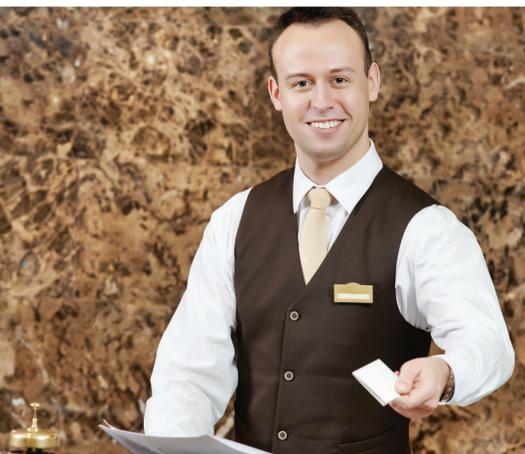




EnAbling Hotels & Restaurants for Accessible Employment





We at the Ontario Restaurant Hotel & Motel Association (ORHMA) remain committed to help you, our member, understand and be in compliance with the Accessibility for Ontarians with Disabilities Act (AODA). Ontario is the first province and one of the first jurisdictions in the world to enact specific legislation establishing a goal and time-frame for accessibility. It is also the first jurisdiction to legislate accessibility reporting and to establish standards so people with disabilities can participate more actively in their communities. The hospitality sector is not immune to this legislation as the AODA became law in 2005 and the target is to make Ontario accessible by 2025.

In Ontario, statistics tell us that one in seven people have a disability. It is astounding that 15.5% of our population has a disability and these statistics continue to rise as the population ages. It is important that you as a restaurant or hotel operator understand the regulations and how it affects your business. Being accessible is not only about ramps and automatic door openers, it's about understanding that people with disabilities not only come to eat and stay at our establishments, but they work in them too.

We are proud to be one of the hospitality leaders in Ontario when it comes to accessibility and we are here to help. We are here to help you understand what is required and assist with incorporating those practices into your everyday practices. The purpose of this publication is to help you understand the employment standard and how you as the employer can make your workplace more accessible to new and current employees with disabilities.

We encourage you to visit www.ontario.ca/accessibility or call us directly at ORHMA at 905.361.0268 or 800.668.8906 for further assistance.

To the Accessibility Directorate of Ontario, we thank you for your assistance, guidance and leadership. We acknowledge and are grateful for you making this publication possible for the hospitality industry. To those who work in restaurants, hotels and motels we appreciate all that you do for making Ontario inclusive – one room and meal at a time!

AODA COMPLIANCE DEADLINES

For Private Sector and Non-Profit Organization

REQUIREMENTS	50+ EMPLOYEES	1-49 EMPLOYEES
Workplace Emergency Response Information	January 1, 2012	January 1, 2012
Accessible Hiring Practices	January 1, 2016	January 1, 2017
All-Staff Information about Supports for Employees with Disabilities		
Accessible Formats and Communication Supports		
Individual Accommodation Plans		Not Applicable
Return to Work Processes		Not Applicable
Performance Management, Career Development and Job Changes		January 1, 2017

AODA COMPLIANCE DEADLINES

For Small Business - 1 to 49 employees

REQUIREMENT	COMPLIANCE DATE	DETAILS
Accessible Customer Service	Jan 1, 2012	<ul style="list-style-type: none"> • Create an accessibility policy for customers, volunteers and employees • Train all staff and volunteers on policy • Create an emergency plan and provide public safety information accessible for employees
Accessibility Compliance Report	Dec 31, 2014	<ul style="list-style-type: none"> • File an accessibility compliance report with the government of Ontario
Accessibility Policies	Jan 1, 2015	<ul style="list-style-type: none"> • Create policies for accessibility goals • Update electronic terminals and kiosks to be fully accessible
Accessibilities Law and Training	Jan 1, 2016	<ul style="list-style-type: none"> • Train staff and volunteers on accessibility laws and their obligations • Create surveys or methods of communication so people with disabilities can provide feedback
Accessible Public Information	Jan 1, 2017	<ul style="list-style-type: none"> • Make your public information available in accessible formats • Make your employment and career development information available in accessible formats
Accessible Public Spaces	Jan 1, 2018	<ul style="list-style-type: none"> • Ensure parking lots, service counters, fixed queues and fixed seating areas are accessible
Accessibility Compliance Report	Dec 31, 2020	<ul style="list-style-type: none"> • File an accessibility compliance report with the Government of Ontario (report is due every three years)

WORKPLACE EMERGENCY RESPONSE INFORMATION

Individualized emergency response information is:

- A plan to help an employee with a disability during an emergency.
- Emergency information that is accessible so an employee with a disability can understand it.

