

MEETING THE STANDARDS FOR ACCESSIBLE EMPLOYMENT

1. Pre-Employment Accessibility Requirements

During recruitment, potential applicants are informed that reasonable accommodations are available during the selection process, and the division will respond to reasonable requests for accommodations. This may include interview's, written tests, or on-the-job skills demonstrations, etc.

A statement is included on all job postings that reasonable accommodations are available to applicants with disabilities. When applicants make a request, we seek their advice on how best to accommodate their needs.

Tips:

- When making interview arrangements in writing or verbally, inform applicants that reasonable accommodations are available during the assessment and selection processes.
- Choose an accessible location, with level entry or elevators, and provide assistance if requested.
- When an applicant has made a request for an accommodation during the selection process:
 - Consult with the applicant to determine the appropriate accommodation.
 - Put the appropriate accommodation in place during the assessment or selection process.
- Set up the interview room in an accessible way. For example, choose an interview room that is brightly lit and quiet to minimize distractions. This is especially helpful for individuals who may have some hearing loss or are anxious.
- Use standardized interview scripts, questions and scoring to avoid bias among candidates in the interview process.

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- Do not create job requirements that are not necessary to perform the job. For example, do not require applicants to have a driver's license, when they could use other transportation to carry out their job. Consider what is actually required to perform the job.
- Advertise the job to employment agencies that serve people with disabilities.
- Never assume what a candidate can or cannot do. For example, if a position requires a valid driver's license, do not assume that a candidate who uses a wheelchair is unable to drive.

2. Workplace Accommodations when Offering Employment

When making an offer of employment to a successful candidate, inform the individual about the division's policies and practices regarding reasonable workplace accommodations. This could be verbally, by e-mail, or in an offer letter.

Tip:

- Many employees who could benefit from an accommodation may fear that disclosing a disability will negatively impact their career, so offer reassurance to new employees that you wish to support their success.

3. Maintaining an Accessible Workplace

The Accessibility Standard for Employment requires that employers make their workplaces accessible by taking action in the following seven areas:

1. Inform Employees About Accommodation Policies and Practices.
2. Communicate in a Way that Meets Employees' Needs.
3. Provide Individualized Accommodation Plans (on request of an employee).
4. Take Accessibility into Account During Performance Management, Career Development, and Reassignment Processes.
5. Return to Work Process.
6. Keeping Employees Safe during Emergencies.
7. Practice Thorough Recordkeeping, Maintain Confidentiality, and Complete Training on Accessible Employment.

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4. Inform Employees About Accommodation Policies and Practices

Pembina Trails keeps employees informed about our accommodation policies, practices, and procedures for employees with disabilities. We also provide updates to employees when this information changes. Information and updates may be provided in multiple ways such as:

- Posted on the divisional portal, divisional website, in newsletters, memos, or through staff e-mails.
- Posted in the staff room or in high traffic areas.
- Included in posters, brochures, or pamphlets.
- Through discussions with management (in person, by phone, or through e-mail).
- During staff meetings.

Tips:

- Include the link to the information about workplace accommodations as part of the offer letter.
- Print and post the “Discussing Accessibility in the Workplace” information sheet in staff areas. See Exhibit 1 (ACE-E-1).

5. Communicate in a Way that Meets Employees’ Needs

Pembina Trails aims to meet the communication needs of our employees by providing workplace information and communications in ways that are easy to access for everyone. If requested by an employee with a temporary or permanent disability, we:

- Consult with the employee to identify what accessible formats (i.e., large print, recorded audio, electronic formats, braille, etc.), or communication supports (i.e., texting, handwriting, etc.) are needed or most appropriate for them.
- Ensure that identified accessible formats or communication supports are continually used when providing information to the employee.

6. Provide Individualized Accommodation Plans (on request of an employee)

Pembina Trails will provide reasonable accommodations by developing and documenting individualized accommodation plans for employees with disabilities who request them. The division currently provides support to employees on sick leave, long term disability or WCB and recovery at work after illness or injury, and information on workplace injury, long term disability, workplace accommodations and related issues.

