to my sight loss, I'm having trouble navigating government websites and accessing online services. What can I do?

A: Consider contacting a customer service representative of the government organization by telephone.

For example, there is a [Saskatchewan Government Directory](#) available online and all [Service Canada locations](#) can also be found online. For help with municipal issues, you can contact your city clerk's office or municipality. Many cities and towns have a person responsible for accessibility who can assist you.

When you speak with a customer service representative, explain that you are having trouble navigating a government website (or accessing an online service) because of your sight loss. Explain what assistance you require in as much detail as possible.

When you disclose your disability to a customer service representative, you trigger that government organization's legal duty to accommodate you to the point of undue hardship.

If the representative is reluctant or refuses to accommodate you, you can remind them that they have a duty to provide you with reasonable accommodations so you're able to experience an equal level of service as anyone else.

If this does not help, you can gradually escalate your complaint – for example, to a manager or supervisor and then to an official complaint process.

If your concerns are still not addressed, you can consider consulting a lawyer to see what options you have.

Q: When trying to complete a paper-based form at a government office, I asked a government employee for help. They said that “due to liability issues” they could not assist me. What can I do?

A: Do your best to plan ahead. For example, if you need to renew a health card or passport, see if it's possible to complete the forms online. If not, contact the government organization ahead of time and request that the forms be sent to you in an accessible format.

For example, the **Canadian Revenue Agency** provides copies of all its forms and publications in an accessible format [on request](#).

If the form you need is not available in an accessible format, then speak with an employee or manager to determine how the government organization can accommodate you. If the employee or manager is reluctant or refuses to accommodate you, you can remind them that they have a duty to provide you with reasonable accommodations so you're able to experience an equal level of service as anyone else.

Shopping

Q: Sometimes I'm asked by a business to provide a piece of valid, government-issued identification. I don't have a driver's licence and I don't want to carry around my passport. What can I do?

A: Consider getting a [Non-Driver Photo ID](#) card. The Non-driver Photo ID card is available for all Saskatchewan non-drivers, and can be obtained from any motor licence issuer. The Non-driver Photo ID card serves as official identification for people who don't have a driver's licence.

Your first Non-Driver Photo ID card is free, if you've never had a driver's license or Saskatchewan photo ID card before. Otherwise, the card costs \$15.00 to renew or replace. The Non-Driver Photo ID card will remain valid for five years before it must be renewed.

You may also consider getting a [CNIB Card](#). Depending on your municipality, a CNIB Card can provide you with benefits and discounts, and services from governments, businesses, and community partners. In some cases, a CNIB Card can be used as proof of disability for government programs and tax benefits.

Q: When shopping, I often encounter queues that are inaccessible: for example, a “take-a-number” system or line-ups marked using posts that are connected by ropes or belts (these are often used in airports and called “stanchions”). What can I do?

A: Unfortunately, there is currently no legal obligation for businesses or government organizations to ensure that their queues are accessible.

Depending on the building and when it was constructed, the business may be obligated to provide a barrier-free pathway through the premises. However, a queue may not violate this rule if there is still a barrier-free pathway.

That said, businesses and other organizations are still legally obligated to accommodate you up to the point of undue hardship.

If you encounter an inaccessible queue, you should approach an employee or manager for assistance. When you speak with an employee or manager, explain how the queue is inaccessible or unsafe for you and explain what kind of assistance you require in as much detail as possible. For example, ask an employee to notify you when your number is called or ask an employee to guide you through a queue.

When you disclose your disability to an employee, you trigger that organization’s legal duty to accommodate you to the point of undue hardship.

If the employee or manager is reluctant or refuses to accommodate you, you can remind them that they have a duty to provide you with reasonable accommodations so you’re able to experience an equal level of service as anyone else.

If this does not help, you can gradually escalate your complaint – for example, to a manager or supervisor and then to an official complaint process.

If your concerns are still not addressed, you can consider consulting a lawyer to see what options you have.

Q: When shopping, I often have trouble trying to read labels and telling the difference between products. What can I do?

A: There are many [technological tools](#) that can help people with shopping and using other consumer services. If these kinds of technological tools don't meet your needs, you should approach an employee or manager for assistance.

When you speak with an employee or manager, explain that you are having trouble with certain tasks related to shopping because of your sight loss. Explain what assistance you require in as much detail as possible. When you disclose your disability to an employee, you trigger that organization's legal duty to accommodate you to the point of undue hardship.

If the employee or manager is reluctant or refuses to accommodate you, you can politely remind them that they have a duty to provide you with reasonable accommodations so you're able to experience an equal level of service as anyone else.

If this does not help, you can gradually escalate your complaint – for example, to a manager or supervisor and then to an official complaint process.

If your concerns are still not addressed, you can consider consulting a lawyer to see what options you have.

Q: When shopping or dining out, I often encounter an inaccessible point of sale terminal. What can I do?

A: Unfortunately, there is currently no legal obligation for stores to carry an accessible point of sale terminal. Do your best to plan ahead. If you're going to a store or restaurant for the first time, try to contact that business by telephone or email in advance to see if they have an accessible point of sale terminal. Consider using cash to reduce the risk of an error in payment and to help keep your pin numbers confidential.

