

	Title:	Employment Standards		
	Number:	HR - 013		
	Revision Date:	May 2021	Approved by:	Council
	Revision Number:	0	Area:	Corporate
	Document Type:	Policy	Department:	Human Resources

EMPLOYMENT STANDARDS POLICY

This policy is intended to meet the requirements of *Ontario Regulation 191/11 Integrated Accessibility Standards (IAS)* for Part III Employment Standards, set forth under the *Accessibility for Ontarians with Disabilities Act, 2005*. This policy applies to the provision of accessible employment services for people with disabilities.

All employment services provided by the City of Welland shall follow the principles of dignity, independence, integration and equal opportunity. This policy shall apply to every person who deals with members of the public on behalf of the City of Welland.

Our Commitment - The City of Welland is committed to helping all employees in a way that respects the dignity and independence of persons with disabilities. This includes providing accessible and equitable support to all persons, including those with disabilities. The City of Welland will identify, remove and prevent accessibility barriers that may prevent the full participation of persons with disabilities in the workplace. This includes:

- Physical;
- Environmental; and
- Communication and technological challenges.

Training – The City of Welland will ensure that all persons receive training as required by the IAS Regulation. Employees will be trained on all related policies and procedures that support the full participation of persons with disabilities in the workplace.

EMPLOYMENT STANDARD

The City of Welland is proud to have a diverse workforce, with a safe, inclusive and accessible work environment. The organization’s policies and practices are intended to foster diversity, inclusiveness and accessibility, while ensuring that workplace is free from discrimination and harassment.

Recruitment, Assessment and Selection – The City of Welland will make every reasonable effort to accommodate selected job applicants who have disabilities. Selected applicants will be informed that these accommodations are available upon request, for the interview process. If a selected job applicant requests accommodation relating to their participation in the hiring process, the City of Welland will consult with the applicant and provide or arrange for the provision of suitable accommodation that takes in account the applicant’s disability-related needs.

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All job postings are required to have the following at the bottom of each posting:

The City of Welland is an equal opportunity employer that is committed to inclusive, barrier-free recruitment and selection processes. The City of Welland is committed to accommodating persons with disabilities. Should you require any accommodations, we will work to meet your needs.

Notice to Successful Applicants – When making offers of employment, the City of Welland will notify successful applicants of our policies for accommodating employees with disabilities.

Informing Employees of Supports – We will notify our employees of the City of Welland’s policies (and any updates where there is a change to those policies) for supporting employees with disabilities, including our policies regarding the provision of job accommodations that take into account an employee’s accessibility needs due to disability. This information will be provided to new hires as soon as practicable after they commence employment.

Accessible Formats and Communication Supports for Employees – If an employee with a disability requests such, the City of Welland will make every reasonable effort to provide or arrange and consult for the provision of suitable accessible formats and communication supports for:

- Information needed in order to perform their job; and
- Information that is generally available to all employees in the workplace.

Workplace Emergency Response Information – The City of Welland will provide individual workplace emergency response information to employees with disabilities where the disability is such that individualized information is necessary, and the City of Welland is aware of the need for accommodation. The City of Welland will provide workplace emergency response information as soon as practicable after learning of the need for accommodation due to an employee’s disability. Where an employee who receives individualized workplace emergency response information requires assistance and with the employee’s consent, the City of Welland will designate a person to assist the employee. The City of Welland will review individualized workplace emergency response information, at a minimum whenever:

- The employee’s overall accommodation needs or plans are reviewed; or
- The City of Welland reviews its general emergency response policies.

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Documented Individual Accommodation Plans – The City of Welland will develop and have in place written processes for documenting individual accommodation plans for employees with disabilities. The process for the development of these accommodation plans shall include the following elements:

- The ways in which the employee can participate in the development of the plan;
- The means by which the employee is assessed on an individual basis;
- The ways an employee can request an evaluation by an outside medical expert, or other experts to determine if accommodation can be achieved, or how it can be achieved;
- The steps taken to protect the privacy of the employee’s personal information;
- The frequency with which the individual accommodation plan will be reviewed or updated and the manner in which it will be done;
- The means of providing the accommodation plan in an accessible format, based on the employee’s accessibility needs.

Return to Work Process – The City of Welland will develop and maintain a documented return to work process for its employees who have been absent from work due to a disability and who require disability-related accommodations to return to work.

The return to work process will outline the steps that the City of Welland will take to facilitate the return to work and will include documented individual accommodation plans.

Career Development, Advancement and Redeployment – The City of Welland will take into account the accessibility needs of employees with disabilities as well as individual accommodation plans, when providing career development and advancement or redeployment efforts for employees.

Appendix A – Written Accommodation Process

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The City of Welland is committed to providing accommodations for people with disabilities. When an employee with a disability requests an accommodation, the following process will be followed:

Step 1. Recognize the Need for Accommodation

The need for accommodation can be:

- Requested by the employee through their supervisor or through human resources or;
- Identified by the employee's manager or the hiring manager.

Step 2. Gather Relevant Information and Assess Needs

The employee is an active participant in this step:

- The City of Welland does not require details on the nature of the employee's disability to provide an accommodation; it needs to know only about the employee's functional abilities.
- Medical information regarding the employee is kept secure and dealt with in a confidential manner.
- Protecting privacy can be done by using file storage and confidential forms.
- The manager may ask for a functional capacity assessment at the company's expense.
- The employee and their manager evaluate potential options to find the most appropriate measure.
- An external expert may be involved, at the company's expense.
- The employee can request the participation of a representative from her bargaining unit or, if there is no bargaining unit, from a different representative from the workplace.