WHAT YOU NEED TO DO

If you know an employee might need help in an emergency due to a permanent or temporary disability:

- Provide individualized workplace emergency response information to the employee.
- Get the employee's consent, then share this information with the people designated to help them in an emergency.
- Review the emergency response information when the employee changes work locations, when you review the employee's accommodation needs, or when you review your organization's general emergency response policies.

Remember...

Disabilities can be permanent or temporary.

Example: An employee with a broken leg needs help using the stairs or opening doors.

CONSIDER THIS

There is no easy solution to developing individual emergency response information; each case is unique. The law does not specify what accommodations employers must make or what information must be provided. That flexibility means you can work with your staff to determine what employees need and what works best in an emergency.

For a how-to guide to providing emergency response information for employees with disabilities, and a sample employee emergency response information template, please visit <https://www.ontario.ca/document/how-provide-emergency-information-accessible-employees>

ACCESSIBLE HIRING PRACTICES

Recruitment

WHAT YOU NEED TO DO

You must let job applicants know that you will provide accommodation during the hiring process.

TIPS AND RESOURCES

- Include a statement about those accommodations when posting jobs in a newspaper or on your website.
- Let applicants know directly by email, in person, or by phone.

Sample Wording

[Name of Organization] welcomes and encourages applications from people with disabilities. Accommodations are available on request for candidates taking part in the selection process.

Selection Process

WHAT YOU NEED TO DO

When you invite an applicant to take part in the selection process, such as an interview:

- Let them know that accommodations relating to the assessment are available on request.
- Communicate with them on how you can best meet their needs.

TIPS AND RESOURCES

- Keep in mind that applicants with disabilities usually know which accommodations will be most suitable for them.
- Educate and train managers/recruiters on bias-free interviewing processes.
- Minimize bias in the interview process by using standard interview scripts, questions and scoring for all candidates.
- Consider any transferable skills that the applicant may bring to the position besides the traditional minimum experience or educational requirements.
- Use pre-employment training programs to prepare people with disabilities to enter the workforce as well as to assess their job skills.

ACCESSIBLE INTERVIEWING CHECKLIST

Location

Conduct the interview in an accessible location.

Example: An applicant who uses a walker or wheelchair can easily enter and move around in the interview room.

Format of skills assessment tests

Make the format of assessment tests accessible to people with disabilities.

Example: Computerized tests are accessible to people with vision loss using screen readers.

Allow candidates to demonstrate their knowledge and skills by using assessment tests.

Example: If the candidate has difficulties reading, an oral test or text-to-speech software is used.

Room set-up for in-person interviews

Set up the interview room in an accessible way.

Example: The room is brightly lit and quiet to minimize distractions and help a person with hearing loss who reads lips.

Interviewing timelines

Allocate additional time for people with disabilities.

Example: An interview or test may take longer for an applicant with cerebral palsy who takes longer to speak.

Support

Allow individuals with disabilities to bring support persons to interviews.

Example: A support person or family member of a person with a disability guides the candidate between interview locations and sets up preferences on the computer before a test.

Paperwork

Assign a staff member to help the applicant with a disability.

Example: If an applicant with vision loss or a learning disability has difficulties filling out written forms, a staff member is available to help.

ACCESSIBLE HIRING PRACTICES

Notice to Successful Applicants

WHAT YOU NEED TO DO

When making an offer of employment, let successful applicants know about your policies for accommodating employees with disabilities.

TIPS AND RESOURCES

- Speak directly to applicants to tell them about your policies on accommodating employees with disabilities.
- Include the information in the offer letter or in a separate email.

Sample Wording

[Name of Organization] has an accommodation process in place that provides accommodations for employees with disabilities. If you require a specific accommodation because of a disability or a medical need, please contact [Company Representative, Title] at [Telephone number] or by email at [Email]. This will ensure that the appropriate accommodations are in place before you begin your employment.



