

 BRANDON UNIVERSITY	Accessible Employment Practices	Approved and Administered by: Human Resources
Administrative Practice	First Implemented: 2021	Updated:

Brandon University (“the University”) is committed to complying with the Accessibility Standard for Employment under The Accessibility for Manitobans Act. Our policies, practices and measures reflect principles of dignity, independence, integration and equal opportunity for people with disabilities.

We aim to remove barriers in our workplace. If a barrier cannot be removed, we seek to provide reasonable accommodations to affected employees.

The following Practice statements, organizational practices and measures are intended to meet the requirements of Manitoba’s Accessibility Standard for Employment.

1.0 Scope

This Practice applies to all employees, managers and administration of the University. This Practice addresses employment accessibility requirements through the lifecycle of our employees.

2.0 Practice – Employment Accessibility Requirements

2.1 Inform employees about accommodation policies and practices.

Practice Statement:

To ensure all employees understand their right to an accommodation, the University is committed to timely communication and training related to accommodation measures, policies and practices.

Practices and Measures:

Information is made available to all employees through:

- Internal communications (email, interoffice mail)
- notices posted in staff breakrooms or in high traffic areas
- discussions with management and senior administration
- staff meetings

This document is available in an alternate format upon request.

2.2 Communicate in a way that meets employees' needs.

Practice Statements:

The University aims to meet the communication needs of our employees by providing workplace information and communications in ways that are easy to access for everyone. If requested by an employee with a temporary or permanent disability, we:

- Consult with the employee to identify the accessible formats or communication supports needed when providing information to the employee.
- Ensure that identified accessible formats or communication supports are used consistently when providing information to the employee.

Practices and Measures:

To meet an employee's communication needs, the employee may identify what accessible format or communication support is most appropriate for them. We provide information to employees in multiple ways to meet diverse needs, such as posting information on notice boards and circulating information by email in accessible formats.

2.3 Provide individualized accommodation plans.

Practice Statement:

Brandon University's Workplace Accommodation Policy and Procedures support reasonable accommodations by developing and documenting individualized accommodation plans for employees with disabilities who require them.

Practices and Measures:

The individualized accommodation plan includes:

- accessible formats and communication supports, if requested
- workplace emergency response information, if required
- details of how and when any other accommodations will be provided
- when the plan will be reviewed

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

- providing related information and taking part in assessments, if requested by the University
- complying with the individualized accommodation plan
- offering ongoing feedback related to modifications, including whether the accommodation continues to be required

Supervisors will review the accommodation plan regularly and as necessary based on the individual employee's situation as well as in combination with regular performance development and feedback meetings.

Supervisors will also review an employee's individualized accommodation plan, and update if required, when:

- the employee's workspace is modified or relocated
- the employee's responsibilities have changed
- other workplace changes have occurred that affect the accommodation

3.0 Request for an individualized accommodation plan

Brandon University is committed to ensuring all employees have the opportunity to perform their work in a meaningful way and supports employees by providing reasonable accommodations in the workplace. Employees make either a verbal or written request to their manager, supervisor or Human Resources for an individualized accommodation plan. Our Workplace Accommodation Procedures document outlines this practice.

3.1 Assessment of employee and accommodation required

An employee's accommodation request is assessed and accommodation options are evaluated on an individual basis.

Employees may be required to provide documentation from a health practitioner to support the need for the accommodation.

The University may request, and cover costs for, an evaluation by an independent regulated health professional or other practitioner in the area of workplace accommodations for employees with disabilities.

3.2 Assistance for the employee in developing the accommodation plan

An employee may request assistance with developing the plan, including assistance from a representative of the union, if applicable, or another person who is knowledgeable about workplace accommodations for employees with disabilities.

3.3 Accessible formats

The University meets the communication needs of our employees by providing them with a copy of their plan, or an explanation for denying the request to introduce a plan, in a format and method appropriate to meets the needs of the employee.

