



**CAN-ASC-1.1**

# **Standard on employment Public Review Draft**



Accessibility Standards  
Canada

Normes d'accessibilité  
Canada

**Canada**

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## Preface

This is the first edition of ASC 1.1 Standard on employment.

This Standard is intended to align with other relevant standards, such as:

- CSA Z1011 Work disability management system

Note: This Standard is also intended to align with the accessibility planning framework. This was developed via the office of the Accessibility Commissioner using relevant human rights codes and employment legislation, including:

- Accessible Canada Act
- Canada Labour Code
- Canadian Human Rights Act
- Employment Equity Act

This Standard specifies requirements for a documented and systematic approach to developing, implementing, and maintaining accessible and inclusive workplaces, and provides complementary information in Annexes (A through F).

Accessibility Standards Canada models the language used in the Accessible Canada Act and the United Nations Convention on the Rights of Persons with Disabilities by using person-first language (see definition of person-first language in [Clause 4](#)). Careful selection of language when referring to a group of people is vital. The proper use of language conveys respect, dignity, and value, and moves away from labelling, stereotyping and discrimination.

This Standard centres on the intersecting identities within which disability is experienced. It recognizes that the lived experience of any person with a disability will be unique and is not reflective of others with the same disabilities or persons with disabilities as a whole. In keeping with the principle of intersectional experience, this Standard provides multiple formats of communication and language that persons with disabilities use to interact with the world and other people. In addition, this Standard takes

an equity approach so that one type or subtype of disability does not take precedence over another.

This voluntary Standard can be used for conformity assessment.

Development of this Standard was undertaken by Accessibility Standards Canada (ASC). The content was prepared by the Employment Technical Committee impanelled by ASC, under the authority of ASC management, and has been formally approved by the Technical Committee.

Notes:

- 1) This Standard was developed by consensus, which is defined as a substantial agreement implying much more than a simple majority, but not necessarily unanimity. Consistent with this definition, a member may be included in the Technical Committee list, but yet not be in complete agreement with all the clauses in this Standard.
- 2) This Standard is subject to periodic review, and suggestions for improvement will be referred to the appropriate technical committee.

# 1 Introduction

This Standard envisions a work environment that is accessible, inclusive, barrier-free, and discrimination-free to all workers, regardless of their lived experience with disabilities. To achieve this vision, this Standard shows value in a combination of both systemic and person-centred approaches. During their employment journey, persons with disabilities encounter numerous barriers to accessibility and inclusion in the work environment. These include, but are not limited to:

- transitional barriers (barriers accessing the work environment);
- attitudinal barriers (differential treatment and discrimination in the work environment);
- environmental barriers (barriers found within the work environment); and,
- ensuring work environment safety for all workers.

Several social, environmental, and individual factors affect the experiences that persons with disabilities have at various stages of the employment life cycle. These factors include, but are not limited to:

- a) the nature of the lived experience with disability;
- b) age of onset;
- c) intersectional identity;
- d) the size of the employer;
- e) type of workplace;
- f) type of work; and
- g) formal and informal policies and practices within the workplace.

## 1.1 Applicability to the employment life cycle

This Standard is grounded in the pillars of the “employment life-cycle” and aims to assist users of the Standard throughout all phases of the cycle, namely:

- a) recruitment;
- b) hiring;
- c) onboarding;
- d) retention;

- e) promotion and career development;
- f) performance management; and
- g) separation.

Productivity to an employer means having performing workers that contribute to the organizational mandate and success. Inclusive employment emphasizes and values diversity and representation in the workforce, leading to more meaningful worker engagement and motivation, and therefore a more productive and healthier workplace. This Standard examines how organizations identify, prevent, and remove barriers that persons with disabilities encounter within their employment journey. This Standard encourages the embedding of accessibility and disability confidence alongside diversity and representation in inclusive workplaces. This Standard is also designed to encourage employers to create workplaces that are “inclusive and accessible by design” and to raise employer awareness of the talents and abilities of those who have disabilities.

A systematic, proactive approach is promoted with continual improvement to enable employers to have a high-performing, inclusive labour force such that an employer can be at the forefront of inclusive employment. The concept of continual improvement involves recurring activities to enhance performance over time. Examples of these include the planning, implementation and evaluation of projects, programs, policies, and practices in the workplace. This Standard uses a proactive and systemic approach focused on facilitating workplaces where accessibility is embedded within the work environment, as well as based on individual accommodation.

The requirements within this Standard define a framework of systemic change through environmental solutions and policies to facilitate accessibility and inclusion in the workplace (see Clauses [5](#), [6](#), and [9](#)):

- Clause 5 of this Standard focuses on structural support, policy, and leadership in organizations by emphasizing the development of systems, policies, and practices.
- Clause 6 discusses culture, engagement, and education within the workplace.

- Clause 9 highlights the Work disability management system and accessibility accommodations in the workplace.

This framework of systemic change is balanced by a person-centred, individualized approach to accessibility and accommodation throughout the employment journey (see Clauses [7](#), and [8](#)).

- Clause 7 addresses identifying, preventing, and removing barriers encountered during recruitment, hiring and onboarding.
- Clause 8 addresses the identification, prevention and removal of barriers encountered in worker retention, professional development, pay equity (compensation), performance management and job separation.

Both approaches, taken together, are necessary to achieve a truly inclusive work environment. This Standard demonstrates that both approaches (the systemic approach and the person-centred approach) are required in equal measure (as opposed to one approach predominating over the other).

The framework outlined in the requirements clauses is summarized here for ease of understanding and potential use. Three overarching categories of policy are recommended:

- Accessibility policies (see Clauses 5, 6 and 8);
- Individualized accommodation policies (see Clauses 7 and 9); and
- Work disability management system (see Clause 9).

While there is some overlap among these three groups of policy, they are intended to be complementary to one another, and one cannot by itself take the place of all. A fourth policy framework, anti-ableism policies, is discussed in Annex E.

Informative annexes provide additional information and context on concepts presented within this Standard:

- Annex A (informative): Background and context to accessibility in the workplace;
- Annex B (informative): Lived experience with disability;
- Annex C (informative): Continual improvement;

- Annex D (informative): Intersectional accessibility lens;
- Annex E (informative): Anti-Ableism policies; and
- Annex F (informative): Stand-alone accessibility policies and accessibility elements integrated into existing policies.

In this Standard, “shall” is used to express a requirement; “should” is used to express a strong recommendation; and, “may” is used to express an option that the employer can implement to enhance the accessibility of the workplace.

## **1.2 Long-Range Objective**

The long-range objective of this Standard is to establish and maintain accessible, inclusive, barrier-free, and discrimination-free employment for all people, irrespective of whether the worker lives with (a) disability(ies).

## **1.3 Purpose**

The purpose of this Standard is to provide direction to employers and other workplace parties in achieving the long-range objective by identifying, preventing, and removing barriers. This allows all persons to fully and equitably participate in employment, whether or not the worker lives with (a) disability(ies).

## **1.4 Guiding Principles**

The Standard will respect and be complementary to the principles, purpose, and requirements of the *Accessible Canada Act*. It will support the end goal of achieving accessibility for persons with disabilities. And it will consider the range of disabilities, the barriers, and any technical and fiscal considerations/impacts that may be associated with their implementation.

Source: Guiding principles a) through g) are extracted or adapted from the *Accessible Canada Act*:

- a) All persons are treated with dignity regardless of their disabilities.
- b) All persons have the same opportunity to lead for themselves the lives, and work, that they are able and wish to have, regardless of



their disabilities (adapted from the *Accessible Canada Act* and the *Canadian Human Rights Act*).

- c) All persons have barrier-free access to full and equitable participation in the employment, regardless of their disabilities.
- d) All persons have meaningful work opportunities and are free to make their own choices, with support if they desire, regardless of their disabilities.
- e) Workplace policies, programs, services, and structures take into account the disabilities of persons, the different ways that persons interact with their environments, and the multiple and intersecting forms of marginalization and discrimination faced by persons with disabilities.
- f) Persons with disabilities are involved in the development and design of workplace policies, programs, services, and structures.
- g) Development and revision of accessibility standards and the making of regulations are done with the objective of achieving the highest level of accessibility for persons with disabilities.

Guiding principles (h) through (m) are extracted or adapted from *the UN Convention on Rights of Persons with Disabilities: Article 27 Work and Employment*; and the *Canadian Human Rights Act*:

- h) Discrimination on the basis of disability is prohibited with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring, continuance of employment, career advancement and safe and healthy working conditions.
- i) The rights of persons with disabilities, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, protection from harassment, and the redress of grievances, are protected, on an equal basis with workers without disabilities.
- j) Persons with disabilities are able to exercise their labour and trade union rights on an equal basis with others.
- k) Employment opportunities and career advancement are ensured for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining, and returning to employment.

- l) Reasonable accommodation is provided to persons with disabilities in the workplace.
- m) Persons with disabilities acquire work experience in the labour market.
- n) Accessible employment is inclusive of all parts of the employment life cycle, and is applicable throughout the work environment, workplace location, and workforce.
- o) Intersectional identity is embedded in the development and design of workplace policies, programs, services, and structures.
- p) Continual improvement principles are embedded in the development and design of workplace policies, programs, services, and structures.
- q) Documents generated by the workplace are written in plain language and produced in accessible format to ensure that they are readable by everyone.
- r) Equitable processes to achieve full participation for all workers, whether or not they live with (a) disability(ies), within the workplace are used.
- s) Proactive approaches to identifying, preventing and removing barriers for persons with disabilities in the workplace are used in concert with reactive, needs-based approaches to create and maintain accessible, and inclusive workplaces.
- t) Accessible employment is in alignment with the principles and actions set out in the Calls to Action contained within the Truth and Reconciliation Commission report (2015).

## 2 Scope

This Standard applies to federally regulated industries and workplaces listed in the most updated version of the *Canadian Human Rights Act* and the *Accessible Canada Act*. While there is an aspiration for all employers in Canada, including provincial and municipal employers, to follow this Standard, only federally regulated employers are in scope.

Canadian organizations are expected to be compliant with existing legal requirements and regulatory frameworks. This Standard describes what else employers would have to do to ensure accessible and inclusive workplaces.

### 2.1 Intended audience

The primary intended audience of this Standard includes, but is not limited to:

- a) employers in federally regulated industries and workplaces listed in the *Canadian Human Rights Act* and the *Accessible Canada Act*;
- b) 3<sup>rd</sup> Party contractors in the federal realm;
- c) workplace parties (e.g., human resources, workers, managers, clients, students with disabilities at post-secondary institutions, etc.);
- d) skills training service providers;
- e) employment service providers;
- f) agencies that receive federal funding to provide service to people with disabilities; and
- g) unions.

### 2.2 Work

“Work” is inclusive of permanent, full-time paid employment contracts, including Agencies, Boards, and Commissions (ABCs), and public appointments made by the government minister. It includes temporary, casual, part-time, contract, gig, and/or employment-like work. Work-integrated learning and apprenticeship opportunities, paid or unpaid, are in scope.

### **2.3 Work environments**

Within this Standard, work environments are defined as workplace locations, remote/online, and hybrid. This Standard addresses all work settings in federally regulated industries and workplaces.

### **3 Reference Documents**

This Standard refers to the following publications, and where such reference is made, it shall be to the edition listed below:

#### **Government of Canada**

R.S.C., 1985, c.L-2

*Canada Labour Code*

#### **Government of Canada**

1976-77, c. 33, s.1.

