



DISCLAIMER

This policy does not constitute an implied contract of employment. In-Common Laboratories (ICL) reserves the right to revise the contents, in whole or in part, at any time.

ICL works together with third-party service suppliers and commits to excellence in interactions with supplier representatives including persons with disabilities, while at ICL premises. ICL assumes that all service suppliers, independently owned organizations, are in compliance with the Accessibility for Ontarians with Disabilities Act and its Regulations. These companies provide services to ICL, not act on ICL’s behalf.

LEGAL FRAMEWORK

This policy is guided by the following legislative statutes:

1. Ontario Human Rights Code (*the Code*)
2. Accessibility for Ontarians with Disabilities Act (*AODA*)

The statutes interact by working together to promote equality and accessibility. The Code has primacy and prevails in cases of conflict.

<p><i>The Code</i> protects people from discrimination and sexual harassment because of the past, present or perceived disabilities.</p>	<p>The <i>AODA</i>’s goal is to ensure that people with disabilities have equal opportunity to work, travel and participate in all aspects of life.</p>
<p>Under <i>the Code</i> the employers must consider disability-related accommodation requests and provide timely accommodation at various stages of the employment life cycle (from recruitment to termination).</p>	<p>The <i>AODA</i> builds on these employer requirements under the Code and requires employers to provide for accessibility across all stages of employment life cycle.</p>

POLICY STATEMENT

ICL is committed to ensuring excellence in all interactions – by phone/email with customers and in person with visitors or employees. ICL uses reasonable efforts to ensure that its policies, practices and procedures are consistent with the principles of dignity, independence, integration and equal opportunity for all individuals, including persons with disabilities using services or having an employment or contractual relationship with ICL.

ICL is committed to integrating accessibility in every aspect of the employment life cycle by providing employment-related accommodation or support tailored to the identified needs of employees with disabilities.

This Policy and the guidelines that implement it, address the needs of the customers and employees with disabilities and provide instruction on how to interact and communicate with people who have various types of disabilities. The accommodation on the grounds protected in *the Code*, including any disability related accommodation plan or return to work process, is described in the ICL Directive (Accommodation in Employment).

PURPOSE

This policy establishes practices and procedures for the provision of services to persons with disabilities in compliance with the Accessibility Standards for Customer Service, Ontario Regulation 429/07 and Integrated Accessibility Standards, Ontario Regulation 191/11 under Accessibility for Ontarians with Disabilities Act, 2005 (the “Act”) lately consolidated into a single Accessibility Standard.

ICL is meeting the requirements of accessibility standards that apply to our business, for which compliance is required as of January 1, 2021. The accessibility standards applicable to our business are: Customer Service Standard, Information and Communication Standard and Employment Standard.

ICL does not provide transportation services and as such the requirements of the Transportation Standard do not apply. ICL commits to conforming to the requirements of the Design of Public Spaces Standard (Part IV,



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Integrated Accessibility Standards Regulation) should a decision to construct or redesign a public space is made. As the present time the Design of Public Spaces Standard does not apply.

Self-Serving Kiosks: ICL shall consider the needs of persons with disabilities when designing, procuring or acquiring interactive electronic terminals, referred to in the legislation as “self-serving kiosks”. Prior to designing, procuring or acquiring any interactive electronic devices intended for public use, ICL shall consider technical and structural features and the access pathway to such devices.

SCOPE & APPLICATION

All provisions in this policy apply to paid employees. All provisions, except those pertaining to Employment Standards, apply to the Board Directors, students on placements, volunteers, and Agents of the Corporation.

GUIDING PRINCIPLES

General Requirements (Integrated Accessibility Standards)

Plan: As a small size employer until September 2020, ICL has been exempt from establishing, implementing, and maintaining a multi-year accessibility plan. ICL has developed a multi-year accessibility plan since becoming a large-size employer.

