POLICY:		POLICY NUMBER:
Accessible Employment at MITT		**ACS-2**
		PREVIOUS/REPLACES: **New**
APPROVED BY: **Executive Council**	EFFECTIVE DATE AS OF: **July 5, 2022**	PRIOR VERSIONS: **New**

1. Policy Statement:

The Manitoba Institute of Trades and Technology (to be referred to as MITT) is committed to complying with the *Accessibility Standard for Employment* under the *Accessibility for Manitobans Act*. Our policies, practices and measures reflect principles of dignity, independence, integration and equal opportunity for people with disabilities.

We aim to remove barriers in our workplace. If a barrier cannot be removed, we seek to provide reasonable accommodations to affected employees, potential employees, volunteers and practicum placements (to be referred to as employees throughout the policy).

The purpose of this policy is to:

i. Establish MITT's commitment to fostering an accessible and inclusive work environment.

ii. To ensure that MITT meets all legal obligations and complies with *The Manitoba Human Rights Code, The Accessibility for Manitobans Act* and the *Accessibility Standard for Employment*.

iii. To outline and define MITT's commitment to providing a barrier-free environment for all employees to the greatest extent possible.

iv. To provide adequate information and awareness to foster a supportive and inclusive working environment.

We strive to remove any potential barrier in the workplace and provide reasonable accommodation to meet the needs of our employees with disabilities in a timely and pro-active manner providing the accommodation does not:

- Create undue hardship;
- Alter the essential requirements of a program or course;
- Threaten the integrity of contracts of employment by significantly altering essential job requirements or responsibilities;
- Position MITT in violation of any legislative requirement.

We will modify or remove any policies that do not respect and promote the principles of dignity, independence, integration and equal opportunity for persons with disabilities.

This policy provides the foundation for accessible employment at MITT. We have several other related policies regarding accessibility and accommodation. Refer to section 13 of this policy for a detailed list of these polices and documents.

2. Scope:

This policy applies to:

- All MITT employees including full-time, part-time, casual, and contract;
- All potential employees applying for work at MITT;
- All volunteers at MITT; and
- All practicum placements at MITT.

3. Accommodation:

The *Manitoba Human Rights Code* requires employers to accommodate employees who are unable to perform their regular duties based on various characteristics listed in The Code including physical or mental disability up to the point that it does not create an undue hardship for the employer.

The accommodation process is based on the responsibility, shared by all parties, to have meaningful dialogue about restrictions, limitations, barriers and the potential accommodation options, and to work together respectfully towards a solution. Everyone involved is required to engage in the process, by sharing information, consulting with professionals as needed and work towards providing the employee with a reasonable accommodation that allows them to be successful in the workplace.

The duty to provide reasonable accommodation is our, the employer's responsibility. We will assess each case on an individual basis. If the employee is unable to fulfill their duties, even after reasonable accommodation, we will discuss the proposal of modifications. Prior to imposing disciplinary measures we consider whether there is a connection between the concerns about the job performance and workplace barriers. If job performance concerns continue after reasonable accommodation to the point of undue hardship, then accommodation is not required.

4. Removing Barriers to Recruitment and Selection:

MITT is committed to providing an inclusive, barrier-free work environment, beginning with the hiring process and has implemented the following measures:

- We include a statement on all job postings that reasonable accommodations are available to applicants with disabilities and that all information received is kept confidential. We seek the applicant's advice on how best to accommodate their needs.

- When making interview arrangements in writing or verbally, we inform applicants that reasonable

accommodations are available during the assessment and selection process.

- When an applicant has made a request for an accommodation during the selection process, we:
  - Consult with the applicant to determine the appropriate accommodation.
  - Put the appropriate accommodation in place during the assessment or selection process.
- Once an offer is accepted, we will ask the employee if they need an accommodation to perform the job duties and they are provided with a copy of this policy.

5. Individualized Accommodation Plan for Employees:

We support employees by providing reasonable accommodations in the workplace. Employees may make a verbal or written request to their Manager or People Services for an individualized accommodation plan (the Plan).

People Services has implemented a process to evaluate all requests. See Appendix "A" for a detailed visual map of the process.

MITT will consider available alternative accommodations that are reasonable and effective that will not constitute an undue hardship. As an employee, you must act in good faith in the establishment and implementation of the Plan.