Step 3. Write a Formal, Individual Accommodation Plan

Once the most appropriate accommodation has been identified, the accommodation details are written down in a formal plan, including:

- Accessible formats and communication supports, if requested;
- Workplace emergency response information, if required;
- Any other accommodation that is to be provided.

The accommodation plan is provided to the employee in a format that takes into account their accessibility needs due to her disability:

- The employee's personal information is protected at all times.
- If an individual accommodation is denied, the manager provides the employee with the reason for the denial, in an accessible format.

Step 4. Implement, Monitor, and Review the Accommodation Plan

The employee and their manager monitor the accommodation to ensure that it has effectively resolved the challenge:

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- Formal reviews are conducted at a predetermined frequency.
- The accommodation plan is reviewed if the employee's work location or position changes.
- The accommodation is reviewed if the nature of the employee's disability changes.

If the accommodation is no longer appropriate, the employee and the manager work together to gather relevant information and reassess the employee's needs in order for the employer to find the best accommodation measure (Step 2).

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Appendix B – Individual Accommodation Plan

Employee’s name: _____ Date: _____

Employee’s title/department: _____ Manager: _____

Limitations	Job-related tasks/activities affected by limitations	Is this an essential job requirement?

Sources of expert input into the individual accommodation plan (e.g., human resources manager, family doctor, specialists):

Accommodation measures are to be implemented from [start date] to [end date].

If no end date is expected, the next review of this accommodation plan will occur on [review date].

(The accommodation measure(s) should be reviewed annually, at a minimum.)

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Description of Accommodation Measures

Which job requirements and related tasks require accommodation?	What are the objectives of the accommodation (i.e., what must the accommodation do to be successful)?	Which accommodation strategies/tools have been selected to facilitate this task/activity?

Roles and Responsibilities

Outstanding actions to implement accommodation	Assigned to	Due date

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Additional Documents Included

Document	Yes	No
Emergency Plan		
Accessible Communications		
Return-to-Work Plan		

Employee's signature

Manager's signature

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Appendix C – Return to Work Process

The City of Welland is we committed to supporting employees who have been absent from work due to a non-work-related disability and who require an accommodation in order to return to work. Therefore, senior management have put in place the following RTW process to facilitate an employee’s safe and timely return to work.

Step 1: Initiate the Return to Work Process

- The employee reports her need for a disability leave to her supervisor or to human resources
- Information is sent to the RTW coordinator ([name of RTW coordinator], [phone], [e-mail])

Step 2: Make and Maintain Contact with the Employee on Leave

RTW coordinator:

- Maintains regular contact with the employee, with the employee’s consent
- Provides the employee with RTW information
- Helps resolve any problems with treatment, if asked to by the employee
- Monitors the employee’s progress until she is fit for work

Employee:

- Gets and follows the appropriate medical treatment
- Updates the RTW coordinator about her progress
- Gives the health care provider the RTW information

Manager:

- Ensures work practices are safe for returning employee
- Assists RTW coordinator with identifying accommodations
- Assists RTW coordinator with analyzing the demands of each job task

Health care provider:

- Provides appropriate and effective treatment to the employee
- Provides required information on the employee’s functional abilities, if requested

Union representative

- Provides visible support for the program
- Helps to identify RTW options
- Supports the employee during the RTW process

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Step 3: Develop a Return to Work Plan

- The employee, the RTW coordinator, and the health care provider (if needed) collaborate to develop a formal RTW plan, which is included in the employee's individual accommodation plan, if applicable:
 - if the employee has *no residual functional limitations*, she returns to her regular position with no accommodation required
 - if the employee has *temporary functional limitations*, she returns to a temporary modified work environment with accommodation, or to an alternative transitional position
 - if the employee has *lasting functional limitations*, she returns to work with permanent accommodations or is permanently reassigned to another position
 - administrative information, such as time codes, or information about how the RTW may impact pay

Step 4: Monitor and Evaluate the Return to Work Process

- The employee, supervisor, and RTW coordinator monitor and review the RTW process regularly until it has been completed
- If the employee encounters challenges, the RTW plan is modified to overcome these challenges

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Appendix D – Return to Work Plan

Employee's name: _____

Start date: _____ End date: _____

Job title: _____ Annual salary: _____

Goal of RTW process:

- Pre-injury job
- Modified pre-injury job
- Alternate job (please attach job description)

	Workdays per week	Work hours per day	Work activities	Functional abilities	Accommodation	Safety considerations
Date of Week 1: _____ to _____						
Date of Week 2: _____ to _____						
Date of Week 3: _____ to _____						
Date of Week 4: _____ to _____						

1.0 Does the RTW plan involve a temporary assignment to a different position?

- Yes (Please answer the questions below.)
- No

What is the new position?

What is the length of assignment (if known)?

What training is required?

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Which safety precautions are being taken during training?

Employee's signature

Manager's signature

Date

Revision History

Date	Description of Change	Initials
May 2021	<ul style="list-style-type: none"> Policy Updates 	<i>AD</i>