



## **Accessibility for Ontarians with Disabilities Act**

### **Introduction**

The Ontario Human Rights Code stipulates that every person has a right to equal treatment with respect to services, goods, and facilities, and to occupancy of accommodation and employment without discrimination because of disability

M&G Millwrights Ltd. in accordance with the Ontario Human Rights Code will make every reasonable effort to provide both an accessible environment and appropriate support services for customers or visitors with disabilities

### **Policy**

M&G Millwrights Ltd is committed to fostering an inclusive climate of equitable access, understanding and mutual respect which recognizes the dignity and worth of all persons, provides equal rights and opportunities without discrimination, and protects the privacy, confidentiality, comfort, autonomy and dignity of all customers and visitors with disabilities.

M&G Millwrights Ltd shall make reasonable and appropriate accommodations for employees, customers and visitors with disabilities in accordance with the terms of the Ontario Human Rights Code. This occurs through a collaborative process that acknowledges a collective obligation to develop an accessible environment that both meets the needs of customers and preserves the essential requirements of everyday productivity. This policy reflects the shared responsibility of customers with disabilities, Management, and all employees to exercise flexibility and creativity in the provision of accommodations. This policy establishes, implements, maintains, and documents a multi year accessibility plan in which it outlines our strategies to remove any barriers and meets the requirements of the regulations. This accessibility plan will be reviewed once every 5 years

M&G Millwrights ensures that all employees, and volunteers within the organization who participate in developing the organizations policies and who provide goods and services to the organization will be trained on the Accessibility for Ontarians with Disabilities Act in a timely fashion upon employment start date. The training on the accessibility standards and the Human Rights Code shall be appropriate to the employee and volunteers. All employees and volunteers will be trained on any changes to the policies on an ongoing basis. All records of numbers of employees trained and dates of training along with certificates will be kept on both file and in paper format.

During our hiring process, all applicants will be notified about the availability of accommodations for applicants with disabilities and that they are available upon request. If accommodations are requested from a applicant the employer shall work with the applicant to provide the proper accommodations due to the applicants disabilities.

All new employees and or volunteers will be notified of the policies for accommodating employees with disabilities.

M&G Millwrights shall inform all new employees and volunteers of the policies used to support its employees with disabilities. Employers shall provide information on these supports to new employees as soon as practicable after they begin their employment.

If an employee with a disability is to request information for accessible formats and communications that are needed in order to perform their job, and information that is generally available in the workplace the employer must provide that.

#### Emergency Response information.

Employer will provide individualized emergency response information to employees with a disability, if the disability is such that the individualized information is necessary and the employer is aware of the need for accommodation due to the employees disability.

If an employee with an individualized emergency response plan requires assistance and with the employees consent the employer shall provide a designated person the information so they may provide the proper assistance. The employer shall review the individualized emergency response information

a) when the employee moves to a different location in the organization

b) the employee's overall accommodations needs or plans are reviewed

c) when the employer reviews its general emergency response policies.

Employers shall develop a written process for the development of documented individual accommodation plans for employees with disabilities.

The process of the development of documented individual accommodation plans shall include the following elements;

1. The manner in which an employee requesting accommodation can participate in the development of the individual accommodation plan.

2. The means by which the employer assessed on an individual basis.

3. The manner in which the employer can request an evaluation by an outside medical or other expert, at the employers expense, to assist the employer in determining if accommodation can be achieved .

4. The manner in which the employee can request the participation of a representative from the bargaining agent, where the employee is represented by the bargaining agent, or other representative of the workplace, where the employee is not represented by a bargaining agent,in the development of the accommodation plan.

5.the steps taken to protect the privacy of the employee’s personal information.

6.the frequency in which the individual accommodation plan will be reviewed and updated and the manner in which it will be done.

7. if an individual accommodation plan is denied, the reason for the denial will be provided to the employee.

8. The means of providing the individual accommodation plan in a format that takes into account the employees accessibility needs due to disability.