*Canadian Human Rights Act*

#### **Government of Canada**

S.C. 1995, c. 44

*Employment Equity Act*

#### **Kimberlé Williams Crenshaw**

Mapping the Margins: The Public Nature of Private Violence

#### **Library of Parliament**

Publication No. 2013-09-E

*United Nations Convention on the Rights of Persons with Disabilities*

#### **Ontario Human Rights Commission**

978-1-4606-8612-6

[Policy on ableism and discrimination based on disability](#)

#### **The CSA Group**

CSA Z1011:20

Work Disability Management System

#### **The Canadian Human Rights Commission**

*Accessible Canada Act*

## **Plain Language Association International**

“What is plain language?”

[What is plain language? - Plain Language Association International \(PLAIN\) \(plainlanguagenetwork.org\)](http://plainlanguagenetwork.org)

## 4 Definitions

The following definitions shall apply in this Standard.

**Ableism** - individual and societal discrimination and exclusion in the form of attitudes, prejudices, and actions that devalue and limit the potential of persons with disabilities.

Note: Ableism, like other forms of discrimination, may be conscious or unconscious, intentional, or unintentional, and may be embedded in institutions, systems, or the broader culture of a society.

Source: Ontario Human Rights Commission's Policy on ableism and discrimination based on disability.

**Accessibility** - to enable persons with disabilities to live independently and participate fully in all aspects of life.

Note: Ensures persons with disabilities have access to all aspects of society on an equal and equitable basis with others. This includes but is not limited to employment, physical environment, transportation, information, communications (including information and communications technologies and systems), financial security, social services, and to other facilities and services open or provided to the public.

Source: United Nations *Convention on the Rights of Persons with Disabilities (CRPD)*, Article 9 – Accessibility.

**Accessible Format** - documentation presented and provided in a way that meets a worker's accessibility needs.

**Accessibility Policies** - policies which support systemic and environmental approaches (including technical and human supports) to identifying, preventing, and removing barriers in the work environment.

Note: Accessibility policies can include existing policies, stand-alone policies or language integrated into existing policies (Refer to [Clause 5.4.2](#)).

**Accessibility strategy** – a framework of policies and practices that establishes a vision for, and a roadmap towards, a workplace that is accessible and inclusive by design.

Note: An accessibility strategy is not limited to only accessibility-specific policies and practices, but also ensuring that all policies and practices are inclusive and barrier-free.

**Accommodation** - making adjustments to rules, policies, workplace cultures, and physical environments to ensure that they do not have a negative effect on a person with a disability within the employment life cycle.

**Allyship** - status of being an advocate that actively works for the inclusion of persons with disabilities when the advocate is not a person with a disability.

**Anti-Ableism** – an active approach that includes strategies, theories, actions, and practices that challenge and counter ableism, inequalities, prejudices, and discrimination of people with disabilities.

Note: Discrimination against people with disabilities is often linked to prejudicial attitudes, negative stereotyping, and the overall stigma surrounding disability.

**Attitudinal barriers** – lack of understanding, awareness, and knowledge that reinforces stereotypes, dehumanizing behaviours, and discriminatory practices.

**Barriers** - anything that hinders the full and equal participation in society of persons with disabilities. This includes a physical, mental, intellectual, cognitive, learning, communication, sensory disability, or functional limitation.

Source: *Accessible Canada Act*.

**Communications** - information that an organization shares with its workers, including but not limited to:

- a) information on policies;
- b) organizational updates;
- c) health and safety information;
- d) job aides or training materials;
- e) multimedia presentations; and
- f) information about workplace activities.



**Consultation** - process by which an organization, in a planned and coordinated manner, seeks the input and feedback of workers before it makes decisions.

**Continual improvement** - recurring activity to enhance performance.

Note: Continual does not mean continuous, so the activity does not need to take place in all areas simultaneously.

**Differential Treatments** - when an employer treats a worker, or group of workers, differently because of specific characteristics that they are unable to change.

Note: Differential treatment is an acceptable practice when adopting or carrying out a special program, plan or arrangement designed to prevent disadvantages or to eliminate or reduce disadvantages by improving opportunities respecting services, facilities, or employment for people with disabilities.

**Disability** - any physical, mental, intellectual, cognitive, learning, communication, sensory, or functional limitation, whether permanent, temporary, or episodic in nature, evident or not that in interaction with a barrier, that hinders a person's full and equal participation in society.

Source: Adapted from the *Accessible Canada Act*.

**Disability Management** — functions within the organization that focus on stay-at-work and return-to-work processes.

**Discrimination** - an action or a decision that results in the unfair or negative treatment of a person or group because of their disability, race, age, religion, sex, etc.

Note: Some types of discrimination are illegal under federal human rights legislation (see prohibited grounds in the Canadian Human Rights Act).

**Diversity** - variations of characteristics within a group of people.

Note: These characteristics include those things that make us unique along with the things that shape our identity (e.g. race, age, gender, religion, sexual orientation, cultural background, disability group, etc.). It means understanding that each individual is unique, recognizing individual differences, and doing so with acceptance and respect.

**Duty to accommodate** – the employer and service provider's legal obligation to adjust rules, policies, or practices for all workers who fall under the prohibited grounds within the Canadian Human Rights Act, to participate fully.

Note: The duty to accommodate means that persons with disabilities are provided adequate supports to perform their job effectively.

**Education** - any type of formal and informal learning related to employment processes, including:

- a) training online;
- b) training in-person;
- c) self-directed training; and,
- d) external conferences, events, initiatives, resources, and workshops.

**Employer** – a person or organization that employs/engages workers/people to perform work arising in and out of the course of employment.

**Employment life cycle** - an organizational method which outlines worker engagement through the following stages of the work life cycle: Recruitment, hiring, onboarding, development, retention, and separation.

**Equality** – when workers are provided with sameness in treatment, access to resources and workplace opportunities.

**Equity** - when workers receive a unique treatment that is fair, just, and necessary to achieve an equal outcome in the workplace. Individual workers are provided with what they need to access resources, equal treatment, and workplace opportunities.

**External Experts** - individuals outside the organization who can be consulted or contracted at any stage of the work life cycle to address third – party (or insurance) provisions, medical, accommodation, accessibility, or any other employment-related needs.

**Gig work** - employment that includes non-standard work arrangements, which are often temporary and involve a pay-per-service relationship that is often mediated through a digital platform.

**Harassment** - a form of discrimination which includes unwanted physical or verbal behaviour done over time or on a one-time basis. It includes threats or intimidation based on any Human rights grounds as defined by the Canadian Human Rights Act.

**Inclusive and accessible employment system** – a work environment that is accessible and inclusive by design, encompassing all stages of a worker’s employment journey as well as all aspects of the workplace environment.

**Individualized accommodation policies** - policies that speak to and provide guidance on accessibility supports for job candidates and workers with lived experience of disabilities, where these individuals choose to self-identify, and where accessibility needs are beyond the level of accessibility established through the systemic accessibility policy approaches.

Notes:

- 1) These policies can be categorized into policies applicable to job candidates (internal to and external to the organization) and policies applicable to workers.
- 2) Policies applicable to job candidates address accessibility and individualized accommodation in the context of the job application process, the interview, hiring, and onboarding.
- 3) Policies applicable to workers address accessibility and individualized accommodation in the context of the work environment, including the performance of work tasks, meetings and events, work-related travel, social, and informal settings.

**Interested parties** - persons or organizations that can affect, be affected by, or perceive itself to be affected by a decision or activity.

**Internal experts** - individuals inside the organization who are involved in informing or managing components of the disability management system within the work life cycle.

**Intersectional Accessibility Lens** - the analytical framework that starts with/ centres experiences of people with (a) disability(ies) that examines the complex, cumulative ways multiple forms of discrimination and

oppression overlap, interact, or intersect with people with (single or multiple) disabilities' experiences of ableism at the same time.

**Intersectional Disability Based Analysis** - the process of bringing into view the sources of disadvantaged identity factors that result in unequal opportunities and outcomes for people with disabilities and of using the tools of public policy to overcome these disadvantages.

**Intersectionality** - a framework that explains the cumulative way in which a person or group of people are affected by multiple forms of discrimination and disadvantages.

Notes:

- 1) The effect of multiple characteristics of diverse groups can exist within a single person.
- 2) Systems of oppression such as ableism, racism, sexism, ageism, homophobia, and transphobia combine, overlap, or intersect especially in the experiences of marginalized individuals or groups.

Source: Adapted from Crenshaw, Kimberlé Williams. 1994. "Mapping the Margins". In *The Public Nature of Private Violence*, ed. Fineman, M. and Mykitiuk, R. New York: Routledge. Google Scholar.

**Lived experience** – persons with lived experience can include persons with disabilities; and family members and/or caregivers of persons with disabilities.

Source: ASC

**Management** — the persons in an organization that are responsible for leading, overseeing, or directing the work of others. (Adapted from the definition of Senior Management in CSA Z1011:20)

**Management by intimidation (MBI) or fear** - managing or governing people based on fear and intimidation. MBI can also be viewed as a form of harassment because it is a conscious behaviour exhibited by an individual. It is counterproductive for the organization, departments, and workers.

Source: adapted from *Canadian Human Rights Commission*

Note: Psychological harassment, fear-based management, and fear-based leadership, could cause workers to resign or avoid any critical thinking to prevent getting in trouble with that manager.

**Message equivalency** – meaning of the same message or content information conveyed when translating from one language to another language (i.e., avoiding being lost in translation or creating missing key information because of interpreting inaccurately or misinterpreting when translating occurs).

**Microaggression** - a comment or action that subtly and often unconsciously or unintentionally expresses a prejudiced attitude toward a member of a marginalized group, for example, persons with disabilities.

Source: adapted from *Merriam-Webster*

**Negative attitudes** - inappropriate comments, behaviours, and actions related to prejudicial attitudes, negative stereotypes, and the overall stigma surrounding these disabilities (i.e., stereotypes and generalizations about people with disabilities based on assumptions about the qualities and characteristics of the group they belong to).

Source: adapted from *Ontario Human Rights Commission*.

**Organization** - a company, employer, operation, undertaking, establishment, enterprise, institution, or association, or a part or combination thereof, that has its own management.

Note: This includes the private and public sectors, as well as for-profit and not-for-profit.

Source: Adapted from *Work Disability Management System, CSA Z1011:20*

**Performance management** - encompasses all activities related to assessing and improving worker performance, productivity, and effectiveness with the goal of facilitating worker success.

**Person-first language** - language and expressions that emphasize the individual first, rather than the disability.

Note: Not every disability group uses person-first language.

**Plain Language** - wording, structure, and design that are so clear that the intended audience can easily find what they need, understand what they find, and use that information.

Source: Plain Language Association International

**Policy** - documentation that sets out the strategic direction of an organization.

Source: CSA Z1011:20

Note: This term refers to the organization's statement of strategic direction. It describes the "what".

**Practice** - a commonly accepted method, formal or informal, of completing a procedure or an action within a work environment.

**Presenteeism** - the lost productivity in a workplace that occurs when workers are not fully functional while ill.

Note: This definition, originally developed in the context of illness or contagious diseases, has also been extended by researchers to include disability, which embeds the assumption from the medical and economic models of disability, of "disability" equating to "lost productivity".

