EMPLOYERS GUIDE

TO HIRING AND WORKING WITH

Professionals with Disabilities

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To Hiring and Working with Professionals with Disabilities

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Introduction

Are you an employer who wants to strengthen your business and find the talent you need? In Ottawa, 63% of employers reported that they struggle to find and retain the workers they need. As an employer, you can meet your future labour needs by taking an inclusive approach to recruiting and hiring.

According to a report published by the National Educational Association of Disabled Students (NEADS), post–secondary students with disabilities graduate with valuable skills and education. But these students do not experience the same meaningful employment outcomes as their peers without disabilities. As an employer, you need to know that hiring persons with disabilities makes good business sense. By developing a strategy to hire persons with disabilities, you will tap into a group of qualified employees, generate more diverse perspectives in your workplace, create a workforce that is reflective of society, increase accessibility, and support the elimination of barriers.

Keep in mind that some people are born with disabilities, some may develop them over time and, for some, disabilities may fluctuate. Anyone could become a person with a disability at any point in their lives due to a variety of factors. Knowing that disability affects us all, we should be designing workplaces that are inclusive and a workforce in which everyone has an equal opportunity to participate fully. As an employer, you can choose to be an example of workplace accessibility and inclusivity.

We recognize these concepts might be new to you. This guide will broaden your awareness and provide you with the information and resources you need to become a more inclusive and accessible employer. The guide will enable you to:

- Broaden your understanding of disability
- Appreciate the business benefits of hiring persons with disabilities
- Learn about becoming an #AbleTo employer
- Dispel common myths about employing persons with disabilities
- Increase your awareness of disability language and etiquette
- Become more knowledgeable about the accommodation process
- Learn about rights and responsibilities related to employment legislation
- Learn practical ways to increase inclusion and accessibility in your workplace
- Explore a number of employer-related resources and toolkits
- Identify community organizations that offer support to employers

Understanding Disability

The term disability is a complex and evolving concept that covers a range of different conditions. No single, all-encompassing definition exists. Disability typically means someone experiences physical, mental or sensory barriers that affect their day-to-day life. Having a disability does not mean that someone cannot do a job. It often refers to the fact that one may do a job or task differently. When we are able to see disability as an opportunity to remove barriers, everyone benefits.

Disability is not a static or linear concept. It can be:

- Visible or non-visible
- Mild, moderate or severe
- Permanent, long term, short term or episodic
- Present from birth, caused by an accident or developed over time

A visible disability is when the nature or degree of the disability is visible to others (e.g., mobility-related impairments).

A non-visible disability is when the nature or degree of the disability is invisible to others (e.g., chronic fatigue syndrome, a mental health condition or a learning disability). Conditions could simply be not apparent to the unknowing eye, or the conditions might remain hidden because they are episodic (e.g., epilepsy or environmental sensitivities). Other disabilities may become apparent only through interacting with an individual; and they could take multiple interactions to notice (e.g., hearing loss or learning disabilities). Still others may never be apparent (e.g., mental health diagnoses).

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Common types of disabilities and their associated impacts on the job include:

DISABILITY TYPE	FUNCTIONAL IMPACT	EXAMPLES OF DIAGNOSES
Physical and Mobility	Can affect a person's motor skills and may require the use of a mobility aid	• Cerebral Palsy • Epilepsy • Narcolepsy
Sensory	Can affect a person's senses: vision, hearing, smell, touch or taste	• Deafness • Blindness • Chemical Sensitivities
Intellectual and Developmental	Can affect a person's ability to learn and use information, creating limitations in reasoning, learning and problem solving, as well as social and practical skill–building abilities known as adaptive behaviours	• Autism Spectrum Disorder • Down Syndrome • Fetal Alcohol Spectrum Disorder
Learning	Can affect the way a person takes in, stores or uses information, and can affect a person's oral and written language skills, reading skills, mathematics skills, organization and social skills	• Dyslexia • Dysgraphia • Auditory Processing Disorder
Mental Health	Can affect a person's mental alertness, concentration, anxiety levels and ability to organize	• Anxiety Disorders • Depression • Post–traumatic Stress Disorder • Obsessive Compulsive Disorder • Bipolar Disorder • Schizophrenia

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People with disabilities represent a significant portion of our population. They include students in our post–secondary institutions and our current and future workforce. It is valuable to learn about visible and non–visible disabilities, challenge any personal biases and improve our understanding of how we can promote an inclusive and accessible future.

According to research conducted by the David C. Onley Initiative in 2019, more than 50% of students registered with disability service offices at Ottawa's four post–secondary schools had a primary diagnosis of either a learning disability or a mental illness. This finding tells us that students and graduates with disabilities entering the workforce have disabilities that we cannot necessarily see. Employers need to be aware of this fact and learn how to accommodate these people.

Sources:

Commission ontarienne des droits de la personne : 2. Qu'entend-on par handicap? — www.ohrc.on.ca/fr/politique-sur-le-capacitisme-et-la-discrimination-fondée-sur-le-Discover Ability Network: Business, Roadmap — https://discoverability.network/business/roadmap/

Ontario Human Rights Commission: 2. What is a Disability? — www.ohrc.on.ca/en/policy-ableism-and-discrimination-based-disability/2-what-disability

Ottawa employers:

Start seeing the non-visible

10,000 students with disabilities are enrolled at La Cité, Carleton University, Algonquin College and the University of Ottawa.
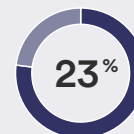
7,500 of these students have a primary diagnosis that falls into one of three categories:

26% Learning disability

26% Mental illness

23% Attention deficit hyperactivity disorder

The Challenge

Most students and graduates with disabilities who enter the workforce have disabilities that employers can't see. That means many employers in Ottawa are unlikely to have processes and methods in place to recruit, accommodate and retain these employees.

The Solution

Build awareness
The answer to this challenge starts with awareness of the fact that most students and graduates with disabilities in Ottawa have disabilities employers cannot see.
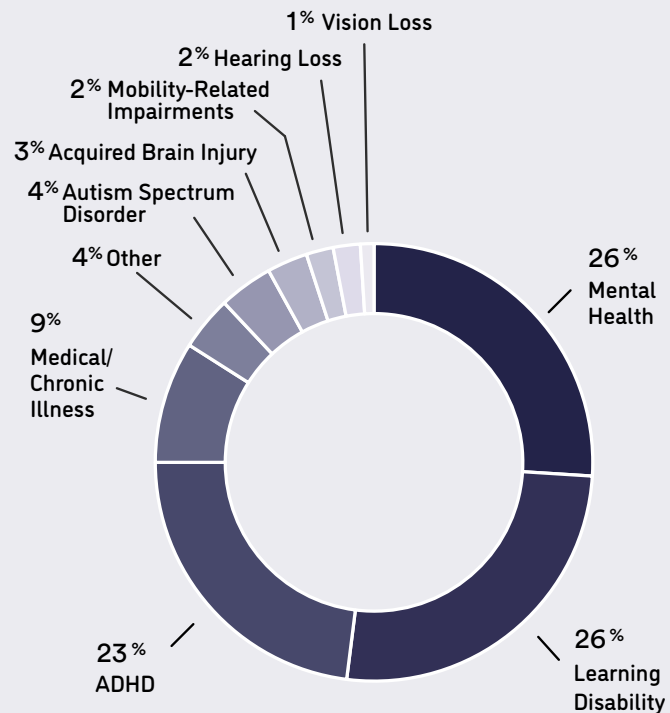
Change attitudes
This awareness enables employers to check their biases and change their attitudes.

