

**Policy Title: Accessibility - Integrated Regulation: Employment Standards**

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| Category:                               | <input type="checkbox"/> Institutional - Board<br><input type="checkbox"/> Academic - Administrative<br><input checked="" type="checkbox"/> Institutional - Administrative<br><input type="checkbox"/> Employment - Administrative |                                      |                 |
| Approved by:                            | <input type="checkbox"/> Board<br><input checked="" type="checkbox"/> President  |                                      |                 |
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| Policy Sponsor:                         | Vice President,<br>Administration and<br>Finance   | Date last reviewed:                  | August 24, 2023 |
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**1. POLICY**

CMCC is committed to ensuring that persons with disabilities have equal access to opportunities and related services and will ensure that employment practices are offered in a way that respects their dignity, independence, integration and provides them with equal opportunities.

CMCC will maintain an accessible environment for all prospective and current employees in accordance with the guidelines of the Ontario Human Rights Code, 1992, up to the point of undue hardship.

CMCC will ensure that employees or applicants with disabilities will be accommodated within the workplace by improving accessibility through:

1. the development of recruitment practices that make the public aware that CMCC will provide accommodations for applicants with disabilities in its recruitment, assessment and selection processes.
2. the development of processes that ensure that persons with disabilities are aware that it is their responsibility to inform Human Resources management, when seeking accommodation in the workplace, and provide the necessary documentation to support the request. Human Resources will in turn consider on a case-by-case basis any accommodation requests, and by working with the employee, develop an individual accommodation plan. The approved plan will be documented and reviewed at least annually.
3. the development of an individual workplace emergency response plan for employees with disabilities, provided the disability is such that individualized

information is necessary and CMCC has been made aware of the need for accommodation due to the disability.

4. consideration of the accessibility needs of employees with disabilities when administering performance management processes, providing career development and advancement programs and other support services provided.
5. maintaining accurate records of all information and communication provided to employees and potential employees regarding accessibility policies and practices. Records will be available for inspection as may be required.

## **2. PURPOSE**

To make the CMCC workplace and its employment practices accessible to potential and/or current employees with disabilities and to make accessibility a priority in CMCC's decision making processes so that decisions do not inadvertently create barriers for persons with disabilities.

## **3. SCOPE**

All applicants for employment, prospective and current employees, and all facilities of CMCC.

## **4. INFORMATION AND COMPLIANCE PLANS (not a comprehensive list)**

The Accessibility for Ontarians with Disabilities Act, 2005 (AODA) is Provincial Legislation with the purpose of developing, implementing, and enforcing accessibility standards in order to achieve accessibility for persons with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises on or before January 1, 2025.

This document is consistent with the Integrated Accessibility Standards Regulation (IASR) Employment Standard made under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA), O. Reg. 429/07 and O. Reg. 191/11, as amended and addresses the following:

- Ontario Human Rights Code
- Employment Standards Act
- Personal Information Protection and Electronic Documents Act (PIPEDA)
- CMCC Accessibility Commitment Statement
- CMCC Accessibility Standards Compliance Plan
- CMCC Equity Diversity and Inclusion Commitment Statement
- CMCC Occupational Health and Safety Commitment Statement

## **5. RELATED POLICIES (not a comprehensive list)**

- Accessibility – Customer Service for Persons with Disabilities
- Accessibility – Integrated Regulation: Information and Communications Standards
- Accommodation for Students with Disabilities
- Health and Safety
- Privacy

## 6. DEFINITIONS

Accessible formats may include, but are not limited to large print, recorded audio and electronic formats, Braille and other formats usable by people with disabilities. There are a number of ways to produce information in a format which can be accessed by people who are not able to access electronic documents. The format used will depend on the type of information required, and most importantly the accessibility requirements of the audience.

Accommodation means the arrangements made or assistance provided so that persons with disabilities can fully participate in the experiences available to persons without disabilities. Accommodation will vary depending on the person's unique needs, and in accordance with the extent to which the individual wishes to participate.

Career development and advancement includes providing additional responsibilities within an employee's current position and/or the transfer 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 thereof.

Communication supports may include, but are not limited to: captioning, alternative and augmentative communication supports, plain language, sign language and other supports that erase effective communications.