3.4 Reasons for denying a request

An employee's request for an individualized accommodation plan may be denied in the following circumstances:

- The employee is able to carry out most of the job without an accommodation.
- The independent health professional does not support the employee's self-assessed requirement for a workplace accommodation.
- Our research and evidence shows that the accommodation request would cause undue hardship (e.g., by creating safety risks to other employees or a significant measurable financial burden).

3.5 Maintaining privacy

Brandon University is committed to maintaining employee privacy regarding accommodation plans and personal health information by following the practices outlined in **8.0 Maintain privacy** below.

4.0 Manage performance.

We ensure our performance management process takes into account:

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

Practices and Measures:

- Supervisors or managers meet with new employees within the first 90 days, at or near the six (6) month point in employment, and at least once annually to discuss progress, set goals and identify any challenges.

Existing or newly required workplace accommodations are discussed, including individualized accommodation plans and any assistance required during emergencies.

- Supervisors or managers speak with employees when they do not follow University Practice or meet expectations, and offer a verbal and written

warning of consequences, as outlined within the respective collective agreements.

- Supervisors or managers discuss existing workplace accommodations and propose modifications or new workplace accommodations if there is reason to suggest that this could help improve the performance of an employee with a disability.
- Prior to imposing disciplinary measures, supervisors or managers will consider whether there is a connection between concerns about job performance and workplace barriers.

5.0 Provide career development, training, internal advancement and reassignment.

Practice Statements:

The University supports career development, training, and opportunities for internal advancement or reassignment, and is committed to ensuring the process for recruiting and selecting candidates takes into account:

- that an employee may be temporarily or permanently disabled by one or more barriers in the workplace
- an employee's individualized accommodation plan
- that the workplace accommodation provided for an employee with a disability may not fully address the workplace barrier
- that our practices and measures aim to ensure that workplace accommodations do not negatively affect access to career development.

Practices and Measures:

- We recruit and select candidates based on objective criteria, including current training, job experience, skills and knowledge.
- If a candidate has an individualized accommodation plan, we ensure it is adequate to address any barriers presented by the new opportunity, or we modify the plan accordingly.
- Our training opportunities for career development are accessible to all employees. If a barrier is identified, we attempt to remove or reduce it.

6.0 Put return to work processes in place.

Practice Statements:

Brandon University's return to work process reflects our commitment to providing a safe and healthy working environment for employees who are, or have been, absent from work due to a disability or health condition, and require reasonable accommodations to return to work.

We include a description of the process we will follow in determining the accommodations necessary to facilitate the return to work of employees who have been absent due to a disability or health condition.

Our return to work process ensures reasonable accommodations for employees who are at work or absent due to a disability or health condition. We will make efforts to modify employees' duties and work schedule based on their functional abilities.

Our aim is to increase duties safely to help employees reach their full potential.

Practices and Measures:

- Human Resources and the supervisor (or designate) maintain communication with absent employees and either the Long Term Disability (LTD) benefit provider or the Workers Compensation Board of Manitoba (WCB) (where involved) throughout their recovery to help them maintain a connection with their workplace and to reinforce their value.
- The supervisor will offer meaningful and productive modified or alternate duties that are safe and within the employee's functional abilities.
- The supervisor will be flexible and will tailor the return to work plan to the employee's needs. A return to work plan is not restricted to having the employee return to their specific unit. Dependent upon the nature of the limitations, a returning employee may be assigned to another area on campus where tasks align with their restrictions during the gradual return to work. The supervisor would work with supervisors from other units as needed.
- Co-workers are expected to support employees who have been absent due to a disability, and participate in the return to work process.
- We educate staff on why returning to work is good for Brandon University and outline the expectations for supporting an employee in a modified role.
- We follow WCB's return to work process.

7.0 Provide workplace emergency response information.

Practice Statements:

Through our Health & Safety office, employees are notified of the steps to be taken during emergencies. This is to ensure the safety of employees who are temporarily or permanently disabled. Workplace emergency response planning is specific to each employee's needs and the physical nature of the employee's workspace.