**Prevention (primary, secondary, and tertiary prevention)** - primary prevention refers to the removal of exposure that produces ill health. In the context of disability management, secondary prevention refers to addressing workers' accessibility needs on a timely basis to ensure optimal workplace accommodations and, in case of an absence, a return to work. Tertiary prevention refers to minimizing the impact of disability on functioning, work engagement, and work productivity, as well as preventing further barriers.

Source: Adapted from Work Disability Management System, CSA Z1011:20, Preface

**Procedure** - a documented method to carry out an activity.

Source: Work Disability Management System, CSA Z1011:20

**Process** - a set of interrelated or interacting activities that transforms inputs into outputs.

Source: Work Disability Management System, CSA Z1011:20

**Promotion** - the movement of a worker from one job to another that may be higher in pay, responsibility, and/or organizational level, usually based on merit, seniority, or a combination of both.

Note: Career Development may include elements of promotion but also includes training, education, leadership, speaking, and other opportunities generally offered to workers to advance their skills and experience or gain recognition for their expertise and skills within their organization.

**Redeployment** - the reassignment of workers to other departments or functions as an alternative to laying them off.

**Retention** – organizational policies and practices designed to meet the diverse needs of workers and create an environment that incentivizes workers to remain with the organization.

**Senior management** - the person(s) at the highest level of an organization responsible for leading, managing, and/or directing it.

Source: Adapted from Work disability Management System, CSA Z1011:20

**Universal design (for workplaces)** - the process of designing an environment that can be accessed, understood, and whose use can be maximized by all workers regardless of age size, ability, or disability.

**Work-integrated learning** – practical learning opportunities in a work environment which may be part of formal or informal education.

**Workers** - the persons who perform work or work-related activities that are under the control of the organization.

Note: Includes paid or unpaid workers, supervisors, managers, leaders, contractors, service providers, volunteers, students, and others engaged in performing activities for the benefit of the organization.

Source: Adapted from Work Disability Management System, CSA Z1011:20.

## **5 Structural support, policy, and leadership (systems, policies and practices)**

### **5.1 Overview**

This clause establishes the requirement for an accessibility strategy with:

- a) measurable objectives;
- b) supporting policies; and,
- c) clear roles and responsibilities of the key workplace parties whose support is necessary for an inclusive and accessible employment system.

This clause emphasizes the importance of ensuring that the organization's policies support accessibility and the inclusion of workers with disabilities. It provides direction for the development and review of organizational policies and identifies policy domains that are essential components of the organization's policy structure to promote an accessible and inclusive workplace.

This clause also requires the organization to identify, remove, and prevent barriers to accessing information and to allocate resources to provide information in accessible formats. This includes the identification, removal, and prevention of barriers to accessibility in existing IT tools, solutions, and equipment as well as in those that are newly acquired or deployed. Where a Human Resources Information System (HRIS) or an Applicant Tracking System (ATS) is used, the organization must identify and establish accessibility criteria to ensure that these systems support the organization's accessibility objectives.

Finally, this clause identifies the need for emergency preparedness in the workplace by planning, preparing for, and responding to potential emergency situations. It requires the involvement of persons with disabilities in the development of the planned response to a specific emergency situation to ensure that emergency responses meet the needs of all workers, including workers with disabilities.

### **5.2 Development, implementation, and monitoring of an accessibility**



## **strategy**

In the development, implementation, and subsequent monitoring of an organizational accessibility strategy, the organization shall:

- a) develop an accessibility strategy with measurable objectives and supporting policies;
- b) demonstrate accountability for implementing this strategy and honouring its commitments, including to the health and safety of workers with disabilities;
- c) publish the strategy, including an audit tool and commit to reviewing the strategy every three years;
- d) monitor progress on this strategy and update it as required based on feedback and suggestions for improvement to accessibility in the workplace; and
- e) communicate updates to the accessibility strategy to workers and interested parties on an annual basis.

### **5.3 Key components for a successful accessibility strategy**

For the accessibility strategy to be successful, the organization shall:

- a) define and communicate the roles and responsibilities of all internal workplace parties required to support the inclusive and accessible employment system consistent with this Standard (refer to Clause [5.4](#) for further explanation of the inclusive and accessible employment system);
- b) provide workplace parties, with the necessary resources to effectively participate in the establishment, implementation, maintenance, and continual improvement of the inclusive and accessible employment system. Such resources include, but are not limited to:
  - i) the premises,
  - ii) equipment,
  - iii) communication tools, and
  - iv) work time; and

- c) promote dialogue about inclusive employment issues between workplace parties, external experts, service providers, and programs administrators while respecting the worker's right to privacy.

Note: The intention of the accessibility strategy of an organization under Canadian federal jurisdiction (as mentioned in this Standard) is that it would be a companion/component of the organization's accessibility plan, as it is described in the *Accessible Canada Act*.

See Clause [6.4.2](#).

## **5.4 Roles and responsibilities**

This clause details the roles and responsibilities of key workplace parties, with a focus on their role in supporting inclusive and accessible employment policies, processes, programs, procedures, and practices (herein termed "the inclusive and accessible employment system"). The successful implementation of this Standard requires commitment from all levels and functions of the organization and by workers at all levels. Senior management shall demonstrate this commitment by allocating, in a timely and efficient manner, the financial, human, and material resources required to achieve its accessibility strategy and objectives and improve inclusive and accessible employment practices.

### **5.4.1 Role and responsibilities of senior management**

Senior management shall develop, lead, and promote a culture of accessibility and inclusion within the organization by:

- a) communicating to all workers on an ongoing basis:
  - i) the importance of accessibility in the work environment, and
  - ii) the importance of organizational commitment to this Standard;
- b) actively engaging workers (with and without disabilities) in dialogue on all aspects of accessible employment;
- c) providing anti-ableism training to reduce the impact of attitudinal barriers;

- d) establishing and supporting committee(s) that promote accessibility, anti-ableism, and inclusion;
- e) protecting workers from reprisals when reporting incidents of discrimination based on disability;
- f) protecting workers from reprisals when identifying barriers to accessibility;
- g) supporting workers to demonstrate leadership in accessibility as it applies to roles and areas of responsibility;
- h) implementing this Standard to achieve its intended outcome(s);
- i) providing opportunities for confidential worker feedback and suggestions for improvement;
- j) establishing an accessibility ombudsperson and a confidential complaints process;
- k) measuring and evaluating progress toward achieving accessibility objectives to demonstrate continual improvement;
- l) facilitating worker and labour representative participation in the development, implementation, maintenance, and continual improvement of the inclusive and accessible employment system consistent with this Standard;
- m) encouraging internal and external stakeholder participation in the development, implementation, maintenance, and continual improvement of the inclusive and accessible employment system consistent with this Standard;
- n) ensuring that persons with disabilities are consulted/included in the development, implementation, maintenance and continual improvement of the organization's inclusive and accessible employment system;
- o) establishing a mechanism for regular reporting to senior management on the performance of the inclusive and accessible employment system, using this feedback to support continual improvement; and

- p) designating one or more representatives who, irrespective of other responsibilities, have defined roles, responsibilities, accountability, and authority to establish, implement, maintain, and continually improve the organization's inclusive and accessible employment system to ensure they are consistent with this Standard.

#### **5.4.2 Role and responsibilities of managers, supervisors, and internal experts**

Managers, supervisors, and internal experts shall:

- a) support the development, implementation, maintenance, and continual improvement of the organization's inclusive and accessible employment system, with consideration of the specific role they play within the system. This includes, but is not restricted to:
  - i) policy development, implementation, maintenance, and continual improvement,
  - ii) proactive remediation of known and hidden systemic barriers and unconscious bias,
  - iii) development of an information system to support the evaluation of its effectiveness,
  - iv) oversight of day-to-day operational effectiveness,
  - v) encouraging disclosure of accommodation needs as appropriate (excluding diagnosis and any non-relevant medical conditions),
  - vi) ensuring a process is in place for confidential disclosure of disability,
  - vii) ensuring accommodation plans are up-to-date, and
  - viii) promoting and supporting good faith in the accommodation process;
- b) communicate policies, processes, programs, procedures and practices related to inclusive employment to workplace parties;
- c) support workers with navigating inclusive employment policies, processes, programs, procedures, and practices;

- d) ensure all workplace parties receive appropriate training for their role and responsibilities within the inclusive and accessible employment system;
- e) promote an inclusive culture where workers feel comfortable disclosing their need for accommodation without fear of reprisal or negative consequences;
- f) permit workers reasonable time away from their work, as necessary, to participate in the continual improvement of the inclusive and accessible employment system; and
- g) consult with external experts, as needed, to provide expertise on elements of the inclusive and accessible employment system to enhance effectiveness and impact.

#### **5.4.3 Labour and Union Role**

Labour and Unions shall develop, lead, and promote a culture of accessibility and inclusion within the organization by:

- a) participating in the development, implementation, maintenance, and continual improvement of the inclusive and accessible employment system. This includes, but is not restricted to:
  - i) participating in meetings with management to ensure the various stages of the inclusive and accessible employment system are collaborative and meet the needs of the workers,
  - ii) working with management to identify outdated policies and recommend new ones,
  - iii) ensuring that the inclusive and accessible employment system complements the collective bargaining process and does not contravene negotiated contract language,
  - iv) negotiating workplace-specific worker protections through the collective bargaining process, and
  - v) holding employer representatives accountable for their responsibilities within the inclusive and accessible employment system;

- b) promoting work disability awareness and competency within the workplace;
- c) promoting a work environment where reporting or disclosing issues is done in a respectful and supportive manner;
- d) supporting workers throughout the accommodation process;
- e) representing members as per union responsibilities (as needed or as requested); and
- f) promoting an inclusive culture where workers feel comfortable disclosing their need for accommodation without fear of reprisal or negative consequences.

#### **5.4.4 Worker Role**

Workers shall promote a culture of accessibility and inclusion within the organization by:

- a) participating in the development, implementation, maintenance, and continual improvement of the organization's inclusive and accessible employment system. This includes, but is not restricted to:
  - i) identifying barriers to participation, communicating these barriers through the appropriate channels, and, where appropriate, working to remove and prevent these barriers,
  - ii) following the policies, processes, programs, procedures, and practices as outlined in the system, and
  - iii) providing feedback on the effectiveness of the inclusive and accessible employment system;
- b) engaging in the accommodation process in good faith; and
- c) promoting an inclusive culture where all workers feel comfortable disclosing their need for accommodation without fear of reprisal or negative consequences.

## 5.5 Organizational policies

Policies reflect the organization's commitment and intention. Achieving a barrier-free workplace for all requires that the organization's policies support accessibility and the inclusion of workers with disabilities.

### 5.5.1 Policy development

The organization shall:

- a) review any and all policies already in place, including but not limited to the accommodation policy (refer to [Clause 9.3.2](#)), accessibility policy (refer to [Clause 5.5.3](#)), and the anti-ableism policy (refer to [Annex E](#)), to ensure they are consistent with accessibility objectives;

Note: Please see [Annex F](#) for a list of additional policies.

- b) develop policies that facilitate the achievement of these objectives and are compatible with the requirements of this Standard;
- c) reflect its commitment and intention to achieve a barrier-free workplace, and support accessibility and inclusion of workers with disabilities in its policies and practices;
- d) review and assess policies using an intersectional accessibility lens (see [Annex D](#)) to identify policies that create or sustain barriers to the employment of workers with disabilities, and revise policies as required; and
- e) consult with workers with disabilities and unions in the development and modification of the organization's employment policies and practices.

