

Advancing Accessibility in Manitoba's Municipalities: Requirements, achievements and new grants to support community based projects.

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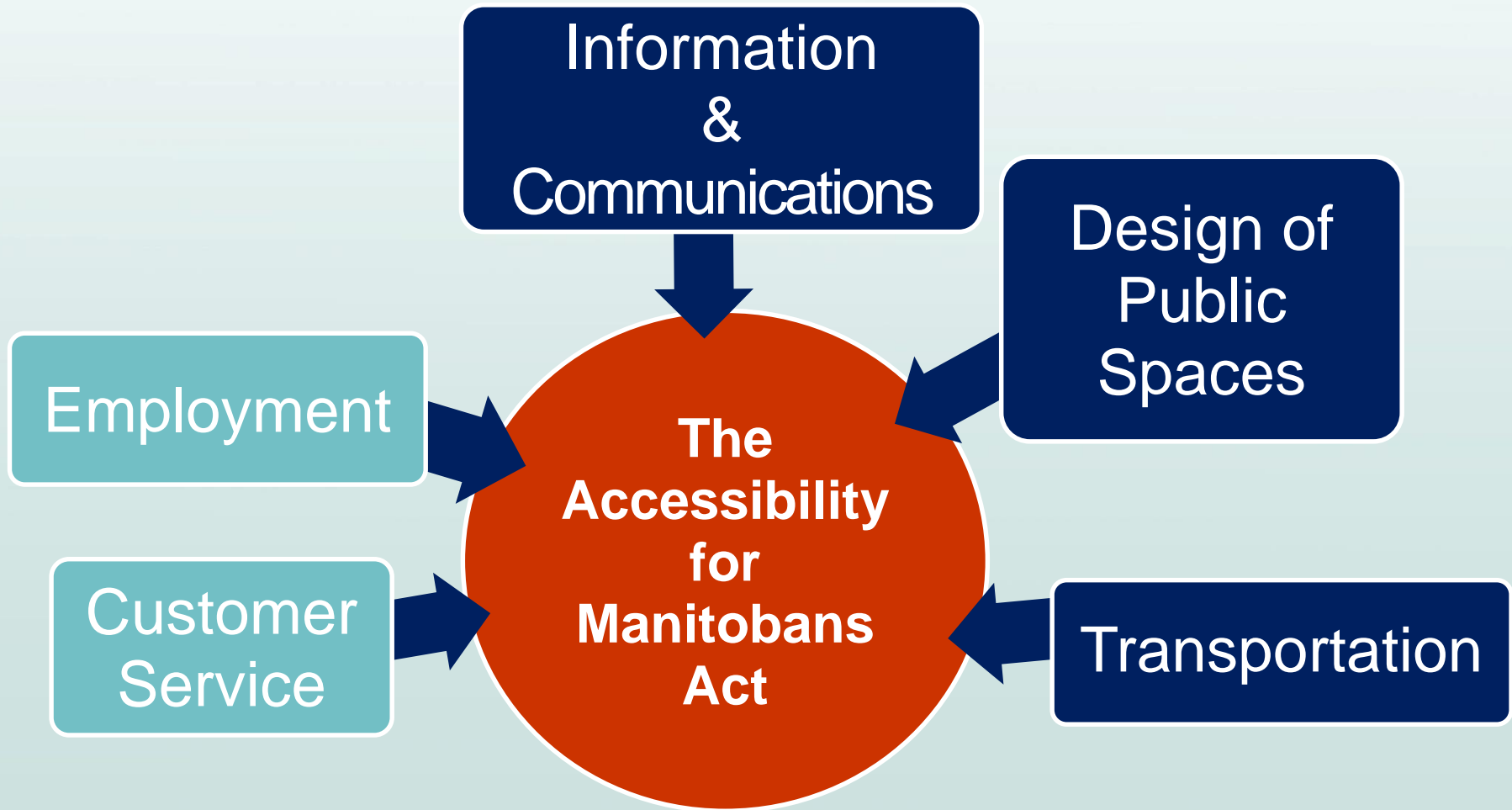
The Accessibility for Manitobans Act

...became law in 2013

Main Goals:

- identify, prevent, and remove barriers to participation
- make significant progress towards achieving accessibility by 2023

Five Accessibility Standards



To date, two accessibility standards have been passed...

