



**The Accessibility for Ontarians
with Disabilities Act and the
Ontario Human Rights Code
Handbook**

May 2022



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The policies in this handbook have been developed in accordance with the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11 and the Ontario Regulation, O. Reg. 191/11: INTEGRATED ACCESSIBILITY STANDARDS.

About the Accessibility for Ontarians with Disabilities Act, 2005



The **Accessibility for Ontarians with Disabilities Act**, or **AODA**, is a provincial law aimed at identifying, eliminating, and preventing **barriers**, thereby, fostering inclusion for persons with **disabilities**. The AODA was enacted on June 13, 2005 with the goal for Ontario to be accessible by 2025, by removing and preventing barriers so that people with disabilities can participate more fully in communities.

In order to accomplish the goal, the legislation required the development of five mandatory standards which are referred to as “Accessibility Standards”. Accessibility standards are laws that government, private businesses, non-profits, and public sector organizations must follow to become more accessible to people with disabilities. Persons with disabilities and industry representatives worked together with the government to develop these standards.

THE 5 ACCESSIBILITY STANDARDS

The AODA is made up of the following five standards, as well as some general requirements, found under the Integrated Accessibility Standards Regulation:

1. **Customer Service Standard**

This standard is about understanding that people with disabilities have different needs. Its purpose is to help remove barriers for people with disabilities so that they can access goods and services. Simply asking a customer, “How can I help?” will go a long way in showing consideration.

2. **Information and Communication Standard**

This standard will help Ontario businesses and organizations make their information accessible to people with disabilities.

3. **Employment Standard**

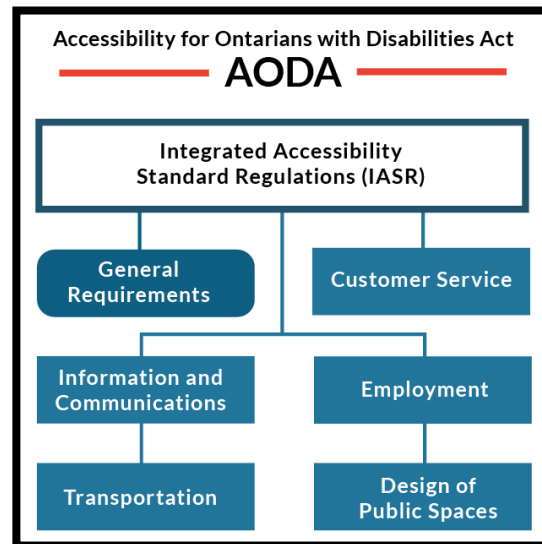
The standard for employment will help Ontario businesses and organizations make finding, hiring, and employee support practices more accessible.

4. **Transportation Standard**

The standard for transportation will make it easier for everyone to travel in Ontario. This standard does not apply to Barriston.

5. **Design of Public Spaces Standard, or Accessibility Standards for Built Environment**

The standard for design of public spaces will help Ontario businesses and organizations include specific features that make it easier for everyone including people with disabilities, seniors, and families use public spaces. This standard only applies to new construction and major changes to existing features.



WHAT DOES “DISABILITY” MEAN?

The following is the definition of disability as defined by both the AODA (*Accessibility for Ontarians with Disabilities Act*) and the *Ontario Human Rights Code*:

- (a) any degree of physical disability, infirmity, malformation or disfigurement that is 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,
- (b) a condition of mental impairment or a developmental disability,
- (c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language
- (d) a mental disorder, or
- (e) an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*; (“handicap”).

WHAT ARE BARRIERS?

The AODA defines a barrier as anything that prevents a person from fully participating in all aspects of society because of a disability. Barriers can be both visible and invisible.