Educate and encourage employers
Then come conversations to educate and encourage employers to create more inclusive workplaces in our city.

Most students with disabilities in Ottawa's post-secondary schools have disabilities employers cannot see.

1% Vision Loss
2% Hearing Loss
2% Mobility-Related Impairments
3% Acquired Brain Injury
4% Autism Spectrum Disorder
4% Other
9% Medical/Chronic Illness
26% Mental Health
26% Learning Disability
23% ADHD

Business Benefits

The business case is strong for hiring and retaining persons with disabilities in your workplace. Employing persons with disabilities will:

- Help your business meet consumer demands by having a workforce more reflective of society
- Provide your workplace with more diverse perspectives that lead to creative problem solving and innovative solutions
- Project a positive company brand image and increase business
- Expand your resource and talent pools
- Promote universal access, benefitting all of society
- Prepare you to address the future needs of an aging population
- Improve employee morale, engagement and productivity
- Reduce costs associated with turnover, training and safety

Sources:

Hire for Talent: Tool #1: The Benefits of Hiring People with Disabilities — www.hirefortalent.ca/main/toolkit/business-case

Conference Board of Canada: Business Benefits of Accessible Workplaces — www.conferenceboard.ca/temp/2c982563-1dbf-4213-baff-b178a758b354/6264_AccessibleWorkplaces_BR_AV.pdf

Discover Ability Network: The Benefits of Hiring — http://discoverability.network/the-benefits-of-hiring

Inclusion is good for business

Over 20 percent of the population in Canada will have a disability by 2020. The Conference Board of Canada predicts that by the same year, Canada will be facing a one-million-worker shortfall. As an employer, you can meet future labour needs by taking an inclusive approach to recruitment and hiring.

2020

20 % **DISABLED**

1M WORKER SHORTFALL

63 %
OF OTTAWA BUSINESSES
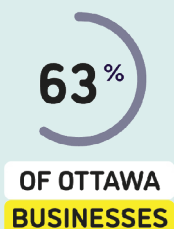
Sixty-three percent of Ottawa businesses say recruiting and retaining talent is a challenge. By recruiting and hiring people with disabilities, these businesses can thrive in a talent crisis.

CANADIAN APPROVED

Seventy-eight percent of Canadians are more likely to buy a product or service from a business that hires people with disabilities.

72% Retention rates are seventy-two percent higher among people who have a disability.

48% Almost half—forty-eight percent—of working-age people with disabilities have a post-secondary education.

77% Seventy-seven percent of small-business owners who have hired people with a disability say these employees meet or exceed expectations.
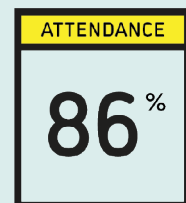
EXCELLENT PERFORMANCE

Eighty-eight percent of workers with disabilities earn performance ratings of good or excellent.

53 % **OF THE MARKETPLACE**

People who have a disability and their family members comprise fifty-three percent of the marketplace.

ATTENDANCE
86 %

Eighty-six percent of employees who have a disability have average or above-average attendance records.
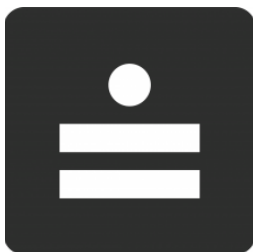
#AbleTo

Ontario is home to nearly 50,000 post-secondary students with visible and non-visible disabilities—more than 10,000 in Ottawa alone. When these students graduate, they are often at a disadvantage—overshadowed by myth and overlooked by employers and hiring managers. This problem persists even though students and graduates with disabilities are educated, skilled and qualified—just like their peers without disabilities. We call this disconnect the employment gap.

#AbleTo is a campaign focused on closing the employment gap and helping every student and graduate find meaningful work. The campaign is about strengthening local businesses while supporting students and graduates with disabilities. Join the movement to weave disability awareness and inclusiveness into the fabric of employment in our city. We are #AbleTo.

You can join the #AbleTo movement and support students and graduates living with disabilities. Pledge your commitment to the #AbleTo movement in two ways:

1. Pledge online at AbleTo.ca. Here you can choose and share your commitment to helping close the employment gap for students and graduates with disabilities.

2. Share one of the David C. Onley Initiative's #AbleTo posts on Twitter, Facebook or LinkedIn.

You can also download the #AbleTo identifier at AbleTo.ca/ resources. The identifier is the visual representation of your pledge. It tells the community that you are #AbleTo support the movement and do your part—whatever that may be.

Use the identifier image in your email signature, on your company website and job postings, or in social media posts.

Myths and Facts

Read the statements below to dispel some common myths and find out the facts about employees with disabilities.

#AbleTo bust myths & find talent

63% Sixty-three percent of Ottawa's businesses say that acquiring and retaining talent is a pressing issue. **At the same time, many of these businesses overlook job applicants with visible and non-visible disabilities because of common myths. Here are the facts.**

Myth

Employees with disabilities are less productive than those without a disability.

Fact

Research shows no difference in job performance between employees with disabilities and those without disabilities.

Myth

Employees with disabilities are harder to dismiss for underperformance than those without disabilities.

Fact

Employees with disabilities fall under the same legislation and provisions as employees without disabilities and are no more difficult to dismiss.

Myth

Candidates with disabilities don't have the skills, training or education required for many jobs.

Fact

33% Over thirty-three percent of adults with a disability have completed post-secondary educational programs.

Myth

Employees with disabilities will be a burden to their coworkers.

Fact

Research shows that inclusive workplaces are better places to work for everyone and are more profitable over the long term.

Myth

Accommodating employees with disabilities is expensive.

Fact

65% Sixty-five percent of employees with disabilities do not require accommodation. The average cost for those who require accommodation is $500.

Myth

Workers' compensation rates will increase if employers hire more persons with disabilities.

Fact

Organizations' insurance rates are based exclusively on the comparative risks associated with their accident histories, as opposed to whether or not some of their employees have a disability.

Myth

Employees with disabilities have a high absentee rate.

Fact

Employees with disabilities do not miss any more work than their colleagues without disabilities and tend to have better attendance records than their non-disabled co-workers.

Language

You can help build a stronger, more inclusive team by learning how to interact knowledgeably and respectfully with employees with disabilities. You also can help dispel the negative attitudes and stubborn stereotypes by educating yourself about what is the appropriate language to use when speaking with and writing about persons with disabilities. Attitudes and stereotypes often stem from the language we use. Improper language can be the most challenging barrier people with disabilities face in participating fully in society. Education starts by examining how we use language.