### 5.5.2 Policy domains

Policy domains are essential components of the organization's policy structure that shall be present to promote an accessible and inclusive workplace.

The organization shall ensure that its policies address accessibility through the identification, removal, and prevention of barriers in the following policy domains:

- a) anti-discrimination (includes anti-ableism);

- b) pre-employment (e.g. sourcing, recruitment, screening, interviewing and selection, hiring, onboarding);
- c) retention, career development;
- d) individual accommodation (e.g. including devices and equipment);
- e) return to work;
- f) performance management;
- g) pay equity;
- h) individual and organizational training, learning, and development;
- i) internal communications, accessible communications, communications support;
- j) workplace emergency response; and,
- k) service animals.

### **5.5.3 Accessibility policy**

#### **5.5.3.1 Contents of accessibility policy**

The organization shall develop an accessibility policy suitable to its purpose, size, and context that:

- a) includes a commitment to providing an accessible workplace by identifying, preventing and removing barriers to accessibility;
- b) provides a framework for setting its accessibility objectives;
- c) commits to fulfilling legal requirements and other requirements related to accessibility; and
- d) identifies a process for measuring and evaluating progress toward achieving accessibility objectives.

#### **5.5.3.2 Development and publication of accessibility policy**

The organization shall:

- a) encourage the participation of workers and their representatives in the development of an accessibility policy;
- b) document the policy; and



- c) make it available to workers, communicate it within the organization, and publish it on a digital platform (or a radio or television broadcast, public service announcement, recorded message) used to communicate with the public (see [Clause 5.6](#) item c)).

## **5.6 Access to information**

The organizations shall identify, remove, and prevent barriers to accessing information by:

- a) ensuring there is accountability and resources for producing accessible format materials;
- b) ensuring in-house workers and/or competent contracted external providers are able to cover internal and external communications in plain language, signed languages, and accessible formatting;
- c) planning and creating communication (continuous or temporary) with accessible formats (e.g. large print) and languages (e.g. Braille, signed languages, Protactile Sign Language, plain language);
- d) maximizing full access by delivering accessible communications and reducing the need for individualized accessible formats;
- e) documenting this process and communicating it to all workers at the time of implementation and during onboarding;
- f) providing job applicants and prospective workers with the same accessible communication formats provided to current workers;
- g) providing information on work opportunities in accessible formats;
- h) making information in the requested format retrievable by all workers on any existing intranet website; and
- i) providing access to stored documents and access points for archived materials.

### **5.6.1 Accessibility of communications**

The organizations shall monitor and improve the accessibility of communications by:

- a) designating those responsible for managing requests for information;

- b) establishing a timeline for responding promptly to requests for information;
- c) monitoring requests for information and the time taken to respond;
- d) obtaining worker feedback and providing it to the continual improvement process on an annual basis; and
- e) providing electronic communications in a format that meets current requirements for level AA conformance set out in the Web Content Accessibility Guidelines, published by the World Wide Web Consortium. An example can be found on the [Canadian Radio-television and Telecommunications Commission website](#).

## **5.7 Information technology**

Information technology (IT) is the use of any computers, storage, networking and other physical devices, infrastructure, and processes to create, process, store, secure, and exchange all forms of electronic data. The commercial use of IT encompasses both computer technology and telecommunications.

Everyone within the organization who designs, develops, deploys, recommends, procures, or manages electronic equipment and information technology has responsibilities to include accessibility of software and hardware throughout their use in the workplace.

The organization shall:

- a) identify, remove, and prevent barriers to accessibility in existing IT tools, solutions, and equipment;
- b) prioritize the identification, prevention, and removal of accessibility barriers when acquiring and deploying new IT tools, solutions, and equipment;
- c) account for accessibility in the lifecycle management process for existing IT solutions, tools, and equipment, including web content;
- d) support the highest level of accessibility provided by IT solutions by enabling the accessibility features of tools and equipment;

- e) follow and meet the current requirements for Level AA conformance to the Web Content Accessibility Guidelines, published by the World Wide Web Consortium (an example can be found on the [Canadian Radio-television and Telecommunications Commission website](#));
- f) make accessibility a priority in the acquisition or development of internal and public-facing information technology solutions, tools, and equipment to allow IT to be useable by all;
- g) determine if products, services, and technology used in, or purchased for the workplace result in accessibility limitations for people with disabilities. Such products, services, and technologies may include but are not limited to:
  - i) audiovisual content,
  - ii) websites,
  - iii) web applications,
  - iv) mobile apps,
  - v) software; and
  - vi) kiosks.

### **5.7.1 Human Resource Information System (HRIS)**

An HRIS is a software solution that maintains, manages, and processes detailed worker information and human resources-related policies and procedures.

The organization shall:

- a) identify and establish accessibility criteria for selecting an HRIS to support its accessibility objectives; and
- b) review and assess an HRIS using accessibility criteria to identify, remove, and prevent barriers to employment for workers with disabilities.

Note: A Human Resource Information System may be used as part of a Human Resource Management System.

### **5.7.2 Applicant Tracking Systems (ATS) and Artificial Intelligence (AI)**

Organizations shall implement the following ATS and AI requirements in conjunction with [Clause 7](#) of this Standard.

Note: Where the organization uses an ATS or other AI for job candidate recruitment, screening, and hiring, compliance with anti-discrimination legislation is required under the Canadian Human Rights Act demonstrating that the selection criteria of any hiring assessment tools are job-related and consistent with business necessity, and do not systemically disadvantage members of employment equity groups.

Where the organization uses an ATS or other AI for job candidate recruitment, screening and hiring, the organization shall:

- a) ensure that ATS and AI screen applicants for bona fide occupational requirements;

Note: The Supreme Court of Canada outlined a three-step test to determine a bona fide occupational requirement. The employer is to establish that the requirement:

- 1) Was adopted for a purpose or goal that is rationally connected to the function being performed;
  - 2) Was adopted in good faith, in the belief that it is necessary to fulfill the purpose or goal; and
  - 3) Is reasonably necessary to accomplish its purpose or goal, in the sense that it is impossible to accommodate the worker without undue hardship.
- b) take reasonable steps to demonstrate the AI or ATS is not discriminatory, by:
    - i) routinely and regularly utilizing the following indicators of acceptable practice for ATS and AI systems to remove bias in the hiring process, by:
      - 1) telling candidates if AI is being used as part of the process,
      - 2) allowing every candidate to request accommodation,

- 3) ensuring accommodations are delivered in non-stigmatizing manner, and
  - 4) requiring employers to produce and make public evidence that they have required suppliers to demonstrate they have taken reasonable steps to involve persons with disabilities to make sure their products are not discriminatory to candidates with disabilities; and,
- c) implement reasonable and effective accommodations and adjust the screening process to fairly and equitably assess each candidate.

Where the organization utilizes a third party to conduct screening and evaluation, it shall ensure that external AI hiring tools have been programmed and implemented with a diverse data set that includes people with disabilities.

## **6 Culture, engagement, and education**

### **6.1 Overview**

The principle that all workers deserve to be treated with respect and dignity is supported by an organization's healthy and disability inclusive:

- a) workplace culture;
- b) leadership;
- c) communication;
- d) worker participation;
- e) training; and
- f) education.

This principle is important in that it acknowledges lived experience of disability. It is important that an organization encourage the active participation of workplace stakeholders, especially workers, and other interested parties in the establishment, implementation, and maintenance of employment best practices.

Improving the workplace for workers with disabilities requires cultural and systemic change. When workplaces operate within a culture of silence, intimidation, fear, and bystander apathy, any actions to support worker rights will remain reactive and retaliatory instead of prevention-focused. A disability-inclusive culture requires a shift to a proactive, anti-ableist, innately barrier-free, and discrimination-free workplace for all.

To achieve a workplace culture which prioritizes the elimination of workplace barriers including systemic, structural, environmental, and attitudinal barriers, it is important that workplace culture be anchored in an intersectional accessibility lens which involves top-down leadership commitment and enforcement and bottom-up commitment and participation from workplace parties.

### **6.2 Workplace culture**

To establish a healthy disability-inclusive workplace culture, the organization shall:

- a) adopt a proactive and systemic approach to identify, prevent and remove structural, environmental, and attitudinal barriers that result in discrimination on the job to improve the workplace for workers with disabilities;
- b) provide a proactive focus on the prevention of barriers that supports worker rights by implementing workplace protections against a culture of silence, intimidation, fear, and bystander apathy, and reactive and retaliatory actions;
- c) implement an intersectional accessibility lens approach (see [Annex D](#)) to identify how individual oppression and systemic ableism may be experienced at work; and
- d) provide for worker-centred, barrier-free, and discrimination-free access to the workplace in all aspects of the employment life cycle.

### **6.2.1 Comprehensive communication strategies and efforts**

The organization shall:

- a) make all workplace communication in verbal, non-verbal, signed language(s), and written formats, accessible to all workers;
- b) ensure that all workplace communications are communicated in diverse ways, regardless of self-disclosure;
- c) provide visual aids, signed language(s) (American Sign Language (ASL), Langue des signes Québécoise (LSQ), Indigenous Sign Language(s), Protactile Sign Language(s)), described video and captions for worker-directed communication based on worker needs (refer to [Clause 5.6 d](#));

Note: Employer proactivity includes the importance of communication being streamlined throughout the employment life cycle.

- d) prioritize the digital accessibility of all forms of communication;
- e) incorporate the use of inclusive language with a focus on eliminating ableist, racist, colonialist, and gendered terminology; and
- f) practice message equivalency across departments and formats to ensure accuracy in the message.

### **6.2.2 Worker-centred actions**

Worker-centred actions involve workplace environmental solutions that include, but are not limited to interpersonal social interactions, impromptu meetings, hallway discussions, lunchroom discussions, and any formal or informal interactions among stakeholders and parties. These environmental solutions are equally important in identifying the barriers to achieving a healthy workplace culture and in fostering anti-ableist attitudes in the workplace.

The organization shall:

- a) focus workplace actions on acceptance and collaboration instead of tolerance, as inclusion is critical to the creation of a healthy workplace culture;
- b) take steps to eliminate discrimination, microaggressions, violence, and harassment in the workplace and informal work-related settings;
- c) use timely and effective processes in response to infractions to reinforce its commitment to this goal to all workplace stakeholders and interested parties; and
- d) design leadership approaches, communication, training, and education that drive disability inclusion efforts to achieve a healthy and safe workplace culture for workers to engage with intersectional accessibility actions.

### **6.3 Leadership and communication**

Leadership within an organization can exist at any level. Effective leadership is prevention-focused and involves top-down leadership commitment and enforcement. This also includes bottom-up commitment and participation from workplace stakeholders and interested parties to training and education. Leadership at all levels shall provide a clear commitment to disability inclusion, accountability, transparency in prevention and performance measures, role modelling, and leading by example.

The organization shall create and maintain a strong disability-inclusive workplace culture by:



- a) applying an intersectional accessibility lens at all levels of management, including upper management, Human Resources, and others who are accountable, responsible, or have influence within the organization;
- b) creating a responsive environment that encourages workers with disabilities to identify concerns and issues without fear of reprisal;
- c) addressing issues in a timely and effective manner;
- d) ensuring that there is no reprisal when workers with disabilities identify concerns and issues;
- e) providing worker access to all resources required to do their jobs (including but not limited to tools, technologies, and training);
- f) eliminating formal, informal and attitudinal workplace barriers through inclusive, clear, and consistent communication to all workplace parties; and
- g) providing workplace training opportunities on disability-related issues for all workplace parties.