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Responsibilities of the division:

- Respond to requests from employees with disabilities to create an individualized accommodation plan. Possible accommodations will be assessed on an individual basis. The division may also ask employees if they require a workplace accommodation and propose a plan.
- Work with an employee with a disability to identify accommodations that best meet individual needs. The division and the employees must both participate in the creation and implementation of an individualized accommodation plan.
- To help determine the accommodation(s) required, the division may request an employee provide documentation from a health practitioner who supports the need for the accommodation or request the evaluation of an employee by an independent regulated health professional, or other worker in the area of workplace accommodations, e.g., Safety Officer.
- The division is not obliged to select the specific accommodation that the employee requests. Accommodations should remove barriers and be reasonable.
- The individualized accommodation plan should include:
 - Accessible formats and communication supports, if requested.
 - Workplace emergency response information, depending on the disability.
 - Details of how and when any other accommodations will be provided.
 - When the plan will be reviewed, and, if necessary, updated.
- Provide the employee with a copy of their plan, in a format and with any communication support required to meet the needs of the employee.
- If the division denies an employee’s request for an individual accommodation plan, the division must provide the employee with written reasons for why the request was denied, in a format and with any communication support to meet the needs of the employee. An employee’s request for an individualized accommodation plan may be denied due to the following circumstances:
 - The employee is able to carry out most of the job responsibilities without an accommodation.
 - The independent regulated health professional(s) does not support the employee’s self-assessed requirement for a workplace accommodation.
 - The division’s research and evidence indicate that the accommodation request would cause undue hardship (e.g., by creating safety risks for other employees or a significant measurable financial burden).
- The division must set a timeframe for the review of the accommodation plan, and update the plan if requested by the employee, or whenever there is a change related to the job requirements, workspace, or other related factors, such as new medical information.
- Protect the privacy and confidentiality of employee’s personal information and personal health information. The division may only collect, use, and disclose information as required for the purposes of the Accessibility Standard for Employment, FIPPA (*The Freedom of Information and Protection of Privacy Act – Manitoba*) and PHIA (*The Personal Health Information Act – Manitoba*), unless otherwise agreed to by the employee.

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Responsibilities of the Employee:

- Initiates the request for a workplace accommodation. Employees may make a verbal or written request to their leader or human resources for an individualized accommodation plan.
- Works with the division to identify accommodations that best meet individual needs. The division and the employees must both participate in the creation and implementation of an individualized accommodation plan.
- Must cooperate in the assessment of the accommodation by providing information and related evaluations, for instance by a doctor (including medical doctor, chiropractor, physical therapist, or physiotherapist).
- Must comply with the accommodation plan and provide updates and feedback about necessary modifications, or when an accommodation is no longer required.
- The employee may be represented by a union representative during the development of the individualized accommodation plan.

See exhibit 3 (ACE-E-3) for the Individual Accommodation Plan Worksheet.

7. Take Accessibility into Account During Performance Management, Career Development, and Reassignment Processes

Performance Management:

The division will ensure our performance management process considers:

- That any related discussions and documentation is provided in accessible formats and meets the communication support needs of the employees.
- An employee's individualized accommodation plan.
- In determining the impact of a temporary or permanent disability on an employee's performance, consideration should be given to the possibility that the accommodations provided may not fully address a workplace barrier which could affect their performance.

Career Development and Reassignment:

When providing career development, training or opportunities for internal advancement or reassignment, the division will ensure the process for recruiting and selecting candidates considers:

- That any related discussions and documentation is provided in accessible formats and meets the communication support needs of the employees.
- If an employee has an individualized accommodation plan, ensuring it is adequate to address any barriers presented by the new opportunity, or modifying the plan accordingly.
- Consideration should be given to how the barrier(s) affecting an employee with a disability can be addressed.