That being said, under the [Saskatchewan Human Rights Code](#), a business providing goods or services must provide reasonable accommodations for people with disabilities. When you inform

the business of your needs, you trigger their duty to accommodate you up to the point of undue hardship.

Did you know that CNIB is working with Moneris to develop a more accessible payment terminal?

[Learn more.](#)

Q: I sometimes get disoriented when visiting new stores, service centres, or other public places. What can I do?

A: There are many [technological tools](#) that can help people with orientation and navigation through stores, malls, and other public spaces. If these kinds of technological tools don't meet your needs, you may wish to approach or contact an employee or manager of the building for assistance. When you speak with an employee or manager, explain that you are having trouble with navigation or orientation inside the building because of your sight loss. Explain what assistance you require in as much detail as possible.

When you disclose your disability to an employee, you trigger that organization's legal duty under the [Saskatchewan Human Rights Code](#) to accommodate you to the point of undue hardship. If the employee or manager is reluctant or refuses to accommodate you, you may wish to remind them that they have a duty to provide you with reasonable accommodations so you're able to experience an equal level of service as anyone else.

If this does not help, you can gradually escalate your complaint – for example, through an official complaint process or to an organization's management team. Government organizations and large private companies may have a designated person responsible for accessibility who can assist you.

If your concerns are still not addressed, you can consider consulting a lawyer to see what options you have.

Guide Dogs

Q: I have been denied access to a restaurant or a store because I am accompanied by my guide dog. What can I do?

A: The [Saskatchewan Human Rights Code](#) prohibits discrimination on the basis of a person's disability, and recognizes that discrimination can be directed towards an individual who uses a service animal. Service providers are prohibited from treating a person differently because they use a service animal, unless it is reasonable to do so.

Specifically, the [Saskatchewan Human Rights Code](#) prohibits discrimination with respect to accessing any service or facility that is commonly available or accessible to the public.

Discrimination in services against persons with disabilities who use service animals typically involves denying access to a person, wholly or in part, because they use a service animal. This form of discrimination is commonly encountered in restaurants, when restaurant staff refuse to allow a person with a service animal access to the restaurant.

A person who uses a service animal has the right to access any area that is generally accessible to the public. If a restaurant staff member denies you access, ask to speak to a manager of the business immediately. If the manager refuses you access, you may wish to escalate the complaint to the business owner, in writing.

If the business continues to take the position that they were justified in refusing you access, consider consulting a lawyer to discuss filing a complaint with the [Saskatchewan Human Rights Commission](#) or any other options that might be available to you.

Q: Can an employee or business owner ask me to show them official identification for my guide dog before serving me?

A: In general, a business is legally permitted to ask the owner of a service animal for official documentation – for example, a guide dog card or letter from a healthcare practitioner – to prove that a service animal is legitimate.

However, if it's obvious that someone is being accompanied by a guide dog because they have sight loss, it's possible that an inquiry regarding identification for the dog could be considered discrimination.

However, we have heard from many CNIB participants that they are comfortable carrying their guide dog card with them and producing official identification if asked. These participants feel that many of the employees or business owners who ask for official identification do so in good faith. They note that there are many types of legitimate service animals – for example, autism support dogs, psychiatric service dogs, seizure alert dogs, among others. And, unfortunately, there are many incidents of fraudulent service animals, widely reported as “an epidemic” in [Canada](#) and [abroad](#).

Ultimately, it is up to you whether to carry your official guide dog identification with you and whether you choose to produce that identification if asked by a business.

If a dispute does arise, you can contact the [Saskatchewan Human Rights Commission](#) or consider consulting a lawyer to see what options you have.

Resources

Legal Services

[Public Legal Education Association of Saskatchewan \(PLEA\)](#)

PLEA is a non-profit, non-government, charitable organization which exists to educate, inform, and empower individuals through law-related education.

PLEA can help members of the public by providing general legal information, suggesting resources, and telling people about different options for obtaining legal advice.

PLEA provides free legal information on a variety of topics, on its website, including:

- [Payday loans](#)
- [Contracts for buying goods and services](#)
- [Door-to-door sales](#)
- [Cancelling a contract for purchase](#)
- [Consumer complaints](#)

[Pro Bono Law Saskatchewan \(PBLs\)](#)

PBLs is a non-profit, non-government organization that provides free legal advice to low-income individuals in Saskatchewan. PBLs operates and partners with 14 free legal clinics across Saskatchewan. PBLs tries to fill the gap of legal services between government funded legal aid and hiring a private lawyer.

[Community Legal Assistance Services for Saskatoon Inner City \(CLASSIC\)](#)

With a commitment to social justice, decolonization, and the dignity of all peoples, CLASSIC provides free legal services, programming and supports to people who experience poverty and injustice, including services in relation to human rights issues.

Saskatchewan Legal Coaching and Unbundling Pilot Project

This resource provides individuals with a lower cost alternative to full legal representation. Through this service, individuals receive limited legal services where you hire a lawyer to handle only part of your case or to do a specific task.