TYPES OF BARRIERS	EXAMPLES
Attitudinal barriers are those that discriminate against persons with disabilities.	<ul style="list-style-type: none">○ Predisposed societal attitudes i.e. thinking that persons with disabilities are inferior.○ Assuming that a person with speech impairment can't hear or understand you.
Architectural/Structural barriers are features of buildings or spaces that can be a challenge for people with disabilities.	<ul style="list-style-type: none">○ Hallways and doorways that are too narrow for a person using a wheelchair.○ Poor lighting for people with low vision.
Information/Communication barriers are challenges in how people convey or receive information.	<ul style="list-style-type: none">○ The size of print on documents i.e. print is too small to read.○ A person that is hearing impaired is unable to use a regular telephone.
Systemic barriers are processes or practices that do not consider a person with a disability.	<ul style="list-style-type: none">○ Having a hiring process in place that prevents persons with disabilities from applying i.e. holding interviews in inaccessible locations.
Technological barriers occur when a technology can't be modified to support various assistive devices.	<ul style="list-style-type: none">○ Training videos that are not available with close-captioning.○ A website that doesn't support screen-reading software.

ADDRESSING PERSONS WITH DISABILITIES

Choosing the right words when referring to someone with a disability is vital because it may influence how people with disabilities are perceived. Avoid references to persons with disabilities that patronize, pity, victimize, or insult such as "the disabled" or "the handicapped". Instead, put the person first, for example:

- A person with a mobility or physical disability
- A person with hearing loss
- A person with vision loss

THE ONTARIO HUMAN RIGHTS CODE AND DISABILITY

EQUAL OPPORTUNITY EMPLOYMENT

Barriston maintains a policy of non-discrimination for all employees and job applicants. This includes, but is not limited to, recruitment, hiring, training, transfer and promotion, compensation, benefits and all terms of employment. Applications are encouraged from all persons including

persons with disabilities and all persons will be made aware that accommodations are available, if required. We will not discriminate on the basis of *race, ancestry, place of origin, colour, ethnic origin, citizenship, creed (religion), sex, sexual orientation, age, gender identity, gender expression, record of offences for which a pardon has been granted, marital status, family status and disability*. All aspects of employment will be governed on the basis of individual experience, skills, ability, attitude, and potential without bias or prejudice.

Employees have the right to address concerns with their Supervising Lawyer or Manager or Chief Operating Officer in the event they believe they are being discriminated against by anyone in the work environment on any of the grounds protected in the Ontario Human Rights Code (the Code). Employees are encouraged to bring such complaints to the attention of Management in order that the Company may ensure that all individuals can enjoy a workplace free from discrimination. Employees who engage in discrimination will be subject to disciplinary action up to and including dismissal.

WHAT IS DISCRIMINATION?

Discrimination is not defined in the Code but usually includes the following elements:

- Not individually assessing the unique merits capacities and circumstances of a person
- Instead, making stereotypical assumptions based on a person's presumed traits
- Having the impact of excluding persons, denying benefits or imposing burdens

Many people wrongly think that discrimination does not exist if the impact was not intended, or if there were other factors that could explain a particular situation. In fact, discrimination often takes place without any intent to do harm. And in most cases, there are overlaps between discrimination and other legitimate factors.

Forms of Discrimination:

- Open or "overt" harassment
- Discrimination because of association
- Subtle discrimination
- Systemic discrimination
- Workplace rules that are not "bona fide"
- Reprisal and threat of reprisal
- Harassment
- Poisoned work environment
- Sexual solicitation and reprisal
- Failing to design inclusively, remove barriers and accommodate
- Racial profiling

ACCESSIBILITY STANDARDS FOR CUSTOMER SERVICE & ASSISTIVE DEVICES POLICY

STATEMENT OF COMMITMENT

Barriston LLP (Barriston) is Simcoe County and Muskoka's largest full-service law firm. Barriston provides business integrity and reliability. With highly qualified legal talent, we look forward to delivering exceptional advice, service and solutions to our clients.

Barriston will strive at all times to provide its services in a manner that respects the dignity and independence of everyone involved, including people with disabilities. Barriston is also committed to providing people with disabilities the same opportunity to access our services and allowing them to benefit from the same services, in the same place and in a similar manner as other clients and contacts.

Barriston will communicate with people with disabilities in ways that take into account their disability. When firm members are aware that a person has a disability, they will ask the person to identify their preferred method of communication (i.e. e-mail, verbal).