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- Adjusting accommodation supports or updating an individualized accommodation plan with the employee’s participation, to address any barrier(s) that may affect the employee’s opportunities, new role, or responsibilities.
- When developing or contracting out training programs, consideration should be given to the accommodation needs of the employees in advance. For example, advising trainers whether employees require accommodations for the training.

8. Return to Work Process

The division is committed to providing a safe and healthy working environment for employees who are, or have been, absent from work due to a disability, injury, or health condition, and require reasonable accommodations to return to work. This typically involves modifying employees’ duties and work schedule based on their functional abilities. The division will:

- Keep in touch with absent employees throughout the employees’ recovery to help them maintain a connection with their workplace and to show they are valued.
- When planning for an employee’s return to work, we confirm the employee’s current restrictions by having the employee’s health care professional complete the Occupational Health Assessment form, which emphasizes the employee’s work-related abilities.

9. Keeping Employees Safe during Emergencies

The division has emergency response plans in place for all buildings on divisional properties. Staff are notified on steps to be taken during emergencies, to ensure the safety of all employees, including those who are temporarily or permanently disabled. Each emergency plan is tailored to each building and contains plans specific to each student and employee that may have a disability.

Once we learn an employee requires assistance during a workplace emergency, we offer the employee an individual workplace emergency response plan as soon as possible. The plan is reviewed with the employee each time:

- The employee is moved to a different workspace within the building or to a different building.
- The employee’s accommodation needs, or plan are modified.
- We review our general emergency response plans and make changes that would affect the employee’s response to an emergency in the workplace.

For an employee who has an individualized emergency response plan requiring the assistance of another person during an emergency, the division will obtain consent from the employee requiring assistance to share this information with the individual who is designated to assist them during the emergency.

See exhibit 4 (ACE-E-4) for additional information regarding Assistance in an Emergency.

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10. Practice thorough Recordkeeping, Maintain Confidentiality, and Complete Training on Accessible Employment

Maintain Privacy:

Pembina Trails will protect the privacy and confidentiality of employee's personal information and personal health information. The division may only collect, use, and disclose information as required for the purposes of the Accessibility Standard for Employment, unless otherwise agreed to by the employee. We also follow the requirements of other privacy legislation, including FIPPA (*The Freedom of Information and Protection of Privacy Act – Manitoba*), and PHIA (*The Personal Health Information Act – Manitoba*).

Training:

Pembina Trails removes and prevents barriers at various stages of employment as required by the Accessibility Standard for Employment. We ensure training is provided to staff as soon as reasonably possible, and no later than three months after hiring. We inform employees about updates to policies and refresher training is provided as needed, following updates.

All training is recorded in the Human Resources system.

The division provides training on how to accommodate employees with a disability to staff with the following responsibilities:

- Recruiting, selecting, or training employees.
- Supervising, managing, or coordinating the work of employees.
- Promoting or redeploying employees.
- Developing and implementing employment policies and practices.

The training content should include:

- How to make employment opportunities accessible to people with disabilities.
- How to interact and communicate with applicants or employees who face barriers, use assistive devices, or are assisted by a support person or service animal.
- An overview of *The Accessibility for Manitobans Act*, The Human Rights Code (Manitoba), and the Accessible Employment Standard.
- The division's accessible employment policies and practices, including updates or changes.

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Recordkeeping:

Pembina Trails accessibility policies are kept on the division website. The content of the training is provided above along with when the training is provided.

The division will let the staff and members of the public know that our policies are available upon request and that we provide these in a format that is accessible for the user.

The policies are available upon request in the following ways:

- Posted on website, on social media, or in newsletters.
- Posted at our building entrance, reception desk, or in high traffic areas.
- Included in posters, brochures, pamphlets, or advertisements.
- Through employees, or management (in-person, by phone or through recorded greetings).
- Policies are provided within a reasonable timeframe, and in a format that meets the needs of individuals with a disability, at no additional cost.

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