

EMPLOYMENT STANDARD

Under the Accessibility for Ontarians with Disabilities Act (AODA), 2005



As an employer, it is important to know that legislation is in place to promote accessible employment practices for all employees. This resource helps you understand your obligations under the AODA Employment Standard. Organizations that invest in accessible practices report better job retention, higher attendance, lower turnover, enhanced job performance and work quality, better safety records, stronger competitive capabilities and greater customer loyalty.

What is the AODA?

The Accessibility for Ontarians with Disabilities Act, 2005 or AODA, aims to identify, remove, and prevent barriers for people with disabilities in Ontario. The AODA applies to all public sector organizations, non-profits, and businesses with one or more employees (full-time, part-time, seasonal, or contract). The AODA and the Ontario Human Rights Code (the Code) work together to promote equality and accessibility.

What should you do?

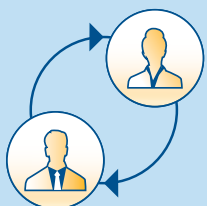
In order to comply with the AODA Employment Standard, you must ensure:



1 An accessible recruitment process. In your hiring process, you need to notify potential applicants that accommodations for individuals with disabilities are available on request. You could include this in the job posting, on your website and in offers of employment.



2 Accessible workplace information. At the request of an employee, you must provide workplace information in an accessible format. This can include any information that employees need to do their job, such as a job description or training manual, as well as general information that is available to all employees, such as policies or company newsletters.



3 Existing talent and performance management processes take into account the needs of employees with disabilities. If your organization has processes for performance review, promotion or job transfer, you must ensure that the needs of employees with disabilities are considered. For example, this may involve providing coaching and feedback in a way that is accessible, or providing the accommodations needed to learn new skills. You do not need to create these processes if you currently do not have them.



4 Communication about policies. Employers must tell existing and new employees about the policies that are used to support employees with disabilities. This includes policies about providing job accommodations. If there is a change in the policy, employers must let employees know.

50+ employees or public sector

If you are a business or not-for-profit organization with 50 employees or more, or if you are in the public sector, you must also meet these requirements:



- 5 A documented accommodation plan process.** Employers must develop and document a process for creating individual accommodation plans for employees with a disability. An employer must work with an employee to find the appropriate accommodation to meet that person's needs.



- 6 A return-to-work process.** If an employee has been away from work due to a disability, most employers must have a documented return-to-work process that includes the steps the employer will take so the employee can return to work.

For detailed information about your organization's obligations, please visit the **Government of Ontario website**: <https://www.ontario.ca/page/accessible-workplaces>

What is your duty to accommodate?



Employers have obligations under the AODA and the Ontario Human Rights Code to improve accessibility in workplaces. This means taking action so that a person with a disability can fully participate at work. The Ontario Human Rights Code requires employers to provide disability-related workplace accommodation up to the point of undue hardship.

Employers must also train their employees about how the two pieces of legislation pertain to people with disabilities. To access a free training resource about how the AODA and the Ontario Human Rights Code work together, please go to - **Working Together**: <http://www.ohrc.on.ca/en/learning/working-together-code-and-aoda>

What can happen if I don't comply?



The requirements of the AODA and its standards are law, and apply to all organizations that provide goods, services or facilities and have one or more employees in Ontario. When organizations are found to be non-compliant with their requirements, the Ministry for Seniors and Accessibility provides tools, resources and other supports to help organizations comply. If non-compliance persists, the Ministry for Seniors and Accessibility is mandated to enforce the requirements. Enforcement measures may include Director's Orders to comply, administrative monetary penalties, prosecution for offences committed under the Act, and/or fines.

Tools and resources



For more information about the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) and your obligations as an employer, visit the Government of Ontario website.

For resources about accommodating employees living with arthritis, check out the Arthritis Society website at www.arthritis.ca/work