

<b>STATEMENT of POLICY and PROCEDURE</b>			
Manual:	RCS Organizational Policies & Procedures	SPP No.	<b>E 5.12</b>
Chapter:	E – 5.00 Employee Relations Policies	Issued:	Feb 2019
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## **1 POLICY**

- 1.01 RCS is committed to eliminating barriers and providing excellent housing and support services that are, to the extent possible, equally accessible to all members of the public. As an organization, we have experience accommodating and adapting the services we provide to meet the needs of client-members/tenants with disabilities. We ensure that workers understand and reflect in their everyday performance our commitment to creating a more accessible Ontario and preventing and eliminating barriers experienced by persons with disabilities.
- 1.02 As an employer, RCS is committed to developing and maintaining an inclusive work environment where individuals are treated with dignity and respect, and have equal opportunity for success. Furthermore, RCS is required to and will comply with certain provisions contained in the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) and Part III — Employment Standards of the Integrated Accessibility Standards Regulation made under the AODA. RCS welcomes and encourages applications from individuals with disabilities. Accommodations are available during the recruitment and hiring processes, and throughout employment with RCS.
- 1.03 Employees with disabilities are encouraged to bring their needs to the attention of management. If an employee is under a program of medical treatment which requires the consumption of prescription or over-the-counter drugs known to cause impairment, the employee is required to inform his or her supervisor about the program immediately so that the risk of impairment relative to the employee's safe job performance can be considered. In each case, appropriate accommodations will be made by assessing the individual needs of the employee and, if appropriate, reviewing medical documentation.
- 1.04 Where an employee requests an accommodation for needs related to a disability, RCS will work with the employee to develop an Accommodation Plan (shown as Attachment E to this chapter). Unionized employees may request the involvement of a Union representative in all conversations related to accommodation. RCS will accommodate the employee to the point of undue hardship. Where an accommodation would cause undue hardship, RCS will implement the next best accommodation short of undue hardship. All accommodation requests will be taken seriously. No person will be penalized for making an accommodation request.
- 1.05 In accordance with RCS's policy related to Employee Records, employee medical information is stored separately from general personnel files and is kept confidential. Limited disclosure may be required for the development of an Accommodation Plan and Workplace Emergency Response Plan (WERP).
- 1.06 The provisions of this Statement of Policy and Procedure in no way affect the right of any person to exercise their rights under the Ontario *Human Rights Code*, or for unionized employees to exercise avenues available to them through their Bargaining Unit.

## **2 PURPOSE**

- 2.01 The purpose of this Statement of Policy and Procedure is to:
- (a) State RCS's commitment to the prevention and removal of barriers to people with disabilities;
  - (b) State RCS's commitment to accommodate of persons with disabilities, including

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- providing reasonable accommodations in the workplace; and
- (c) Establish processes by which persons with disabilities may request accommodation.

### 3 SCOPE

- 3.01 This policy and its procedures apply to all applicants for employment, workers and client-members of RCS.

### 4 RESPONSIBILITY

- 4.01 Each manager and supervisor is responsible for ensuring the principles outlined in this Statement of Policy and Procedure are adhered to throughout all activities at RCS.
- 4.02 The employee requesting an accommodation and his or her immediate supervisor are responsible for working together cooperatively with the goal of finding a reasonable accommodation and developing an Accommodation Plan.
- 4.03 The Union is responsible for assisting in the workplace accommodation process and the development of an Accommodation or Return to Work Plan at the request of the employee.

### 5 DEFINITIONS

- 5.01 “**Disability**” 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 of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other service animal or on 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 (including an addictions disorder); or
  - (e) An injury or disability for which benefits were previously claimed or received under an insurance plan or established under the *Workplace Safety and Insurance Act, 1997*.
- 5.02 An “**Accessibility Report**” refers to the report required to be filed pursuant to section 14 of the Act.
- 5.03 An “**assistive device**” refers to a device used to assist persons with disabilities in carrying out activities or in accessing services.
- 5.04 A “**service animal**” is any animal used by an individual with a disability where it is either readily apparent that the animal is required by the person for reasons relating to his/her disability, or where a letter has been provided by a medical professional confirming that the animal is required for reasons relating to his/her disability. A service animal can be easily identified through visual indicators, such as a harness or vest, or when it

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helps the person perform certain tasks.

- 5.05 A “**support person**” is a person who accompanies an individual with a disability in order to assist him or her with communication, mobility, personal care, or medical needs; or with access to goods, services or facilities. This person can be a paid support worker, a volunteer, a friend, or a family member.

