

**TOWN OF
KIRKLAND LAKE**

POLICY

SECTION:	SUBJECT:	Pg. 1 of 4
Human Resources	AODA Integrated Accessibility Standards Regulation, Accessible Employment Policy	DATE: September 26, 2016

1. POLICY STATEMENT

The Town of Kirkland Lake is committed and guided by the four core principles of dignity, equal opportunity, integration, independence, and supports the full inclusions of persons as set out in the Canadian Charter of Rights and Freedoms, and the Accessibility for Ontarians with Disabilities Act, 2005.

2. PURPOSE

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.

The Employment Standard builds upon the existing requirement under the Ontario Human Rights Code in relation to how to accommodate individuals with disabilities throughout the job application process and the employment relationship.

The Town of Kirkland Lake shall use every reasonable effort to ensure that we meet the needs of people with disabilities, in a timely manner, through the implementation of this policy.

3. SCOPE

This policy applies to paid employees. This includes, but is not limited to, Members of Council, full-time, part-time, and seasonal employment. This policy shall include:

- Recruitment, assessment and selection;
- Informing employees of supports;
- Accessible formats and communication supports for employees;
- Workplace emergency response;
- Documented individual accommodation plans;
- Return to work process (refer to Early and Safe Return to Work Policy);
- Performance management, career development and advancement;
- Redeployment.

4. DEFINITIONS

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

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

Information – May include 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.

Career Development and Advancement – Provide additional responsibilities within an employee's current position and the movement of an employee from one job to another in an organization that may be higher in pay, provide greater responsibility or be at a higher level in the organization or any combination of them. Both additional responsibilities and employee movement, is usually based on merit or seniority, or a combination of both.

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.

5. POLICY & PROCEDURES

Recruitment, Assessment and Selection

The Town of Kirkland Lake shall notify employees and the public about the availability of accommodations for job applicants with disabilities:

- During the recruitment process when job applicants are individually selected to participate in an assessment or selection process;
- If a selected applicant requests an accommodation, the Municipality shall consult with the applicant and provide and arrange for provision of suitable accommodations in a manner that takes into account the applicant's accessibility needs due to disability;
- Notify successful applicants of the policies for accommodating employees with disabilities.

Workplace Emergency Response Information

The Town of Kirkland Lake shall provide individualized workplace emergency response information to employees who have a disability:

- If the disability is such that the individualized information is necessary and the Municipality is aware of the need for accommodation due to the employee's disability;
- If the employee who receives individual workplace emergency response information requires assistance and with the employee's consent, we shall provide the workplace emergency information to the person designated by the Municipality to provide assistance to the employee;
- As soon as practicable after becoming aware of the need for accommodation due to the employee's disability;
- Review the information when the employee moves to a different location in the organization, when overall accommodation needs or plans are reviewed and when the Municipality reviews its general emergency response policies.

Documented Individual Accommodation Plans

The Municipality will develop a documented individual accommodation plan for each employee with a disability on an as required basis. The process may include:

- The participation of the employee in the development of the accommodation plan;
- The means by which the employee is assessed on an individual basis;
- Identification of the accommodation to be provided;
- Timelines for the provision of accommodations;
- 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 ways that an employee can request the participation of a representative from their bargaining agent or other representative from the workplace (if the employee is not represented by a bargaining agent) for the creation of the accommodation plan;
- 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;
- The steps taken to protect the privacy of the employee's personal information;
- If an individual accommodation plan is denied, the manner in which the reasons for the denial will be provided to the employee.

Return to Work Process

The Town of Kirkland Lake shall 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. The Town of Kirkland Lake will document these processes.

The return to work process shall include an outline of the steps the Municipality will take to facilitate the employee's return to work and use documented individual accommodation plans (as described in Section 28 of the Regulation).

Performance Management, Career Development, Redeployment and Advancement

The Town of Kirkland Lake will take into account the accessibility needs of employees with disabilities and/or individual accommodation plans of employees when:

- Using performance management processes;
- Providing career development and advancement information;
- Using redeployment procedures.

6. SUMMARY

In all cases this policy will remain in place unless specific items are otherwise addressed through new policies, while remaining compliant with the Accessibility for Ontarians with Disabilities Act, 2005.

Approved By: Council

Date: October 4, 2016

This policy and its related procedures will be reviewed as required in the event of legislative changes.

Referenced Documents:

- Accessibility for Ontarians with Disabilities Act, 2005
http://www.elaws.gov.on.ca/html/statutes/english/elaws_statutes_05a11_e.htm#BK19
- Integrated Accessibility Standards, Ontario Regulation 191/11
http://www.elaws.gov.on.ca/html/source/regs/english/2011/elaws_src_regs_r11191_e.htm#BK0
- Ministry of Community and Social Services, Making Ontario Accessible (Access ON)
<http://www.mcass.gov.on.ca/en/mcass/programs/accessibility/index.aspx>
- Ontario Human Rights Code, 1990
http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90h19_e.html