



AODA Integrated Accessibility Standards Regulation – Employment Standard Policy

INTENT

This policy is intended to meet the requirements of the *Integrated Accessibility Standards, Ontario Regulation 191/11* for the Employment Standard set forth under the *Accessibility for Ontarians with Disabilities Act, 2005*. This policy applies to the provision of accessible employment services for people with disabilities.

All employment services provided by Gardiner Roberts LLP (“GR”) shall follow the principles of dignity, independence, integration and equal opportunity.

SCOPE

This policy shall apply to every person who deals with members of the public or their agents on behalf of GR, whether the person is an employee, agent, volunteer or otherwise.

DEFINITIONS

Accessible Formats – include but not limited to large print, recorded audio and electronic formats, braille and other formats usable by persons with disabilities.

Communication Supports – include but not limited to captioning, alternative and augmentative communication supports, plain language, sign language and other supports that facilitate effective communications.

Conversion Ready – an electronic or digital format that facilitates conversion into an acceptable format.

Educator – is an employee who is involved in a program or course design, delivery and instruction, including staff of school boards.

Information – includes data, facts and knowledge that exists in any format, including text, audio, digital or images, and conveys meaning.

Large Organization – an organization with 50 or more employees in Ontario.

Mobility Aid – a device used to facilitate the transport, in a seated posture, of a person with a disability.

Mobility Assistive Device – a cane, walker or similar aid.

Obligated Organization – Organizations may include workplaces, businesses or services. Refers to the Government of Ontario, the Legislative Assembly, a designated public sector organization, a large organization and a small organization to which the standards of this Regulation apply.

Performance Management – activities related to assessing and improving employee performance, productivity and effectiveness with the goal of facilitating employee success.

Redeployment – the reassignment of employees to other departments or jobs within the organization as an alternative to layoff, when a particular job or department has been eliminated by the organization.

Support Person – in relation to a person with a disability, another person who accompanies the person with a disability in order to help with communication, mobility, personal care or medical needs, or with access to goods, services or facilities.

GENERAL PRINCIPLES

In accordance with the *Integrated Accessibility Standards, Ontario Regulation 191/11*, this policy addresses the following:

- A. General Requirements
- B. Employment Standards Overview
- C. Recruitment, Assessment and Selection
- D. Accessible Formats and Communication Supports for Employees
- E. Documented Individual Accommodation Plans
- F. Plans and Processes
- G. Return to Work and Redeployment

A. General Requirements

General requirements that apply across all of the three standards, *Information and Communications, Employment and Transportation* are outlined as follows.

Establishment of Accessibility Policies and Plans

GR will develop, implement and maintain policies governing how it will achieve accessibility through these requirements. GR is responsible for including a statement of its commitment to meeting the accessibility needs of persons with disabilities in a timely manner in its policies. This should be achieved through documentation in GR's policies and making these documents publicly available, in an accessible format upon request.

GR will establish, implement, maintain and document a multi-year accessibility plan outlining its strategy to prevent and remove barriers and meet its requirements under the IASR regulation. GR will post its accessibility plans on their website, if any, and provide the plan in an accessible format upon request. GR will review and update its accessibility plan once every five years and will establish, review and update its accessibility plans in consultation with persons with disabilities or an advisory committee. Annual status reports will be prepared to report on the progress of steps taken to implement GR's accessibility plan and post this status on its website. If requested, the report shall be created in an accessible format.

Procuring or Acquiring Goods and Services, or Facilities

GR will incorporate accessibility criteria and features when procuring or acquiring goods, services or facilities. The only exception is in cases where it is impracticable to do so.

Training Requirements

GR will provide training for its employees and volunteers regarding the IASR and the Ontario *Human Rights Code*. Training will be provided for individuals who are responsible for developing GR's policies, and all other persons who provide, goods, services or facilities on behalf of GR.

B. Employment Standards Overview

The Employment Standards regulation will expand Ontario's labour pool by ensuring people with disabilities are welcome and supported within all workplaces. Employment standards will assist organizations with employment recruitment, providing accessible information, plans for emergencies, individual accommodation, return to work, performance management, and career development and redeployment.

C. Recruitment, Assessment and Selection

GR must notify employees and the public about the availability of accommodation for job applicants who have disabilities. Applicants must be informed that these accommodations are available, upon request, for the interview process and other candidate selection methods. GR must notify the successful applicant of their policies and supports for accommodating people with disabilities.

D. Accessible Formats and Communication Supports for Employees

If an employee with a disability requests it, GR must provide or arrange for the provision of accessible formats and communication supports for the following:

1. Information needed in order to perform their job; and
2. Information that is generally available to all employees in the workplace.

GR should consult with the employee making the request to determine the best way to provide the accessible format or communication support.

E. Documented Individual Accommodation Plans

GR must also develop and have in place written processes for documenting individual accommodation plans for employees with disabilities. The process for the development of these accommodation plans should include specific elements, including:

- The ways in which the employee can participate in the development of the plan;
- The means by which the employee is assessed on an individual basis;
- The ways an employee can request an evaluation by an outside medical expert, or other experts (at the employer's expense) to determine if accommodation can be achieved, or how it can be achieved;
- The steps taken to protect the privacy of the employee's personal information;
- The frequency with which the individual accommodation plan should be reviewed or updated determined, and how it should be done;
- The means of providing the accommodation plan in an accessible format, based on the employee's accessibility needs.

F. Plans and Processes

Any department within GR that utilizes performance management tools, or provides career development and advancement to their employees, must respect the accessibility needs of their employees with disabilities when developing these processes. Every department within GR must provide a tailored workplace emergency response plan or information for employees with disabilities, if their disability makes it necessary.

G. Return to Work and Redeployment

GR must develop and have return to work processes in place for employees who are absent from work due to a disability – and require disability-related accommodations in order to return to work. GR will need to document these processes. The return to work process must include an outline of the steps GR will take to facilitate the employee’s return to work and use documented individual accommodation plans (as described in section 28 of the regulation). If GR uses redeployment processes, they must take into account the accessibility needs of its employees with disabilities. Redeployment may mean the reassignment of employees to other departments within the organization as an alternative to a “layoff”, when a particular job or department has been eliminated. *These standards do not apply to volunteers or other non-paid individuals.*



Acknowledgement & Agreement

I, _____, acknowledge that I have read and understand the AODA Integrated Accessibility Standards Regulation Policy, Employment Standard of GR. Further, I agree to adhere to this policy and will ensure that employees working under my direction adhere to these guiding principles. I understand that if I violate the policy, I may face corrective action, up to and including termination of employment.

Name: _____

Signature: _____

Date: _____

Human Resources: _____