### **6.3.1 A commitment to inclusion and training from all levels of leadership**

Commitment to applying an intersectional accessibility lens starts with senior management, Human Resources, anyone responsible for hiring or termination, and all parties with professional influence over anyone in the workplace.

To eliminate formal, informal, and attitudinal workplace barriers using clear, consistent, and inclusive communication, the organization shall:

- a) require management to identify the workforce availability of persons with disabilities within job classifications;
- b) establish representation targets for its workplace against workforce availability; and
- c) provide workplace training opportunities on disability-related issues for all workplace parties.

### **6.3.2 Accountability**

The organization shall demonstrate its commitment to inclusion, accountability, and evaluation by:

- a) supporting a leadership team that demonstrates effective knowledge and experience about barriers and discrimination faced by workers with disabilities and other equity groups;
- b) assigning the financial resources for the development of an inclusive and accessible workplace so that budgets do not create a barrier;
- c) establishing leadership criteria for appointments to agency, board, commission, or senior management positions that promotes equitable representation, including the appointment of persons with disabilities;
- d) providing opportunities for workers to identify accommodations or raise accessibility issues and concerns anonymously without prejudice or repercussions;
- e) creating mechanisms incorporated into employer-led prevention efforts to resolve issues to the satisfaction of the workplace parties;
- f) supporting persons with disabilities throughout the course of their careers, profession, or work relationship by implementing and maintaining inclusive accessibility and measurement plans that are collaboratively developed;
- g) conducting independent review(s) to assess whether targets and objectives have been met and where gaps continue to exist; and
- h) creating accessibility strategies that shall include Specific, Measurable, Achievable, Realistic, and Timely (SMART) goals and targets.

### **6.4 Worker engagement**

Worker engagement is a touchstone which ensures that workplace parties operate within an inclusive workplace culture and incorporate mechanisms designed to support workers with disabilities on the job. Workers hold information with respect to existing and potential barriers and unique perspectives on how to strengthen inclusion in the work environment.

The following processes work to advance these goals.

#### **6.4.1 Needs assessments**

The organization shall:

- a) engage workers and their representatives (interested parties) in a needs assessment to identify existing and potential gaps that impede the creation of an inclusive and discrimination-free workplace culture; and
- b) regularly conduct a needs assessment not less than every two years to support the existing disability management system, inform prevention efforts, and eliminate barriers including attitudinal barriers.

#### **6.4.2 Accessibility strategy**

The organization shall:

- a) engage workers and their representatives in the development of accessibility or disability management strategies to provide a comprehensive approach to measuring yearly inclusion targets for hiring, promotions, training, and retention;
- b) incorporate in multi-year accessibility strategies a section on worker engagement efforts and anti-ableism training; and
- c) harmonize accessibility strategies with employment equity plans and evacuation plans if applicable.

See Clause [5.2](#).

#### **6.4.3 Championing inclusion**

Workers can take on the most important role in championing an inclusive workplace culture. To achieve this, workers shall be provided with opportunities within the course of their employment to support and raise awareness of disability inclusion efforts.

The organization shall:

- a) establish a senior position of an accessibility lead or an accessibility officer position;
- b) support worker networks (e.g. self-organized, employer-supported, union-supported);

- c) provide workers with opportunities to raise awareness of disability inclusion and to champion an inclusive workplace culture and efforts;
- d) support worker-led and disability-led initiatives to identify, remove and prevent barriers for workers with disabilities;
- e) raise awareness of how conscious and unconscious bias challenges inclusive practices; and
- f) participate in company-funded activities recognizing disability-specific days of observances (e.g., National Disability Employment Awareness Month, National Accessibility Week, and International Day of Persons with Disabilities).

## **6.5 Training and education**

### **6.5.1 Leadership training**

The organization shall provide training for leadership. The training shall be created and delivered on an ongoing basis to address attitudinal bias, conscious and unconscious bias, ableist attitudes, and prejudices.

The training shall include the following topics:

- a) anti-ableism, accessibility, duty to accommodate, anti-discrimination, and anti-harassment;
- b) literacy on disability issues, accessibility measures and ways to create a barrier-free work environment (e.g. accessibility confident employer program(s));
- c) applicable disability-related legislation and collective bargaining processes (including the Employment Equity Act, the Canadian Human Rights Act, the Accessible Canada Act, the United Nations Convention on the Rights of Persons with Disabilities); and
- d) how to strengthen accessibility measures by creating barrier-free work environments.

### **6.5.2 Organizational training**

The organization shall advance workplace inclusion targets and raise awareness of barriers in the workplace by:

- a) providing mandatory, formal, proactive and strategic training, and education opportunities for all workplace stakeholders, interested parties, and workplace parties;
- b) at minimum, undertaking training on disability issues which impact the work environment including:
  - i) anti-ableism, accessibility, anti-discrimination, and anti-harassment,
  - ii) duty to accommodate,
  - iii) elimination of barriers in the workplace,
  - iv) accessible information and communication,
  - v) early intervention, policy, and system reviews,
  - vi) allyship and bystander intervention, and
  - vii) training on roles and responsibilities for specific departments and teams, such as but not limited to:
    - 1) persons responsible for administering functions related to disability management to ensure comprehensive accessibility. This includes human resources, payroll and benefits, and third-party contractors responsible for Employee Assistance Programs.
    - 2) persons responsible for procurement contracts or for communicating the organization's expectations for third-party contractors to provide services such as Employee Assistance Programs in an accessible format.
    - 3) other departments and teams such as IT, communications, policy, etc.;
- c) conducting ongoing training on a timely basis;
- d) making training content accessible in multiple formats to accommodate diverse participant learning needs (e.g. online, in-person, conferences, etc.); and

- e) incorporating inclusive language that emphasizes an equity, anti-oppression and intersectional accessibility lens, centring persons with disabilities and recognizing different disabilities. (See [Annex D](#)).

## **7 Recruitment, hiring and onboarding**

### **7.1 Overview**

This clause focuses on the first phase of the employment life cycle. As such it emphasizes the recruitment, hiring, and onboarding of workers, or prospective workers, with disabilities. When the recruitment process is fully accessible, it enables organizations to diversify the workplace, reach qualified applicants, and reduces the likelihood of discrimination. The principle of non-discrimination is to be respected throughout the recruitment and hiring process, to ensure maximal benefit to the organization and equitable opportunities for workers with and without disabilities.

### **7.2 Recruitment**

#### **7.2.1 Commitment statement**

The organization shall:

- a) develop a statement of commitment to accessibility, equity, and inclusion in recruitment procedures and in job advertisements;
- b) post its statement of commitment publicly and make it accessible to all applicants;
- c) invite applications from underrepresented groups, including persons with disabilities; and
- d) ensure that accommodations will be provided throughout the recruitment, selection or assessment process, or recruitment, selection, and assessment process at no cost to an applicant to ensure full and equal participation.

#### **7.2.2 Candidate recruitment process**

The organization shall:

- a) develop recruitment processes and advertising practices to attract applications from as many qualified people as possible;
- b) publicize job vacancies in formats accessible to people with disabilities, as well as consult with employment services for disabled persons, or other relevant agencies;

- c) encourage candidates to identify any accommodations required throughout the recruitment process;
- d) provide or arrange for suitable accommodation considering the candidate's accessibility needs;
- e) maintain privacy with respect to disclosure and the reason for it when a candidate self-identifies;
- f) inform workers and the public of the accommodations available to candidates in its recruitment processes; and
- g) provide all recruitment materials in an accessible format.

Note: As technology is updated from time to time, accessibility present in earlier versions may be lost in later versions. Materials would need to be periodically reviewed and updated as technology advances.

### **7.2.3 Job postings**

The organization shall develop job postings that:

- a) are inclusive and do not exclude persons with disabilities;
- b) list the job requirements for the position that have been reviewed and confirmed to be accurate by the human resources department and the hiring manager;
- c) identify relevant alternative expertise or experience that fulfills qualifications and job requirements in order to encourage applications from candidates with different abilities who can perform the essential and critical job functions, with or without support(s);
- d) indicate the option, where appropriate, to provide a portfolio or work samples as an alternative to written descriptions of skills and experiences;
- e) where bona fide occupational requirements exist for a position, identify only those that form part of the selection criteria;
- f) make available to applicants the organization's accommodation policies; and



- g) identify a contact person who is aware of the organization's commitment statement and who will answer questions about the essential job requirements.

#### **7.2.4 Job application process**

The organization shall:

- a) provide fully accessible job application processes;
- b) use plain language for questions and to identify job requirements;
- c) clearly identify fields where responses are mandatory and those that are optional;
- d) identify fields by which candidates can provide additional related information;
- e) consider the use of pre-screening questions giving candidates more time to process and respond to questions, or as an alternative, schedule a time with candidates in advance;
- f) inform candidates if they will be tested to demonstrate their ability to perform actual or simulated tasks, and provide a description of the test format in advance, along with a notice that accommodations are available upon request;
- g) focus pre-employment tests and selection criteria on the specific skills, knowledge, and abilities that are essential to the position so that they do not inadvertently exclude persons with disabilities; and
- h) ensure that a competency test is not the only factor when determining a candidate's ability to do the job with required supports - considering the required soft skills and attitude as well.

#### **7.3 Interviews and assessment process**

The organization shall:

- a) provide those who interact with job candidates with disability awareness coaching and training, inclusive of how to relate appropriately with persons with disabilities in a disability-confident manner;

- b) provide information on getting to the interview location, the building's accessibility features including accessible parking options, and the receptivity to service animals;
- c) provide estimate of interview duration and expected end time to assist with facilitating transportation arrangements;
- d) enable candidates to participate and perform in interviews and assessment processes on an equitable and inclusive basis; and
- e) encourage candidates to self-identify any help or supports needed during the interview/selection process without asking about the exact nature of their disability.

Note: For example, by permitting a sign language interpreter, an advocate, or a support person to be present at an interview.

### **7.3.1 Interview panels**

The organization shall:

- a) establish an interview panel of members with required training in diversity, equity, and inclusion;
- b) include at least two (2) interviewers, one from the requesting department, familiar with the role, and a human resources representative familiar with diversity, equity, and inclusion practices; and
- c) provide interview panel members with guidance on how to make the interview and selection process fully accessible for all applicants.

### **7.3.2 Interview questions**

The organization shall:

- a) develop an interview question scoring grid so that the same job-related questions are asked, and the responses are scored consistently;
- b) focus the development of the interview questions on determining how a candidate will:
  - i) apply their skills to perform job tasks and core competencies, and

- ii) apply their ability to perform specific job functions;
- c) avoid questions that would require a candidate to disclose a disability directly or indirectly unless the question is related to a bone fide occupational requirement;
- d) use assessments and other various tools to determine culture fit, teamwork, and problem solving as appropriate; and
- e) prevent disqualification of candidates because they are unable to perform non-essential job functions.

## **7.4 Hiring**

The organization shall:

- a) notify the successful applicant of its policies for accommodating workers when making offers of employment;
- b) provide updated information on changes to policies for job accommodations if they are made and impact on a worker's accessibility needs;
- c) inform the worker of proposed disability-related accommodations and consult them with respect to the requirement for further accommodation before any action is taken; and
- d) pay all workers a legal wage and ensure compensation equity among all workers, including workers with disabilities.