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

We review the workplace emergency response information provided to an employee each time:

- the employee is moved to a different workspace
- the employee's workspace is modified
- we review our general emergency response plans and make changes that would affect the employee's response to an emergency in the workplace.

If an employee indicates through their workplace emergency response planning worksheet that they require the assistance of another person during an emergency, we obtain consent from the employee who will assist, and confirm with that person how to assist.

Practices and Measures:

- Annually, email reminders are sent to all employees to inquire whether they need assistance during an emergency and to remind them of the office or building's emergency plan. This provides employees with the opportunity to update their existing plan, rescind a plan if no longer required, or provide a plan based on need.
- We regularly discuss general accessibility and identify barriers during Workplace Safety and Health meetings.
- In a situation where an employee cannot descend the stairs to exit the building during an evacuation, using their emergency response plan, we contact the person noted within the plan to remain with this employee.
- The designated person who acts as fire marshal will communicate with these employees during the emergency as stipulated in their emergency plan worksheet.

8.0 Maintain privacy.

Practice Statements:

We protect the privacy and confidentiality of employee's personal information and personal health information. We only collect, use, and disclose information as required for the purposes of the Accessibility Standard for Employment, unless otherwise agreed to by the employee.

We also follow the requirements of other privacy legislation, including the [Personal Information Protection and Electronic Documents Act \(PIPEDA\)](#), [The Freedom of Information and Protection of Privacy Act \(Manitoba\) \(FIPPA\)](#) and [The Personal Health Information Act \(PHIA\)](#).

Practices and Measures:

We follow proper protocol when storing confidential employee information.

We protect our employees' personal information and personal health information at all times by retaining medical documentation in separate secure file storage and limiting access to Human Resources. Supervisors or managers may request information related to supporting an accommodation without having access to specific medical information.

9.0 Provide training.

Practice Statements:

Brandon University provides training on how to accommodate employees with a disability to staff responsible for:

- recruiting, selecting or training employees
- supervising, managing or coordinating the work of employees
- promoting, redeploying or terminating employees
- developing and implementing employment policies and practices.

Training content includes:

- how to make employment opportunities accessible to people with disabilities
- how to interact and communicate with applicants or employees who face barriers, use assistive devices, or are assisted by a support person or service animal

- an overview of The Accessibility for Manitobans Act, The Human Rights Code (Manitoba), and the Accessible Employment Standard
- Brandon University's accessible employment practices and measures, including updates or changes.

Practices and Measures:

- We train new employees and managers as soon as reasonably possible, within three (3) months after hiring.
- We provide refresher training regularly, including informing faculty and staff about updates to policies, practices and measures. Training is offered throughout the year and as needed or requested, including following updates.
- Supervisors and Human Resources maintain records of who has participated in training and when.

10.0 Keep written record of accessibility and training policies.

Practice Statements:

We keep a written record of our accessibility and training policies. Our written documents include a summary of the content of our training material and a list of dates when training is offered.

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

Practices and Measures:

We will let the public know that our accessibility and training policies are available in the following ways:

- posted on the University website
- posted on bulletin boards in high traffic areas
- through employees and senior administration

We provide our policies within a reasonable timeframe and in a format that meets the needs of individuals with a disability, at no additional cost.