Training: ICL provides training to all employees (including those who participate in developing the organization’s policies), students on placements, volunteers, and Agents of the Corporation, as soon as is practicable and in a way that best suits their duties and/or contractual obligations. The training focuses on Ontario’s accessibility laws and the Code as it relates to persons with disabilities and includes:

- Purposes of the Accessibility for Ontarians with Disabilities Act.
- Parallels to Ontario Human Rights Code.
- Accessibility Standards (Customer Service and Integrated Accessibility Standards).
- Explanation of various types of disability.
- Instructions about how to interact and communicate with persons with various types of disability.
- Instructions about how to interact with persons with disabilities who use an assistive device or require the assistance of a guide dog or other service animal or the assistance of a support person.
- Instructions about responding and responding to customer feedback or requests about accessible formats and/or communication supports.
- Information on integrating accessibility into regular workplace processes; and
- ICL compliance.

The training is provided on an on-going basis, such as when a new employee joins the organization, or when the accessibility policies change. Re-training is generally provided to returning employees if deemed necessary, i.e., when ICL policies, processes and procedures are revised. ICL maintains records of training that include the dates training was provided, the content and staff person trained.

Communication (Customer Service Standard, Information & Communication Standard)

ICL is committed to meeting the communication needs of persons with disabilities and communicating with persons with disabilities in a way that considers their disability. ICL is committed to making information and communication about goods, services, and facilities accessible to persons with disabilities. ICL shall consult with persons with disabilities to determine their information and communication needs and shall provide information requested in a timely manner in the format requested to the best of organization’s ability according to the extent required.

As a small size employer ICL is exempt from providing accessible websites and web-content.

Availability of Documents (Customer Service Standard, Information & Communication Standard)

ICL shall make the following documents available to public upon request:

- Policy: Accessibility for Ontarians with Disabilities at all Ontario ICL Locations).



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- Guidelines that implement the policy with respect to communication, use of assistive devices, use of support persons and/or service animals and provision of notices on service disruptions.
- Guideline on the process for receiving and providing feedback in accessible formats and/or communication supports, upon request; and
- Guideline on accessible employment.
- Multi-Year Accessibility Plan

ICL will provide these documents in a format that takes into account requesting person's disability.

Customer Feedback, Accessible Formats and Communication Supports (Customer Service Standard, Information & Communication Standard)

ICL has established a process for receiving and responding to feedback about the manner in which it provides services to persons with disabilities. The information about the process is available to the public via ICL's public website. ICL shall review customer feedback as part of its commitment to continual quality improvement and will tailor its response to the particular needs of the customer by arranging for accessible formats or communication supports.

ICL is committed to ensuring that any processes for receiving and responding to feedback from clients, suppliers and/or employees are made available in accessible formats and/or communication supports to persons with disabilities, upon request and in a:

- timely manner that takes into account the person's accessibility needs due to disability.
- at a cost that is no more than the regular cost charged to other persons

The requirement only applies to information and communications that ICL controls directly or indirectly through contractual relationships, not one that is shared on behalf of another organization.

ICL will consult with the person making the request in determining the suitability of an accessible format or communication support and tailor the response to the needs of the customer. ICL has the flexibility to decide on the most appropriate accessible format or communication support, given the needs of the person and ICL's capability to deliver. Should ICL determine that the information cannot be converted into an accessible format, ICL will explain the reasons to the person and provide summary of the content.

Assistive Devices (Customer Service Standard)

ICL shall allow assistive devices in the workplace. ICL shall train employees with respect to various assistive devices that may be used by customers with disabilities while accessing ICL goods and/or services. (Guideline: Use of Assistive Devices)

Use of Support Persons (Customer Service Standard)

ICL commits to allowing persons with disabilities who require use of a support person, once such need is established by consulting with the person with disability, to enter ICL's premises and obtain and benefit from its services in a similar way as other customers, providing this does not pose a hazard to any person. (Guideline: Use of Support Persons)

Use of Service Animals (Customer Service Standard)