## **7.5 Onboarding**

For each new worker the organization shall:

- a) arrange for orientation to the organization, the work environment, and the job;
- b) provide policies related to accommodations at the orientation or prior to the first day of work;
- c) identify the need for a support person, mentor, or "go-to" person to assist in the onboarding process;

- d) establish that the typical probationary period begins only when appropriate accommodations have been made;
- e) ensure that information essential to the job and workplace is communicated in accessible format(s) to ensure that all workers are fully informed. Such information includes but is not limited to:
  - i) job instructions,
  - ii) work manuals,
  - iii) information on staff rules,
  - iv) grievance procedures, and
  - v) health and safety procedures; and
- f) the format(s) must meet the needs of the worker(s) (Refer to [Clause 5.6](#)).

## **7.6 Ongoing employment support**

The organization shall:

- a) provide follow-up services to promptly identify and resolve problems for the benefit of the organization and the new worker;
- b) review and update accommodations if required following completion of orientation and onboarding;
- c) provide all workers with training on disability awareness and inclusive communication; and
- d) identify a service provider, after obtaining the preferences of the worker, for services required by the worker which cannot be provided by the employer.

## **8 Retention and career development**

### **8.1 Overview**

This clause speaks to policies and practices that, if implemented, will strengthen job retention and career advancement for all workers, with a focus on workers with disabilities. It details responsibilities for creating an accessible workplace environment that will:

- a) foster the continued employment of workers;
- b) provide them with equitable opportunities for training and promotion;  
and,
- c) ensure they receive compensation based on merit.

In addition, this clause details Management's responsibility for providing accommodations that will not disadvantage workers with disabilities. This clause also provides Management with direction on job exits, with an emphasis on learning job retention strategies through this part of the employment journey.

### **8.2 Retention**

The organization should create an environment that supports the retention of all workers, including persons with disabilities, and provide them with incentives to remain with the organization by:

- a) designing human resource policies and practices that improve and maintain the representation of persons with disabilities at all levels of the organization, from leadership to entry-level;
- b) identifying persons with disabilities within job classifications and setting representation targets against workforce availability on par with the retention rate/targets for the organization, at minimum for reasons not related to attrition;
- c) reviewing these policies and practices annually or at least no more than every 3 years in consultation with persons with disabilities to identify, remove and prevent barriers to retention; and

- d) provide a simple, universal, and dignified way to request an accommodation at any stage of the employment lifecycle, including but not limited to onboarding, promotion, corrective action, and job exit.

### **8.3 Promotion and career development**

The organization shall:

- a) encourage the promotion of people with disabilities into jobs at a higher organizational level, responsibility or pay based on merit, seniority, or a combination of both;
- b) provide career development support to enhance skills and experience and gain recognition through:
  - i) training,
  - ii) education,
  - iii) leadership,
  - iv) speaking engagements, and
  - v) other opportunities within the organization;
- c) ensure that the criteria for career development and promotion do not disadvantage persons with disabilities; and
- d) provide workers with support through individual accommodation plans as required for success to advance within the organization.

Note: Please refer to [Clause 7](#) for requirements applicable to promotions that require an internal application and interview process.

#### **8.3.1 Redeployment**

The organization should identify the need for a redeployment policy to facilitate continuing employment should a specific position be eliminated, or an entire department transitioned or outsourced. The organization should facilitate the reassignment of workers to other departments or functions as an alternative to laying them off.

### **8.3.2 Redeployment policy**

Where employers have a redeployment policy, the policy shall:

- a) provide for employment stability by identifying opportunities for re-employment;
- b) apply to all workers, with specific reference to people with disabilities;
- c) take into account individual accommodation needs or plans; and
- d) include consultation with the workers and/or the workers' representative upon request.

### **8.4 Performance management**

The organization should use a performance management system to facilitate worker success when assessing and improving worker performance, productivity, and effectiveness by:

- a) ensuring that the performance management process is accessible and inclusive to all workers, including workers with disabilities;
- b) adjusting accommodations as requested by the worker or their representative, or the worker and their representative;
- c) providing the required accommodations before assessing the worker's performance and productivity level;
- d) applying the performance management process in an equitable manner across the organization for all workers, including workers with disabilities;
- e) supporting the movement of an accommodation(s) to a new role or area, as appropriate, to make the transition as seamless a process as possible;
- f) facilitating the movement of the worker's accommodation plan with them in a seamless process when a worker moves to a new role or area; and
- g) preventing repercussions or negative consequences to a worker that result from the organization's delay or failure to provide an accommodation or to respond to an accommodation request.

## **8.5 Compensation**

The organization shall:

- a) apply objective criteria to prevent and eliminate compensation discrepancies between persons with disabilities and other workers performing the same responsibilities and job functions; and
- b) apply the equal wages provision as set out in the Canadian Human Rights Act in such a way as to apply to workers with disabilities.

## **8.6 Job exit**

The organization shall:

- a) establish policies and procedures that govern all job exits;
- b) inform all workers of these policies and procedures;
- c) apply these policies and procedures equally to workers with and without disabilities; and
- d) use the information gathered from their job exit procedures to identify job exit trends and opportunities to improve the retention of workers with disabilities.



## **9 Work disability management, accommodations, stay at work and return to work**

### **9.1 Overview**

This clause specifies policies, processes, and programs for disability management in the workplace (herein referred to as the work disability management system). The work disability management system is directed at addressing the accommodation needs of persons with disabilities, whether their disability is long-standing or acquired while at the organization.

This clause addresses issues of disclosure and accommodation, as well as stay at work (SAW) and return to work (RTW). It emphasizes the proactive removal of barriers and the provision of facilitators (defined as someone or something that assists with the end goal). Focus is given to secondary and tertiary prevention, with consideration of the continuum from primary, secondary, and tertiary prevention. Primary prevention refers to the prevention of exposure that can cause ill health. Secondary prevention refers to addressing workers' accessibility needs on a timely basis to ensure optimal workplace accommodations, and, in case of an absence, RTW. Tertiary prevention refers to minimizing the impact of disability on functioning, work engagement, and work productivity, as well as preventing further barriers. The focus in this clause is on workers already affiliated with an organization, so the emphasis is on ensuring continuity.

### **9.2 Principles**

Organizations shall adhere to the following principles:

- a) actively prevent or address workplace barriers to minimize adverse impact and support participation in work activities with responsive accommodation;
- b) take a worker-centred approach;

Note: A worker-centred approach is one that considers lived experience with disability, as well as psychological, and social factors and their complex interactions.

- c) consider the environmental and social factors that create the disabling condition/situation when addressing workers' accommodation needs to maintain work engagement whenever possible;
- d) actively discuss with the worker any external expert advice received and follow a worker's preference with respect to their disability management plan, unless there is evidence of occupational and worker health and safety concerns;
- e) consider a targeted, safe, and timely RTW in case of health absence, applying a hierarchy that begins with:
  - i) return to the worker's own position,
  - ii) return to the worker's own position with modifications,
  - iii) an alternative position, and
  - iv) if required, an alternative position with modifications;
- f) direct efforts to provide workers with optimal support and care at work and in the work ecosystem;
- g) engage input from all workplace parties using a collaborative approach to achieving optimal workplace accommodation; and
- h) ensure no contravention of a collective agreement (CA) by any element or component of the work disability management system.

### **9.3 Components of a work disability management (WDM) system**

A work disability management system is a framework of policies, processes, programs, procedures, practices, and plans used to manage work disability at an organizational level. The work disability management system is established by an employer focusing on preventing productivity losses and engagement losses while at work or from work absences because of illness, injury, or disability, and on preventing the risks that cause these losses. (From Government of Canada) WDM systems are inclusive of stay-at-work and return-to-work plans.

Stay-at-work (SAW) plans are a tool for managers to proactively help ill or injured workers, or workers who acquire a disability, remain in productive employment in a timely and safe manner.

Notes:

- 1) Some workers can safely perform productive and meaningful work while they are recovering.
- 2) Staying at work is beneficial to the worker and is part of the recovery process.
- 3) Different situations require different solutions.

Return-to-work (RTW) plans are a proactive tool for managers to help injured, and, where appropriate, ill workers, as well as workers with disabilities, return to work after an absence if it is safe to do so.

Note: Return-to-work plans are intended to be transitional and for a fixed duration. These plans may, when required, be integrated into an accommodation plan of an ongoing nature.

### **9.3.1 Policies**

#### **9.3.1.1 Policy development**

Policies provide strategic direction to the organization and shall be documented and easily retrievable by all workers. The organization shall develop policies that:

- a) ensure that changes made to the work disability management system do not create new barriers;
- b) have individualized accommodation plans consistent with its policies on work disability management;
- c) identify what accommodation options are available and clearly outline them;
- d) take a “yes by default” approach to providing workplace accommodations to minimize the “policing” of accommodations;
- e) minimize the need for the disclosure of personal medical information to the employer;

Note: For example, identify a threshold of resources/costs below which one requires medical documentation.

- f) ensure that medical documentation is used to support needed accommodation and not deny it;
- g) integrate feedback mechanisms to inform the work disability management system and support the identification and prevention of emerging barriers; and
- h) include case examples where possible.

In developing policy according to the above requirements, organizations shall comply with [Clause 5.5.3](#) and [Clause 9.3.2](#).

### **9.3.1.2 Policy requirements**

Management of the organization shall establish and maintain the organization's work disability management system policies in consultation with workers and other relevant internal workplace parties, including worker representatives. The work disability management system policies shall:

- a) satisfy applicable legal requirements and other relevant obligations and requirements;
- b) be appropriate to the nature and scale of the organization;
- c) be structurally supported and clearly documented;
- d) include a framework for setting and reviewing work disability management objectives and targets;
- e) be documented, implemented, maintained, and periodically reviewed based on an established and appropriate review frequency to ensure continual improvement;
- f) be communicated to all workers;
- g) be available to external interested parties, as appropriate; and
- h) be integrated with other parts of the organization's management system.

The clauses that follow are about specific areas where policies need to be developed.

### **9.3.2 Disclosure and accommodation**

A successful work disability management system exists when workers feel safe to self-identify as a person with a disability and are confident that this disclosure will lead to increased workplace supports rather than reprisals from others within the organization. Key to this is the development and implementation of a robust individualized accommodation policy and accompanying process.

This policy and accompanying process shall:

- a) outline the roles and responsibilities of all persons involved in the accommodation process;
- b) apply to all workers, regardless of disability status or position within the organization;
- c) provide for continuity of support while workers are employed by the organization;
- d) require the employer to cover the cost of obtaining the medical documentation it requests, and any associated lost time;
- e) minimize the amount of medical information requested, respecting the worker's privacy and confidentiality regarding their medical condition;
- f) focus on functional information that will guide accommodation, as well as SAW and RTW procedures and practices;
- g) require worker input and informed consent regarding how the implementation of accommodations will be communicated on a need-to-know basis;
- h) assess medical documentation objectively, avoiding unreasonably questioning when it is provided by the worker;
- i) where the workplace is unionized, require the employer to inform the worker of their right to union representation and, in consultation with the worker, involve labour representatives in accommodation processes, where needed;
- j) involve a disability organization representative or a competent alternative to support workers with disabilities in accommodation processes in a non-unionized workplace, where needed;

- k) train managers and workers responsible for making accommodation decisions on the accommodation policy and the duty to accommodate;
- l) keep the accommodation process agile and adaptable to changes in workers' responsibilities to minimize the risk of losing accommodations through career development and advancement;
- m) acknowledge a worker's request for accommodations in a timely manner;
- n) promote equity across the organization by providing workers in all positions within the organization with access to reasonable accommodations;
- o) make assistive technologies and adaptive workplace supports broadly available to maximize access;
- p) provide protection for workers making disclosures or requesting accommodations, including a non-reprisal approach to prevent a negative impact on their career opportunities, growth, and advancement; and
- q) communicate the accommodation process to all workers and have the information available to all workers without restrictions to accessing the information.
- r) make access to accommodations non-contingent on medical documentation;
- s) Include development and implementation of a feedback mechanism for workers to evaluate their experience accessing workplace accommodations;
- t) provide workers with frequent and meaningful opportunities to request accommodations prior to making a decision that would adversely affect them; and
- u) require the organization to inquire with the worker about the need for accommodation when the organization is aware, or reasonably ought to be aware of a relationship between a disability and a worker's job performance.

