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PURPOSE:

The purpose of this policy is to ensure accessibility in the workplace. If a barrier cannot be removed, every reasonable accommodation will be provided. Accommodation is reasonable when it:

- is required to remove a barrier for a job applicant to allow them to participate in the hiring process
- is required to remove a barrier for an employee to allow them to perform their employment responsibilities or access the benefits available to them
- does not cause any undue hardship for the organization

The Municipality is committed to complying with all provincial legislation and regulatory requirements, including the Accessible Employment Standard Regulation, under The Accessibility for Manitobans Act. The policy is available to the public, upon request.

Application

This policy is applicable to job applicants and all full-time, part-time and seasonal employees.

Hiring Process Policies

During recruitment, potential applicants are informed that reasonable accommodation is available upon request.

When an applicant makes a request for reasonable accommodation, the Municipality will:

- consult with the applicant to determine the reasonable accommodation to remove the barrier(s)

- provide or arrange for the provision of reasonable accommodation during the assessment or selection process

When making an offer of employment, selected applicants are informed of measures, policies and practices for accommodation that are disabled by barriers in the workplace.

Training Policies

Mandatory training is provided for management and staff with human resource responsibilities about employee accommodation and related legislation.

Training includes instruction on:

- how to make employment opportunities accessible to people disabled by barriers
- how to interact and communicate with people disabled by barriers
- how to interact with people disabled by barriers who use assistive devices or require the assistance of a support person or service animal

Training includes reviews of The Accessibility for Manitobans Act, the Accessible Employment Standard Regulation and the Human Rights Code (Manitoba).

Training to employees is provided as soon as reasonably possible after a person is assigned the applicable duties. Ongoing training is provided after updates are made to the accessible employment policies.

Employment Retention Policies

Keeping employees Informed

Employees will be kept informed about the measures, policies and practices on accommodating employees who experience disability related barriers in the workplace.

Performance Management, Career Development Training and Advancement

The performance management process and opportunities for training and advancement consider that employees may be temporarily or permanently disabled by one or more barriers in the workplace.

During the performance management process, and in opportunities for training and advancement, consideration is given that the accommodation currently provided may not fully address the barrier that may be disabling an employee.

If a barrier is impacting on an employee's performance or opportunities for training and advancement, the Municipality will work with the employee to implement reasonable accommodations to remove the barrier.

Return to Work Process

The Municipality is committed to providing a safe and healthy work environment for employees who have been, or are, away from work due to a disability and require reasonable accommodation to return to work.

The following outlines the process the Municipality follows to determine reasonable accommodation that supports employees returning to work after an absence.

- Offer reasonable accommodation in order to remove barriers that may impact on an employee's return to work. Reasonable accommodation may include a modified work schedule or alternate duties that are safe and within the employee's functional abilities. The aim is to increase duties safely to help employees reach their full potential.
- Keep in touch with absent employees and Workers Compensation Board of Manitoba, when involved, throughout the employees' recovery to help them maintain a connection with their workplace and to show they are valued.
- Each return-to-work plan is tailored to the individual employee. The Municipality recognizes that employees with similar disabilities or barriers may require different accommodation.

Communication of Information

Consultation with affected employees identifies which accessible format or communication support to be used for that individual. The Municipality ensures that appropriate format or support is used when providing information to them.

Individualized Accommodation Plan

Individualized Accommodation Plans will be developed for employees who are disabled by barriers in the workplace. (HR-13 Form)

Individualized Accommodation Plans outline:

- any accessible formats and communication support to be used to provide information to the employee
- any workplace emergency response information for the employee
- any other reasonable accommodation the employer offers to address any barriers that disable the employee
- the manner and timing within which (i.e. how and when) the accommodation is to be made
- when the plan will be reviewed and/or updated

CAO/supervisors will also review an employee's Individualized Accommodation Plan and update the document, if required, when:

- the employee's workspace is modified or relocated
- the employees' responsibilities have been changed
- other workplace changes have occurred that may affect the accommodation
- the employee requests to review and update the accommodation plan

Employee Responsibilities

Employees must, in good faith, participate and cooperate in the development and implementation of an Individualized Accommodation Plan by:

- providing relevant information, including medical reports, to assist in the development of an accommodation request
- complying with their accommodation plan and performing their work accordingly
- providing feedback to the employees on the requirements of their Individualized Accommodation Plan and communicating if any change is needed or if the plan is no longer necessary
- participating in an evaluation of the employee to assist the employer when determining what reasonable accommodation is required

Employer Responsibilities

The Municipality will ensure the following aspects towards reasonable accommodation process by:

- notifying employees so that they may make verbal or written requests to their supervisor for an Individualized Accommodation Plan
- assessing each employee individually, recognizing that even those with similar disabilities or barriers may require different accommodation.
- evaluating potential accommodations separately to ensure they appropriately meet the unique needs of the individual
- notifying employees that ask for accommodation to assist in the development of an Individualized Accommodation Plan
- providing a copy of the Individualized Accommodation Plan to the employees in an accessible format, upon request
- protecting personal health information of employees by securely storing confidential documents
- meeting the unique needs of the individual

Evaluation may be done by an independent regulated health professional or other specialist in the workplace health and safety department. The Municipality will cover the referral costs associated with the workplace health assessment.

If a request for an Individualized Accommodation Plan is denied, the Municipality will provide the employee with reasons for denying the request in writing. The Municipality may deny an employee's request for an Individualized Accommodation Plan if evidence shows undue hardship to the employer.

Workplace Emergency Response Information

The Municipality provides Individualized Emergency Response Information to keep employees with disabilities safe in the event of a workplace emergency.

The Municipality will review an employee's Emergency Response Information when:

- they move to a different workplace
- their current workspace is modified
- there are updates to the workplace's general procedures that would affect the employee's response to a workplace emergency



Privacy Obligations

The privacy and confidentiality of an employee's personal information and personal health information is protected.

Resources

HR-13 Individualized Accommodation Plan Form