

Accessible Employment Policies

Elections Manitoba

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Introduction

Elections Manitoba has developed the policies, organizational practices and measures outlined in this document to meet the requirements of [The Accessible Employment Standard Regulation](#). 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 work collaboratively with the affected employee(s) to provide reasonable accommodations. See definition of 'reasonable accommodation' below.

Wherever practicable, Elections Manitoba follows the policies of the Civil Service Commission with respect to removing barriers to employment, specifically:

- 1.5.2 [Removing Employment Barriers](#);
- 2.2.3. [Barrier-Free Recruitment](#); and
- 3.1.3 [Reasonable Accommodation](#).

Application

This policy applies to management or any staff responsible for supervisory activities identified under sec. 7(1) of *Accessible Employment Standard Regulation* under *The Accessibility for Manitobans Act*.¹ Application of the policy by staff outside the management group would be in consultation with their supervisor. Application of this policy for temporary election staff can be found on page 12.

Reasonable accommodations in the workplace

The Accessible Employment Standard Regulation requires employers to provide [reasonable accommodations](#) for people with disabilities. Under the Act, an accommodation is reasonable if it:

- a) is required for an applicant to access the materials or activities used in the assessment or selection process and would not result in undue hardship to the employer; or

¹ Persons within the employer's organization who are responsible for (a) recruiting, selecting or training employees; (b) supervising, managing or coordinating employees; (c) promoting, redeploying or terminating employees; or (d) developing and implementing the employer's employment policies and practices.

- b) is required for an employee to perform their employment responsibilities or access the benefits available to them, by virtue of their employment, and it would not result in undue hardship to the employer.

Based on The Human Rights Code (Manitoba), a workplace accommodation is reasonable if:

- it is required for an employee to carry out workplace responsibilities or to access employee benefits and
- it would not result in undue hardship, such as safety risks to other staff or a significant measurable financial burden

Pre-employment Accessibility Policies and Practices

1. Remove barriers to recruitment and selection.

- We include a statement on all job postings that reasonable accommodations are available to applicants with disabilities. We consult with the applicant to determine how best to accommodate their needs. -
- When making interview arrangements, we inform applicants that reasonable accommodations are available during the assessment and selection processes.
- When an applicant has made a request for an accommodation during the selection process, we put the appropriate accommodation in place.

2. Mention workplace accommodations when offering employment and employee orientation materials.

- We include information about workplace accommodations in our letter of offer to new employees. Letters are issued by Legislative Assembly Human Resources.
- We include information about workplace accommodations in our employee orientation materials.

Employment Accessibility

3. Inform employees about accommodation policies and practices.

We provide information to employees about our policies for employees and any updates in multiple ways, such as:

- posted on the intranet, public website, memos, or through staff emails
- included in posters, brochures, pamphlets or advertisements
- through discussions with management (in person, by phone or through email)
- during staff meetings

4. Communicate in a way that meets employees' needs.

- To meet an employee's communication needs, we ask the employee with a disability what accessible format or communication support is most appropriate for them.
- We provide information to an employee in an accessible format on request.

5. Provide individualized accommodation plans.

We provide reasonable accommodations by developing and documenting individualized accommodation plans for employees with disabilities who request them. We work collaboratively with the employee to develop these plans in a manner that is mutually satisfactory.

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

Employees participate in the accommodation process by:

- providing related information and taking part in assessments, if requested by the employer
- complying with the individualized accommodation plan
- offering ongoing feedback related to modifications, including whether the accommodation is no longer required

Supervisors will review the accommodation plan within three months of implementation and as part of regular employee reviews. An update may be 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
- the employee has made a request to review and update the accommodation plan

Process for requesting, developing and implementing accommodation plans

Request for an individualized accommodation plan

An employee may make a request to their supervisor for accommodation. When a request has been received, the supervisor may contact human resources to discuss the request.

A. Assessment of employee and accommodation required

The supervisor and employee will work collaboratively to determine possible accommodations.

We may request that the employee provide documentation from a health practitioner that supports the need for the accommodation.

We 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.

Where there is a duty to accommodate, the employer is ultimately responsible for determining reasonable accommodation for the employee. The employee has a responsibility to actively participate in the accommodation process, and to immediately advise the supervisor if the accommodation requirement

changes. Supervisors must ensure that all accommodation requests and measures offered and/or implemented are appropriately documented.

The accommodation must not result in excessive or undue hardship for the employer. Undue hardship is assessed on a case by case basis, considering various factors relating to the situation including, but not limited to, health and safety risk; disruption to collective agreements or other contract; financial costs; business efficiency; interchangeability of employees and facilities; impact on employees and service users; and workplace size.

Supervisors also have a responsibility to recognize situations where a medical condition may be affecting an employee's ability to perform all or some of their duties, or is placing them or other individuals at a health and safety risk. In these situations, the supervisor must take reasonable steps to inquire about the employee's potential need for accommodation and follow up accordingly.

B. Assistance for the employee in developing the plan

An employee may request assistance with developing the plan, including an individual or organization with knowledge of workplace accommodations for employees with disabilities.

C. Accessible formats

We provide the employee with a copy of their plan, or an explanation for denying the request to introduce a plan, in a format and with any communication support to meet the needs of the employee.