First, consider the following facts:

- **Terminology is always evolving.** Not everyone will agree on every term or word used. And that is OK. Language does not always deliver a one–size–fits–all solution. But we can do our best to use disability–positive language and promote inclusion by being aware of what we say and how we say it. Note that preferred language can also differ by region, country or individual.

- **Fear of language can stop you from having important conversations.** You may have noticed that you are hesitant to say something, or scared you will use the wrong word or term when interacting with a person with a disability. This feeling is normal. But this discomfort can create barriers when communicating with others. It may even result in you failing to have important conversations with your employees.

- **Disability is only taboo when you treat it as such.** Disability is not a forbidden subject anymore. When we shy away from using words like disability and disabled, we can create shame around it. When we talk about disability without discomfort, we reduce any stigma associated with disability.

If you are not sure how someone self–identifies, the best thing to do is ask them. Asking something like, "How would you like to be referred to?" is an effective way to ensure you use the preferred language of the person you are interacting with. Do not be afraid to ask questions when you are unsure of what to say or how to say it.

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Second, here are some guidelines to help ensure your interactions are respectful and inclusive.

- Avoid using words that suggest people with disabilities are their conditions. Identify the person first, such as people with disabilities and a person with a disability.

- Avoid using words that categorize, as in the disabled and the blind, as these words imply that people with disabilities are a uniform group.

- Avoid words that suggest heroism, such as brave and inspirational. The majority of persons with disabilities have similar goals as the rest of the population. The words we use should be non-judgmental, non-emotional and reflect the inclusion of people with disabilities in society.

- Avoid using subjective words that equate disability with illness. For instance, do not use terms like suffers from, afflicted by, patient, disease and sick.

- Avoid using words that suggest people with disabilities are inferior and should be excluded from activities generally available to others. For instance, do not use words such as incompetent.

- Use of commonly accepted phrases such as see you later or got to run are considered appropriate by many people with disabilities.

Below are some recommendations to guide your language. Remember that persons with disabilities may still have their own preferences. When in doubt, ask the person.

NOT RECOMMENDED	RECOMMENDED
Challenged, handicapped	Person with a disability
Confined to a wheelchair	Person who uses a wheelchair
The blind, the visually impaired	Person who is blind or living with vision loss
Deaf people who sign	The Deaf (upper case d)
Deaf people who do not sign	The deaf (lower case d) or people who are deaf
Mental patient, psychotic, neurotic	Person with a mental health disability
Learning disabled, learning disorder	Person with a learning disability

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The Mental Health Commission of Canada published Language Matters, a document that focuses on using safer language when talking about mental health. Here are some of the commission's key recommendations:

LANGUAGE THAT STIGMATIZES	SAFER LANGUAGE
Person suffering from mental illness	Person living with/experiencing a mental illness
Addict, junkie, substance abuser	Person living with a substance use disorder/problem
Someone who committed suicide	Someone who died by suicide
He is schizophrenic	He lives with schizophrenia
She is insane	She has lived experience with a mental health condition

Be mindful of the terms you may have learned a long time ago. Make sure you use the most up-to-date language. For example:

NOT RECOMMENDED	RECOMMENDED
Handicapped parking/permit	Accessible parking/permit
Handicapped bathrooms/stall	Accessible bathrooms/stall
Handicapped door opener	Accessible door opener

Sources:

Accessible Employers: Disability-Related Language and Tips — https://accessibleemployers.ca/members/presidentsgroup/activity/203/

Employment & Social Development Canada, Accessibility Resource Centre: A Way with Words and Images — www.canada.ca/en/employment-social-development/programs/disability/arc/words-images.html

Humber College: Inclusive Language in Media, A Canadian Style Guide — http://www.humber.ca/makingaccessiblemedia/modules/01/transript/Inclusive_Language_Guide_Aug2017.pdf

Canadian Association of Broadcasters: Recommended Guidelines on Language and Terminology — Persons with Disabilities — www.cab-acr.ca/english/social/diversity/disabilities/pwd_guidelines.htm

Canadian Mental Health Commission: Language Matters — www.mhfa.ca/sites/default/files/safer_language_reference_guide.pdf

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Etiquette

Language is important. So is behaviour. We must be mindful and respectful in our actions when interacting with persons with disabilities. Here are some general suggestions you can follow:

- Speak directly to a person with a disability, even when an interpreter or support person accompanies them.
- Offer your assistance, but wait until your offer has been accepted before you help.
- Always listen to a person with a disability whom you have offered to help, and follow their instructions.
- If a service animal is present, refrain from interacting with it unless you have been given permission.
- Do not make assumptions. Always ask questions when you are unsure.
- Be mindful of the language you use.
- Respect personal space.
- Your interactions will not always go as planned. If you make a mistake, apologize and take the opportunity to learn about that person's preferences or needs.

The following chart outlines key suggestions to guide your interactions with people who have different types of disabilities.

DISABILITY TYPE	SUGGESTED ETIQUETTE
Mobility	- Try to place yourself at eye level when speaking with a person in a wheelchair. - Be mindful that some wheelchair users may prefer to transfer into a chair. - Never lean or hold a person's mobility device. This is their personal property and space. - Refrain from physical contact, such as gripping or leaning on someone. This could impair their balance. - Allow space for mobility aids to remain within reach.
Vision	- As you approach, state your name and who you are. - In a group, identify yourself and the person you are speaking to. - Always ask before leading someone. If they accept, allow the person to hold your arm so they are in control of their own movements. - Give descriptive directions. - Inform the person when you move, when someone leaves or enters the room, or when you need to end a conversation. - Orient them when entering a space, especially if barriers are present or changes have been made to the physical environment.

Speech	• Do not try to finish a person's sentences or find their words. • If you have trouble understanding someone's speech, ask for them to repeat what they have said or verify that you have understood them correctly.
Hearing	• Do not shout. This may distort the sound in a hearing device. • Ensure you have the person's attention before speaking. Maintain eye contact while speaking. • When no interpreter is available, communicating in writing or by text is appropriate. • If the person lip-reads, look at them directly. Do not cover your face or mouth. Speak clearly at a regular pace. Use expressions as the person may rely on expressions, gestures and eye contact to understand you.
Mental Health	• Refrain from pointing out physical signs or symptoms of someone with a suspected or known mental health concern. • Always be flexible, patient and open-minded. • Provide support and assistance, as appropriate.
Learning	• Ask the person how they prefer to receive information (i.e., verbal or written). • Treat the person as an adult, but use language that matches their level of complexity or understanding. • Allow the individual time to think about their response.
Neurodiverse	• Use clear and simple language. • Avoid using metaphors, euphemisms and sarcasm as they may cause confusion. If you use these forms of speech, be prepared to explain what you mean. • Ask one question at a time. • Give clear instructions. • Do not assume that a person's body language (e.g., aloofness) equates to a lack of interest.