PROVIDING SERVICES TO PEOPLE WITH DISABILITIES WHO USE AN ASSISTIVE DEVICE

Barriston is committed to serving people who use assistive devices. The following assistive devices can be made available for people with disabilities while accessing our services by speaking with a Receptionist or the firm member(s) representing you:

- large print documents
- large print versions of all information on our website can be accessed by clicking on the font size icons (AAA) on the right-hand side of each page on our website
- Bell TTY relay service
- convert PDF document to voice via PDF viewer
- client voicemail and email box on Barriston’s voicemail and email system to convert emailed documents to voice

KEY COMPONENT	DEFINITION
What is an assistive device?	<p>An assistive device is any device this is used, designed, or adapted to assist people in performing a particular task. An assistive device enables a person with a disability to perform everyday tasks such as moving, communication, reading, lifting etc. Examples of assistive devices include, but are not limited to:</p> <ul style="list-style-type: none"> ○ Wheelchairs ○ Canes ○ Walkers ○ Hearing aids ○ Laptops with screen-reading software

PROVIDING SERVICES TO PEOPLE WITH DISABILITIES WHO USE A SERVICE ANIMAL OR SUPPORT PERSON

Barriston is committed to welcoming people with disabilities who are accompanied by a service animal in the areas of our premises that are open to the public, unless excluded by law, keeping in mind and accommodating firm members, clients or guests who experience animal-related allergies.

Barriston is committed to welcoming people with disabilities who are accompanied by a support person. Any person with a disability who is accompanied by a support person will be allowed to enter Barriston’s premises with his or her support person. At no time will a person with a disability

who is accompanied by a support person be prevented from having access to his or her support person while on our premises. Barriston will require a signed Acknowledgement and Authorization form from the person with the disability if the support person is involved in any confidential written or verbal communications between Barriston and the person with the disability, while on Barriston premises.

KEY COMPONENT/TIP	DEFINITION
What is a service animal?	A service animal is an animal for a person with a disability if it is readily apparent that the animal is used by the person for reasons relating to his or her disability. A service animal may be a cat, rat, snake, monkey, or other animal, not just a dog.
What do guide dogs do?	A guide dog serves as a travel aid for a person with vision loss; they are trained as a guide for an individual who is blind and has the qualifications prescribed by the regulations of the Blind Persons’ Rights Act.
Tip: What should you do when providing services to someone who uses a service animal?	<ul style="list-style-type: none"> ○ Remember that a service animal is not a pet. ○ Avoid touching or addressing a service animal; this distracts the animal from its tasks. ○ Do not feed or offer treats to the animal. ○ Expect to see all kinds of service animals including miniature horses, rats, and even snakes. ○ Avoid making assumptions about the animal. If you’re not sure if the animal is a pet or service animal, ask your customer.
What is a support person?	Support persons provide assistance to a person with a disability. Support persons may be a paid professional, a volunteer, a family member, or a friend.
Tip: When communicating with a person accompanied by a support person...	<ul style="list-style-type: none"> ○ If you’re not sure which person is the customer, take your lead from the person using or requesting your goods, services or facilities or simply ask. ○ Speak to and directly look at the person with a disability, not to their support person.

NOTICE OF TEMPORARY DISRUPTION OF SERVICE

Barriston will provide clients and the public with notice in the event of a planned or unexpected disruption in the facilities or services usually used by people with disabilities. This notice will include information about the reason for the disruption, its anticipated duration, and a description of alternative facilities or services, if available. The Notice will be placed at all public entrances, on each reception counter in our premises and on Barriston’ Website (www.Barriston.com – click the Accessibility at Barriston LLP link).

MODIFICATIONS TO THIS POLICY AND OTHER POLICIES

Barriston will reassess how we provide goods and services to persons with disabilities as often as is necessary to ensure our goods and services are fully accessible. No changes will be made to this policy or other policies before considering the impact on persons with disabilities.

FEEDBACK PROCESS

The ultimate goal of Barriston is to meet and surpass client expectations while serving clients with disabilities. Comments on our services regarding how well those expectations are being met are welcome and appreciated.

