

Township of Brock Corporate Policy



Policy Name: Employment Accommodation Policy

Policy Type: Accessibility

Policy Number: AC4

Reference:

Date Approved: September 22, 2014

Date Revised:

Approval By: Protection to Persons and Property Committee

Point of Contact:

Employment Accommodation Policy

1. Statement of Organizational Commitment

The Corporation of the Township of Brock is an equal opportunity employer committed to diversity and inclusion of all individuals, including persons with disabilities, within the workplace.

2. Background

The *Accessibility for Ontarians with Disabilities Act (A.O.D.A.)* was proclaimed in 2005 with the stated intention to “achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures, and premises on or before January 1, 2025.” In order to achieve this vision, the Provincial government has issued five set of standards under A.O.D.A.: customer service, transportation, communication and information, employment, and built environment.

As part of the ongoing requirements under the A.O.D.A. and the Integrated Accessibility Regulation (I.A.S.R.), Ontario Regulation 191/11, an obligation addressing the individual accommodation of employment activities was developed. The requirement addresses recruitment, assessment, selection and notification, accessible formats and communication supports, workplace emergency response information, accommodation plans, return to work process, performance management, and career development and advancement.

3. Purpose

This policy documents how the Township will integrate accessibility into the employment process to ensure accessibility for persons with disabilities across all stages of the employment life cycle.

4. Scope and Responsibility

The requirements set out in this policy and I.A.S.R. do not replace or substitute the requirements established under the Ontario Human Rights Code and the Workplace Safety and Insurance Act. The standards do not limit any obligations owed to persons with disabilities under any other legislation.

This policy applies to all Township of Brock employees and all applicants responding to, or participating in the Township's recruitment process.

The CAO & Municipal Clerk is responsible for the overall implementation and enforcement of this policy. However, accommodation within the workplace is a multiparty process whereby the municipality, the employee, and, where applicable, the respective bargaining unit are responsible for actively contributing to the process in compliance with the relevant legislation.

5. Definitions

“Accessible formats” may include, but are not limited to large print, recorded audio, electronic formats, and other formats useable by persons with disabilities.

“Barrier” as defined by A.O.D.A., means anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability including a physical barrier, an architectural barrier, information or communication barrier, an attitudinal barrier, a technological barrier, or a policy or practice.

“Communications” means the interaction between two or more persons or entities, or any combination of them, where information is provided, sent or received.

“Disability” as defined by A.O.D.A., means:

- 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 or paralysis, amputation, lack of physical coordination, blindness or visual impairment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or 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*.

“Employee” means any paid employee, including, but not limited to, full-time, part-time, paid apprenticeships, and seasonal employees.

“Employment Life Cycle” means the key stages of engagement between an employee or prospective employee and the Township, including the process involved in recruitment, assessment, selection, hiring, retention (orientation, training, return to work, performance management, career development and advancement, redeployment) and the end of employment.

“Individual Accommodation Plan” is a document which outlines the details of individual accommodations for an employee with a disability.

“Individualized Workplace Emergency Response Information” means the information prepared by employers, in consultation with employees with disabilities, that help document and prepare the employee for workplace emergencies such as fire, severe weather and power outages.

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

“Municipality” means the Corporation of the Township of Brock.

“Performance Management” means activities related to assessing and improving the employee’s performance, productivity and effectiveness, with the goal of facilitating employee success.

6. General Policy

6.1 The municipality will make a reasonable effort to create an overall accessible work environment and create a suitable accessible work environment for employees with disabilities as soon as practicable after the municipality becomes aware of the disability.

6.2 Employees are responsible to make the municipality aware of their disability. However, if an employee appears to be struggling in the workplace or is clearly unwell, the employee’s Supervisor/Manger may consult with the CAO & Municipal Clerk to obtain advice.

6.3 All municipal documents pertaining to employment activities, including but not

limited to, recruitment and selection, orientation, working conditions, promotion, training, performance management, career development and workforce transition shall feature the “Employment Activities Accommodation” clause:

“The Township of Brock is an equal opportunity employer committed to diversity and inclusion within the workplace. We will provide accommodations throughout the recruitment, selection and/or assessment process to applicants with disabilities. If you require accommodation at any time throughout the recruitment process, please contact the Clerk’s Department in advance at 705-432-2355 and we will make every effort to provide appropriate assistance pursuant to the Township of Brock Employment Accommodation Policy.”

7. Recruitment, Assessment, Selection and Notification

7.1 The municipality will notify job applicants that accommodations for persons with disabilities will be provided, upon request, on the “Employment Opportunities” page of the Township’s website and in the job posting, which will include the “Employment Activities Accommodation” clause.

7.2 The municipality will notify job applicants by telephone or email who have been individually selected to participate in an assessment or job selection process that accommodations for persons with disabilities are available, upon request, at the same time that the applicant is being invited to participate in an assessment or selection process. If a selected applicant requests accommodation, the CAO & Municipal Clerk or designate, will consult with the job applicant and provide or arrange for the provision of a suitable accommodation in a manner that takes into account the applicant’s accessibility needs. The CAO & Municipal Clerk shall document the accommodations provided in writing and retain a copy in the employment file.

