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## **51. ACCESSIBLE CUSTOMER SERVICE PLAN**

H&H is committed to excellence in serving all customers including people with disabilities. We will ensure that our staff is trained and familiar with various assistive devices that maybe used by customers with disabilities while accessing our head office at 49 Portage Road, Petawawa, Ontario.

We will communicate with people with disabilities in ways that take into account their disability. The area open to the public at the head office is the front entrance to the main office building. We welcome people with disabilities and their service animals. Service animals are allowed on the parts of our premises that are open to the public.

A person with a disability who is accompanied by a support person will be allowed to have that person accompany them on our premises.

In the event of unexpected disruption to services or facilities for customers with disabilities, H&H will notify customers promptly. This disruption will be a clearly posted notice at the entrance to the machine shop.

H&H will provide training to employees who deal with the public or other third parties on their behalf. Individuals who will be trained will be Philip Robinson and Meagan Dament. This training will be provided during their initial orientation and when changes are made to our accessible customer service plan. Training will include an overview of the Accessibility for Ontarians with Disabilities Act, 2005 and the requirements of the customer's service standard. H&H accessible customer service plan and how to interact and communicate with people with various types of disabilities. How to interact with people with disabilities who use an assistive device or require the assistance of a service animal or a support person. How to use a wheel chair, assist a person with a cane or walker or assisting a person having difficulty getting out of their vehicle.

All customers are welcome to provide feedback to H&H either verbally or by using our feedback card available at the main desk. All feedback will be directed to Philip Robinson our Health and Safety Officer. Customers can expect to hear back in three days. Complaints will be addressed according to our organization's regular complaint management procedure.

Any policy of H&H that does not respect and promote the dignity and independence of people with disabilities will be modified or removed. H&H respects integration and equal opportunity of people with disabilities. A copy of our accessibility customer service plan is available upon request. Copies of documents or the information contained with a document provided to a person with a disability shall be provided in a format that takes into account the person's disability.

### **Ontario Accessible Employment Standard**

#### **Hiring**

Philip Robinson, the company Safety Officer, will notify employees and the public that we will accommodate the needs of people with disabilities in our hiring process.

H&H will accomplish this by:

- posting the information on our website
- include it in job postings

#### **H&H Construction Inc. Notification:**

H&H welcomes and encourages applications from people with disabilities. Accommodations are available on request for candidates taking part in all aspects of the selection process.

During the hiring process, we will tell job applicants when they are selected for an interview that accommodation will be provided.

If an applicant or successful candidate requests an accommodation, we will discuss their needs with them and make adjustments to support them.

#### **Workplace information**

H&H will provide workplace information in an accessible format if an employee asks for it. This includes:

- any information employees need to perform their jobs (e.g. job descriptions and manuals)
- general information that is available to all employees at work (e.g. company Health and Safety Policy, JHSC meetings and the company safety board).

#### **Talent and Performance Management**

H&H does not have a formal or informal performance management program.

#### **Communication of Accessibility Policies**

The company Safety Officer informs all employees about our policies to support people with disabilities. We tell new employees when they are hired and tell all our employees if we change the policies.

To get this information out, RGT uses:

- Safety Officer meetings
- emails
- memos
- websites
- bulletin boards (safety board)
- staff meetings
- one-on-one conversations

## 52. ACCOMMODATION PLANS

H&H will develop and write a process for creating accommodation plans for employees with disabilities if hired. This process will be documented and will include:

- how an employee participates in the development of their individual accommodation plan
- how an employee is assessed on an individual basis
- how an employee can ask for a representative from the workplace to participate in the development of the accommodation plan
- how H&H can request assistance from an outside expert, at our expense
- the steps H&H will take to protect the privacy of the employee's personal information
- how and when H&H will provide the employee with their personalized accommodation plan
- the schedule for when and how the plan will be reviewed and updated
- how H&H will tell an employee that their individual accommodation plan has not been accepted
- how H&H will provide the plan in an accessible format

The plan will be documented and include:

- How H&H will provide workplace information in an accessible format, if requested
- how H&H will provide accessible emergency information, if needed
- any other accommodation that is to be provided

H&H and the employee with a disability will determine and implement appropriate accommodation measures.

### Return to Work Process

If an employee's injury or illness is covered by the return to work provision under any other law, RGT must develop and write a process to support employees who have been absent from work due to a disability and require disability-related accommodations to return to work. Most circumstances the employee is covered under WSIB.