11.0 Definitions

- 11.1 The Accessibility for Manitobans Act:** Under this legislation, the Government of Manitoba has mandated that public sector organizations, such as universities, help remove barriers by providing a more encouraging and welcoming environment for all students, faculty and staff.
- 11.2 Manitoba Human Rights Code:** Provincial legislation that prohibits unreasonable discrimination in areas such as employment, housing, accommodation, the provision of services or contracts, and signs and notices.
- 11.3 Accessibility:** Accessibility means giving people of all abilities opportunities to participate fully in everyday life. Accessibility refers to the ability to access and benefit from a system, service, product or environment. In achieving accessibility, the following principles must be considered:
- 11.3.1 Access:** Persons should have barrier-free access to places, events and other functions that are generally available in the community;
 - 11.3.2 Equality:** Persons should have barrier-free access to those things that will give them equality of opportunity and outcome;
 - 11.3.3 Universal design:** Access should be provided in a manner that does not establish or perpetuate differences based on a person's disability;
 - 11.3.4 Systemic responsibility:** The responsibility to prevent and remove barriers rests with the person or organization that is responsible for establishing or perpetuating the barrier.
- 11.4 Barriers:** Obstacles that limit access and prevent people with disabilities from fully participating in society. Most barriers are not intentional. Barriers usually arise because the needs of people with disabilities are not considered from the beginning. Barriers include, but are not limited to; attitudinal barriers, information or communications barriers, technological barriers, systemic barriers, or physical and architectural barriers.
- 11.5 Disability:** as defined in The Accessibility for Manitobans Act (AMA), disabilities may include, but are not limited to, blindness or visual impairment, deafness or hearing impairment, intellectual or developmental disabilities, mental health issues and chronic illness. Disabilities may be temporary or permanent.
- 11.6 Reasonable accommodation:** According to *The Manitoba Human Rights Code*, an accommodation is “reasonable” when there is an adequate process has taken place and the effort and measures taken are sufficient.

11.7 Accommodation: includes but not limited to, a modification of job duties, technical aids or devices, workstation modifications, employment practice modifications, building and accessibility modifications, communication services, and alternate support services.

11.8 Duty to accommodate: The duty to reasonably accommodate is often described in human rights law as “accommodation short of undue hardship”.

11.9 Undue hardship: Undue hardship is defined as more than minimal hardship and must be based on actual evidence, not assumptions or prejudices. While financial implications tend to be a contributing factor in determining undue hardship, The Manitoba Human Rights Commission considers the nature, size and scope of an organization when determining if undue hardship is valid.

11.10 Active offer: proactively advising the candidate that the University endeavours to be accessible to all. The active offer promotes inclusivity and allows individuals to request an accommodation if needed.

11.11 Performance management process: any process used by an employer to manage the work of individual employees or to plan, monitor and review an employee's work objectives and overall contribution to the University.

11.12 Return to work process: a proactive way to help employees with disabilities and health conditions to stay at work or return to work as soon as it is safe to do so. This typically involves modifying and graduating employee duties and hours at work, according to their functional abilities. Also includes steps taken to assist an employee's gradual re-entry to their role at the University after either a short-term disability or a longer-term disability. The collaborative process involves the employee, their union (when appropriate), their supervisor and Human Resources.

12.0 Accountability

The Associate Vice-President, People and Talent (Human Resources) is responsible for the communication, administration and interpretation of this Practice.

13.0 Review

Formal review of this Practice will be conducted every three (3) years with the next scheduled review date January 2024. In the interim, this Practice may be revised or rescinded if the Associate Vice-President, People and Talent (Human Resources) deems necessary or if there are changes within legislation that require such.

14.0 Related Policies and Documents

- 14.1** [Accessibility Policy](#)
- 14.2** [Workplace Accommodation Policy](#)
- 14.3** [Workplace Accommodation Procedures](#)
 - 14.3.1** [Accommodation Approval form](#)
 - 14.3.2** [Accommodation Denial form](#)
- 14.4** Accessible Pre-Employment Practice

15.0 Reference

15.1 Sources

- 15.1.1** [Accessibility for Manitobans Act – Accessible Employment for the Public Sector](#)
- 15.1.2** [Human Rights Code \(Manitoba\)](#)

15.2 Related documents:

- 15.2.1** [Employee Emergency Response Worksheet](#)
- 15.2.2** [“A Guide to Faculty Recruiting”](#)
- 15.2.3** [“Non-Academic Recruitment Guidelines”](#)
- 15.2.4** [Personal Information Protection and Electronic Documents Act](#)
- 15.2.5** [The Freedom of Information and Protection of Privacy Act \(Manitoba\)](#)
- 15.2.6** [Personal Health Information Act \(Manitoba\)](#)

Inquiries can be directed to Human Resources at hr@brandonu.ca.