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Seek advice from organizations that serve and support people with disabilities if you have questions or you want to learn more about disability etiquette. Refer to the Community Resources section for contact details for these organizations.

Sources:

Job Accommodation Network: Accommodation and Compliance: Disability Etiquette — https://askjan.org/topics/disetiq.cfm

Humber College: Inclusive Language in Media, A Canadian Style Guide — www.humber.ca/makingaccessiblemedia/modules/01/transript/Inclusive_Language_Guide_Aug2017.pdf

Canadian Association of Broadcasters: Recommended Guidelines on Language and Terminology — Persons with Disabilities — www.cab-acr.ca/english/social/diversity/disabilities/pwd_guidelines.htm

Inclusive workplace practices

Becoming an inclusive workplace does not have mean implementing big changes. You can take many small and simple steps to move toward a more inclusive and accessible workplace beneficial for all employees:

- Welcome diversity and inclusion in your workplace, starting from the top down. For example, normalize disability in your workplace by taking opportunities to talk about disability issues and by modelling inclusivity through your language and behaviours.

- Review policies to assess potential barriers.

- Use language that focuses on people and not their disabilities.

- Treat all individuals equally, including those with disabilities. For example, ensure that company events, such as holiday parties, are accessible for employees with and without disabilities.

- Examine your environment for any potential barriers someone with a disability may face.

- Demonstrate openness and comfort in discussing and providing accommodations.

- Respect the confidentiality of applicants and employees.

- Provide diversity education and accessibility awareness to staff at all levels.

Hire For Talent provides resources on how to lead a Micro-Learning Workshop on Disability Awareness Training for your staff. Check out Tool #10 on page 73 of the Employer Toolkit.

www.hirefortalent.ca/images/pdf/Employer_Toolkit_Condensed_Printable_Version.pdf

- Involve those with disabilities in discussions about their workplace needs. Do not assume what they need.

- Listen, be flexible and ask questions if you do not fully understand a matter related to inclusive workplaces.

- Promote and adhere to your organization's diversity and inclusion policy. Or create one if you do not have one. For inspiration, Carleton University has a policy that states:

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Carleton University is committed to fostering diversity within its community as a source of excellence, cultural enrichment and social strength. We welcome those who would contribute to the further diversification of our organization, including, but not limited to: women; visible minorities; First Nations, Inuit and Métis peoples; persons with disabilities; and persons of any sexual orientation, gender identity and/or expression.

The following subsections provide practical advice on how you can infuse inclusivity into recruiting, interviewing, hiring and retention.

Recruiting

Recruiting talent continues to be a pressing issue for many employers. Below are inclusive recruitment strategies that will assist you in improving your access to skilled and qualified applicants with disabilities.

- Advertise jobs through community-employment disability agencies, campus career offices and co-op offices.
- Offer alternative formats (large print, HTML, plain language) of job postings.
- Provide ways to receive applications other than through your website.
- Include details about the interview/workplace location and highlight accessible features.
- Identify availability of flexible working conditions.
- Create inclusive job postings that include only those qualifications required for the job.
- Promote your organization as an equal opportunity employer.
- Use plain language, simple typeface and large font.
- Include testimonials that support and showcase diversity and inclusion.
- Ensure any information you request for interview testing, such as a physical test, is relevant to the job.
- Prepare alternate formats for candidates to choose from if an interview has a written component.
- Provide contact information of someone who can answer questions about the job requirements, and who is aware of the organization's inclusion and diversity policy

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Hire for Talent offers great resources in its Employer Toolkit. Visit the following sites for information and templates on:

How to Write an Inclusive Job Description — www.hirefortalent.ca/images/pdf/tools/4.2_How-to-Write-Inclusive-Job-Descriptions_EN.pdf

Steps to Writing an Inclusive Job Posting — www.hirefortalent.ca/images/pdf/tools/4.3_How-to-Write-an-Inclusive-Job-Posting_EN.pdf

Interviewing

The purpose of an interview is for an employer to gather information to determine the best person for the job. This process involves determining which applicant is the closest match with respect to the requirements of the job and the organizational culture.

When interviewing a candidate, all efforts should be made to ensure accessibility. Consider employing the following strategies when assessing your current interview process:

Before an interview

- Ensure the interview location is accessible for candidates with disabilities.
- Provide information on accessible parking options and clear directions about the meeting location.
- When scheduling an interview, provide a description of the location.
- Inform all candidates that accommodation requests are available and provide instructions on how to make a request (e.g., who to send the request to and the deadline for the request).
- Give information on the interview style.
- Ensure staff members are aware of proper etiquette and language to use when interacting with persons with disabilities.
- Provide clear information and instructions about the selection process.
- Assemble an interview panel to reduce individual bias and, when possible, ensure diverse representation on the panel.

During an interview

- Ask the same questions to all candidates. The questions should focus on the person's ability to perform the essential duties of the job.
- Do not ask questions that would require someone to disclose their disability, either directly or indirectly.

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- If an applicant discloses their disability or a disability-related need, be prepared to inform the individual they have the right to be accommodated to the point of undue hardship (see the Accommodations section for more information).

- Be aware of your own biases. Your personal and cultural assumptions could create an unfair hiring process.

- Assess each candidate against the essential requirements of the job and use the same ranking system for each candidate.

Interview Questions

The law in Ontario prohibits discrimination on the basis of age, marital status, children, ethnicity, gender, sexual orientation, religion, disability and more. The Ontario Human Rights Commission protects job seekers against unlawful questions. An employer's interview questions must be related to the skills and abilities needed to perform the job. Here are examples of questions that employers are and are not permitted to ask:

Questions you <u>are</u> permitted to ask:

- How would you perform this particular task?

- Are you able to work full-time hours?

- Are you able to perform the requirements of this position?

- Is the lighting OK? Does this desk meet your needs?

Employers may ask about an individual's accommodation needs and their ability to perform the essential duties of the job with accommodation. However, employers should ask that question only after the individual has chosen to disclose their disability during an interview. For example, you could ask, "Do you require any accommodations to perform the job functions?"

Questions you <u>are not</u> permitted to ask:

- Do you have any disabilities or medical conditions? What are they?

- How did you become disabled? What is your diagnosis?

- How often do you miss work for doctor appointments?

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Learn to reframe your interview questions to make then more accessible. Refer to this _chart_ from the Discover Ability Network for some examples.

www.accessibleemployers.ca/wp-content/uploads/2017/12/Discover-Ability-Networks-Interview-Questions.pdf

Onboarding

Once a candidate is hired, you should take a few more steps while your new employee adjusts to their workplace:

- Ensure any accommodations that were discussed and agreed upon are implemented in a timely manner.
- Complete an Individual Accommodation Plan.
- Discuss whether the employee requires assistance in the case of an emergency. Then discuss and record a plan.
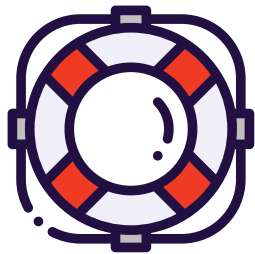
For samples of an Individual Accommodation Plan and Emergency Response Information Forms, visit pages 137 — 151 in the Conference Board of Canada's Employer Toolkit.