ICL shall allow Service Animals entry to its public premises. ICL may require documentation of the status of the Service Animal from a regulated health professional. (2, Guideline: Use of Service Animals)

Service Disruptions or Emergency Procedures, Plans or Public Safety Information (Customer Service Standard, Information and Communication Standard)

ICL shall make a reasonable effort to provide notice in the event of planned or unexpected disruption in services or to enable persons with disabilities to be prepared in case there is an emergency situation. The notification will include reason, anticipated length, and alternative arrangements, if available and will be provided as soon as practicable. (Guideline: Notice of Service Disruption)



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Documenting policies, practices, procedures, including modifications and updates (Accessibility Standards)

While ICL, as a small employer, is no longer required to put accessible customer service policy in writing or make it public, we are committed to maintaining well-documented policies, procedures, practices and modifying them as appropriate to ensure that all documents are compliant with legislative changes and consistent with the principles of respect, dignity, integration, and independence of all persons, including persons with disabilities.

Accessible Employment (Employment Standard)

ICL is committed to making the regular workplace processes accessible to employees with disabilities. The disability-related accommodation will be provided in the areas of recruitment and selection, performance management, accessible formats and communication supports, workplace emergency response information, performance management, career development and redeployment. Upon becoming aware of the need for accommodation from existing, new, or potential employees, ICL shall consult with the person making the request to understand and take into account the individual's needs so that the accommodation provided is effective. ICL has the flexibility to decide on the most appropriate accommodation support, given the needs of the person and ICL's capability to deliver. (Guideline: Accessible Employment)

RESPONSIBILITY/ROLES/ACCOUNTABILITIES

Board/CEO

1. Understands the Act and relevant regulations and how they relate to ICL mission.
2. Provides oversight and commits resources (human/financial) necessary to ensure compliance with the Act within the required timelines.

Supervisor

1. Facilitates understanding of this policy and its relevant procedures and enforces compliance.
2. Acts as a role-model for direct reports.
3. Demonstrates sensitivity to confidential information.
4. Participates and cooperates to facilitate workplace accommodation.

Human Resources:

1. Keeps abreast of the changes in the Act and Regulations.
2. Reviews policies/practices in place and revises as necessary to ensure compliance.
3. Educates staff and supervisors on understanding of the Act goals and regulations, disability and barriers, ways to interact with persons with disabilities and existing policies and guidelines.
4. Assists with responses to requests from public for information.
5. Notifies internal and external applicants and public about availability of accommodation during the recruitment process.
6. Informs successful applicants about the processes in place for accommodating employees with disabilities.
7. Advises employees of policy and guidelines used to support employees with disabilities.
8. Ensures that employees with known disabilities have emergency information they need.
9. Where disability is known, takes accessibility needs into account in performance management, career development and re-deployment processes.

Employee, student and/or agent of the corporation:

1. Adheres to the policy and guidelines.
2. Attends training, reads literature and cooperates with the company's direction with respect to communicating with persons with disabilities.
3. Participates and cooperates with all parties to facilitate accommodation in employment.



Violation of this policy may be just cause for termination of employment or affiliation with ICL.

DEFINITIONS

Small Organization: A private or not-for-profit organization that provides goods, services, or facilities to the public or to other organizations and has 1 to 49 employees in Ontario. It does not include the Government of Ontario, Legislative Assembly, or designated public sector organizations.

Agents of the corporation are individuals contracted by ICL to interact with third parties on ICL's behalf and as such representing ICL in the global arena.

Customers –hospital/private laboratories in Canada and US and ordering practitioners.

Service Suppliers - provide services to ICL (auditors, couriers, reference laboratories, janitors, etc.)

Disability (as defined by the Act and the *Ontario Human Rights Code*):

- Any degree of physical disability, infirmity, malformation or disfigurement caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device;
- a condition of mental impairment, a developmental disability, a learning disability, or dysfunction in one or more of the processes involved in understanding or using symbols or spoken language, a mental disorder; and/or
- an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

Assistive Device (as defined in Ontario Regulation 429/07): A technical aid and/or communication device or other instrument that is used to maintain or improve the functional abilities of persons with disabilities. Personal assistive devices are typically devices that customers bring with them such as a wheelchair, walker or a personal oxygen tank that might assist in hearing, seeing, communicating, moving, breathing, remembering and/or reading.