Feedback regarding the way Barriston provides goods and services to people with disabilities can be made in person at any of the offices of Barriston, or in the following manners:

(a) in person, or by Canada Post mail, or by phone, or by email, or by fax regarding the Barrie Office to:

Doug Moody, Chief Operating Officer
Barriston LLP
151 Ferris Lane, Suite 202
Barrie, ON, L4M 4Y5
Phone: 705 792-9200
Fax: 705 792 9204
Email: dmoody@barristonlaw.com

(b) in person, or by Canada Post mail, or by phone, or by email, or by fax regarding the Bracebridge, Ontario office to:

Doug Moody, Chief Operating Officer
Barriston LLP
45 Ann Street, Suite 1,
Bracebridge, ON, P1L 2C1
Phone: 705 792-9200
Fax: 705 645-8021
Email: dmoody@barristonlaw.com

(d) in person, or by Canada Post mail, or by phone, or by email, or by fax regarding the Huntsville office to:

Doug Moody, Chief Operating Officer
Barriston LLP
46A King William Street, PO Box 5500
Huntsville, ON P1H 2K8
Phone: 705 789 4493
Fax: 705 789 5530
Email: dmoody@barristonlaw.com

(e) in person, or by Canada Post mail, or by phone, or by email, or by fax regarding the Collingwood office to:

Doug Moody, Chief Operating Officer
Barriston LLP
The Admiral Building
One First Street, Suite 224
Collingwood, ON. L9Y 1A1
Phone: 705.445.1200
Fax: F 888.586.2297
Email: dmoody@barristonlaw.com

(f) by completing the “Feedback” form on Barriston’s website at

<http://www.barristonlaw.com/accessibility/feedback> Clients and the public can expect to receive a response to their feedback in the appropriate accessible manner within ten (10) business days of receipt of the feedback.

TRAINING

Barriston will provide training to employees and other staff members on Ontario’s accessibility laws and on the Human Rights Code as it relates to people with disabilities. Training will be provided in a way that best suits the duties of employees and other staff members.

Barriston will take the following steps to ensure employees are provided with the training needed to meet Ontario’s accessible laws by January 1, 2015.

- Ensure that appropriate training on the requirements of the IASR (Integrated Accessibility Standards Regulation) and on the Ontario Human Rights Code as it pertains to persons with disabilities, is provided to all employees, other staff members, and third-party contractors who provide goods, services and facilities on Barriston’s behalf;
- Ensure that the training is provided to persons referenced above as soon as practicable;
- Keep and maintain a record of the training provided, including the dates that the training was provided and the number of individuals to whom it was provided;
- Ensure that training is provided on any changes to the prescribed policies on an ongoing basis.

Required compliance date: January 1, 2015

Status: Completed

QUESTIONS

If anyone has a question with respect to Barriston’s commitment to providing services to a person with a disability, or the above information, the question can be referred to the Managing Partner, Joanne McPhail, and/or the Chief Operating Officer, Douglas Moody

Barriston LLP
151 Ferris Lane, Suite 202
Barrie, ON, L4M 4Y5
Phone: 705 792-9200
Fax: 705 721 4025

Email: vmanning@barristonlaw.com (Douglas Moody, Chief Operating Officer)
Email: jmcphail@barristonlaw.com (Joanne McPhail, Managing Partner)

ACCESSIBILITY PLAN

This 2014-2022 accessibility plan outlines the policies and action that Barriston LLP will put in place to improve opportunities for people with disabilities.

STATEMENT OF COMMITMENT

Barriston is committed to treating all people in a way that allows them to maintain their dignity and independence. We believe in integration and equal opportunity. We are committed to meeting the needs of people with disabilities in a timely manner, and will do so by preventing and removing barriers to accessibility and meeting accessibility requirements under the Accessibility for Ontarians with Disabilities Act.

Barriston has been in compliance with the O. Reg. 191/11: INTEGRATED ACCESSIBILITY STANDARDS under the *Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11* since January 1, 2012.

ACCESSIBLE EMERGENCY INFORMATION

Barriston is committed to providing the customers and clients with publicly available emergency information in an accessible way upon request. We will also provide employees with disabilities with individualized emergency response information when necessary.

TRAINING

Barriston will provide training to employees and other staff members on Ontario's accessibility laws and on the Human Rights Code as it relates to people with disabilities. Training will be provided in a way that best suits the duties of employees and other staff members.

Barriston will take the following steps to ensure employees are provided with the training needed to meet Ontario's accessible laws by January 1, 2015.