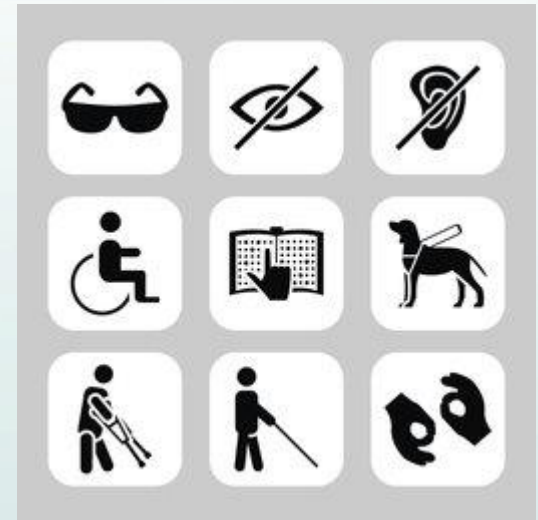
- Accessible Customer Service Standard (2015)
- Accessible Employment Standard (2019)



Accessible Customer Service Standard

- Requires municipalities to provide accessible goods and services by meeting specific requirements, such as:

- accommodating assistive devices
- Allowing service animals in public premises
- welcoming support persons
- training staff on accessible customer service
- Establishing a feedback mechanism to respond to accessibility feedback, including concerns



What The Accessible Customer Service Standard does not do:

It does **not** require changes to the built environment, such as the introduction of ramps or power doors.

- The Manitoba Building Code enforces accessibility on new builds or ones with significant renovations.



Examples of municipalities demonstrating compliance...

- ✓ “Physically writing out cheques and filling out forms on people’s behalf, explaining processes and enlarging documentation” (Armstrong)
- ✓ “Staff have received training on accessible customer service” (Grey)
- ✓ “Explore alternate methods of providing customer service where physical barriers exist” (Portage La Prairie)
- ✓ “Put in place a process to respond to residents’ requests for accessible supports and services and to respond to feedback and complaints” (Rossburn)

The Accessible Employment Standard Regulation

- Enacted on May 1, 2019, The Accessible Standard for Employment Regulation is the second standard to come into force under The Accessibility for Manitobans Act
- The regulation requires that all **employers in Manitoba remove and prevent barriers at various stages of the employment cycle.**

General Obligation

- An employer must establish and implement measures, policies and practices respecting employment to reasonably accommodate employees and applicants who are or may be disabled by one or more barriers in the workplace.

Reasonable Accommodations

- An accommodation is reasonable if it is required for a job applicant to access the materials or activities used in the assessment or selection process; or
- Is required for an employee to perform their employment responsibilities or access the benefits available to them.

Undue Hardship

- The requirement to provide accommodations should not create **undue hardship**.
- Undue hardship often arises from substantial costs or health and safety risks to an accommodation.
Inconvenience, preferences, or having to bear some costs do not usually qualify as undue hardship.

Accessible Employment Standard

Checklist with
specific
requirements:

Copies
available on
your table

Checklist for Business and Non-Profit Organizations: The Accessibility Standard for Employment

The Accessibility for Manitobans Act (AMA) requires all businesses and non-profit organizations with at least one employee to prevent and remove barriers to accessibility.

The Accessibility Standard for Employment under the AMA is now law. It sets deadlines that require businesses and non-profit organizations with at least one employee to create and act on measures, policies and practices in the areas listed in the checklist below. For more information, visit [AccessiblityMB.ca/business-and-non-profit.html](https://accessibilityMB.ca/business-and-non-profit.html).

By May 1, 2020:

<input type="checkbox"/>	We provide individual emergency response information to keep employees with disabilities safe.
<input type="checkbox"/>	We have asked employees who require assistance during an emergency for permission to share information with individuals who have agreed to help.

By May 1, 2022:

<input type="checkbox"/>	We offer reasonable accommodations when recruiting new employees.
<input type="checkbox"/>	We inform applicants about workplace accommodation policies and practices when making an offer of employment.
<input type="checkbox"/>	We let employees know about our policies and practices, including updates. We offer this information in accessible formats and with communication supports upon request.
<input type="checkbox"/>	We develop and implement individual accommodation plans for employees that request them.
<input type="checkbox"/>	Our management considers workplace accommodations to remove a barrier affecting an employee's performance.
<input type="checkbox"/>	We consider workplace accommodations to remove a barrier that may affect an employee's opportunities for training and advancement.
<input type="checkbox"/>	We follow a return to work policy for employees who have been off work due to a disability, and we have a process to determine reasonable workplace accommodations.
<input type="checkbox"/>	We train management and staff with human resource responsibilities about accessible employment and related legislation.