### **9.3.3 Benefits and other supports**

The organization shall have a formal policy on the provision of benefits programs and services for workers. The policy shall:

- a) focus on supporting worker engagement, health and well-being;
- b) require that information on benefits and services and how to access them is readily available to workers in accessible formats;
- c) minimize the requirement for medical documentation and paperwork to access benefits; and
- d) include a worker-centred process for periodic identification of needs, gaps in needs, and opportunities to address them through additional programs and services.

#### **9.3.3.1 Programs**

The organization should consider the following in the development of programs:

- a) paid sick leave;
- b) Employee Assistance Plan (EAP)/Employee and Family Assistance Plan (EFAP);
- c) dental plan;
- d) extended health care;
- e) pharmaceutical plan;
- f) vacation time beyond the minimum requirement of the law;
- g) short-term disability (STD) and long-term disability (LTD);
- h) paid casual absences;
- i) personal/family leave;
- j) reimbursement of costs for securing supporting documentation required for benefits receipt;
- k) supplemental assistance for workers when the need for benefits coverage (e.g., health, dental) extends over or beyond what is currently covered;

- l) a documented accommodation plan to provide continuity over the course of employment with the organization; and
- m) a centralized accommodation fund to address accommodation needs and removal of financial disincentives within operations (e.g., a manager's concerns that accommodation costs will reduce their operating budget) to hire, retain, and promote talented persons with disabilities within a team or department, and support the duty to accommodate.

### **9.3.3.2 Operationalization of programs**

The organization should:

- a) provide information sessions for workers on the benefits and services available from the organization and in the community, and how to access them;
- b) train workers on key accommodation issues such as the duty to accommodate principle and the right to accommodation; and
- c) review accessibility requirements of third-party programs and service providers to confirm that the needs of workers are met and seek out alternative providers as necessary.

### **9.3.4 Maintaining worker engagement (i.e., Stay-at-Work)**

Maintaining worker engagement, even when a worker experiences a temporary or longer-term health decline, is possible with timely accommodation. Such efforts can even avoid the need for a health absence. Organizations shall:

- a) require that workplace events are inclusive for workers with disabilities and facilitate accommodation requests of workers;
- b) provide workers with work hour flexibility to the extent that business needs permit;
- c) promote timely reporting of changes in a worker's accommodation needs;
- d) focus on supporting worker health needs by providing accommodation to support the worker to stay on the job;



- e) clearly identify the process for early intervention with appropriate resources to support a worker staying at work, if possible; and
- f) respect instances when a worker's functional abilities cannot be met through employer-presented or discussed accommodation processes in the workplace. In such instances, medically necessary time off work shall be acknowledged and respected.

Refer to [Clause 9.3.2](#) for details on the accommodation policy and process to be followed to support staying at work. Refer to [Clause 9.3.5](#) below for guidance on criteria for accommodation in own job versus a different job.

### **9.3.5 RTW following a health-related absence**

The organization shall have a formal RTW policy and process that:

- a) identifies the role of key workplace parties in the RTW process;
- b) is proactive and equitable in RTW regardless of the reasons for the absence;

Note: Eligibility for some benefits programs may be based on the cause (i.e., work-related or not work-related) or other factors such as the type of labour contract, but all efforts should be made to treat all workers equitably and minimize the disparities that may arise due to cause, contract type and other factors.

- c) supports the worker and minimizes the impact of RTW on their health and wellbeing;
- d) involves the active participation of, and consultation with the worker and their representatives (if applicable), the worker's supervisor, and key workplace parties;
- e) includes the development of a formal RTW plan customized for the worker and their role;
- f) includes early and ongoing communication with the worker;
- g) provides timely access to information relevant to the RTW process for the worker (and their representative, if applicable), their supervisor, and other key workplace parties;
- h) respects the workers' privacy; and

- i) includes a mechanism for internal redress if the RTW plan is not implemented as agreed to.

#### **9.3.5.1 Other RTW requirements**

The RTW plan shall:

- a) be documented, agreed to and periodically reviewed by the worker and supervisor to confirm that it continues to meet the worker's needs;
- b) make an early and safe return to work a priority;
- c) describe the accommodations and accommodation review process;
- d) prioritize in the following order:
  - i) return to the worker's own job with or without accommodations or modified duties, and
  - ii) assignment to different job duties with or without accommodations, or modified duties that are consistent with the worker's duties and skills;
- e) provide meaningful work and equal pay when a different job is part of the RTW process;
- f) ensure continued provision of supports and benefits needed to promote health and wellbeing;
- g) require worker input and informed consent regarding how the implementation of accommodations will be communicated to those impacted by their implementation and based on a need-to-know basis; and
- h) provide for an internal review if the RTW plan is not implemented as planned.

#### **9.3.5.2 The implementation of the RTW plan requirements**

The Implementation of the RTW plan shall:

- a) include the supervisor, worker and, if the workplace is unionized, the worker representative;

- b) support timely and coordinated access to benefits and supports (e.g., STD, LTD, EAP/EAFP), or workers' compensation (WC) as applicable, while the worker is off work and during the transition back to optimal functioning; and
- c) include a process evaluation to ensure that the RTW plan is being implemented as planned and does not preclude the worker from accessing opportunities for advancement.

## **Annex A (informative)**

### **Background and context**

Persons with disabilities make up 22.3% of the Canadian population (*Canadian Survey on Disability, 2017*). Persons with disabilities have been historically marginalized in Canadian society and denied full and equitable opportunities to contribute and participate in their communities. The broader term of “disability” includes many types of disabilities (i.e., mental health, including post-traumatic stress disorder; intellectual, physical, episodic, developmental, sensory disabilities; brain injury).

Historically, Canadian society has been built upon systemic frameworks of oppression, including systemic ableism. Similar to systemic racism, systemic ableism is a result of centuries of prejudice and deeply rooted beliefs about the abilities, competencies, and contributions of persons with disabilities. Systemic ableism is internalized by decision-makers, including employers and hiring managers, as a form of “othering” of persons with disabilities, and a sense that persons with disabilities cannot perform relevant tasks and are “less than” persons who live without disabilities.

Systemic ableism does not exist in society in isolation. It is bound up in other forms of systemic discrimination, as disability is but one part of a person’s lived experience and identity (which also includes race, culture, gender identity, Indigenous identity, sexual orientation, degree of assimilation into Canadian culture, language, and so on). Moreover, approximately 20% or 3.7 million working-age adults (25 to 64 years) have one or more disabilities (*Canadian Survey on Disability, 2017*). Everyone – including persons with disabilities – lives with multiple intersecting identities, and any standard that identifies, prevents, and removes barriers for persons with disabilities needs to embody intersectionality.

Systemic ableism encompasses both systemic and structural barriers, both within and outside the workplace, and different types of oppression (individual, interpersonal, institutional, metaphorical/ideological). Types of oppressions include Individual, (i.e., making inappropriate statements like disability slurs, unacceptable behaviours, and actions), institutional (i.e., unacceptable policies, systems, and practices that discriminate against people with disabilities) or ideological (i.e., philosophies, theories, and

ideas that are against people with disabilities such as deficit or pathological views).

This historical marginalization extends to employment; as of 2017, the employment rate of persons with disabilities is approximately 20% lower than the rest of the working-age population (*Canadian Survey on Disability*, 2017). Many persons with disabilities who are employed are under-employed – working fewer hours, earning less, and not given the opportunity to advance in their jobs or careers. COVID-19 has magnified these historic inequities; some studies have shown that more than 30% of persons with disabilities who were employed lost their jobs or had their jobs changed in a negative way during the pandemic (CNIB, 2020, 2021; Maroto et al., 2021).

It is important to recognize the medical, economic, social, and cultural models of disability that have preceded where we are today. In the medical model, disability is a characteristic of the person and can be treated, cured, or rehabilitated. The economic model of disability approaches disability through an economic and productivity lens and argues that disability is in fact a challenge to productivity. In the economic model, persons with disabilities are understood to be less productive than others as a result of their lived experience with disabilities – that is, persons with disabilities are anticipated to be off work more for disability- or health-related reasons ("absenteeism"), as well as to be less productive over the same amount of hours in the workplace when present ("presenteeism").

In the social model, disability is a result of barriers that exist that lead to a discriminatory environment. The social model of disability provides a framework that focuses on abilities based on a humanistic view (i.e., focus on what persons of disabilities need accommodation for equal participation or effective functions such as a white cane, captioning, or ramp). In this model, "disability" is the result of the interaction between people living with impairments and an environment filled with physical, attitudinal, communication, and social barriers. The social model of disability carries the implication that the physical, attitudinal, communication, and social environment must change to enable people living with impairments to participate in society on an equal basis with others. The social model of disability is the internationally recognized way to view and address

"disability". The cultural model of disability, in contrast, takes into account multiple factors in conceptualizing disability and focuses on how different ideas of disability and non-disability may operate in a given culture.

This Standard seeks to refute the medical and economic models of disability, and reinforces the social and cultural models by emphasizing proactive approaches to identify, remove, and prevent accessibility barriers in the workplace.

This Standard is a departure from the past in that it emphasizes the role of the employer in proactively identifying, preventing, and removing barriers in the workplace environment for persons with disabilities. For the purposes of this Standard, the workplace environment is inclusive of the physical and/or virtual setting, as well as the policies, practices, culture, procedures, resources, technologies, services, and programs in place for any given employer.

## **Annex B (informative)**

### **Lived experience with disability**

This Standard is intended to apply to the following contexts for workers with disabilities:

- Scenario 1: A job applicant with a lived experience with a disability comes to work for the organization.
- Scenario 2: A worker acquires a lived experience with a disability while working for the organization. This may occur through accident, illness, or injury unrelated to the workplace, as well as accident, illness, or injury while at work.

These two scenarios are distinct from one another, such that a "one size fits all" work disability management framework would not be successful. This Standard proposes instead a system that is comprised of equal parts, responsiveness to a person-centred identification of accessibility needs and systemic implementation of environmental solutions for accessibility and inclusion in the workplace. Such a system is more likely to be responsive to the individuality of lived experience and work conditions for workers with disabilities.

Conditions leading to disability can occur at any age (birth, childhood, young adulthood, working age) - be progressive, episodic, or situational - and have diverse functional impacts based on severity. Thus, disability doesn't fit into a neatly framed disabled/non-disabled dichotomy (Lightman, 2009), and accessibility solutions for workers with disabilities may evolve over time and/or apply in some circumstances, but not others.