- Ensure that appropriate training on the requirements of the IASR (Integrated Accessibility Standards Regulation) and on the Ontario Human Rights Code as it pertains to persons with disabilities, is provided to all employees, other staff members, and third-party contractors who provide goods, services and facilities on Barriston's behalf;
- Ensure that the training is provided to persons referenced above as soon as practicable;
- Keep and maintain a record of the training provided, including the dates that the training was provided and the number of individuals to whom it was provided;
- Ensure that training is provided on any changes to the prescribed policies on an ongoing basis.

Required compliance date: January 1, 2015

Status: Completed

INFORMATION AND COMMUNICATIONS

Barriston is committed to meeting the communication needs of people with disabilities. We will consult with people with disabilities to determine their information and communication needs.

- Ensure feedback processes are accessible to persons with disabilities by providing or arranging for the provision of accessible formats and communications supports, upon request;
- Provide or arrange for the provision of accessible formats and communication supports upon request for person with disabilities in a timely manner that takes into account the person's accessibility needs;
- Consult with the person making the request in determining the suitability of an accessible format or communication support.

Required compliance date: January 1, 2015

Status: Completed

ACCESSIBLE FORMATS AND COMMUNICATION SUPPORTS

Communication systems include but are not limited to: *telephones, voice mail, courier services, facsimiles (fax), personal computers, computer networks, on-line services, electronic mail (e-mail), Internet connections, computer files, cameras, video equipment and tapes, pagers, cellular phones and all software.*

Accessible formats may include, but are not limited to: *large print, recorded audio and electronic formats, Braille and other formats usable by people with disabilities.* There are number of ways to produce information in a format which can be accessed by people who are not able to read printed or electronic documents. What format you use will depend on the type of information you have, and most importantly the requirements of your audience.

Communication supports may include, but are not limited to: *closed captioning, alternative and augmentative communication supports, plain language, sign language and other supports that ease effective communications.*

ACCESSIBLE WEBSITE AND WEB CONTENT

Barriston will take the following steps to makes all new websites and content on those sites conform with WCAG 2.0, Level A.

- AODA policy and feedback process are accessible to people with disabilities on Barriston's website.

Required compliance date: January 1, 2012

Status: Completed

In accordance with AODA, Barriston will ensure that Barriston's public websites and online content confirm with the WCAG 2.0, Level 1 to Level AA for all content by January 1, 2021.

Required compliance date: January 1, 2021

Status: In process

EMPLOYMENT STANDARD

RECRUITMENT & SELECTION

Barriston is committed to fair and accessible employment practices.

We will take the following steps to notify the public and staff that, when requested, Barriston will accommodate people with disabilities during the recruitment and assessment processes and when people are hired.

- A review and, as necessary, modification of existing recruitment policies, procedures, processes and templates;
- Specifying that accommodation is available for applicants with disabilities, on Barriston's website and on job postings

Barriston will take the following steps to develop and put in place a process for developing individual accommodation plans and return-to-work policies for employees that have been absent due to a disability.

- The employee requesting accommodation can participate in the development of the individual accommodation plan;
- The employee is assessed on an individual basis;
- The steps taken to protect the privacy of the employee's personal information;
- The frequency with which the individual accommodation plan will be reviewed and updated and the manner with which it will be done.

Required compliance date: January 1, 2021

Status: Completed

For More Information

For more information on this accessibility plan,

Please contact: Douglas Moody
Chief Operating Officer

Phone: 705-792-9200

Email: dmoody@barristonlaw.com

AODA ACCOMMODATION PROCESS

The Employment Standard of the AODA requires that Barriston LLP (Barriston) have a written process for developing individual accommodation plans for employees with disabilities.

Barriston is committed to providing accommodations for people with disabilities. When an employee with a disability requests an accommodation, Barriston and the employee will follow this process.

Recognizing the Need for Accommodation

The need for accommodation can be:

- Requested by the employee through his/her Supervising Lawyer or Manager, or through the Chief Operating Officer.
- Identified by the employee's supervisor or during the hiring process.

Gathering Relevant Information and Assessing Needs

The employee shall be an active participant in gathering relevant information and assessing needs.

- Barriston does not require details on the nature of the employee's disability to provide an accommodation; it only needs to know about the employee's abilities.
- Barriston may ask for a functional capacity assessment at Barriston's expense.
- The employee and his/her supervisor will evaluate potential options to find the most appropriate measure.