Safety Comes First! Emergencies

1. Ask all staff if, due to a disability, they would require assistance to stay safe during an emergency.
2. Develop individualized emergency response information (plans) to keep employees with disabilities safe.
3. If applicable, ask employees who require assistance during an emergency for permission to share information with individuals who have agreed to help.

Specific Requirements (continued)....

- We offer reasonable accommodations when recruiting new employees.
- We inform applicants about workplace accommodation policies and practices when making an offer of employment.
- We let employees know about our policies and practices, including updates.

Specific Requirements (continued)....

- At the request of an employee, we provide all information to the employee using accessible formats or the communication supports.
- We develop and implement individual accommodation plans for employees who request them.
- Our management considers workplace accommodations to remove a barrier affecting an employee's performance.

Specific Requirements (continued)....

- We consider workplace accommodations to remove a barrier that may affect an employee's opportunities for training and advancement.
- We follow a return to work policy for employees who have been off work due to a disability
- We train management and staff with human resource responsibilities about accessible employment.

50 or more employees: Documentation of Policies

- Keep a written record of accessible employment policies and practices, including a summary of training content and when training is offered, as well as a policy regarding individualized accommodation plans.

Accessibility Plans

An accessibility plan:

- is required by all public sector organizations under The Accessibility for Manitobans Act
- outlines measures your organization has taken to identify, remove and reduce barriers to accessibility
- describes future steps your organization **will** take to continue to identify, prevent and remove barriers
- can have an internal audience, but must be made available to the public

Achievement

114 out of 137 (or 83%) of municipalities across Manitoba have created an initial accessibility plan

- April 2022 compliance data

Requirement to update the plans every two years:

...Have a ways to go....

33 of 137 (24%) municipalities have updated their accessibility plans for 2022 and 2023

- April 2022 compliance data

Accessibility Compliance Secretariat

- Monitors and oversees compliance of accessibility requirements
- Undertakes audits and reviews of accessibility plans and policies
- Notifies organizations of upcoming compliance deadlines
- Assists organizations to comply with legislation by sharing tools, providing guidance on what is a requirement versus a best practice, and reviewing draft accessibility plans, for example.

Accessibility Compliance Secretariat

- Issues Achieving Compliance Plans
- Fields calls from the public with concerns about alleged non-compliance by an organization
- Authority to issue orders to comply and monetary penalties for non-compliance

**Free Tools and Resources are
available to assist
municipalities to comply ...**

Guide to Create an Individualized Accommodation Plan Process and Policy (Word)

The Accessibility Standard for Employment requires the following steps:

Step 1. Initiate a Request for an Accommodation

- The employer will respond to an employee who requests an individualized accommodation plan to address a barrier the individual is experiencing in the workplace
- Other human resource personnel involved in hiring or performance management, such as a supervisor, may also initiate the request for reasonable accommodation

Step 2. Gather Relevant Information and Assess Needs

- The employer will engage the employee in an initial conversation to assess the workplace barrier and possible accommodations to address this barrier
- The employee must cooperate in this process by:
 - providing relevant information to assist the employer, including any reports from a regulated health professional or other practitioner in the area of workplace accommodations for employees with disabilities (for example, by providing a note from their family physician)
 - participating in an evaluation initiated by the employer to determine the accommodation that is required
- In accordance with their accommodation policy, the employer may require an evaluation of the barrier and options for accommodations from an independent health professional or other practitioner in the area of workplace accommodations
 - The focus will be on the accommodation required, not medical details about the employee's disability

Workplace Emergency Response Information: Toolkit

Sample Employee Memo

Subject: Employee safety during emergencies

At [organization], we take employee safety seriously.

If you have a disability, whether permanent or temporary, visible or invisible, and believe you may need help during an emergency, please let me know. I will ask you to complete a self-assessment form, then work with you to develop individualized emergency response information that will meet your needs in an emergency situation.

