



Accessibility in Employment

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In this presentation, we'll talk about:

- The NS Accessibility Act, an overview of provincial goals
- New provincial standards being developed
- See a video of a successful inclusive Employer
- The legal Duty to Accommodate
- Issues around Disclosure: When? How much? Why?
- Story telling: positive and negative, from me, from you
- Closing activity.

I encourage participation!



NS Accessibility Act

passed April 27, 2017

Under Bill 59

See FB of that name



Department of Justice – Human Rights Issue

Timeline for goal of ‘Access by Design 2030’

Started with Provincial government, now public sector bodies, then private sector.

Businesses have a **responsibility** to welcome people of all abilities ... a moral one, a business one and soon, a legal responsibility.

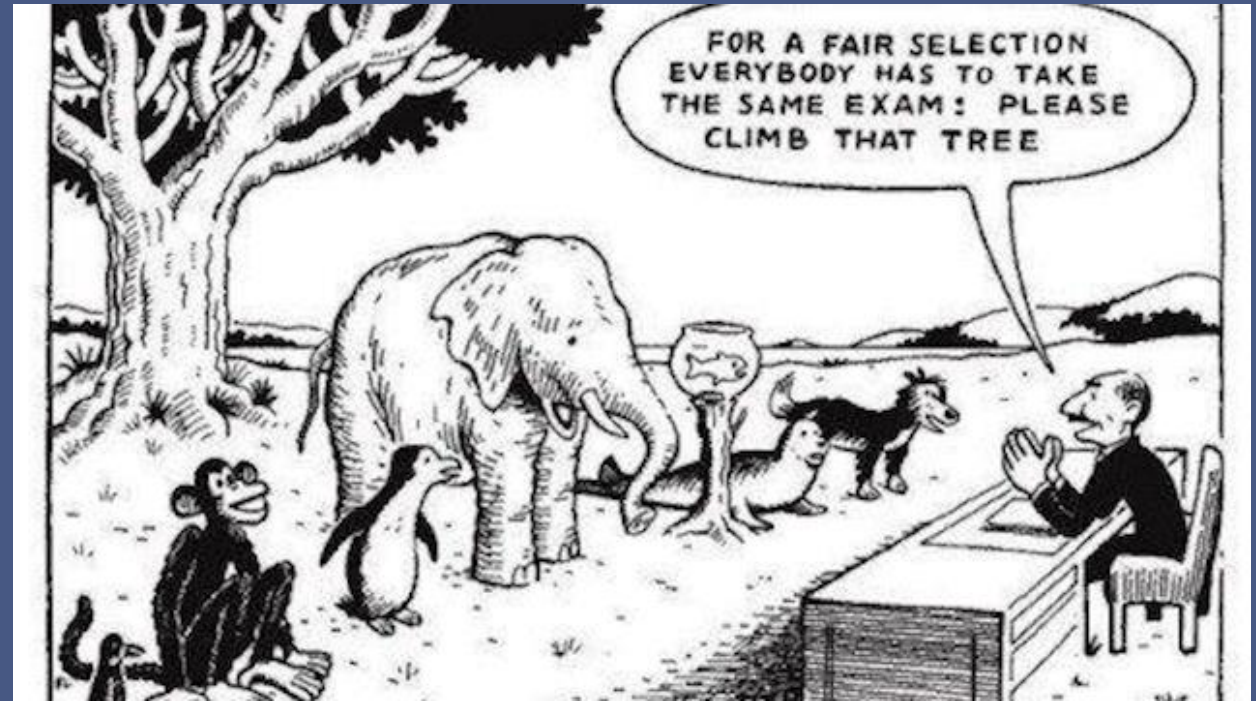
This Act allows for **penalties** up to \$250,000.

Provincial Government invested \$1.8M in **grants** for businesses to become more inclusive.

See cch.novascotia.ca/business-access-ability-grant-program for info on 5 areas of funding.

Disabilities are created by barriers.

Accessible = Barrier-Free



Barriers may be physical, digital, and/or attitudinal.

‘Able-ism’ is when those who don’t hit barriers don’t even recognize them.

Share examples



An employee (or customer) may have impaired:

Mobility Hearing Sight Dexterity

Memory Cognition Development Pain

It may be temporary, periodic or permanent.



NS focusses on 6 categories to improve:

Built Environment

Goods & Services

Education

Transportation

Employment

Information & Communication



New standards are in development with the theme:
'Nothing about us without us'. i.e. first person input needed

What input would you give?



Built Environment



- Accessible approach, parking and entrance ?
- Ramps, stair railings, door & hall widths, knee clearance, handles, control switch locations ...
- Wayfinding (layout & signage) ?
- Lighting and contrast ?
- Emergencies: visual alarms in washrooms ?

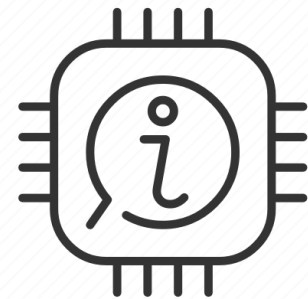
NS Building Code was much improved in 2020 for NEW buildings. Act supports retroactive work.