An external expert may be involved, at Barriston's expense.

The employee may request the participation of another person from the workplace as a representative.

Individual Written Accommodation Plans

Once the most appropriate accommodation has been identified, the accommodation details are written down in a formal plan, including:

- Accessible formats and communication supports, if requested.
- Workplace emergency response information, if required.
- Any other accommodation that is to be provided.

The employee's personal information will be protected at all times.

If Barriston denies an accommodation, Barriston shall communicate the reasons for the denial to the employee.

Implementing, Monitoring and Reviewing the Accommodation Plan

The employee and the employee's supervisor shall monitor the accommodation to ensure that it has effectively resolved the challenge.

- Formal reviews of the accommodation plan shall occur on a regular schedule.
- The accommodation plan shall be reviewed if the employee's work location or position changes.

- The accommodation plan shall be reviewed if the nature of the employee's disability changes.
- If the accommodation established by the plan is no longer appropriate, the employee and the supervisor will work together to gather information and reassess the employee's needs in order for Barriston LLP to find and implement the best accommodation measure.

WORKPLACE EMERGENCY RESPONSE

Barriston is committed to providing customers and clients with publicly available emergency information in an accessible format upon request. We will also provide employees with disabilities with individualized emergency response information when necessary.

RETURN TO WORK POLICY

This policy applies to all employees of Barriston LLP and Barriston Services (the employer).

PURPOSE

The purpose of the policy is to comply with the Employment Standards set out within the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) Ontario Regulation 191/11, Section 29 regarding a return to work process for employees who have been absent from work due to a disability, and require accommodations in order to return to work.

DEFINITIONS

Disability

As defined by the **AODA**:

- Any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness.
- A condition of mental impairment or a developmental disability.
- A learning disability or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language.
- A mental disorder.

Work Accommodation

The adjustment of work assignment, activities or specifications in order to accommodate restrictions/limitations for employees due to a disability. The ultimate duration of the work accommodation will depend on the nature of the individual circumstances of the employee and will be subject to ongoing monitoring.

Work Accommodation Plan

The adjustment of work assignment, activities or specifications in order to accommodate restrictions/limitations for employees due to a disability. The ultimate duration of the work accommodation will depend on the nature of the individual circumstances of the employee and will be subject to ongoing monitoring.

GUIDELINES

Employer

It is the employer's responsibility to make every reasonable effort to accommodate employees through the identification of modified work alternatives on an individual basis due to an employee's disability.

Employee

It is the employee's responsibility to notify the Chief Operating Officer as soon as possible if work accommodation is required due to a disability.

- Complete the Assessment for Return to Work Form. (Appendix A)
- Accept reasonable temporary or permanent work accommodation being offered by the employer.
- Work in accordance with the Work Accommodation Plan and perform only tasks which are acceptable within the context of the documented restrictions/limitations.

Human Resources

- Develop a Work Accommodation Plan in accordance with the documented restrictions/limitations of the employee and the demands of the accommodated work.
- Meet with the employee and the relevant Supervisor(s) to discuss the Work Accommodation Plan.

Managers and Supervisors or Chief Operating Officer

- Cooperate with and participate in the development of a Work Accommodation Plan.
- Participate in Work Accommodation meetings as necessary and as requested.
- Maintain regular contact with accommodated employees assigned to his/her supervision.
- Monitor, evaluate and document the accommodated employee's job performance throughout the Work Accommodation Plan and ensure that any issues are brought to the attention of the employee as well as others involved in the employee's Work Accommodation Plan. {Appendix B)

PROCEDURE

1. The worker shall report any disability to the Chief Operating Officer.
2. A Work Accommodation Plan will be developed outlining the goals and details of the employee's modifications. If requested, the employee may have a representative present during the development of the Work Accommodation Plan.
3. Medical documentation will be required to determine appropriate tasks are provided in the workplace to accommodate the employee's return to work.
4. If medical documentation is received indicating that the disability is likely to be permanent and the worker is not expected to recover sufficiently to perform the essential duties of their regular work, the appropriate parties will be notified to assist in the process of attempting to provide permanent job accommodation.
5. All documentation will be kept confidential unless consent has been received by the employee to release such information to the appropriate parties involved.
6. A copy of the plan will be provided to all the parties involved.
7. The plan will be reviewed on an annual basis.