_www.conferenceboard.ca/docs/default-source/pdf_downloads/7159_accessibilitytoolkit-2015_rpt.pdf?sfvrsn=a98e7013_2&pdf=toolkit_

- Reiterate that you will keep confidential any personal information disclosed during the employee's interview.
- Confirm the employee can access any orientation information.
- Consider assigning a mentor or point of contact as an added support.
- Check in regularly to see whether accommodations are appropriate and whether changes to these accommodations are required.

Check out these resources from Accessible Employers for more comprehensive checklists on recruitment and onboarding:

Accessible Recruitment Checklist — www.accessibleemployers.ca/wp-content/uploads/2017/12/Accessible-Recruitment-Checklist-Final.pdf

*Employee Orientation and Onboarding Checklist* — www.accessibleemployers.ca/wp-content/uploads/2017/12/Employee-Orientation-and-Onboarding-Checklist-Final.pdf

Inclusive Interview Checklist — www.accessibleemployers.ca/wp-content/uploads/2017/12/Inclusive-Interview- Checklist-Final.pdf

Retaining

After successfully recruiting, interviewing and onboarding an employee, make sure you have measures in place to retain them. Your whole team benefits when you reduce the risk of staff turnover. Managing an employee who has a disability is no different than managing anyone else. Some suggestions for increasing retention include:

- Ensure new employees feel welcome. Include these employees in decisions and social activities.
- Provide training on their position, organizational culture and workplace safety.
- Ensure each employee understands the requirements of their jobs.
- Make performance standards clear and hold employees to these standards.
- Provide regular feedback about their performance.
- Identify staff that new employees can approach when they need help or have questions.
- Observe changes in behaviour that may be associated with personal or job-related challenges. Then offer and provide support as needed.
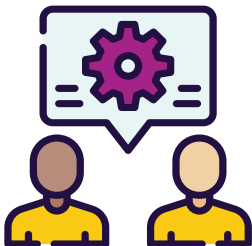
Take a look at "How can I approach an employee?" from Mental Health Works when you see behaviour or performance signs that suggest an employee has a mental health concern.

www.mentalhealthworks.ca/how-can-i-approach-an-employee-about-their-mental-illness

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- Arrange regular meeting times for ongoing evaluation.
- Adjust workplace accommodations and communication style when required.
- Address problems as they arise, as you would with any other employee.

Sources:

Hire For Talent: Employer Toolkit — www.hirefortalent.ca

Discover Ability Network: Business, Roadmap — https://discoverability.network/business/roadmap

Employment Accessibility Resource Network: Diversity and Inclusion: Disability Etiquette in the Workplace — http://earn-paire.ca/wp-content/uploads/2019/02/Disability-etiquette-Eng.pdf

Mental Health Works: How can I approach hiring to include people with disabilities, including those with mental health problems? — www.mentalhealthworks.ca/how-do-i-hire-someone-with-a-mental-health-problem
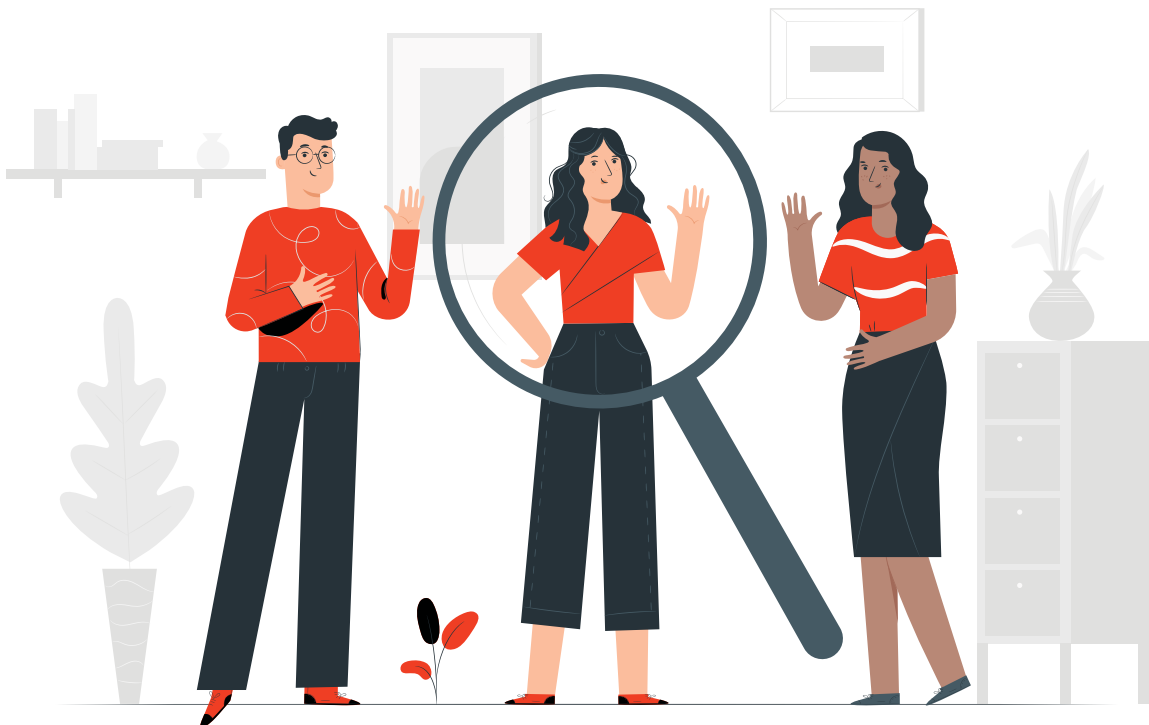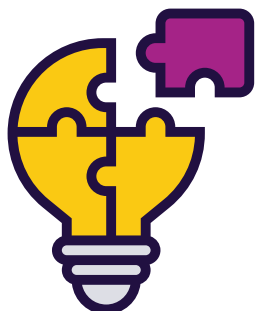
Accommodations

In the interview process and the workplace itself, persons with disabilities are entitled to access the same opportunities and benefits as those who do not have disabilities. For some persons with disabilities, this right means certain adjustments may need to be made for an individual to perform the duties of their job. Any such adjustment is known as an accommodation. The accommodation process is a shared responsibility. Each person involved in it is expected to collaborate, share appropriate information and consider possible solutions—all in a sensitive, confidential and timely manner.

Employers have a legal duty to accommodate. This obligation ensures that those who are otherwise fit to work are not unjustly excluded when workplace adjustments can be made. Employees will be most productive when given the tools they need to do their jobs.

http://www.ohrc.on.ca/en/policy-ableism-and-discrimination-based-disability/8-duty-accommodate

Consider the following facts on making workplace accommodations:

- Accommodation needs vary widely from person to person. These needs may be related to the individual, the environment, the tasks or the tools needed to perform a job or task.