Our employees will participate and cooperate in the accommodation process by:

- Providing related information and taking part in assessments, if requested by the employer.
- Complying with the individualized accommodation plan.
- Offering ongoing feedback related to modifications, including whether the accommodation is no longer required.

We may request assistance from a medical professional to undertake an evaluation of the employee to help us if reasonable accommodation is required. Generally, the accommodation options to be explored, be it temporary or permanent, are considered in the following order:

1. Return to existing job with modifications
2. Return to another job (if qualified)
3. Return to another job with modifications (if qualified)

Employees may request that a representative from their union (where applicable) or a person who is knowledgeable in workplace accommodation assist in the development of the Plan.

If the Plan is denied due to undue hardship, we will provide an opportunity for the employee to have their request reconsidered and to look at other possible options for accommodation. We will provide the reasons to the employee in writing.

The Plan will be updated on an as-needed-basis. Reviews and updates are dependent on the situation. However, we will review and update the Plan as well in the following situations:

- the employee makes a request;
- the employee's workspace is modified or relocated;
- the employee's responsibilities are changed; or
- MITT becomes aware that there are any other changes that impact the accommodation

required.

A copy of the Plan will be provided to the employee, and on request we will provide the Plan in an accessible format.

MITT treats all medical information confidentially and adheres to all privacy legislation.

6. **Workplace Emergency Response Information:**

All employees at MITT are required to complete an Employee Emergency Response Plan (See Appendix "B").

We notify all employees of steps to be taken during emergencies, to ensure the safety of employees who are temporarily or permanently disabled. We ensure workplace emergency response information is specific to each employee's needs and the physical nature of the workspace.

Once we learn an employee requires assistance during a workplace emergency, we offer the individual workplace emergency response information as soon as possible.

Information collected will only be shared with the employee's department manager, health and safety staff, and People Services.

7. **Performance Management:**

Performance Management process means any process used by an employer to manage the work of an individual employee or to plan, monitor and review an employee's work objectives and overall contribution to the employer's organization.

We will ensure our performance management plan takes into account:

- That an employee may be temporarily or permanently disabled by one or more barriers in the workplace;
- An employee's individualized accommodation plan; and
- That the accommodations provided for an employee may not fully address a workplace barrier. An

employee will never be penalized due to a disability.

8. **Training:**

We provide 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, redeploying or terminating employees; and
- Developing and implementing employment policies and practices.

We will provide training as soon as reasonably practical. Training is provided on an on-going basis, as related policies, practices and procedures on accessible employment are updated.

Training will 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, and an overview of Accessibility Legislation.

We require all employees identified above to save an electronic (pdf) Certificate of Completion available at the end of the training, verifying they have viewed and understand the Accessibility for Manitobans' Accessible Employment Training videos, Section 1 to 6. The Certificate of Completion is to be emailed to peopleservices@mitt.ca to be stored in the employee's personnel file.

9. Documentation:

We let the public know that our policies are available upon request and we provide these in a format that is accessible to the user.

We have included this policy on MITTs Accessibility webpage and it is part of MITT's Administrative Policy Manual.

10. Confidentiality:

We are committed to protecting the privacy of our employees. At the same time, we require sufficient information to reasonably evaluate and respond to a request for accommodation. Employees are encouraged to provide information concerning their needs, and accommodations. All personal information disclosed to MITT is governed by privacy legislation and MITT's Privacy and Access to Information Policy.

11. Administration:

The Vice-President Business & Organizational Development and Accessibility Coordinator are jointly responsible for ensuring this policy is adhered to.

12. Review:

This policy will be reviewed every 5 years by Executive Council.

13. References:

Legislation:
The Manitoba Human Rights Code The
Accessibility for Manitobans Act
Accessible Employment Standard Regulation
The Freedom of Information and Protection of Privacy Act and Regulations The
Personal Health Information Act and Regulations

MITT Documents:
Accessible Customer Service
Disability Management Employment

Equity
Equity, Diversity & Inclusion Statement
Hiring Policy - Recruitment
MITT Accessibility Plan
Performance Evaluation – Non-Instructors
Performance Evaluation - Instructors Privacy
and Access to Information Policy
Sick Leave Absences and Medical Certificates