The Saskatchewan Human Rights Commission (SHRC)

The SHRC promotes human rights through public legal education and policy development. The SHRC has created [Policies and Guidelines](#) and [Information Sheets](#) on human rights topics. For information on filing a complaint with the SHRC, refer to the “[Filing a Complaint](#)” section of the SHRC website.

Accessibility Legislation for Saskatchewan

Saskatchewan is in the process of developing a set of laws that will cover accessibility in outside built spaces (such as parks, crosswalks, and parkades) and other key areas. Information about Saskatchewan’s progress in developing this legislation is available at the [Accessibility Legislation for Saskatchewan website](#).

Essential Non-Legal Services

Ombudsman Saskatchewan

Ombudsman Saskatchewan takes complaints about provincial government ministries, agencies, Crown corporations and most health entities.

Ombudsman Saskatchewan also takes complaints about Saskatchewan cities, towns, villages, resort villages, rural municipalities, northern municipalities, and municipal council members.

You may contact **Ombudsman Saskatchewan** to discuss a concern, or [make a complaint](#), regarding any of the entities above.

Financial and Consumer Affairs Authority

Financial and Consumer Affairs Authority has detailed information on their website about the rights of consumers in Saskatchewan.

[Applying for a Passport](#)

The Government of Canada has information and helpful tips to assist individuals with applying for Canadian passports. Large print and braille application forms and instructions are available on request; and users may also use Adobe Acrobat to see a form in larger print or have it read out loud.

Government Benefits

The Government of Canada provides information/resources to assist Canadians with disabilities. Such resources and information include:

- [Benefits Finder](#) tool to assist Canadian residents with determining which government benefits are available to them
- Overviews of the federal benefits that are available to [people with disabilities](#) and to parents of [children with disabilities](#)
- Information about the [Disability Tax Credit](#) (including how to apply) and other related tax credits
- The Government of Saskatchewan's [People with Disabilities page](#) has information about provincial government services and benefits for disabled people.

[CNIB Programs](#)

We're here to help – contact CNIB for more programs, support, and resources. Some ways we can assist include:

- [CNIB Virtual Programs](#)
 - CNIB offers a range of free virtual programs for children, youth, adults and families.
 - You can access a list of CNIB's virtual program offerings on [CNIB's website](#).
 - You can access a list and schedule of CNIB Saskatchewan's program offerings on [CNIB Saskatchewan's website](#).
- [Technology Training](#)

- Join CNIB tech leads from across the country for programming that highlights the suite of programs, apps, products and services that will help empower you to achieve your personal and professional goals.
- [Virtual Vision Mate](#)
 - The Virtual Vision Mate program exists to address the feelings of isolation that many people with sight loss experience. Through the Virtual Vision Mate program, people who are blind or partially sighted are connected with sighted volunteers to engage in virtual, weekly conversation.
- [CNIB SmartLife](#)
 - CNIB SmartLife is an interactive retail experience that gives people with disabilities hands-on access to the latest breakthroughs in assistive technologies, as well as tried-and-true favourites.
 - SmartLife's goal is not necessarily to sell products but is to give customers the skills and confidence they need to make the most out of assistive tools that can help them lead better lives.
- [CNIB Advocacy Team](#)
 - The CNIB Advocacy Team can assist participants with advocating for themselves and understanding their rights.
- [CNIB Guide Dogs](#)
 - CNIB Guide Dogs can assist guide dog handlers with advocating for themselves and understanding their rights. This program also provides public education to organizations to provide knowledge about the rights of guide dog users.

[Vision Loss Rehabilitation Canada](#)

Vision Loss Rehabilitation Canada (“VLRC”) is a not-for-profit national healthcare organization and the leading provider of rehabilitation therapy and healthcare services for individuals with vision loss. VLRC’s services are tailored to the unique needs and goals of each person they assist.

Specifically, VLRC certified specialists provide a range of services that help individuals with vision loss lead more independent, active lives.

Contact information for VLRC's Saskatchewan offices is available in the [“Locations” section of the VLRC website](#).

Other Services

[SaskAbilities](#)

SaskAbilities is a registered charity that is dedicated to providing programs and services to people experiencing disability in Saskatchewan. SaskAbilities has branches located in Regina, Saskatoon, Swift Current and Yorkton.

Wayfinding

Wayfinding refers to technological tools that assist partially sighted, blind and Deafblind persons with navigation and orientation. Such tools include:

- [BlindSquare](#): a GPS-app developed for people with sight loss that describes the environment and announces points of interest and street intersections.
- [Key 2 Access](#): a pedestrian mobility app that allows users to wirelessly request crossing at intersections without having to locate the button on the pole. It also allows users to wirelessly open doors and obtain information about indoor spaces.
- [Access Now](#): a map application that shares accessibility information for locations based on users' feedback.
- [Be My Eyes](#): a volunteer-based app that connects people with sight loss to sighted volunteers, who can assist with tasks such as checking expiry dates, distinguishing colors, reading instructions or navigating new surroundings.
- The [American Foundation for the Blind](#), which provides an overview of some of the apps that are available to assist consumers with reading items such as product labels and menus.

cnib.ca | info@cnib.ca | 1-800-563-2642