## 6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE

*Ontario Human Rights Code*

*Accessibility for Ontarians with Disabilities Act, 2005* (Ontario) and Regulations

Employment Principles SPP

Personal Information and Employee Records SPP

Diversity and Human Rights SPP

Alcohol and Drugs in the Workplace SPP

Return to Work Program SPP

Emergencies and Service Interruptions SPP

## 7 PROCEDURE

### 7.01 Accessibility Training

In accordance with RCS’s policies related to Employee Orientation and Training, all workers at RCS are required to complete training with respect to the *Human Rights Code* (Ontario), the *Accessibility for Ontarians with Disabilities Act, 2005* and the accessibility standards required thereunder during the Orientation Period. In particular, workers must complete:

- The Ontario Human Rights Commission’s eLearning module entitled “[Working Together: The Code and the AODA.](#)”
- The AccessForward module on “[General Requirements.](#)”
- The AccessForward module on “[Customer Service.](#)”

Additionally, members of management are required to complete the AccessForward modules on “[Employment](#)” and “[Information and Communication.](#)”

### 7.02 Access to Information and Advice

This Statement of Policy and Procedure is available to all workers at RCS in the Organizational Policies and Procedures Manual located at each site and available electronically on the shared drive. Information on RCS’s policy related to Accessibility shall be posted on RCS’s website and in public areas at each RCS site to ensure that it is available to applicants, client-members and tenants, and members of the public. Employees are encouraged to approach members of the management team for clarification on their rights and responsibilities.

In accordance with RCS’s policy related to Client-Member Intake, The Client-Member Welcome Package includes a Statement on Accessibility Practices (Attachment D to this chapter), which outlines the rights and responsibilities of client-members/tenants, and an overview of the client-member, family and community member feedback procedure. This Statement is reviewed with new client-members and tenants at intake.

### 7.03 Accommodating Client-Members with Disabilities

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RCS client-members and tenants may require accommodations related to disabilities. When approached with an accommodation request, staff should discuss the request with team members and their supervisor. Staff should see RCS's Statement on Accessibility Practices (Attachment D to this chapter) for an overview of available accommodations.

Applicants for service, tenants, client-members and their families may submit feedback regarding the accessibility of RCS's housing and services in one of two ways:

- (a) By asking an RCS staff member to submit a Complaint Registration Form, shown as Attachment A to this chapter, on their behalf; or
- (b) Using the contact form on the RCS website ([www.regenerationcs.org](http://www.regenerationcs.org)). Complaints should include the name and contact information of the individual making the complaint; the services received from RCS and housing location, if applicable; the names of the complainant's workers at RCS; and the details of the complaint. Contact form submissions go directly to the Executive Director, who will determine the appropriate response.

Applicants, tenants, client-members or family members who submit complaints regarding accessibility can expect to hear back within five (5) business days.

#### 7.04 **Workplace Accommodation on the Basis of a Disability** Recruitment & Selection

- (a) During the recruitment process, RCS shall notify job applicants and the public about its commitment to accommodate those with disabilities, and shall advise those selected for an interview that accommodation is available upon request. If a selected applicant requests an accommodation, RCS shall consult with the applicant and provide or arrange for the provision of a suitable accommodation in a manner that takes into account the applicant's accessibility needs due to disability.
- (b) Job applicants, when they are individually selected to participate in an interview, shall be reminded that accommodations are available upon request in relation to the selection and hiring process.
- (c) Successful applicants and employees are notified of RCS's policies regarding accommodating employees with disabilities. All Offers of Employment include a statement that accommodations are available instructions for requesting one.

#### Workplace Accommodations

Upon request, supervisors will work with employees with disabilities to develop and implement an Accommodation Plan, shown as Attachment E to this chapter. Unionized employees may request the involvement of a Union representative in the development of the Accommodation Plan

In each case, appropriate accommodations will be made by assessing the individual needs of the employee and, if appropriate, reviewing medical documentation.

Employees who require an accommodation on the basis of a disability shall submit a request for accommodation, preferably in writing, to their immediate supervisor. The request should:

- (a) Describe the limitations on the employee's ability to perform the duties of his or her position caused by the disability; and
- (b) Describe any accommodation(s) sought.

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The employee's direct supervisor and/or the Program Manager will jointly assess the accommodation request in light of the information provided and the individual needs of the employee. During the assessment phase, RCS reserves the right to require further information, including relevant medical information or opinions that will assist RCS to determine if a reasonable accommodation can be achieved and how it can be achieved. RCS further reserves the right to require the employee to participate in a needs assessment by a qualified medical practitioner or other trained professional in order to assist in determining what accommodation is needed, how much it will cost, and how it can be provided.

The employee and their direct supervisor will jointly develop an Accommodation Plan, shown as Attachment E to this chapter, given that a reasonable accommodation is possible. For unionized employees, a representative from the Union may be present for all conversations related to accommodation, including the development of an Accommodation Plan. If the employee is not satisfied with the Accommodation Plan developed, the employee may bring the matter to the attention of the Executive Director for further review.

Where an Accommodation Plan is implemented, the employee and their direct supervisor shall confer at least every six (6) months to determine the continuation, discontinuation or modification of the workplace accommodation. Our performance management, career development/advancement and redeployment processes will take into account the needs of RCS staff as well as any accommodation plans.

7.05 Workplace Emergency Response Plans

Where RCS is aware of the need for accommodation due to disability, management will also work with the employee to develop an individualized Workplace Emergency Response Plan (WERP). For more information, employees should see RCS's policy related to Emergencies and Service Interruptions.

7.06 Return to Work Plans

Employees who are absent from work due to disability shall participate in the development of a Return to Work Plan. Unionized employees may request the involvement of a Union representative in the development of the Return to Work Plan. For more information, employees should see RCS's policy related to Return to Work Program.