ALL-STAFF INFORMATION ABOUT POLICIES FOR SUPPORTING EMPLOYEES WITH DISABILITIES

WHAT YOU NEED TO DO

Inform all employees of your organization's policies to support employees with disabilities. This includes job accommodation policies that take into account an employee's accessibility needs due to disability.

TIPS AND RESOURCES

- Use a variety of communication methods such as:
- Posters
- All-staff emails
- Lunch and learns
- Town halls
- Brochures

Use plain language so written communication is easy to understand.

Sample Wording

It is the policy of this organization to ensure that job accommodations are provided for employees with disabilities. Please contact your manager if you would like to discuss accommodations



ACCESSIBLE FORMATS AND COMMUNICATION SUPPORTS

WHAT YOU NEED TO DO

Upon receiving a request for accommodation, consult with the employee with a disability to provide the most appropriate accessible formats and communication supports for job-related information.

TIPS AND RESOURCES

- When deciding on the most appropriate accessible formats or communications supports for an employee with a disability, it may be useful to involve an external accessibility expert.
- For a step-by-step guide on making information accessible for employees, please visit <https://www.ontario.ca/page/how-make-information-accessible>

Examples of job-related information

- Policies
- Newsletters
- Bulletins
- Fact sheets on health and safety information
- Employee orientation and training materials
- Employee surveys
- All staff e-mails

Quick Fact

Accessible formats are alternatives to standard print and are accessible to people with disabilities. Accessible formats include:

- Large print • Braille • Recorded audio • Electronic formats

Communication supports help people with disabilities gain access to information. Communication supports include:

- Plain language • Sign language • Reading out loud
- Captioning • Writing notes

INDIVIDUAL ACCOMMODATION PLANS

WHAT YOU NEED TO DO

All organizations — except private sector and non-profit organizations with 1-49 employees — must develop and write a process for creating documented accommodation plans for employees with disabilities that include the following:

- How an employee participates in the development of their individual accommodation plan.
- How an employee is assessed on an individual basis.
- How a unionized employee can ask for a representative from their bargaining agent.
- How a non-unionized employee can ask for a representative from the workplace to participate in the development of the accommodation plan.
- How assistance can be requested from an outside expert, at your expense.
- The steps you will take to protect the privacy of the employee's personal information.
- The schedule for when and how the plan will be reviewed and updated.
- How an employee will be provided with an individual accommodation plan that considers their disability accommodation needs.
- How you will tell an employee that their individual accommodation plan has not been accepted.

It is important for you and the employee with a disability to determine and implement appropriate accommodation measures. However, the final decision rests with you.



INDIVIDUAL ACCOMMODATION PLANS

Steps to consider

STEP 1: RECOGNIZE THE NEED FOR ACCOMMODATION

Usually the process begins when an employee with a disability requests accommodation. However, if a manager notices that an employee needs accommodation, the manager should discuss accommodation measures with the employee.

STEP 2: GATHER RELEVANT INFORMATION AND ASSESS NEEDS

To help the employer or external expert determine the appropriate accommodation measures, the employee may be asked to provide medical information. As an employer, you are responsible for all related costs.

Work with the employee during the process. The employee should provide input about what might be most effective and appropriate. You, along with the employee, the union representative (if applicable), and external experts should decide what accommodation will best address the employee's needs. This may involve experimentation, partial implementation of solutions, and training.

STEP 3: WRITE THE INDIVIDUAL ACCOMMODATION PLAN

Once an accommodation is decided, the details must then be formally written down in an individual accommodation plan. Remember this process does not apply to employers with 1 to 49 employees in the private and non-profit sectors. In addition, individual accommodation plans must include:

- Any information regarding accessible formats and communication supports, if requested.
- Workplace emergency response information, if required.
- Any other accommodations to be provided.

STEP 4: IMPLEMENT, MONITOR, AND REVIEW INDIVIDUAL ACCOMMODATION PLAN

Implement an accommodation plan as soon as possible once the employer and the employee have accepted it. Both parties should monitor the situation and review the plan regularly to confirm that the accommodation is appropriate.

RETURN TO WORK PROCESSES

WHAT YOU NEED TO DO

All organizations — **except** private sector and non-profit organizations with 1–49 employees — must document the steps to help employees return to work when they are away due to a disability and require accommodation.