14. Definitions:

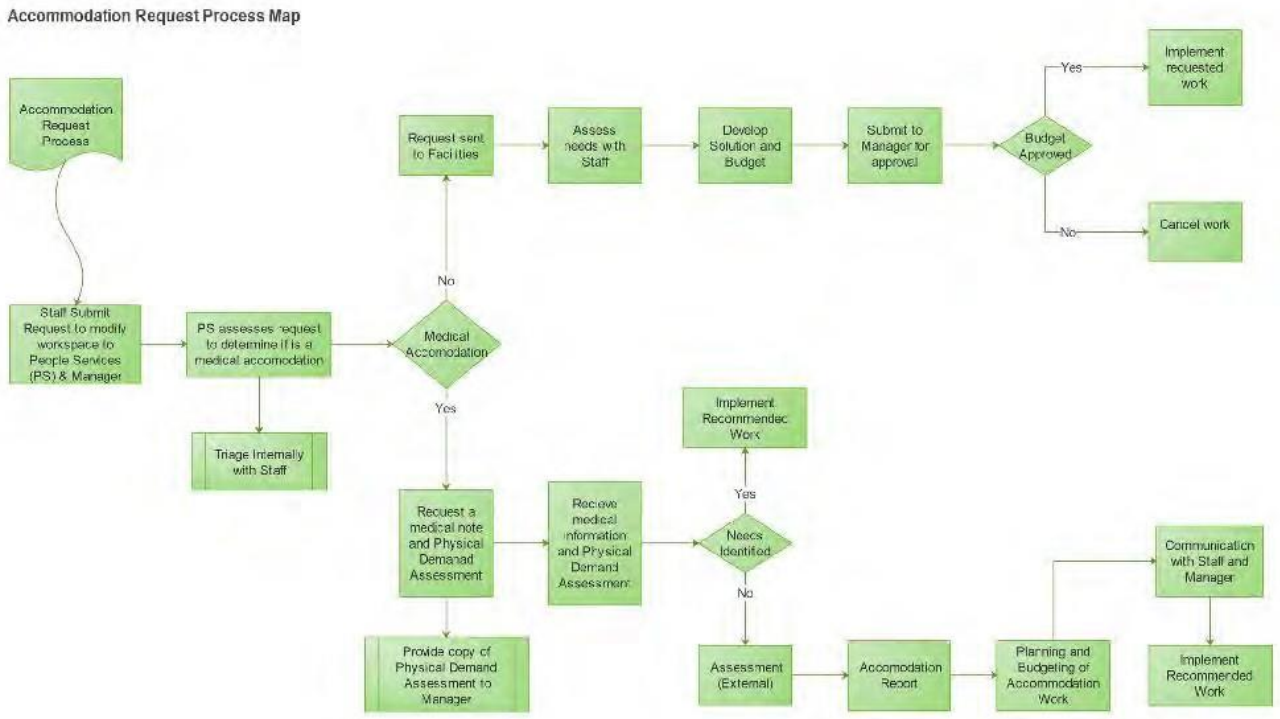
Accommodation – This is the process of removing unreasonable burdens or barriers based on a physical and/or mental health disability that limits an individual's access to opportunities and benefits available. This includes modifying duties. Examples may include adjusting duties and tasks, hours of work, rules, standards, policies, and environments to ensure that it does not negatively impact an individual based on their disability. Accommodations may be temporary or permanent in nature.

Barrier – For a person who has a physical, mental, intellectual or sensory disability, a barrier is anything that interacts with that disability in a way that may hinder the person's full and effective participation in society on an equal basis.

Reasonable Accommodation: An accommodation is reasonable when then there is an adequate process used to decide on the type, degree and possibility of accommodation, and the effort and actions taken by the responsible party are sufficient.

Undue Hardship: Undue hardship is defined as more than minimal hardship and must be based on actual evidence of hardship and not merely assumptions or prejudices. Various factors are considered when assessing undue hardship including financial implications, health and safety risks, legitimate operational requirements, disruption to a collective agreement, and the potential of the accommodation to negatively impact workplace morale. In addition, the Manitoba Human Rights Commission considers the nature, size and scope of a business or organization directly to what is reasonable accommodation in the circumstances.