Service Animal (as defined in Ontario Regulation 429/07): An animal for a person with disability if it is readily apparent the animal is used by the person for reasons relating to his or her disability, or if the person provides a letter from a physician or nurse confirming that the person requires the animal for reasons relating to disability.

Support Person (as defined in Ontario Regulation 429/07): In relation to a person with disability, another person who accompanies him or her in order to help with communication, mobility, personal care or medical needs or with access to goods or services.

Kiosk – an interactive electronic terminal intended for public use that allows users to access one or more services or products or both.

Communication – interaction between two or more people or entities when information is sent or received.

Information – knowledge, data, facts that convey meaning and that exist in any format such as text, audio, digital or images.

Accessible formats – formats that are an alternative to standard print and are accessible to persons with disabilities. Accessible formats may include large print, Braille, audio electronic formats such as DVDs, CDs.

Communication supports - methods to assist communication (i.e., telephone or by email, if requested in addition to a letter).

Accommodation in employment - is a fundamental and integral part of the right to equal treatment. Accommodation is the word used to describe the duties of an employer to give equal access to people who are protected by the Human Rights Code (the Code) and Accessibility for Ontarians with Disabilities Act (AODA). The principle of accommodation involves three factors: dignity, individualization, and inclusion.

Duty to accommodate - in employment recognizes that people have different needs and require different solutions to gain equal access to employment. To accommodate someone means to remove the barriers



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which prevent individuals from gaining access to jobs, the use of goods, services, and facilities. Duty to Accommodate is triggered upon employee's request or when the need for accommodation is apparent.

Undue Hardship is deference under the *Code* and is an accommodating action that places significant difficulty or expense on the employer. Undue Hardship assessment considers cost, outside sources of funding, health and safety. This means that the employer must present evidence showing that the financial cost of the accommodation is so substantial that it would alter the essential nature of the enterprise, or so significant that it would substantially affect its viability. Health and safety risks where there is a risk to an employee's own health and safety or risk to health and safety of others would create undue hardship.

Performance Management: activities related to assessing and improving employee performance, productivity, and effectiveness, with the goal of facilitating employee success.

Career Development and Advancement relates to additional responsibilities within an employee's current position and the movement of an employee from one job to another in an organization that may be higher in pay or provide greater responsibility.

Re-deployment refers to re-assignment of employees to other departments or jobs within the organization as an alternative to layoff, when a particular job or department has been eliminated by the organization.

REFERENCES

Accessibility for Ontarians with Disabilities Act, 2005, SO 2005

Accessibility Standards for Customer Service, Ont. Reg. 429/07

Integrated Accessibility Standards, Ont. Reg. 191/11

Workplace Safety and Insurance Act, S.O. 1997

Ontario Human Rights Code, R.S.O. 1990

Policy: Accessibility (Customer Service Standard and Integrated Accessibility Standards), Government sources

ACCESSION, Ministry of Community and Social Services, Training tips for employers

Accessible Customer Service Standard Changes, Quick Reference Guide (sections 80.49, 80.47, 80.50, 80.46)

RELEVANT GUIDELINES/PROGRAM/PROCEDURES

Available in Medialab:

- Guideline: Communicating with persons with disabilities
- Guideline: Use of Assistive Devices
- Guideline: Use of Support Persons
- Guideline: Use of Service Animals
- Guideline: Notice of Service Disruptions
- Guideline: Accessibility Feedback (Customer Feedback, Accessible Formats, Communication Support)
- Guideline: Accommodation in Employment
- Guideline: Accessible Employment (Employment Standard)
- Guideline: Accommodation in Employment
- Emergency Response Guide, Health and Safety Program