7.3 The municipality will include in the letter of offer to new employees the Township’s policies and procedures in place for accommodating employees with disabilities and make copies available to the employee, upon request.

8. Informing Employees of Supports

8.1 The municipality will inform employees of its policies used to accommodate its employees with disabilities during the Integrated Accessibility Standards and Ontario Human Rights Training.

8.2 The municipality will advise employees of any updated policies or procedures that take into account an employee’s accessibility needs due to a disability through a staff memorandum.

9. Accessible Formats and Communication Supports for Employees

9.1 As per the Township of Brock Alternate Formats Policy, an employee or member of the public shall make requests for Alternate Formats through the “Request for Document in an

This document is available in alternate formats upon request.

Please contact the Clerk’s Department at 705-432-2355 or clerks@townshipofbrock.ca.

Alternate Format". The Clerk's department shall consult with the department from which the document originated and the person making the request to determine their accessibility needs. The request shall be honoured in a practical manner depending on:

- I. the media chosen;
- II. the size and complexity of the document;
- III. the quality and source of the documents;
- IV. the feasibility of the request, including cost; and
- V. the number of documents to be provided.

9.2 The municipality will include the employee's appropriate accessible format and communication support in their Individual Accommodation Plan (see Section 11), should one exist.

10. Personal Workplace Emergency Response Information

10.1 The municipality shall provide individualized workplace emergency response information plans to employees who have a disability if it is such that individualized information is necessary and the municipality is aware of the need for accommodation.

10.2 If the municipality is aware of an employee's disability and it is such that individualized information is necessary, the employee's Supervisor/Manager and/or the CAO & Municipal Clerk and the employee requiring assistance in the event of a workplace emergency shall meet to complete the "Personal Workplace Emergency Response Plan (PWERP)" attached hereto as Appendix A.

10.3 The original PWERP shall be held in the employee's personnel file and the employee and supervisor/manager shall retain a copy.

10.4 If the employee requires and consents to assistance from co-workers, a copy of the employee's PWERP will be provided to the co-workers who are a part of the employee's Emergency Assistance Network.

10.5 The employee's Supervisor/Manager and/or the CAO & Municipal Clerk and the employee shall review the PWERP when:

- I. the employee moves to a different location in the municipality;
- II. the employee's Individualized Accommodation Plan (see Section 11), should one exist, is reviewed;
- III. the municipality reviews its general emergency response policies.

11. Individualized Accommodation Plans

11.1 The municipality shall provide individualized accommodation plans to employees who have a disability if it is such that the need for accommodation is necessary and the municipality is aware of the employee's disability.

11.2 An employee shall make a request for an individualized accommodation plan through the “Request for an Individual Accommodation Plan” attached hereto as Appendix B and provide medical documentation outlining the disability and the need for accommodation to the CAO & Municipal Clerk.

11.3 Upon receipt of a request for an Individual Accommodation Plan, the CAO & Municipal Clerk shall review the request on an individual basis, and if appropriate, request an evaluation of the employee by an outside medical practitioner or expert, at the municipality’s expense, to determine if and how accommodation can be achieved.

11.4 The CAO & Municipal Clerk shall arrange to meet with the employee requesting the Individual Accommodation Plan and the employee’s manager/supervisor to discuss the request and to develop an “Individual Accommodation Plan (IAP)” attached hereto as Appendix C. The employee, if desired, may request the attendance of a Union Representative where the employee is represented by a bargaining union.

11.5 The municipality will provide the accommodation plan in a format that considers the accessibility needs of the employee and ensure that all information collected during the development of the plan remains confidential unless written consent from the employee is obtained.

11.6 The municipality will ensure that the IAP includes, if requested, any information regarding accessible formats and communication supports provided, and if required, individual the employees Personal Workplace Emergency Response Plan.

11.7 The original IAP shall be held in the employee’s personnel file and the employee, supervisor/manager and any other parties deemed appropriate shall retain a copy.

11.8 The employee’s supervisor/manager will monitor and evaluate the IAP once implemented.

11.9 The IAP will be reviewed on an annual basis. The CAO & Municipal Clerk, the employee, supervisor/manager, and, if requested by the employee, a union representative shall participate in the review.

11.10 If an employee is absent from work due to a disability and requires disability related accommodation in order to return to work, an IAP shall be developed, in conjunction with a modified work plan, as per the Early and Safe Return to Work Policy. In this case, the employee is not required to complete the “Request for an Individual Accommodation Plan” form.

12. Return to Work Process

12.1 The Township of Brock “Early and Safe Return to Work Policy,” attached hereto as Appendix D, outlines the return to work process for its employees who have been absent from work due to a disability.

This document is available in alternate formats upon request.
Please contact the Clerk’s Department at 705-432-2355 or clerks@townshipofbrock.ca.

13. Performance Management

13.1 The Township of Brock "Performance Review Policy", attached hereto as Appendix E, considers the accessibility needs of employees with disability when using its performance management process in respect of employees with disabilities.

*Adopted by Resolution No. 4-7 at the September 22, 2014 Protection to Persons and Property Committee