- An employer is not obligated to provide the exact accommodation preferred by the individual. However, the employer cannot decide on an accommodation without consulting the individual involved.

- An accommodation cannot be used to evaluate the merits of an applicant during candidate selection.

- An accommodation may be needed at any stage in the employment relationship, including pre-employment (testing, interviews), training, employment and evaluating for promotion.

- An employee's probationary period should start after the employee has been accommodated.

Some students may have had academic accommodations while completing their schooling, but these same students might not understand their needs in the workplace. Take a look at the University of Guelph's resource on Academic Accommodations Translated into Employment Settings for more information.

www.recruitguelph.ca/cecs/system/files/Academic%20Accommodations%20 translated%20into%20the%20Workplace_AODA_MF.pdf

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According to the Ontario Human Rights Commission, employers and employees have specific roles and responsibilities under the duty to accommodate.

Employee Responsibilities

A person with a disability is not required to disclose their disability if they can perform their work without an accommodation and they do not pose a danger at work to themselves or others.

A person with a disability who requests an accommodation at work is required to:

- Make their accommodation needs known to their employer, preferably in writing.
- Answer questions or provide information to their employer on their limitations, which may include information or documentation from a health care provider.
- Discuss potential accommodation solutions with their employer.
- Collaborate with experts when assistance is needed to manage the accommodation process.
- Work with their employer to manage the accommodation process.
- Meet performance standards and job requirements once accommodations are put in place.
- Discuss disability and associated needs only with those who need to know.

Employer Responsibilities

An employer is allowed to ask questions about an employee's ability to perform the functions of the job, but the employer does not have the right to ask for specific information about the employee's disability such as its name or diagnosis.

Whenever possible, an employer must attempt to provide needed accommodations without requesting information that is not absolutely necessary. Typically, the employer does not have the right to have an employee's confidential information, unless the information clearly relates to the accommodation being requested. Such information also may be required in cases in which the employee's needs are complex or unclear and more information is needed to make a proper assessment.

Employers are also required to:

- Be aware that a person may need an accommodation even if they have not requested one.

- Accept a person's request in good faith.

- Obtain the opinion of an expert for further advice if needed.

- Request only information related to the nature of the limitations mentioned.

- Examine alternative approaches and possible accommodation solutions.

- Keep a record of accommodation requests and document what actions were taken.

- Maintain confidentiality and respect the dignity of the person requesting accommodation.

- Process and implement accommodation requests in a timely manner.

- Cover the cost of any medical information or documentation being requested.

Undue Hardship

The Ontario Human Right Commission states that an employer has an obligation to accommodate all disabilities up to the point of undue hardship. Three considerations are used to determine whether an accommodation would cause undue hardship: cost, outside sources of funding (if any), and health and safety regulations (if any).

- **Cost:** An employer may experience undue hardship if the cost of an accommodation is so great that it impacts the sustainability of the business, or changes its essential nature. Therefore, if the accommodation requires the business to fundamentally change what it does, this change could be determined as undue hardship. The cost also must be related to the accommodation and it must be quantifiable. The sizes and financial circumstances of each business are different; therefore, an undue cost would be assessed differently in a small business than a larger one.

- **Outside sources of funding:** If an organization seeks to offset the costs of a potential accommodation, it has an obligation to consider outside sources of funding. Before being able to claim undue hardship, the organization would have to show it took advantage of any available sources of funding, which are often found through government programs. A person seeking accommodation is also expected to investigate any outside sources of funding to assist with expenses related to their accommodation. If the cost is too much for the employer to cover at once, options could be explored to spread out the cost over time or create a reserve fund.

- **Health and safety:** As part of the legal requirements of Ontario's health and safety laws, employers have an

obligation to protect the health and safety of all of their employees. Therefore, if an accommodation request could cause a significant health and safety risk, the risk could be considered undue hardship. In this area,

Policy on ableism and discrimination based on disability has information on strategies to minimize the chances of undue hardship in your organization.

www.ohrc.on.ca/sites/default/files/Policy%20on%20ableism%20and%20 discrimination%20based%20on%20disability_accessible_2016.pdf

Examples of Common Accommodations

Most accommodations are easy to introduce and cost very little. Some persons with disabilities may even be able to provide their own accommodation. Workplace accommodations can come in many different forms and solutions:

ACCOMMODATION FORM	ACCOMMODATION EXAMPLES
Change workplace facilities to be more accessible	Install an accessible door opener and improved lighting
Create flexible or modified work schedules	Put in place flexible work hours, frequent breaks and self-paced workload
Restructure work or daily tasks	Divide larger tasks into smaller ones
Acquire or modify equipment, software or devices needed to do a job	Provide computer screen magnifier, voice input or speech recognition aids, and ergonomic chair
Provide assistance through a support service or person	Use an ASL interpreter
Change work locations	Provide quiet workspace and option to work from home
Offer retraining options or job reassignment	Assign to a new position

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Job Accommodation Network provides a comprehensive database of accommodation examples by disability type.

https://askjan.org/soar.cfm

Canadian Council on Rehabilitation and Work provides examples of Assistive Technologies.

www.ccrw.org/learn-more/accommodation-examples

Accessible Employers offers a helpful Workplace Accommodation Guide.

www.accessibleemployers.ca/wp-content/uploads/2017/12/Workplace-Accommodation-Guide-Final.pdf

Mental Health Works provides information on common accommodations for mental health.

www.mentalhealthworks.ca/mental-health-accommodations

Sources:

Ontario Human Rights Commission: 13. Duty to Accommodate — www.ohrc.on.ca/en/policy-preventing-discrimination-based-mental-health-disabilities-and-addictions/13-duty-accommodate

Government of Canada: Duty to Accommodate: A General Process For Managers — www.canada.ca/en/government/publicservice/wellness-inclusion-diversity-public-service/diversity-inclusion-public-service/working-government-canada-duty-accommodate-right-non-discrimination/duty-accommodate-general-process-managers.html

Resources

Web-based Toolkits and Resources

AbleTo: Downloadable information sheets

- https://ableto.ca

Accessible Employers Resources

- http://accessibleemployers.ca/resources

Canadian Mental Health Association: Takeaways Toolkit

- https://cmha.ca/takeaways

DiscoverAbility Network Toolkits

- https://discoverability.network/business/resources/toolkits

Job Accommodation Network Employer Toolkit (*use discretion; U.S. resource)

- https://askjan.org/toolkit/The-JAN-Workplace-Accommodation-Toolkit.cfm

Forward Motion Coaching: The Employer's Guide to Asperger's Syndrome

- www.antioch.edu/new-england/wp-content/uploads/sites/6/2017/01/ASDEmpGuide.pdf

Hire For Talent Toolkit

- www.hirefortalent.ca/index.php

March of Dimes: Accessibility Awareness Toolkit

- www.marchofdimes.ca/EN/programs/Documents/Training-Institute-Accessibility-Awareness-Toolkit.pdf