APPENDIX "A"


Accommodation Request Process Map
Accommodation Request Process
Staff Submit Request to modify workspace to People Services (PS) & Manager
PS assesses request to determine if is a medical accomodation
Triage Internally with Staff
Medical Accomodation
No
Yes
Request sent to Facilities
Assess needs with Staff
Develop Solution and Budget
Submit to Manager for approval
Budget Approved
Yes
Implement requested work
No
Cancel work
Request a medical note and Physical Demand Assessment
Provide copy of Physical Demand Assessment to Manager
Recieve medical information and Physical Demand Assessment
Needs Identified
Yes
Implement Recommended Work
No
Assessment (External)
Accomodation Report
Planning and Budgeting of Accommodation Work
Communication with Staff and Manager
Implement Recommended Work

APPENDIX "B"

EMPLOYEE EMERGENCY RESPONSE PLAN

New and existing employees with a disability that may affect their ability to remain safe in an emergency are asked to fill out the Employee Emergency Response Plan and submit it to peopleservices@mitt.ca

☐ **I do not** have a disability that would affect my ability to remain safe in an emergency and do not require assistance in the event of an emergency.

_____ _____

Employee Signature *Date*

If you become permanently or temporarily disabled and require assistance in an emergency, contact peopleservices@mitt.ca

☐ **I do** have a disability that may affect my ability to remain safe in an emergency and do require assistance in the event of an emergency. Complete the form below.

ASSISTANCE DURING AN EMERGENCY REQUIRED

For answers to questions related to this form, please refer to the FAQ on the back of this form.

Employee Name	Click or tap here to enter text.
Campus	Click or tap here to enter text.
Office or Classroom #	Click or tap here to enter text.
Phone #	Click or tap here to enter text.
Emergency Contact	Click or tap here to enter text.
Relationship	Click or tap here to enter text.
Phone #	Click or tap here to enter text.

Assistance Methods

	Please Check Box	
Do you require assistance during an emergency situation?	YES	NO
Can you hear audible alarm signals?	YES	NO
Can you use the stairs safely in an emergency situation?	YES	NO
Would you use the stairs without assistance?	YES	NO
Can you follow exit signage without assistance?	YES	NO

Equipment Needed

Do you use a device to aid your mobility?	YES	NO
If yes, please describe:		
If you use a wheelchair is it manual or electric?	Manual	Electric

Do you use your wheelchair at all times while in the College?	YES	NO

Employee along with People Services/Health & Safety to complete the following section:

Emergency Alerts [Name of employee] will be assisted in an emergency situation by (please identify at least two people in same campus):

Emergency Type:	Assistant Name #1	Assistant Name #2	Outside Emergency Contact Name(s) and Phone Number(s)
Fire/Evacuation/ Bomb Threat			
Violence/Hold & Secure/Lock Down			
Medical/Poison/ Carbon Monoxide			
Severe Weather/ Loss of Services			

I hereby acknowledge that the information in this Emergency Response Plan will be shared with the following staff departments:

- Department Manager
- Health & Safety Staff
- People Services

Employee Signature: _____Date: _____

This section to be completed by People Services/Health & Safety/Employee's Manager:
The *Accessibility for Manitobans Act* (AMA) requires all employers to create an emergency response plans to help employees who may face a barrier stay safe during emergency situations.

A barrier is defined in the Accessibility for Manitobans Act as "*For a person who has a long-term physical, mental, intellectual or sensory impairment, a barrier is anything that interacts with that impairment in a way that may hinder the person's full and effective participation in society on an equal basis.*"

A barrier can be visible or invisible and it came be permanent or temporary. Not all barriers impact a person's work life.

Refuge Areas and Procedure

_____

_____

WORKPLACE ACCESSIBILITY FAQs:

Q: Do all employees need to complete the MITT Employee Emergency Response Plan**?**

A: Yes, all staff are required to submit this form. If you do not require assistance during an emergency, you only need to check the box that indicates you do not require assistance.

Q: Do part-time and casual employees that face a barrier need to fill out the MITT Employee Emergency Response Plan**?**

A: Yes, all employees that may face a barrier must fill out the worksheet regardless if their employment is full-time, part-time, casual, or a term/project.

Q: Will my information remain confidential?

A: Yes, all information will be kept confidential and will only be shared with the identified departments listed on this form.

Q: People Services is aware of my disability since I am currently on a modified duty/return to work program, will I still need to fill out the worksheet?

A: Yes, you will need to fill out the MITT Employee Emergency Response Plan as this is the first step in creating your personalized emergency response plan. The plan may need to account for additional barriers that differ from of those identified in your current accommodation plan.

Q: I have a short-term disability and I completed the MITT Employee Emergency Response Plan**. Who do I notify when I no longer require emergency assistance?**
A: Yes, contact People Services at peopleservices@mitt.ca**.**

If you have questions about the emergency response standard and individual plans, please contact peopleservices@mitt.ca.