### Duty to Accommodate

H&H duty to accommodate includes our obligation as an employer, service provider to take steps to eliminate disadvantage to employees, prospective employees or clients resulting from a rule, practice, or physical barrier that has or may have an adverse impact on individuals or groups protected under the Ontario Human Rights Code (the "Code"), or identified as a designated group under the Employment Equity Act (women, visible minorities, Aboriginal peoples or persons with disabilities). The duty to accommodate recognizes that true equality means respect for people's different needs. Needs that must be accommodated result from factors related to disability, sex, age, family status, ethnic or national origin, and religious belief. H&H accommodation will ensure that the opportunities of all individuals are not limited for discriminatory reasons. The Supreme Court of Canada has stated that employers and others who set standards must build conceptions of equality into the workplace. However, the courts have also recognized that the duty to accommodate is not open-ended. It may not

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be required if it can be shown that providing accommodation would cause "undue hardship" to the organization.

H&H is proud of the diversity of its workforce, recognizes the value and dignity of each individual and is committed to ensuring that all employees are able to effectively and efficiently use their skills and experience to contribute to the organization's performance, work and quality delivered. H&H has committed itself to ensuring that each individual will have genuine, open and unhindered access to employment opportunities, free from systemic or other barriers.

## **Definitions**

### **"Disability"**

The term disability "covers a broad range and degree and conditions". The Ontario Human Rights Commission provides a good definition and interpretation of disability in the Human Rights Code.

### **"Undue hardship"**

The employer bears the burden of proving that the accommodation of an employee would result in undue hardship. Under the Human Rights Code only three conditions will be assessed in deciding whether the employer has met the burden, namely: 1) cost; 2) outside sources of funding if needed; and 3) health and safety requirements, if needed.

### **"Accommodation"**

Refers to the design and adaptation of the work environment to the needs of as many types of persons as possible and, according to the Supreme Court of Canada, refers to what is required in the circumstances of each case to avoid discrimination.

### **"Constructive discrimination"**

An individual's rights are infringed where a requirement or qualification exists that, while not discrimination under the Code on its own, results in the exclusion or preference of a group of individuals who are identified by a prohibited ground under the Code. However, it is not constructive discrimination if the requirement or qualification is reasonable and bona fide in the circumstances and cannot be accommodated short of undue hardship. For example, a requirement that all employees work on Friday evenings appears neutral on its face but could result in the exclusion from that workplace of all individuals whose religion requires them to observe Sabbath from sundown on Friday to sundown on Saturday.

H&H recognizes the following general principles in its duty to accommodate:

- Respect for the dignity of each individual in accommodating his or her needs
- Individual consultation, as each person has unique needs which must be understood to be accommodated
- Integration and participation for persons with disabilities

- Design by inclusion, meaning up front barrier-free design wherever possible to fully integrate persons with disabilities
- Removal of other barriers beyond the physical ones, including attitudinal and systemic

H&H is committed to ensuring that the following activities are reviewed to remove any discriminatory effect:

- all employment-related policies including recruitment, selection, training, promotion, retention and alternative work;
- purchase and management of information technology systems;
- purchase and management of communications systems;
- development and management of information services; and
- purchase of internal fittings (chairs, desks, lights, carpets, etc.).

H&H will take all reasonable steps to ensure accommodation specific to an individual's needs is provided in a timely and effective way. All partners are accountable for return to work programs.

H&H is responsible for advising employees about their right to accommodation. Upon request, will assist the employee in identifying the most suitable means of accommodation. In consultation with the individual employee, accept and act on a request for accommodation made by a third party (family member, caregiver, advocate or another representative). Such a request will not be accepted without the consent of the employee. Note that overall responsibility and cost for implementing this guideline rests with H&H. Any concerns regarding the implementation should be brought forward to Dustin or Gerald Hoffman. Equity and Human Rights Services is an available resource for employees requiring accommodation in implementing or following this guideline. Equity and Human Rights Services is responsible for facilitating the implementation of the H&H Employment Equity Policy, as well as the various policies regarding discrimination and harassment at work. If a worker requires accommodation for medical reasons, rehabilitation services will be offered following the company Transitional Accommodation Program.

#### **Rehabilitation Services - Transitional Accommodation Program**

H&H is committed to supporting employees, experiencing occupational and non-occupational illness and injury, in their efforts to contribute to the organization's performance, production and service delivery. The Transitional Accommodation Program (TAP) utilizes a collaborative, proactive approach to assist employees to remain at work or to return to work in a timely manner.

#### **Program Objectives**

- to support employees to remain at work or to safely return to work when experiencing illness or injury to allow the employee to fully contribute to the workplace
- to fulfill legislative obligations with respect to the Workplace Safety and Insurance Act, the Ontario Human Rights Code, and the Employment Equity Act
- to minimize the costs associated with disability in the organization

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#### **H&H CONSTRUCTION INC.**

49 Portage Road  
Petawawa Ontario K8H 2W8

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## Medical Information and Documentation

Medical information may be requested by Rehabilitation Services and is updated at frequent intervals in order to:

- confirm progression toward treatment goals
- identify opportunities for additional treatment interventions
- identify supportive measures such as Job Coaching
- identify capabilities and precautions
- compare capabilities and precautions with usual position to facilitate safe accommodation

**Hierarchy** > own position > own position with accommodation > alternate duties within department > or alternate duties outside of department.