Disability and accessibility are not static concepts. Their definitions are always evolving. Both terms reflect concepts and lived experiences that are understood and applied in many different ways depending on circumstance and approach. For example, the lived experience of a young adult with a disability transitioning from school to work – potentially through work-integrated learning opportunities – is, at its root, distinct from the lived experience of an older adult who acquires a disability while on the job. This Standard views disability and accessibility through a lens that captures this fluidity.

Because someone may acquire a disability at any time in their life, it is important for this Standard to be inclusive of return-to-work and stay-at-work approaches for workers who acquire a disability while in the workforce, as well as offering accessibility solutions for workers who come to the workplace with a disability.



## **Annex C (informative)**

### **Continual improvement**

#### **C.1 Continual improvement**

Continual improvement can support the ongoing improvement and adaptation to new conditions and needs of an organization's efforts around inclusive employment policies, processes, programs, procedures, and practices by drawing on the plan-do-check-act (PDCA) framework. An organization's unique situation will bear on the optimal characteristics of its inclusive employment policies, processes, programs, procedures, and practices that best suits its needs and how the PDCA framework is operationalized to meet those needs.

#### **C.2 Planning**

Planning is a necessary first step and entails:

- a) reviewing current internal and external policies, processes, programs, procedures, and practices;
- b) identifying existing gaps and areas for improvement;
- c) establishing objectives and targets for the current cycle of continual improvement appropriate for the organization; and
- d) developing an action plan to achieve the objectives and targets.

This planning stage is a critical step towards success with inclusive employment policies, processes, programs, procedures, and practices and includes a commitment to continual improvement. Planning not only provides a clear understanding of the strengths and improvement opportunities within the organization's current situation, but also enables the development of a vision for the future. With well-defined objectives and targets, the organization will know what is to be achieved, as well as when and how to achieve them. Each organization creates an action plan that reflects its unique realities and outlines action steps that fit organizational capacity. Planning also provides an early opportunity to bring together all key internal stakeholders.

### **C.3 Implementation**

Implementation in accordance with an orderly and well-thought-out plan is essential to the success of inclusive employment policies, processes, programs, procedures, and practices. It is important that those who are tasked with administrative functions are competent and diligent in carrying out their role. The organization will need to closely monitor the initial roll-out of the new initiatives to quickly identify any potential problems or gaps and address those problem areas in a timely fashion. In addition, when there are changes in the organization, such as changes to the workforce or place of work, the system might need to be expanded or other provisions made to accommodate those changes.

### **C.4 Performance monitoring, evaluation, and continual improvement**

Monitoring and evaluating ensure the effective implementation of inclusive employment policies, processes, program, procedures, and practices and enable continual improvement by enabling the organization to identify successes, recognize opportunities to intervene when development is not optimal, reduce risks, and increase efficiencies. Monitoring and evaluation should be appropriate to the size and the nature of the organization and its activities. Both qualitative and quantitative data should be used to evaluate the performance of the organization's policies, processes, programs, procedures, and practices, with consideration of the complexity of the activities involved.

## **Annex D (informative)**

### **Intersectional accessibility lens**

#### **D.1 Intersectionality**

The concept of intersectionality was coined by American legal and critical race expert Kimberlé Crenshaw in the late 1980s to explain how race intersects with gender to produce unique barriers for Black women not faced by White women or Black men.

#### **D.2 Defining the core components of an intersectional accessibility lens**

An intersectional accessibility lens is the analytical framework that starts with/ centres experiences of people with (a) disability(ies). This analytical framework is used to examine the complex, cumulative ways multiple forms of discrimination and oppression overlap, interact, or intersect.

The following are the core components of an intersectional accessibility lens:

- a) Various grounds of discrimination that may be included in an intersectional analysis may include, but are not limited to:
  - i) ableism,
  - ii) racism,
  - iii) sexism,
  - iv) homophobia,
  - v) transphobia,
  - vi) classism, and
  - vii) ageism, etc.
- b) Cumulative effects of these various types of discrimination produce a unique and distinct form of discrimination and oppression, which may otherwise not be apparent and is different from each separate grounds of discrimination.
- c) Intersectionality is not only about identity. It also considers the historical, social and political context underlying systemic inequities

and institutions and the power relationships that shape and affect the experiences of individuals and communities. This results in excluding some people and privileging others.

For example:

- 1) A racialized woman with a disability will experience oppression differently than a non-racialized man with a disability. In addition to ableism, a racialized woman with a disability also experiences racism and sexism, whereas a non-racialized man with a disability may experience ableism but have white male privilege.
- 2) A blind transgender woman with a learning disability will experience oppression differently than an Indigenous woman with a mobility disability. A blind transgender woman with a learning disability will experience multiple forms of ableism and transphobia, whereas the Indigenous woman with a mobility disability will experience ableism and racism.

### **D.3 Benefits of an intersectional accessibility lens**

At the individual and organizational level, the organization can:

- a) become more aware of accessibility issues and better understand inequities in the workplace for persons with disabilities with multiple identities, from accessing the workplace and in the workplace;
- b) have an inclusive, positive, and respectful work environment;
- c) identify how initiatives could be tailored to be inclusive of people with disabilities;
- d) incorporate diverse perspectives of people with disabilities to strengthen the capacity of work teams;
- e) recruit and retain workers who are representative of the communities;
- f) develop and provide better results in services and programs that are responsive to all clients and communities; and
- g) identify and address systemic barriers and inequities in accessing and benefitting from the initiative.

Adopted from: City of Ottawa and City for All Women Initiative, "[Equity and Inclusion Lens Handbook](#)." Version 2018. Expanded from page 6.

Adopted from: [Introduction to GBA Plus - Women and Gender Equality Canada](#)

#### **D.4 Questions**

Questions to ask at outset:

- a) How does each element or stage (development, implementation, monitoring, and evaluation) of an initiative, policy, program, procedure, process, or service affect persons with disabilities in general? As a manager? As a worker?
- b) Next, how does it affect diverse disabilities and diverse identities, such as for:
  - i) persons with multiple disabilities?
  - ii) women with disabilities?
  - iii) Indigenous persons with disabilities? (First Nations, Inuit, Metis)
  - iv) racialized people with disabilities? (Black, South Asian, Chinese, etc.)
  - v) LGBTQ2+ people with disabilities?
  - vi) Muslims and other religious minorities with disabilities?
  - vii) etc.
- c) Taking a whole person approach which enables full and equitable participation of all workers by examining answers to the following questions:
  - i) Are diverse disabilities and diverse identities represented and involved throughout all processes from planning to implementation, including in the decision-making process?
  - ii) What could be contributing to that exclusion?
  - iii) Who is important to be brought into the process in a meaningful way?

d) In asking these questions, do my experiences, biases, and assumptions limit my understanding of the impact on people with disabilities in general and specifically people with multiple disabilities and diverse identities?

## **Annex E (informative)**

### **Anti-ableism policies**

Effective implementation of anti-ableism policies ensures that organizational practices do not disadvantage persons with disabilities due to discriminatory behaviour. Their purpose is the full inclusion of all workers. In addition to the systemic nature of ableism cited in [Annex A](#), this annex outlines a comprehensive approach to understanding how ableism functions on an individual basis, including how discrimination against persons with disabilities is interrelated with how stigma appears and functions in the workplace.

#### **E.1 Anti-ableism policy**

Recognizing that an anti-ableism policy is distinct from an accommodation policy (refer to [Clause 9.3.2](#)) and an accessibility policy (refer to [Clause 5.5.3](#)), the goals of an anti-ableism policy are:

- a) to ensure that organizational practices, systems, and communications do not reflect or perpetuate ableist exclusionary practices that may directly or indirectly promote, sustain, or entrench discrimination;
- b) to establish and maintain hiring, promotion, and work-related policies that will build and support an inclusive employment environment where these individuals participate and contribute fully;
- c) to ensure that services are provided in a fully respectful manner that addresses and removes any barriers to service and workplace including ableist practices and attitudes; and
- d) to meet the requirements of the Canadian Human Rights Act and the Accessible Canada Act.

#### **E.2 Ableism, negative attitudes, stereotypes, and stigma**

Ableism is discrimination and prejudice rooted in pathological thinking and attitude, which results in a negative stigma towards diverse people with disabilities based solely on their abilities and attitudes in society that devalue and limit the potential of persons with disabilities. A set of practices and beliefs that assign inferior value (worth) to people with disabilities.

Ableism refers to a belief system, similar to racism and other forms of discrimination, that sees people with disabilities as being less worthy of respect and consideration, less able to contribute and participate, or of less inherent value than others. Perceived limitations on an individual's ability to perform an activity may stem from permanent or temporary disability(ies), or disability(ies) that occur at various points in one's life. Stigma towards people with disabilities limits their potential and opportunities when societal attitudes devalue their abilities.

Ableism may be conscious or unconscious, may exist in individuals or be systemic, embedded in institutions or the broader culture of a society. Stereotyping, prejudice, stigma, and discrimination surrounding disability are interconnected. One can lead to the other such as when stereotyping and prejudice result in stigma, which in turn could lead to discrimination and reduce a person's full inclusion in communities.

### **E.3 Why are anti-ableism policies important?**

Ableism is the discrimination of and social prejudice against people with disabilities based on the belief that typical abilities are superior. At its heart, ableism is rooted in the assumption that disabled people require "fixing" and defines people by their disability.

### **E.4 Examples of ableism**

Examples of ableism range from blatant hostility and aggression to less obvious everyday interactions. Some examples of these include:

- a) asking someone what is "wrong" with them;
- b) saying, "You do not look disabled," as though this is a compliment;
- c) viewing a person with a disability as inspirational for doing typical things, such as having a career;
- d) assuming a physical disability is a product of laziness or lack of exercise;
- e) using public facilities that are for people with disabilities, such as parking spaces or toilets; and
- f) questioning whether a person's disability is real.



## **E.5 Employment discrimination**

Employers may be biased against those with disabilities, believing they make less productive workers. They may also refuse disability accommodations to existing workers or allow workplace bullying to go unpunished.

## **E.6 How to avoid casual ableism**

When communicating about disability, avoid casual ableism by:

- focusing on abilities, not limitations;
- remembering that people come first;
- asking about an individual's language preferences;
- using neutral language;
- emphasizing the need for accessibility, not the presence of a disability; and
- avoiding condescending euphemisms.

## **Annex F (informative)**

### **Stand-alone accessibility policies and accessibility elements integrated into existing policies**

#### **F.1 Stand-alone accessibility policies**

Stand-alone accessibility policies may include but are not limited to:

- a) an accessibility and inclusion commitment statement;
- b) a policy statement on accessibility and inclusion in the workplace (see Clause [6.2.2](#));
- c) policies on establishing an Accessibility Office, including its staffing, budget, roles, and responsibilities; and
- d) policies on accessibility and inclusion competencies within the work environment.

#### **F.2 Accessibility elements integrated into existing policies**

Policies within which accessibility considerations may be integrated include but are not limited to:

- a) anti-discrimination and anti-harassment policies;
- b) communication and information policies;
- c) emergency preparedness policies;
- d) human resource policies;
- e) information and technology policies;
- f) pay equity;
- g) performance management;
- h) policies on meetings and events;
- i) procurement policies; and
- j) training and education policies for workers.

Note: The order of items above does not indicate priority.

Organizations should ensure that any of the above policies address accessibility through the identification, removal, and prevention of barriers in domains outlined in Clause [5.4.2](#).