EMPLOYEE ACKNOWLEDGMENT

May 2022

Barriston has prepared this handbook to provide you with an overview of the Company's policies in accordance with the *Accessibility for Ontarians with Disabilities Act (AODA)* and the *Ontario Human Rights Code (the Code)*. It is intended to familiarize you with important information about the AODA policies and procedures, as well as information regarding your legal responsibilities under the Code. It is not intended to create any kind of expressed implied contract of employment between the Firm and any of its employees, but it is important that you read, understand, and follow the provisions of this handbook. It is not possible to anticipate every situation that may arise in the workplace or to provide information that answers every possible question. Please consult your Supervising Lawyer or Manager, or the Chief Operating Officer if you need further clarification or if you have any questions. In addition, circumstances will undoubtedly arise which may require policies, practices or procedures described in this handbook to change.

I have received and carefully reviewed this *Accessibility for Ontarians with Disabilities Act* and the *Ontario Human Rights Code Handbook* and I understand its contents. I have carefully reviewed the *Accessibility for Ontarians with Disabilities Act* and the 5 Standards, Barriston's policies and procedures, and the *Ontario Human Rights Code* as it relates to persons with disabilities. I agree to abide by the policies set forth in the AODA and the Code Handbook and understand that this handbook and addendum(s) to it will govern my conduct.

Employee Name (please print)

Employee Signature

Date

Chief Operating Officer Signature

Date

Note: Please sign and return. This acknowledgement will be kept in your employee file.

APPENDIX A

Worker Assessment Form

I, _____ (please print name), hereby authorize the healthcare professional who treats me to provide my employer with information about my capabilities and limitations on this worker assessment form as it relates to remaining at work, returning me to work, or accommodating me at work.

Employee's Signature:

Date:

Dear Health Care Practitioner: Barriston LLP / Services offers a Work Accommodation Program for employees experiencing injuries or illnesses. Your assessment and feedback will allow us and our employee to consider an appropriate workplace accommodation if necessary. Please return the completed form to our confidential fax number (705) 721-4025.

1. This employee is able to return at once to regular work with no restrictions.
2. This employee is totally disabled from working at this time. Will be re-assessed on this date _____
3. This employee is able to return to work with restrictions noted below (check all that apply). RTW date _____

Please indicate Abilities that apply and include additional details in comment section below.

Walking: <input type="checkbox"/> Full abilities <input type="checkbox"/> Up to 100 metres <input type="checkbox"/> 100-200 metres <input type="checkbox"/> Other (please specify)	Standing: <input type="checkbox"/> Full abilities <input type="checkbox"/> Up to 15 minutes <input type="checkbox"/> 15-30 minutes <input type="checkbox"/> Other (please specify)	Sitting: <input type="checkbox"/> Full abilities <input type="checkbox"/> Up to 30 mins <input type="checkbox"/> 30 mins - 1 hr <input type="checkbox"/> Other (please specify)	Lifting from floor to waist: <input type="checkbox"/> Full abilities <input type="checkbox"/> Up to 5 kgs <input type="checkbox"/> 5 - 10 kgs <input type="checkbox"/> Other (please specify)
Lifting from waist to shoulder: <input type="checkbox"/> Full abilities <input type="checkbox"/> Up to 5 kgs <input type="checkbox"/> 5 - 10 kgs <input type="checkbox"/> Other (please specify)	Stair climbing: <input type="checkbox"/> Full abilities <input type="checkbox"/> Up to 5 steps <input type="checkbox"/> 5 - 10 steps <input type="checkbox"/> Other (please specify)	Vision: Ability to view computer monitor <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Other (please specify)	Travel to work: Ability to drive a vehicle <input type="checkbox"/> yes <input type="checkbox"/> no Ability to use public transit <input type="checkbox"/> yes <input type="checkbox"/> no

Please indicate Restrictions that apply and include additional details in comment section below.