Medical information is held in the strictest confidence within Rehabilitation Services. Only capabilities and precautions may be shared with workplace parties in order to facilitate a safe and appropriate accommodation plan.

H&H will endeavour to collaboratively develop a TAP as soon as possible where the following can be demonstrated:

- continued safety of the employee and co-workers
- employee's willingness, in light of their medical ability, to participate in the program including the provision of consent for Rehabilitation Services to communicate with treating practitioners
- the potential to continually progress hours/duties
- the potential to achieve full hours and full duties within recommended Disability Guideline standards
- the ability to complete meaningful work of value to the organization

The plan will include program goals and timeframes, employee capabilities and precautions, hours and duties where appropriate, supportive measures, and program review dates. Evaluation is ongoing throughout the program. Progression is benchmarked with the Transitional Accommodation Plan goals and with Disability Guidelines. The plan is adjusted on an ongoing basis with additional supports identified and re-assessment arranged as required. Where progression has ceased, and additional treatment intervention or improvement is not anticipated in the near future the plan may be stopped. The employee's status will continue to be monitored at regular intervals and consideration will be given to resume the transitional accommodation program if the employee demonstrates the ability to progress toward program goals.

If after speaking with their supervisor and/or manager (when an employee believes that his or her request for accommodation has not been handled in accordance with this guideline) satisfactory resolution has not been achieved, the employee is encouraged to speak with their Safety Officer, Philip Robinson.

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## Roles and Responsibilities

### Employee

- promptly reports illness/injury to identify accommodation needs
- provides consent for Rehabilitation Services to communicate with treating practitioners regarding capabilities and precautions
- participates fully in the development, implementation and evaluation of the TAP, including regular follow up with Rehabilitation Services
- promptly communicates to supervisor that there has been a change in status and provides follow-up to Rehabilitation Services
- promptly seeks medical attention as indicated and participates in appropriate treatment recommended by his/her treating practitioner
- works within recommended capabilities and precautions

### Supervisor

- provides a supportive environment for employee and his/her co-workers
- provides input regarding employee's position and potential modified duties
- participates fully in the development, implementation and evaluation of the TAP
- attends TAP meetings as required

### Rehabilitation Services (Philip Robinson)

- provides support to employee and his/her co-workers
- obtains, clarifies and evaluates medical information
- maintains medical information in a confidential manner
- benchmarks the treatment plan and TAP goals with disability guidelines
- identifies opportunities for additional treatment interventions, assessments and supports and works with treating practitioners to arrange same
- maintains communication with all parties including the employee, the employee association/union, treating practitioners and external insurers (with consent)

### Back to work Coordinator (Philip Robinson)

- provides support to Dustin or Gerald Hoffman in exploring alternative work arrangements
- explores alternative long term or short term accommodated work outside of home unit
- liaises with Dustin or Gerald Hoffman when necessary
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**Co-workers**

- where employee is aware of co-worker's accommodation needs, will endeavor to create a supportive environment

**Treating Practitioner**

- provides timely access to appropriate investigation and treatment
- provides functional abilities information to facilitate early and safe return to work and return to full productivity

**Workplace Safety and Insurance Board**

- works together with all parties toward a shared goal of early and safe return to work and full productivity
- manages and monitors the claim
- provides education and assistance to Employee, Employer and Workplace

**H&H Commitment**

H&H is committed to providing an environment free of discrimination and harassment, where all individuals are treated with respect and dignity, can contribute fully and have equal opportunities. Every person has the right to be free from harassment and discrimination. Harassment and discrimination will not be tolerated, condoned or ignored. If a claim of harassment or discrimination is proven, disciplinary measures will be applied, up to and including termination of employment.

H&H is committed to a comprehensive strategy to address harassment and discrimination, including:

- providing training and education to make sure everyone knows their rights and responsibilities
- regularly monitoring organizational systems for barriers relating to Code grounds
- providing an effective and fair complaints procedure
- promoting appropriate standards of conduct at all times.

This policy prohibits discrimination or harassment based on the following grounds, and any combination of these grounds:

- Age
- Creed (religion)
- Sex (including pregnancy and breastfeeding)
- Sexual orientation
- Gender identity
- Gender expression
- Family status (such as being in a parent-child relationship)

- Marital status (including married, single, widowed, divorced, separated or living in a conjugal relationship outside of marriage, whether in a same-sex or opposite-sex relationship)
- Disability (including mental, physical, developmental or learning disabilities)
- Race
- Ancestry
- Place of origin
- Ethnic origin
- Citizenship
- Colour
- Record of offences (criminal conviction for a provincial offence, or for an offence for which a pardon has been received)
- Association or relationship with a person identified by one of the above grounds
- Perception that one of the above grounds applies.