Goods and services



- Staff training for good customer support.
- EU has 2017 policy on 'key products and services', like phones, e-book readers, operating systems and payment terminals ... need for *tactile* interaction.
- Give notice of temporary disruptions in accessibility options.
- Have Policy on being open to accessibility feedback.

Information and Communication



- Visual clarity, simple language
- Digital Accessibility: visual needs to have audio and vice versa, audio needs visual. Options!
- Accessibility Policy to be printed & on website; that alternative formats are available

How do you like to get your information?

WCAG 2.1 is the current international standard for web accessibility



Transportation

- government supporting municipal services and vehicle upgrades. Still not ideal in smaller towns.

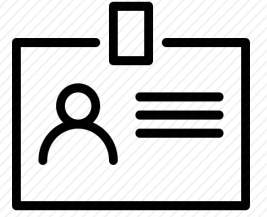
What do you use? Budgets are barriers too.

Education

- Improvements to Provincial standards have started
- Rick Hansen Foundation School Program

Any supported education stories here?

Employment statistics show



- employees with disabilities were *top* performers: dedicated to prove themselves, grateful for opportunities, hard working, innovative problem-solvers with diverse strengths & abilities.
- accommodations are *not* \$\$\$: maybe a change of light, or chair, being closer to the washroom or wearing earplugs. Most HR complaints are mental health-related, and flexible hours are helpful.

There are many proven business benefits of accessible and diverse workplaces by Conference Board of Canada & more.

You can help prove these points! Are you keen and willing to try?

Research shows clearly that inclusive practices help to:

- increase innovation
- improve productivity
- enhance job performance and work quality
- attract the best and brightest employees
- increase company morale
- increase employee satisfaction and engagement
- improve attendance & reduce turnover
- improve safety records
- outperform in revenue growth
- gain access to more diverse markets-and customers

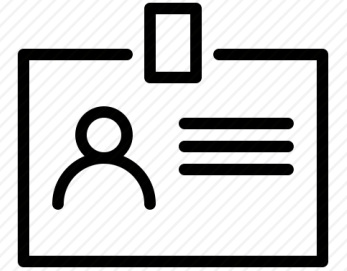


Plus, people like to support inclusive businesses!



<https://www.youtube.com/watch?v=CRHnlyJI0dg> Tim Hortons, Ontario

Employment practices



- Recruiting, interviewing, hiring & retention: are various formats or supports available?

Think about how would you like to interview.

- ‘Duty to Accommodate’ is in the Canadian Human Rights Act, up to undue hardship (%ge of profits)

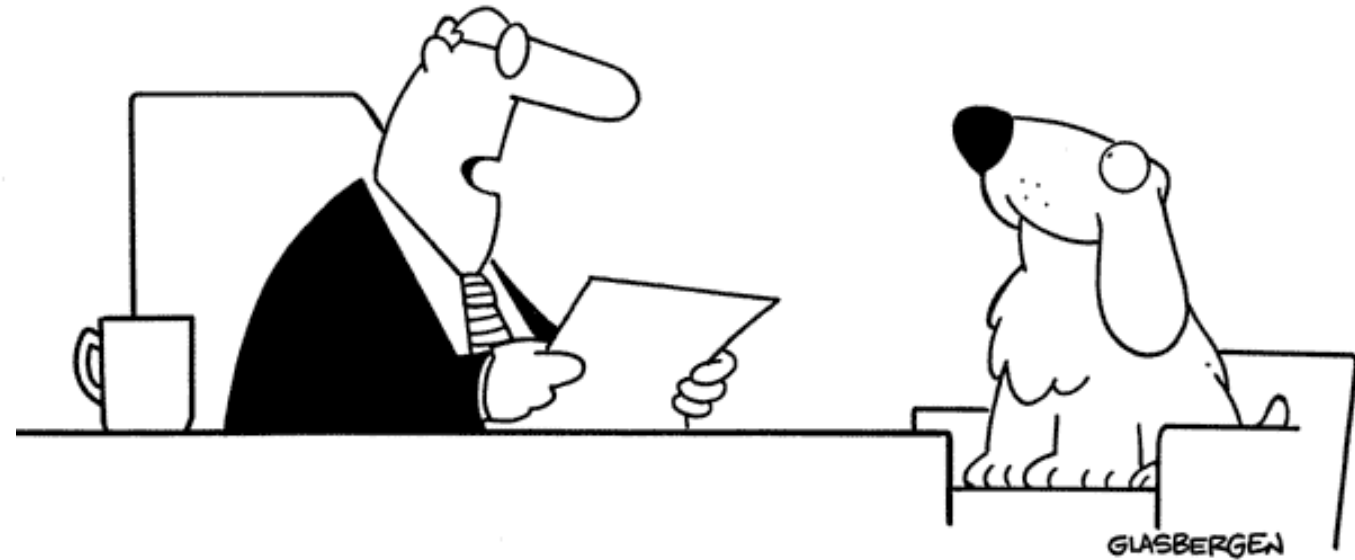
Think about what accommodations you need.