D. Reasons for denying a request

We may deny an employee's request for an individualized accommodation plan in the following circumstances:

- The employee is able to carry out most of the job without an accommodation.
- The independent regulated health professional(s) 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, a significant measurable financial burden, or a disruption to our business).

E. Maintaining Privacy

We maintain employee privacy regarding accommodation plans and personal health information by following the practices outlined in policy 10 below.

6. Manage performance.

- We meet with new staff six months into employment and generally, at least once annually to discuss progress, new goals and any challenges, including accommodation plans and any assistance required during emergencies.
- We speak with employees when they do not follow company policy or meet expectations, and offer a spoken and written warning of consequences, including disciplinary action. Prior to imposing disciplinary measures, we consider whether there is a connection between concerns about job performance and workplace barriers.
- We discuss existing workplace accommodations and propose modifications or new workplace accommodations if we believe this could help improve the performance of an employee with a disability.

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

- We recruit and select candidates based on objective criteria, such as current training, job experience, skills and number of years on the job.
- 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 program and methods for career development are accessible to all employees. If a barrier is identified, we attempt to remove or reduce it.

8. Put return to work processes in place.

A return to work process is 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.

Policy Statements

- We keep in touch with absent employees, the [Workers Compensation Board of Manitoba \(WCB\)](#) (where involved), and Long Term Disability (where involved) throughout the employees' recovery to help them maintain a connection with their workplace.
- We offer meaningful and productive modified or alternate duties that are safe and within the employee's functional abilities.
- We are flexible and tailor the return to work plan to the employee's needs, recognizing and balancing the requirements of the workplace and the job requirements.
- We ensure supervisors and co-workers 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 business and outline the expectations for supporting an employee in a modified role, while ensuring privacy for the affected employee.
- We follow WCB's and the Long Term Disability Plan's return to work processes.
- We recognize that pandemics, like COVID-19, pose serious health threats to people with pre-existing conditions, and we accommodate affected employees.

9. Provide workplace emergency response information.

- We regularly send a memo to all employees to inquire whether they need assistance during an emergency and to remind them of the office or building's emergency plan. Supervisors will inquire about any emergency needs as part of the annual performance review as well as providing a reminder about them about emergency plan.
- We regularly discuss general accessibility and identify barriers during

Workplace Safety and Health meetings.

- We provide workplace emergency response information to all new employees and invite them to inform their manager of assistance required in an emergency. We also request emergency contact information and keep this information up to date.
- We ensure workplace emergency response information is specific to each employee's needs and the physical nature of the employee's workspace.
- We review the emergency response information provided to an employee requiring assistance any time the employee is moved to a different workspace, the workspace is modified and if a change is made to general emergency response plans.
- If an employee who receives workplace emergency response information requires the assistance of another person during an emergency, we obtain consent from the employee on who will assist, and we inform that person how to assist.

Specific Practices and Measures:

- In a situation where an employee cannot descend the stairs to exit the building during an evacuation, with permission from the employee, we identify someone to remain with this person in the (designated safe area).
- The fire marshal for the floor on which the employee is located during the emergency, ensures communication with these employees during the emergency by (cellphone or two-way radios). The fire marshal informs building security about the number and location of employees who remain in the building.
- The person acting as fire marshal notifies the fire department about the number and location of employees who remain in the building.

10. Maintain privacy

- We follow proper protocol when storing confidential employee information.
- We protect our employees' personal information and personal health information at all times by limiting access to managers only.

- We respect the requirements of other privacy legislation, including [The Freedom of Information and Protection of Privacy Act](#) (Manitoba) and [The Personal Health Information Act](#) (Manitoba).

11. Provide Training

- We provide training on how to accommodate employees with a disability to staff with the following responsibilities:
 - 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
- We train new employees and management as soon as reasonably possible.
- 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
 - our organization's accessible employment policies, practices and measures, including updates or changes
- We provide refresher training regularly, including informing staff about updates to policies, practices and measures. Training is offered as needed, following updates.
- Managers maintain records of who has taken training and when.

12. Keep a written record of accessibility and training policies.

- We keep a written record of our accessibility and training policies, including a summary of the content of our training material.

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

Application of this policy to temporary election employees

Elections Manitoba hires approximately 7,000 temporary employees to conduct a general election. Most are hired within weeks or days of their start date and many work less than two weeks.

Due to the temporary nature of most election employment and the legislative requirements for the duties carried out by election staff, it is not feasible to extend the full application of the preceding policy to most election employees.

In order to be inclusive and foster participation of all Manitobans in the electoral process, Elections Manitoba has adopted the following practices in hiring temporary election workers:

1. Provide reasonable accommodation to an employee on request, when time permits, and where no reduction in service to voters would result
2. Permit an employee to use assistive technology, where compatible with Elections Manitoba systems and any security requirements of these systems, and where no reduction in service to voters would result
3. Identify and seek to place potential employee in alternate positions that will better suit abilities of employee.
4. Allow the employee to be accompanied by a support worker if they normally have such support in place. The additional person may be required to undertake similar vetting/clearing processes as employee. The employee would bear any cost related to being accompanied by support worker.

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Approved by:

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This document is available in alternate formats, upon request.

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