Mental Health in the Workplace: An Accommodation Guide for Managers and Staff

- https://ontario.cmha.ca/wp-content/uploads/2018/10/CMHA_Mental-Health-Works-Guidebook-8.5-x11r.pdf

Society for Treatment of Autism: Employer's Guide

- http://treatment.sta-ab.com/wp-content/uploads/2015/01/Employment-Guide.pdf

The Conference Board of Canada's Employers' Toolkit

- www.conferenceboard.ca/accessibility/toolkit.aspx

The Mental Health Commission's Practical Toolkit to Help Employers Build an Inclusive Workforce

- www.mentalhealthcommission.ca/sites/default/files/2019-01/aspiring_workforce_toolkit_2019_eng.pdf

Workplace Strategies for Mental Health: Supporting Employee Success

- www.workplacestrategiesformentalhealth.com/pdf/Supporting_Employee_Success_EN.pdf

Legislation

Government of Ontario, Accessibility Laws offers free tools and resources to help organizations meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

- www.ontario.ca/fr/page/legislation-en-matiere-daccessibilite

Reports

Business Benefits of Accessible Workplaces report offers a comprehensive business case in support of accessible workplaces. The report focuses on the business benefits of accessibility by outlining various returns that organizations can gain when investing in accessible employment practices for people with disabilities.

- http://earn-paire.ca/wp-content/uploads/2015/11/Business-Benefits-of-Accessible-Workplaces.pdf

Business Case for Hiring Aspiring Workers from the Mental Health Commission of Canada offers findings from a research project that looked at costs and benefits of recruiting and retaining people living with mental illness.

- www.mentalhealthcommission.ca/Francais/media/4067

Rethinking Disability in the Private Sector Report from the Panel on Labour Market Opportunities for Persons with Disabilities provides a mix of overarching and specific considerations for employers who want to create more inclusive and accessible workplaces.

- www.canada.ca/en/employment-social-development/programs/disability/consultations/rethinking-disabilities.html

Why Hire People with Disabilities Report supplies employers with practical ideas and guidelines to hire people with disabilities. It also supplies a business case for hiring people with disabilities, tools to train people with disabilities, strategies to create inclusive workplaces, and guides to accommodate persons with disabilities in workplaces.

- http://earn-paire.ca/wp-content/uploads/2015/11/Why-Hire-People-with-Disabilities.pdf

Disability–Employment Community Agencies

Many organizations provide education and support to employers. Connect with the following organizations to access industry experts and information about available resources:

Acclaim Ability
- www.acclaimability.com

Canadian Hearing Society
- www.chs.ca/services/services–job–seekers

Canadian National Institute for the Blind
- https://cnib.ca/en/programs-and-services/work/im-looking-employment-come-work?region=on

Causeway Work Centre
- www.causewayworkcentre.org

CVE Inc.
- www.cve.ca

Distinct Programmes Inc.
- www.distinctprogrammes.com

LiveWorkPlay
- https://liveworkplay.ca

March of Dimes
- www.marchofdimes.ca/EN/Pages/default.aspx

Neil Squire Society
- www.neilsquire.ca

Ontario Disability Support Program
- www.mcss.gov.on.ca/en/mcss/programs/social/odsp

Performance Plus Rehabilitative Care Inc.
- www.pprc.ca/en/home.aspx

Selected Disability Organizations

Canadian Association of Professionals with Disabilities is a federally incorporated non-profit dedicated to maximizing the inclusion, job retention, and advancement of current and future professionals with disabilities.

- http://canadianprofessionals.org

Canadian Council on Rehabilitation and Work is a Canada-wide network of organizations and individuals whose mission is to promote and support equitable employment of people with disabilities.

- www.ccrw.org

Employment Accessibility Resource Network in Ottawa is a United Way-led initiative that brings together employers and service providers to increase opportunities for meaningful employment for people with disabilities.

- https://earn-paire.ca

Glossary

Accessibility is a general term used to describe the degree to which a product, device, service or environment is available to be used by all intended audiences. According to the Government of Ontario, there are five identified barriers to accessibility for persons with disabilities. These barriers are attitudinal, organizational or systemic, architectural or physical, information or communications, and technological.

Sources:

Council of Ontario Universities, Accessible Campus: Understanding Barriers to Accessibility — https://accessiblecampus.ca/understanding-accessibility/what-are-the-barriers/

Ontario Public Service: Inclusion and Diversity Blueprint — www.ontario.ca/page/ops-inclusion-diversity-blueprint

Disability is a complex phenomenon that reflects the interaction between features of a person's body and mind and features of the society in which they live. A disability can occur at any time in a person's life. Some people are born with a disability. Still others develop a disability later in life. It can be permanent, temporary or episodic. Disability can worsen steadily, remain the same, or improve. It can be very mild to very severe. It can be the cause of, as well as the result of, disease, illness, injury or substance abuse.

Source:

Employment & Social Development Canada, Accessibility Resource Centre: Federal Disability Reference Guide — www.canada.ca/en/employment-social-development/programs/disability/arc/reference-guide.html

Diversity is the presence of a wide range of human qualities and attributes within a group, organization or society. These can be identities, experiences, and visible and invisible qualities that shape who we are, how we think, how we engage with the world, and how we are perceived by the world. The dimensions of diversity include, but are not limited to, ancestry, culture, ethnicity, gender, gender identity, language, physical and intellectual ability, race, religion, sex, sexual orientation and socio-economic status.

Sources:

Council of Ontario Directors of Education: Equity and Inclusion Education: Going Deeper — www.ontariodirectors.ca/downloads/EIE-2014/Equity_and_Inclusive_Education_Eng_Final.pdf

Ontario Public Service: Inclusion and Diversity BlueprintEmployment Equity Act — https://laws-lois.justice.gc.ca/eng/acts/e-5.401/FullText.html

Employment Equity is the process of achieving equality in the workplace so that no person is denied employment opportunities or benefits for reasons unrelated to ability. In the fulfilment of that goal, employment equity strives to correct the conditions of disadvantage in employment experienced by women, Aboriginal Peoples, persons with disabilities and members of visible minorities. As such, employment equity is meant to give effect to the principle that equality means more than treating persons in the same way; it also requires special measures and the accommodation of differences.

Source:

Council of Ontario Directors of Education: Equity and Inclusion Education: Going Deeper — www.ontariodirectors.ca/downloads/EIE-2014/Equity_and_Inclusive_Education_Eng_Final.pdf

Equity is a condition or state of fair, inclusive and respectful treatment of all people. This state means making sure everyone has what they need to succeed, as well as removing barriers that disadvantage some groups over others. As such, equity is different than treating people equally.

Sources:

Ontario Public Service: Inclusion and Diversity Blueprint — www.ontario.ca/page/ops-inclusion-diversity-blueprint

Council of Ontario Directors of Education: Equity and Inclusion Education: Going Deeper — www.ontariodirectors.ca/downloads/EIE-2014/Equity_and_Inclusive_Education_ Eng_Final.pdf

Inclusion is about creating a culture that strives for equity and that embraces, respects, accepts and values difference.