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"Right now we have openings for a beach lifeguard, greenhouse gardener, and sauna manager."

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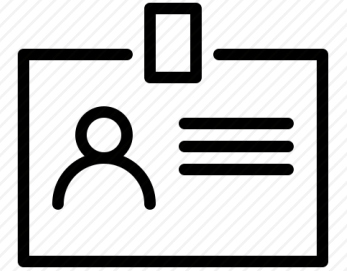


"Loyalty and enthusiasm are the two things I value most in an employee. You're hired!"

Know your STRENGTHS & LIMITATIONS

Find the right fit & where expectations match!

Employment supports:



- NSWWorks/Employment Solutions Services has Job Developers & Employment Maintenance Workers, sometimes Job Coaches.
- Dept. of Community Services has employment support and links to financial incentives for employers.

... **employment supports**



- CCH Business grants for assistive technologies
- START program has wage incentives, training &/or equipment cost coverage for sm-med-sized business
- WIPSI covers new staff training to foster diversity
- Opportunities Fund for people with disabilities. MentorAbility
- Login to LaMPSS (Labour Market Program Support System); check Labour & Advanced Education
- also see CASE, CCRW-hirefortalent.ca, Worktopia, ...

Duty to Accommodate

Can be requested by the employee or recommended by the employer or union based on observations.

Many people fear discrimination, embarrassment and/or ...?

While the employer must make efforts to accommodate, employees must cooperate and accept 'reasonable' offers



A reasonable accommodation respects the dignity and ability of the employee!



Undue Hardship is:

a substantial and unmanageable workplace burden, a significant, financial, operational and/or a safety factor.

If challenged by a grievance or human rights complaint, the Employer has to prove that an accommodation would result in undue hardship.

Undue Hardship is NOT:

- reasonable absences or leaves need for Doctors' appointments
- Minor building or office renovations for wider door, lower counter
- Operational inconvenience

NS government *Accommodation* examples

- Modifying appropriate aspects of an employee's job;
- Modifying hours of work / gradual increased schedule;
- Changing or modifying the work environment;
- Purchasing or modifying tools, equipment and aids;
- Searching for an alternate position (where the employee cannot be accommodated in their own position);
- Re-allocating work duties within the work unit

EXAMPLES



Disclosure = discussing your disability

A personal decision. It may not be necessary. You choose *if, when* and *how*. Weigh the options!



- Looking to build 2-way trust and support.
- Focus on '*functional limitation*' NOT diagnosis.
- Only share info needed for make accommodation.
- Managers and HR MUST respect PRIVACY.

Most disabilities, become apparent at some point, whether they are visible or invisible.

If you have a **visible/physical** disability, it is best to discuss it **early** on in the process, *if* you plan to disclose.

If you have an **invisible/hidden** disability, it is best to discuss it around the **middle** of the process, *if* you plan to disclose.

Whenever, PROVE you can do the job !



By law employers are not allowed to ask “Do you have a disability?”, but they can ask the following questions:

- Do you have any health issues that would prevent you from doing this job?
- Are there barriers that prevent you from meeting the physical requirements of this position?
- Are you able to perform the essential functions of the position? Can you demonstrate how you would ... ?
- Do you require an accommodation to perform the job? (Can only be asked after the job offer)



How to Disclose during an Interview

Name it? maybe not necessary **Describe it?** Only as it relates to job

Identify how you work with it; You are a problem-solver!

Most important is how does it affects actual work, if at all. Give examples of accommodations or *strategies* that work well for you.

Read the employers body language. Do they seem to understand?

Ask them: *“Have you worked with someone with this issue?”* or *“Do you have any questions about my disability as it relates to this position?”*



Know what Neurodiversity can bring to the job!

Examples:

ADHD has hyper-focus & drive, resilience, persistence

may need: visual prompts & checklist, time management tools

Autism has concentration for repetitive tasks, creative thinking,

may need reduced sensory input, de-stressors, clear instruction, a buddy, understanding in other staff,

Dyslexia has visual creativity, connecting ideas, problem solving,

may need calendar alerts, quiet tidy workspace, assistive technology like talking calculators,

Dyspraxia brings awareness & empathy of others, motivation, innovative, may need communication or visual aids.

Interventions or Accommodations

Examples:

Personal Support: job coach, ASL, service animal, assistant,

Flexible Schedules: part-time, flexibility, micro-breaks,
deadline- or task based work,

Changes to Physical Environment: noise or light reduction,
degree of privacy or sharing of space, close to exit or
washrooms, adaptable stools or desks, Renovations?

Equipment: Assistive Technology, voice to text & screen
readers, timers, adapted hardware

Story Telling:

- Negatives: *lack* of job offer or accommodation
- Positives: supportive intervention and workers
- Communication is key to reduce misunderstanding
- How / where to get help?

NS is committed to improving accessibility:

Being here is a good start

GOOD LUCK!

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