<input type="checkbox"/> Bending/twisting repetitive movement of (please specify):	<input type="checkbox"/> Work at or above shoulder activity:	<input type="checkbox"/> Chemical exposure to:	<input type="checkbox"/> Environmental exposure to (eg. heat, cold, noise, scents):	<input type="checkbox"/> Limited use of hand(s):	
				Left	Right
				<input type="checkbox"/> Gripping	<input type="checkbox"/>
				<input type="checkbox"/> Pinching	<input type="checkbox"/>
				<input type="checkbox"/> Typing	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/> Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/> Limited pushing/pulling with: <input type="checkbox"/> Left. arm <input type="checkbox"/> Right arm <input type="checkbox"/> other(please specify)	<input type="checkbox"/> Operating Telephone:	<input type="checkbox"/> Potential side effects from medications (please specify, do not include names of medications):	<input type="checkbox"/> Exposure to vibration: <input type="checkbox"/> Whole body <input type="checkbox"/> Hand/arm
<input type="checkbox"/> Cognitive Impairment (provide limitations information in comments box below)			
Estimated duration of limitations: <input type="checkbox"/> 1- 2 days <input type="checkbox"/> 3 - 7 days <input type="checkbox"/> 8 -14 days <input type="checkbox"/> 15 - 30 days <input type="checkbox"/> 31+ days			
Complete recovery expected: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown at this time			
Recommendations for work hours: <input type="checkbox"/> Full-time hours <input type="checkbox"/> Modified hours (clarify below) <input type="checkbox"/> Graduated hours (clarify below)			
Additional comments on Abilities and/or Restrictions (Please provide objective medical findings and further details to support any boxes checked above):			
Signature of Attending Health Care Provider:	Name:		
Date:	Address:		
	Tel:		

Mental Functional Capacity Assessment

	No limitation	Not significantly limited	Moderately limited	Markedly limited	Not able to assess
1. Understanding and memory					
a. The ability to remember locations and work-like procedures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. The ability to understand and remember very short and simple instructions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. The ability to understand and remember detailed instructions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Sustained concentration and persistence					
a. The ability to carry out very short and simple instructions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. The ability to carry out detailed instructions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. The ability to maintain attention and concentration for extended periods	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. The ability to perform activities within a schedule, maintain regular attendance, and be punctual within customary tolerances	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. The ability to sustain an ordinary routine without special supervision	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. The ability to work in coordination with, or proximity to, others without being distracted by them	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. The ability to make simple work-related decisions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. The ability to complete a normal workday without interruptions from psychologically based symptoms and to perform at a consistent pace without an unreasonable number and length of rest periods	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Social interaction					
a. The ability to interact appropriately with the general public	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. The ability to ask simple questions or request assistance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. The ability to accept instructions and respond appropriately to criticism from supervisors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. The ability to get along with co-workers without exhibiting behavioural extremes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. The ability to maintain appropriate behaviour and to adhere to standards of cleanliness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	No limitation	Not significantly limited	Moderately limited	Markedly limited	Not able to assess
4. Adaptation					
a. The ability to respond appropriately to changes at work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. The ability to be aware of normal hazards and take appropriate precautions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. The ability to travel in unfamiliar places or use public transportation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. The ability to set realistic goals or make plans independently	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section C. Additional Comments on Abilities and/or Restrictions

From the date of this assessment, the above will apply for approximately:

- 1–2 days 8–14 days
 3–7 days More than 14 days

Have you discussed return to work with your patient?

- Yes
 No

Recommendations for work hours and start date:

- Regular full-time hours Modified hours Graduated hours

Start date of return to work: _____

Date of next appointment to review abilities and/or restrictions: _____

I have provided this completed Functional Capacity Assessment Form to (check both if applicable):

- Employee Employer

Health care provider's signature

Telephone

Date

APPENDIX B

Worker Accommodation Plan (for return to work disability related)

The goal of work accommodation is to provide a short-term change in job requirements based on medical restrictions for return to work – disability-related

Employee Name:		Department:	
Position:		Work Location:	
Type of Disability:			
Date of Worker Assessment Form:			
•A copy of the Worker Assessment Form will be attached to the Work Accommodation Plan•			
Description of suitable work including tasks based on the functional abilities information:			
Date suitable work available:			
Date Suitable work is to be reviewed:			
Employee Signature:		Date:	
Supervisor Signature:		Date:	
Human Resources Signature:		Date:	
For HR Purposes only:			
<input type="checkbox"/> Copy - Employee		<input type="checkbox"/> Copy - Supervisor	