Sources:

Canadian Centre for Diversity and Inclusion: Diversity Defined — https://ccdi.ca/our-story/diversity-defined

Workplace Inclusion is an environment that accepts each individual's differences, embraces their strengths, and provides opportunities for all people in the workplace to achieve their full potential. Inclusion should be reflected in an organization's culture, practices and relationships. More broadly, workplace inclusion is about creating a sense of belonging, a sense in each employee of feeling valued for who they are, and of feeling a level of supportive energy and commitment from others so you can do your best work.

Sources:

Law Society of Ontario: Definitions — https://lso.ca/about-lso/initiatives/edi/definitions

Royal Bank of Canada: Diversity and Inclusion Blueprint — www.rbc.com/diversity-inclusion/_assets-custom/includes/pdf/rbc-diversity-blueprint.pdf

The Government of Canada has created an <u>Accessibility Glossary</u>. It contains definitions of 342 concepts, including terminology in the fields of the sociology of work and technical aids for persons with disabilities.

www.btb.termiumplus.gc.ca/publications/accessibilite-accessibility-eng.html

References

Accessible Employers: Disability-Related Language and Tips
- https://accessibleemployers.ca/members/presidentsgroup/activity/203

Accessible Employers: Resources
- https://accessibleemployers.ca/resources

Accessible Employers: Workplace Accommodation Guide
- www.accessibleemployers.ca/wp-content/uploads/2017/12/Workplace-Accommodation-Guide-Final.pdf

Canadian Association of Broadcasters: Recommended Guidelines on Language and Terminology — Persons with Disabilities
- www.cab-acr.ca/english/social/diversity/disabilities/pwd_guidelines.htm

Canadian Centre for Diversity and Inclusion: Diversity Defined
- https://ccdi.ca/our-story/diversity-defined/

Canadian Mental Health Commission: Language Matters
- www.mhfa.ca/sites/default/files/safer_language_reference_guide.pdf

Conference Board of Canada: Business Benefits of Accessible Workplaces
- www.conferenceboard.ca/temp/2c982563-1dbf-4213-baff-b178a758b354/6264_AccessibleWorkplaces_BR_AV.pdf

Conference Board of Canada: Employer's Toolkit
- www.conferenceboard.ca/docs/default-source/pdf_downloads/7159_accessibilitytoolkit-2015_rpt.pdf?sfvrsn=a98e7013_2&pdf=toolkit

Council of Ontario Directors of Education: Equity and Inclusive Education: Going Deeper
- www.ontariodirectors.ca/downloads/EIE-2014/Equity_and_Inclusive_Education_Eng_Final.pdf

Council of Ontario Universities, Accessible Campus: Understanding Barriers to Accessibility
- https://accessiblecampus.ca/understanding-accessibility/what-are-the-barriers/

Discover Ability Network: Business, Roadmap
- https://discoverability.network/business/roadmap

Discover Ability Network: Interview Questions
- www.accessibleemployers.ca/wp-content/uploads/2017/12/Discover-Ability-Networks-Interview-Questions.pdf

Discover Ability Network: The Benefits of Hiring
- https://discoverability.network/business/benefits-of-hiring/

Employment & Social Development Canada, Accessibility Resource Centre: A Way with Words and Images
- www.canada.ca/en/employment-social-development/programs/disability/arc/words-images.html

Employment & Social Development Canada, Accessibility Resource Centre: Federal Disability Reference Guide
- www.canada.ca/en/employment-social-development/programs/disability/arc/reference-guide.html

Employment Accessibility Resource Network: Diversity and Inclusion: Disability Etiquette in the Workplace
- http://earn-paire.ca/wp-content/uploads/2019/02/Disability-etiquette-Eng.pdf

Government of Canada, Justice Laws Website: Employment Equity Act
- https://laws-lois.justice.gc.ca/eng/acts/e-5.401/FullText.html

Government of Canada: Accessibility Glossary
- www.btb.termiumplus.gc.ca/publications/accessibilite-accessibility-eng.html

Government of Canada: Duty to Accommodate: A General Process For Managers
- www.canada.ca/en/government/publicservice/wellness-inclusion-diversity-public-service/diversity-inclusion-public-service/working-government-canada-duty-accommodate-right-non-discrimination/duty-accommodate-general-process-managers.html

Hire for Talent: Employer Toolkit
- www.hirefortalent.ca/

Humber College: Inclusive Language in Media, A Canadian Style Guide
- www.humber.ca/makingaccessiblemedia/modules/01/transript/Inclusive_Language_Guide_Aug2017.pdf

Job Accommodation Network: Accommodation and Compliance: Disability Etiquette
- https://askjan.org/topics/disetiq.cfm

Job Accommodation Network: Accommodation Search
- https://askjan.org/soar.cfm

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Law Society of Ontario: Definitions
- https://lso.ca/about-lso/initiatives/edi/definitions

Mental Health Commission of Canada: Language Matters
- www.mhfa.ca/sites/default/files/safer_language_reference_guide.pdf

Mental Health Works: How can I approach an employee?
- www.mentalhealthworks.ca/how-can-i-approach-an-employee-about-their-mental-illness/

Mental Health Works: How can I approach hiring to include people with disabilities, including those with mental health problems?
- www.mentalhealthworks.ca/how-do-i-hire-someone-with-a-mental-health-problem/

Mental Health Works: What kinds of accommodations are people with a mental health problem likely to need?
- www.mentalhealthworks.ca/mental-health-accommodations/

Ontario Human Rights Commission: 13. Duty to Accommodate
- www.ohrc.on.ca/en/policy-preventing-discrimination-based-mental-health-disabilities-and-addictions/13-duty-accommodate

Ontario Human Rights Commission: 2. What is a Disability?
- www.ohrc.on.ca/en/policy-ableism-and-discrimination-based-disability/2-what-disability

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- www.ohrc.on.ca/en/policy-ableism-and-discrimination-based-disability/8-duty-accommodate

Ontario Human Rights Commission: 9. Undue Hardship
- www.ohrc.on.ca/en/policy-ableism-and-discrimination-based-disability/9-undue-hardship

Ontario Human Rights Commission: Policy on ableism and discrimination based on disability
- www.ohrc.on.ca/sites/default/files/Policy%20on%20ableism%20and%20discrimination%20based%20on%20disability_accessible_2016.pdf

Ontario Public Service: Inclusion and Diversity Blueprint
- www.ontario.ca/page/ops-inclusion-diversity-blueprint

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- www.rbc.com/diversity-inclusion/_assets-custom/includes/pdf/rbc-diversity-blueprint.pdf

The Canadian Council on Rehabilitation and Work: Accommodation Examples

- www.ccrw.org/learn-more/accommodation-examples/

University of Guelph: Academic Accommodations Translated into Employment Setting

- www.recruitguelph.ca/cecs/system/files/Academic%20Accommodations%20translated%20into%20 the%20Workplace_AODA_MF.pdf

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