Please note that at this time I do not need to know the details of your medical condition or disability, only the kind of help you may need. The information you provide will be kept confidential and would only be shared with your consent. For example, if you need another person to assist you during an emergency, I would request that you allow me to share the relevant information with that helper.

If you have questions or you already have emergency response information and need to adjust it, please let me know and we can go through it together.

Thank you.

[Manager's Name]

Accessibility Works

One in four Manitoba adults has a disability.



More Manitobans are aging into disability while still on the job. Over 120,000 seniors with disabilities, ages 65-69, reported they are still working.

Canadian Survey on Disability 2017

Some disabilities look like this.



Most disabilities look like this.



The most common disabilities among working-aged Canadians ages 25 to 64 are invisible, related to pain (14%), flexibility (8%), mental health (8%) and mobility (7%).

Canadian Survey on Disability 2017

Canadians with disabilities want jobs.



Almost half the job-ready Canadians with disabilities have post-secondary education.

Statistics Canada, 2016

Most workplace accommodations cost little or nothing.

Employers report the average one-time cost of accommodating an employee with a disability is \$500.



Workplace accommodations: Low cost, high impact. Job Accommodation Network (Updated 9/30/2018)

It's good business to employ Manitobans with disabilities.

- ✓ **TALENT:** By creating accessibility in hiring and on-the-job, you ensure all your employees perform at their best.
- ✓ **RELIABILITY:** Research shows low absenteeism and turnover and fewer workplace accidents among employees with disabilities.
- ✓ **REPUTATION:** Studies show employees and customers are more loyal to businesses that show they value diversity.

Open for everyone.

for more information please visit
www.accessibilitymb.ca

Manitoba 

Discussing Accessibility in the Workplace

Workplaces across Manitoba are becoming more accessible for employees with disabilities. Accessibility levels the playing field, improves productivity, and makes workplaces healthier and safer for everyone.

One in four Manitobans have a disability

People with disabilities are a significant part of Manitoba's workforce. A person's disability can be permanent or temporary, visible or invisible. Manitoba has an aging workforce and the likelihood of disability increases with age.

It's good to talk about workplace accommodations

Employees should notify their employer if they need a workplace accommodation. Sometimes an employer may offer to discuss options for accommodations. Many accommodations are low or no cost, but can still make a world of difference.

Accommodation is a shared responsibility

When employers and employees work together, they are most likely to find the right workplace accommodations.

Employers have a legal duty to accommodate employees with disabilities

Manitoba's Human Rights Code requires employers to provide disability-related workplace accommodations. Sometimes safety risks or other evidence of undue hardship affects available options.

Manitoba's accessibility law requires policies on workplace accommodations

By 2022, the Accessibility Standard for Employment will require all employers to have policies in place to support employees with disabilities who need workplace accommodations and to notify all employees about these policies.

Your information is confidential

Treating employees with dignity and respect means maintaining privacy about personal employee information and the reasons for accessibility accommodations.

For more information:

- on accessibility requirements, please visit AccessibilityMB.ca
- about your rights and responsibilities, please visit ManitobaHumanRights.ca

This document is available in an alternate format, upon request.

Free, online training on accessible employment

- Takes approximately 30 minutes to complete
- Participants can save or print a certificate of completion to verify compliance with this requirement.

New: Accessibility Grants...

- Creation of a \$20 million endowment fund held by the Winnipeg Foundation to enhance accessibility and support implementation of the legislation
- Yearly growth (interest) from the endowment will be used to offer grants to organizations, municipalities and businesses
- Maximum grant amount is \$50,000
- Deadline to apply for 2022/23 passed
- Program will be perpetual

Accessibility Grants (continued)

- Eligible projects for **pilot** year must support Manitoba's accessibility law by:
 - Raising awareness about the prevention and removal of barriers
 - Developing tools, resources and training to support compliance with the legislation, and/or
 - Removing barriers to information and communications

accessibilitymb.ca

The Accessibility for Manitobans Act

Search...

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THE LAW

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RESOURCES

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Questions?

Thank you for your participation!

For more information or assistance on how to comply with existing requirements, contact (204) 792-0263 or accessibilitycompliance@gov.mb.ca

This presentation is available in alternate formats
upon request

Note: Accessibility requirements may change and/or increase as accessibility standards (regulations) are passed or amended. The information in this presentation complements the application of The Accessibility for Manitobans Act and its standards, and is not legal advice. For certainty, please refer to the act and regulations directly.