Individual accommodation plans shall,

a) If requested include any information regarding accessible formats and communications supports provided

b) if required, include individualized workplace emergency response information

c) identify any other accommodation that is to be provided.

## **Definitions**

A “**Disability**” as defined by the AODA Includes:

- Any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness
- A condition of mental impairment or a developmental disability
- A learning disability or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language
- A mental disorder
- An injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety And Insurance Act, 1997*

**“Assistive Devices”** are:

- Devices that people may bring with them or that are already on the premises and are used to assist persons with disabilities in accessing the services provided by centre staff
- Assistive devices include, but are not limited to, wheelchairs, walkers, white canes used by people who are blind or who have low vision, note taking devices, portable magnifiers, recording machines, assistive listening devices or personal oxygen tanks

Things to remember about interacting with customers who use **Assistive Devices**:

- It is inappropriate to lean or reach over assistive devices
- Ensure that the person is permitted to enter the premises with the device and to utilize the device unless excluded by law
- Potential barriers to the use of assistive devices must be removed where possible
- Ensure persons with disabilities are aware of assistive devices available on the providers’ premises or otherwise supplied by the provider
- Assistive devices must be offered in a manner that respects the persons’ dignity and independence

**“Service Animals”** means:

- An animal which is specially trained to assist an individual with disabilities
- An animal is a “Service Animal” if it readily apparent that the animal is used by a person with a disability for reasons relating to his or her disability, for example a guide dog wearing a harness
- If it is not readily apparent that the animal is a Service Animal, then a letter from a physician or nurse confirming that the person requires the animal for reasons relating to the disability required

Things to remember about interacting with customers who use **Service Animals**:

- Service Animals are allowed anywhere customers normally have access
- Customer is responsible for the care and supervision of the service animal
- Avoid talking to, touching or making eye contact with the Service Animal
- Customer is permitted to keep the animal with him or her unless the animal is otherwise excluded by law from the premises (e.g. areas where food is prepared)

**“Support Persons”** is:

- In relation to a person with a disability, another person who accompanies him or her in order to help with communication, mobility, personal care or medical needs or with access to goods or services
- May be a paid professional, a volunteer, a family member or a friend

Things to remember about interacting with customers who use **Support Persons**:

- Both persons are permitted to enter the premises together
- The person with a disability is not prevented from having access to the Support Person while on the premises
- Consent is required if confidential information is going to be shared when a Support Person is present
- Speak directly to the customer, not the Support Person

### **Duty to Accommodate**

It is recognized that there is an obligation on the part of M&G Millwrights Ltd. to make its services available to all customers or visitors in a manner that does not discriminate. This duty involves accommodating customers and visitors with disabilities in accordance with the terms of the Ontario Human Rights Code. Accommodation involves removing barriers for customers and visitors with a disability in a way that respects their dignity and provides them with equality of opportunity.

Once accommodated, and hence provided with an equal opportunity, it is the customers and/or visitors responsibility to follow accommodation procedures and meet the essential requirements of a course/program.

The Human Rights Code indicates that a right is not infringed if the person with a disability is incapable of performing or fulfilling the essential duties or requirements because of a disability.

### **Limitations on Duty to Accommodate**

#### **“Undue Hardship”**

M&G Millwrights Ltd is required to accommodate customers and visitors with disabilities to the point of 'undue hardship'. The Ontario Human Rights Code identifies three (3) factors that are to be considered in assessing whether a requested accommodation would cause undue hardship. These are: (1) cost, (2) availability of outside sources of funding, and (3) health and safety requirements. There may be other factors that are relevant, including, but not limited to, the degree that an accommodation negatively impacts other employees or management.

### **Accommodation Specific to Individual**

In fulfilling its obligations to accommodate customers or visitors with disabilities, M&G Millwrights Ltd. recognizes that the needs of each person with a disability must be individually assessed to determine the appropriate accommodations. M&G Millwrights Ltd will try at best to accommodate any disability it recognizes.