

CORPORATE POLICY MANUAL

Title	Policy Number
AODA Individual Accommodation Plan	CP-02-030
Distribution	Effective Date
All Employees	06 June 2014

BACKGROUND

Guiding Principles:

Through the Accessibility for Ontarians with Disabilities Act, 2005 (AODA), O. Reg. 191/11, Ontario is working towards making the province accessible for people with disabilities by 2025. Under this act, Ontario is developing accessibility standards for customer service, transportation, employment, information and communications, and the built environment, which includes buildings and other structures.

Legislation:

AODA Section 28 (1): Employers, other than employers that are small organizations, shall develop and have in place a written process for the development of documented individual accommodation plans for employees with disabilities.

AODA Section 28 (2): The process for 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 employee is 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 employer's expense, to assist the employer in determining if accommodation can be achieved and, if so, how accommodation can be achieved.
4. The manner in which the employee can request the participation of a representative from their bargaining agent, where the employee is represented by a bargaining agent, or other representative from 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 with 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 manner in which the reasons 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 employee's accessibility needs due to disability.

AODA Section 28 (3): Individual accommodation plans shall:

1. If requested, include any information regarding accessible formats and communications supports provided, as described in section 26.
2. If required, include individualized workplace emergency response information, as described in section 27.
3. Identify any other accommodation that is to be provided.

POLICY

Any employee, including contract employees and volunteers, with a disability, upon request, shall consult with Human Resources (HR) to determine the need for an **Individual Accommodation Plan**.

Upon determination of need, the parties will work together to develop a plan in order to make the requester's duties, responsibilities, and/or work space accessible. The process of the development of such plans and the responsibilities of the parties are listed below.

PROCEDURE

The following process shall be followed when any employee, including contract employees and volunteers, with a disability initiates a request for an Individual Accommodation Plan (IAP).

1. Following a request for an IAP, HR will meet with the requester to discuss the accessibility needs required. Together they will create an action plan for the evaluation and creation of the individual accommodation plan in order to meet the needs of the requester.
2. This initial meeting will be fact finding, where the employee will provide information regarding their disability, and provide medical documentation in support of this claim. TransForm will reimburse the employee for any medical documentation required to support the request.
3. HR will arrange for an assessment of the employee's work area and job responsibilities in order to determine any barriers. This could include a walk through with HR, the employee, and other selected parties from the workplace if required, and/or an evaluation of the job description and duties. Sources outside the company may also be consulted to evaluate the accommodations required and whether the position and/or workplace can be accommodated for the requester's disability. This would be at the discretion and compensation of TransForm. If, following the assessment phase, it is determined the request is to be declined, HR will prepare and provide the requester with a letter of denial stating the reason for declining the request for an Individual Accommodation Plan.
4. If the employee would like to include a representative from the workplace to participate in the creation of their accommodation plan they must provide the name and authorization of the person in section 1 of the IAP, including the reason for inclusion.
5. The contents and the reason for the IAP will be confidential and only shared with affected parties with the consent of the employee. Any parties that are privy to the information will be informed the information is confidential and included in TransForm's confidentiality agreement signed upon hire.
6. When the terms of the IAP have been agreed upon it will be documented and signed off on by both a representative of the HR department and the employee. The employee will be provided with a signed copy of the plan, and the original will remain in the employee's personnel file located in the HR department.
7. The IAP will be revisited on an annual basis to ensure it still meets the needs of the employee. If there are any changes in the workspace and/or duties and responsibilities of the employee, the IAP will be revisited as needed. When reviewed, both the employee and a representative from HR will participate and either make necessary adjustments or sign the document with the new date indicating approval. Updated medical documentation may be requested by the HR department at the time of review to ensure they are meeting any necessary requirements, and the employee will be reimbursed for all incurred costs. If at the time of review it is determined the IAP is no longer required then a letter stating such will be provided by the HR Department to the employee, and a copy placed in the personnel file.
8. If the original request is denied, HR will provide a written response indicating the denial, and the reason for the failed request in section 3 of the IAP form. A copy of the completed IAP form will be provided to the requester and a copy will remain in the employee's file with the original request.

9. If required, the IAP can be provided to the employee in an accessible format that takes into account their individual accessibility needs.
10. Include an Individual Emergency Response Plan in the IAP if required.

RESPONSIBILITIES

Both the employer and the employee have responsibilities they need to meet from the initial request for an Individual Accommodation Plan to the finalization and continuous review of said plan. They are assigned below.

Employer Responsibilities:

1. Manager and HR to respond to a request for an IAP as soon as practicable.
2. Include the requester in all steps of the creation process.
3. Inform the requester of all supporting documentation required for the claim and to provide timelines.
4. Ensure reimbursement to the requester of all expenses incurred for medical documentation regarding their request.
5. Arrange the assessment of the job responsibilities and/or workspace of the requester. This includes arranging for and compensating any external sources for their expertise.
6. Accommodate the participation of another employee in the process upon the requester's notification.
7. Maintain the confidentiality of the employee's request, and any disclosed information, unless disclosure is deemed necessary.
8. If accepted, document the agreed upon IAP in section 3, and ensure both parties sign off prior to recording in the employee file.
9. Set follow up dates for review of the plan yearly, and ensure if any changes in the status of employment a review is done as soon as practicable.
10. Acknowledge and confirm a denial of the request on the IAP form.
11. Ensure the employee's IAP is accessible in a format that meets their individual needs.
12. Ensure the employee receives copies of all documentation relating to the request and outcome(s) of the request.

Employee Responsibilities:

1. Complete the IAP form, section one only, forwarding to immediate manager.
2. Productively participate in the creation of the plan.
3. Ensure all supporting documentation is submitted according to the set timelines; if more time is required notify HR and request extension.
4. Submit receipts for supporting documentation in order to receive reimbursement.
5. Participate in the assessment of the responsibilities and/or workspace in order to define barriers, and assist in the accommodation process.
6. If requesting the inclusion of a fellow employee in the process, ensure section 1 of the request for an IAP is completed and signed.
7. Review and sign-off on the final documented copy of the IAP.
8. Participate in the review of the plan annually, and provide any relevant and necessary documentation.
9. Inform HR of any changes in your condition in order to properly review the plan and ensure it remains accommodating.
10. Collaborate with HR to ensure the plan is presented in an accessible format that meets your needs.

DEFINITIONS

Accessible Formats: May include, but are not limited to, large print, recorded audio and electronic formats, braille and other formats usable by persons with disabilities.

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 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 and, for both additional responsibilities and employee movement, is usually based on merit or seniority, or a combination of them.

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

Disability:

- 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.
- 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.

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.

Feedback:

Contact Human Resources with question about the process, or if the purpose is not understood:

740 Richmond Street, Chatham, Ontario, N7M 5J5

Phone: 519-437-6220

Email: hr@transformsso.ca

Forms/Cross References

1. Return To Work Policy
2. Policy HS-01-010, Health and Safety Statement
3. Policy CP-02-010, Statement of Commitment and Policy for Accessibility for Ontarians with Disabilities Act (AODA)
4. Confidentiality Pledge
5. Individual Accommodation Plan Form
6. Individual Emergency Response Plan Form

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Signature:

