



## REGULATIONS

**SUBJECT:       Accessibility in Employment**

### Definitions

The procedure with regard to Accessibility in Employment applies only to employees and does not apply to volunteers and other non-paid individuals.

**Performance management:** means activities related to assessing and improving employee performance, productivity and effectiveness with the goal of facilitating employee success.

**Career development and advancement:** includes providing additional responsibilities within an employee's current position and the movement of an employee from one job to another that may be higher in pay, provide greater responsibility or be at a higher level, or a combination of these. For both additional responsibilities and employee movement this is usually based on merit or seniority or a combination of these.

**Redeployment:** means the reassignment of employees to other departments or jobs as an alternative to layoff when a particular job or department has been eliminated.

**Information:** includes data, facts and knowledge that exist in any format, including text, audio, digital or images, and that convey meaning.

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

**Accessible formats:** include but are not limited to options such as large print, screen readers, braille, audio format, captioning.

**Conversion-ready:** is an electronic or digital format that facilitates conversion into an accessible format.

**WCAG:** refers to the World Wide Web Consortium Web Content Accessibility Guidelines

### **1. Responsibility**

- A. Supervisory Officers, Principals, Departmental Managers and other staff who have responsibility for hiring and employee selection and/or supervise the work of employees of the Board will ensure that the provisions in this procedure are implemented.
- B. Staff of the Board's Human Resources department will ensure that the provisions of this procedure are incorporated in their practices.
- C. Unless otherwise stated, the provisions of this procedure will be in place by January 1, 2014.

**2. Recruitment**

- A. The Board will ensure that in its recruitment outreach practices the public is made aware that the Board will provide accommodation for applicants with disabilities in its recruitment processes.
- B. Employees of the Board will be made aware that the Board provides accommodation for applicants with disabilities in its recruitment processes.
- C. When the Board selects job applicants for a job selection process, the Board will make applicants aware that, upon request, they have access to accommodations in relation to materials and processes that will be used for applicant selection and that they will be consulted about the necessary accommodations that take into account their accessibility needs due to disability.
- D. When the Board makes an offer of employment, the Board will notify the successful applicant of its policy of accommodating employees with disabilities.

**3. Supports for Employees**

- A. The Board will inform employees of the Board's policy of supporting employees with disabilities and procedures that provide for job accommodations.
- B. The Board will make this information available as soon as practicable to new employees and will provide updated information as policies are revised.

**4. Accessible Formats and Communication Supports**

- A. Where an employee with a disability so requests, the Board will consult with the employee to provide or arrange for accessible formats and communication supports in relation to information that is generally available to employees in the workplace and that the employee needs to perform the employee's job.
- B. The Board, in determining the suitability of an accessible format or communication as required by 4.A, will consult with the employee.

**5. Workplace emergency response information**

- A. The Board will ensure that individualized workplace emergency response information is provided to employees who have a disability provided the disability is such that individualized information is necessary and the Board has been made aware of the need for accommodation due to the disability. The Board will provide the necessary information as soon as practicable after becoming aware of the need for accommodation.
- B. If an employee who receives individualized workplace emergency response information requires assistance, the Board will, with the consent of the employee, provide such information to the person designated to provide assistance to the employee.
- C. The Board will review individualized workplace emergency response information:
  - (a) When the employee moves to a different location in the Board;
  - (b) When the employee's overall accommodations needs or plans are reviewed, and
  - (c) When the Board reviews its general emergency response procedures.
- D. The Board will ensure that the requirements of this section are in place as of January 1, 2014.

**6. Individual Accommodation Plans**

- A. The Board will have in place a written process for the development of documented individual accommodation plans for employees with disabilities.
- B. The Board's written process will address:
  - (a) How the employee requesting accommodation can participate in the development of the individual accommodation plan.
  - (b) The means by which the employee is assessed on an individual basis.
  - (c) How the Board can request an evaluation by an outside medical or other expert, at the Board's expense, to assist in determining if accommodation can be achieved and, if so, how it can be achieved.

- (d) How the employee can request to have a representative of their bargaining unit, or another workplace representative if the employee is not a member of a bargaining unit, participate in the development of the accommodation plan.
  - (e) The steps taken to protect the privacy of the employee's personal information.
  - (f) The frequency with which the individual accommodation plan will be reviewed and updated and how this will be done.
  - (g) How the reasons for denying an individual accommodation plan will be provided to an employee, if accommodation is denied.
  - (h) How the Board will ensure that the individual accommodation plan is provided in a format that takes into account the employee's accessibility needs due to disability.
- C. The Board will provide individual accommodation plans that:
- (a) Include, if requested any information regarding accessible formats and accommodation supports provided;
  - (b) Include, if required, individualized workplace emergency response information; and
  - (c) Identify any other accommodation to be provided.

## **7. Return to Work Process**

This return to work process does not replace or override any other return to work process created as a result of any other statutory compliance, e.g. under the Workplace Safety and Insurance Act.

- A. The Board will develop, put in place and document a return to work process for its employees who have been absent from work due to a disability and require disability-related accommodations in order to return to work.
- B. The return to work process will:
  - (a) Outline the steps the Board will take to facilitate the return to work of employees who were absent because their disability required them to be away from work; and
  - (b) Use documented individual accommodation plans (as in 6.0) as part of the process. Ensure that all staff involved in program or course design, delivery and instruction will be provided with accessibility awareness training related to these responsibilities.

## **8. Performance Management**

- A. In administering performance appraisal processes in respect of employees with disabilities, the Board will take into account the accessibility needs of employees with disabilities as well as individual accommodation plans.

## **9. Career Development**

- A. Where the Board provides career development and advancement to its employees, the Board will take into account the accessibility needs of employees with disabilities as well as any individual accommodation plans.

## **10. Redeployment**

- A. Where the Board has in place a redeployment process, the Board will take into account the accessibility needs of employees with disabilities as well as any individual accommodation plans during the redeployment process.

Implementation Date: November 12, 2013

Reference: Board Policy and Regulations  
Accessibility for Ontarians with Disabilities Act, 2005 (AODA)  
Integrated Accessibility Standards, Ontario Regulation 191/11  
Ontario Human Rights Code  
Workplace Safety and Insurance Act