

Accessibility for Ontarians with Disabilities Act (AODA) and LAO

# Human resources policy



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## **Policy statement**

LAO is committed to integrating accessibility through the employment life cycle.

## **Recruitment, assessment or selection process**

Employees and the public will be notified of the availability of accommodations for applicants with disabilities in the recruitment process.

## **Notice to successful applicants**

Job applicants will be notified that employment accommodations are available upon request in relation to materials or processes to be used when applicants are invited to participate in the selection process. If employment accommodation is requested by a selected job applicant, following consultation with the applicant, suitable accommodation will be provided, in a manner that takes into account the applicant's accessibility needs due to disability.

## **Informing employees of supports**

When an offer of employment is made, successful applicants will be notified of LAO policies for accommodating employees with disabilities. This information will be provided to new employees as soon as practicable after they begin their employment (usually within 30 days of being hired), and updated information will be provided whenever there is a change to existing policies on the provision of job accommodation. This information will be provided in a manner that takes into account an employee's needs due to disability.

## **Accessible formats and communication supports for employees**

Where an employee with a disability requests accessible formats or communication supports, LAO will consult with the employee to provide for or arrange for information that is needed in order for the employee to perform their job, and information that is generally available to employees in the workplace.

LAO will consult with the employee making the request to determine the suitability of the accessible format or communication support.

## **Workplace emergency response information**

LAO will provide individualized workplace emergency response information to employees with a disability. This information will be gathered through the Evacuation Assistance Self Identification (EASI) form which will go out to staff twice a year from the chief emergency warden(s) (PO)/emergency response coordinator (regions). The EASI form will be shared with the designated zone marshals/emergency response coordinators and the manager in each area designated to provide assistance during a workplace emergency, with the employee's consent. The EASI form will also be provided to staff as part of the new hire package when they first join LAO and will be offered as part of an individualized accommodation plan.

Individual emergency response information will be reviewed:

- a) when an employee moves to a different location in the organization;
- b) when an employee's overall accommodation needs or plans are reviewed; and
- c) when LAO reviews its general emergency response policies

## **Documented individual accommodation plans**

An employee requesting individual accommodation should contact Human Resources. Human Resources will work with that individual and their manager to create a plan that will fit their individual needs.

At the outset of the process, represented employees will be advised of their right to bargaining agent representation; unrepresented employees will be advised that they can request another representative, for example a trusted colleague or manager, from the workplace.

HR and the manager will explore the full range of accommodation options with the employee and their representative, then develop and complete the Individual Accommodation Plan form. The employee will be assessed on an individual basis and the nature of the assessment will depend on the individual's circumstances. Typically this will be based on information provided by the employee's regulated health practitioner. LAO may also request an evaluation by an outside medical or other expert, at its own expense, to assist it with accommodation. A

determination will be made whether accommodation can be achieved and if so, how and when. If an accommodation plan is not possible, employees will be advised in writing with the reasons.

Individual accommodation plans (including return to work plans as applicable) will be documented and kept up to date to provide a clear record of what options were considered, as well as what decisions were made and why. The manager will provide the plan to the employee in a format that takes into account the employee's accessibility needs due to disability. The employee's manager and HR will work with the employee and their representative (if applicable) to review the employee's plan when their accommodation needs or essential duties and responsibilities of their position change, or, once a year – whichever is sooner. The date of the meeting and any updates will be documented in the plan.

Individual accommodation plans must:

- include information about accessible formats and communication supports provided, if requested;
- include individualized workplace emergency response information by attaching the EASI form, if required;
- identify any other accommodation that is to be provided.

Individual accommodation plans are stored in a secure electronic folder on the HR drive. The fax line that receives medical information is only accessible by two members of the human resources department.

## Sequence of accommodation

Where an employee with a disability requires accommodation and medical substantiation is provided, accommodation efforts usually proceed as following:

- a) Provide accommodation in the employee's current position, provided that the employee can perform the essential duties of their position with accommodation and such accommodation does not cause undue hardship for LAO.
- b) If the employee is not able to perform the essential duties of their position with accommodation or if accommodation would cause undue hardship to LAO, LAO will

reassign the employee to a temporary or permanent position that meets the following criteria, if such a position is available:

- the employee meets minimal qualifications to perform the essential duties of the position with or without appropriate accommodation;
- the position meets any applicable salary and geographic parameters;
- the position is in the same bargaining unit, if applicable, as the employee's current position. Effort will be made to maintain the employee in a position as similar to the previous home position as possible, as applicable.

## **Return to work process**

This section applies to employees who have been absent from work due to a disability and require disability-related accommodations to return to work. It outlines the steps LAO will take to facilitate their return to work.

The return to work process will be managed on a case by case basis through the short-term disability claim process. A return to work plan may include, but is not limited to:

- A gradual return to work schedule;
- Modified work location, hours/days of work, or job requirements;
- Assistive devices;
- The purchase of items to support the individual; and/or
- Time off to attend doctor or specialist appointments.

An employee's manager will be responsible for accommodation, with the assistance of HR, including return to work efforts on an ongoing basis and as appropriate to the employee's circumstances unless the employee is permanently reassigned to another department/location or ceases to be employed by LAO (then the temporary assignment/new manager will be responsible).

LAO will consider all options, short of undue hardship, for employees medically cleared to return to their own position with identified restrictions. Opportunities will be provided in a manner that is responsive to the individual needs of employees.

## **Performance management, career development and advancement**

LAO is committed to career development and advancement opportunities for all employees, and will take an employee's accessibility needs and individualized accommodation plan into account when using its performance management processes in respect of employees with disabilities, or when engaging in its career development and advancement processes.

Employees with disabilities or with individual accommodation plans will discuss these during the annual performance review and goal setting process (Performance Excellence Plan – PEP) with their manager, and these will be modified as required during the quarterly PEP check-in meetings.

“Performance management” includes 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 in the organization.

## **Redeployment**

Accessibility needs of employees with disabilities and individualized accommodation plans will be taken into account when redeploying employees with disabilities. When an employee is relocated as a result of an accommodation, the eligibility for and extent of reimbursement of the employee's relocation expenses will be determined in accordance with LAO's Relocation Policy.

“Redeployment” includes 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.