If an employee's injury or illness is covered by the return to work provision of the Workplace Safety and Insurance Act, 1997, this does not apply.

Steps to consider

Your organization's process might look like this:

STEP 1: INITIATE THE RETURN TO WORK PROCESS

You and the employee with a disability should work together to use the return to work process successfully. It may be beneficial to appoint a return to work coordinator to oversee the process, though this is not required.

STEP 2: MAKE AND MAINTAIN CONTACT WITH THE EMPLOYEE ON LEAVE

While the employee is on leave, you may want to maintain occasional contact, with their consent. This will help you and the employee to assess the conditions for their return to work, as well as address other concerns. This step ensures that both parties have a good understanding of the accommodations that may be required.

STEP 3: DEVELOP A RETURN TO WORK PLAN

When assessing the employee's condition in preparation for their return, you and the employee can get a doctor to fill out a capability assessment form to clarify what the employee needs. Other people that may be a part of the return to work process include:

- Front line managers
- Insurance provider representatives
- Union representatives

The employee, the manager, the return to work coordinator (if there is one) and any others (if needed) should develop a formal Return to Work Plan that is included in the employee's accommodation plan. See Section 3 for a Sample Return to Work Plan Template and Section 2 for Accommodation Solutions.

STEP 4: MONITOR AND EVALUATE THE RETURN TO WORK PROCESS

Once the plan is in place and the employee has returned to work, there should be follow-up conversations to make sure the appropriate accommodations have been made.

PERFORMANCE MANAGEMENT, CAREER DEVELOPMENT AND JOB CHANGES

The Employment Standard requires that you consider accessibility in the workplace during different phases of your employees' careers. This includes:

- Performance management
- Career development
- Job changes

In each of these areas, be sure to refer to an employee's accommodations plan and find out if they need accessible formats or communications supports.

Performance Management

WHAT YOU NEED TO DO

If your organization uses performance management, or works with employees to measure and improve their performance, productivity and effectiveness, take into account the accessibility needs of employees with disabilities.

Some employers may use a formal performance management process, with written plans and scheduled discussions between managers and employees. Others may be more informal.

TIPS

- When measuring employee performance, look at the difference between disability-related issues on the job and performance-related issues.
- Be aware of managers' opinions and attitudes that might influence their view of employees with disabilities.



CAREER DEVELOPMENT

WHAT YOU NEED TO DO

If you offer an employee with a disability the opportunity for advancement, you must provide the accommodations needed to help them succeed.

TIPS

- Make sure training and development programs, mentoring and employee resource groups are accessible to people with disabilities.

EXAMPLES:

- Handouts or other materials are available in accessible formats (e.g., large print).
- People in wheelchairs have access to rooms used for training.

Job Changes

WHAT YOU NEED TO DO

If you reassign or redeploy employees as an alternative to layoffs, you must take the needs of employees with disabilities into account.

Make sure you transfer the employee's accommodation plan and supports upon reassignment.

TIPS

- You may want to use the employee's accommodation plan to select a new job that would suit them.

When the employee arrives at the new position, review their accommodation plan to make sure that they can function at full capacity without any delays



AODA EMPLOYMENT STANDARD RESOURCES

Learn more about the Accessibility for Ontarians with Disabilities Act and find free tools and templates at ontario.ca/accessibility

Download a complimentary copy of the **Employers' Toolkit: Making Ontario Workplaces Accessible to People with Disabilities** developed by the Conference Board of Canada

Watch the Harold Jeepers video series developed by Human Resources Professionals Association (HRPA) on the requirements of the Employment Standard at <http://www.hrpa.ca/AODA>

For more information on workplace accommodations and disability employment issues visit **Job Accommodation Network**.

This website provides free training modules to meet the training requirements under Ontario's accessibility laws (Accessibility for Ontarians with Disabilities Act). Developed in partnership with the Government of Ontario. <http://www.accessforward.ca>

Feel free to contact Fatima Finnegan, Director of Corporate Marketing & Business Development at ORHMA, at 905-361-0268 or 800-668-8906.



This handbook was produced
by the Ontario Restaurant
Hotel & Motel Association
with support from the
Government of Ontario.



For more information on
*AODA & the Accessibility
Standard for Employment*
www.ontario.ca/accessibility or
www.orhma.com/accessibility