Disability, as defined in the Ontario Human Rights Code Section 10 (1):

1. 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 coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device.
2. a condition of mental impairment or a developmental disability.
3. a learning disability or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language.
4. a mental disorder, or

5. an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997; (“handicap”).

Employee means every person who provides services to CMCC in return for wages.

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

Persons with disabilities are individuals who have a disability as defined under the Ontario Human Rights Code, Section 10 (1).

Support person is a person who accompanies a person with a disability in order to help with communication, mobility, personal care, or medical needs, or with access to goods, services, or facilities.

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| <b>New Policy Approved (date):</b>      | December 19, 2013 – Effective January 1, 2015 |
| <b>Policy Revision History (dates):</b> | August 31, 2017<br>August 24, 2023            |

-----**END OF POLICY**-----

## 7. PROCEDURES

1. Recruitment assessment and selection process:
  - a. CMCC will ensure that in its recruitment practices the public is made aware that it can provide accommodation for applicants with disabilities in its recruitment, assessment and selection process.
  - b. Employees of CMCC will be made aware that CMCC provides accommodation for applicants with disabilities in its recruitment, assessment and selection process.
  - c. When CMCC selects job applicants for a job selection process, it will make applicants aware that, upon request, they have access to accommodation in relation to materials and processes that will be used for applicant selection and that it will take into account their accessibility needs due to a documented disability.
  - d. When CMCC makes an offer of employment, it will notify the successful applicant of its policy of accommodating employees with disabilities.
2. Supports for employees:

- a. CMCC will inform employees of its policy of supporting employees with disabilities and procedures that provide for job accommodations.
  - b. CMCC will make this information available as soon as practicable to new employees and will provide updated information as policies are revised.
3. Accessible formats and communication supports:
- a. Where an employee with a disability so requests, CMCC 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 their job.
  - b. In determining the suitability of an accessible format or communication, CMCC will consult with the employee.
4. Workplace emergency response information:
- a. CMCC will provide individualized workplace emergency response information to employees who have a disability provided the disability is such that individualized information is necessary and the organization has been made aware of the need for accommodation due to the disability. CMCC will provide the necessary information as soon as possible after becoming aware of the need for accommodation.
  - b. If an employee who receives individualized workplace emergency response information requires assistance, CMCC will, with the consent of the employee, provide such information to the person designated to aid the employee.
5. CMCC will review individualized workplace emergency response information:
- a. when the employee moves to a different location in the organization.
  - b. when the employee's overall accommodation needs or plans are reviewed.
  - c. when the organization reviews its general emergency response procedures.
6. Individual accommodation plans:

Human Resources will coordinate the development of individual accommodation plans for employees with disabilities and will ensure that they include:

- a. the employee providing appropriate documentation to CMCC through the Director of Human Resources. Documentation may include forms as required by the institution, in addition to letters or reports from professionals qualified to assess an individual's disability to support the request.

- b. how the employee requesting accommodation can participate in the development of the individual accommodation plan.
  - c. the means by which the employee is assessed on an individual basis.
  - d. how CMCC will request an evaluation by an outside medical or other expert, at CMCC's cost, to assist in determining if accommodation can be achieved and, if so, how it can be achieved.
  - e. how the employee can request to have a representative of their bargaining unit to participate in the development of the accommodation plan.
  - f. the steps taken to protect the privacy of the employee's personal information.
  - g. the frequency and process with which the individual accommodation plan will be reviewed and updated.
  - h. how the reasons for denying an individual accommodation plan will be provided to an employee if accommodation is denied.
  - i. how CMCC will ensure that the individual accommodation plan is provided in a format that takes into account the employee's accessibility needs due to a disability.
7. CMCC 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.
  - c. identify any other accommodation to be provided.
8. Return to work process:
- Human Resources 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. The process will include:
- a. an outline of the steps CMCC will take to facilitate the return to work of employees who were absent because their disability required them to be away from work.
  - b. the use of documented individual accommodation plans as part of the process.

- c. accessibility awareness training for all staff involved in program or course design, delivery and instruction related to these responsibilities.

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**8. ATTACHMENTS**

None.