

# ERWIN HYMER GROUP

## Erwin Hymer Group North America (EHGNA)- Policies, Practices and Procedures

The *Accessibility for Ontarians with Disabilities Act, 2005* ("the AODA") is a Provincial Act with the purpose of developing, implementing and mandating accessibility standards in order to achieve accessibility for persons with disabilities, with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises.

### Statement of Commitment

EHGNA is committed to providing a respectful, welcoming, accessible, and inclusive environment for all persons with disabilities in a way that is respectful of the dignity and independence of people with disabilities and in a manner which takes into account the person's disability and embodies the principles of integration and equal opportunity.

EHGNA is committed to becoming a barrier free environment and meeting the requirements of all existing legislation and its own policies and goals related to identifying, removing and preventing barriers to people with disabilities that might interfere with their ability to interact with EHGNA

EHGNA is committed to, and will strive to ensure that, the *Accessibility for Ontarians with Disabilities Act (AODA), 2005*, its regulations, standards and all other relevant legislation concerning accessibility, are rigorously observed in a timely fashion.

### Accountabilities and Responsibilities

EHGNA Executive Committee is accountable to and responsible for:

- The governance of the policy.
- Corporate liability for compliance with legislative requirements, including fiscal responsibility, human costs and human rights issues.
- Support and promote the policy in their area of direct report and throughout the organization.
- Drive the culture to a high level of understanding regarding disability and accommodation.

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EHGNA Directors and Managers are accountable to and responsible for:

- Fostering open and constructive communication.
- Demonstrating sensitivity to and respect confidentiality of information.
- Raising awareness to facilitate understanding of the policy.
- Participating and co-operating to facilitate workplace accommodation.

EHGNA Employees are accountable to and responsible for:

- Participating and cooperating with all parties to facilitate workplace accommodation.

EHGNA Human Resources is accountable to and responsible for:

- Participating and cooperating with all parties.
- Acting as a resource for all parties and participants.
- Supporting and educating managers in their obligations.

## General Definitions

**Accessible Formats:** include, but are not limited to accessible electronic formats, Braille, text transcripts, large print, recorded audio, and other formats accessible to persons with disabilities.

**Assistive Device:** a technical aid, communication device or other instrument that is used to maintain or improve the functional abilities of people with disabilities. Personal assistive devices are typically devices that members and guests 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.

**Barrier:** as defined by the Ontarians with Disabilities Act, 2001, anything that prevents a person with a disability from fully participating in all aspects of society because of his/her disability. This includes:

- a physical barrier,
- an architectural barrier,
- an informational or communications barrier,
- an attitudinal barrier,
- a policy, practice and procedure barrier.

**Communication Supports:** include but are not limited to sign language, plain language and other communication supports that facilitate effective communications.

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**Disability:** a key feature of the AODA is its definition of "disability". Under the AODA, the definition of "disability" is the same as the definition in the Ontario Human Rights Code [2]:

Any degree of physical disability, infirmity, malformation or disfigurement including, but not limited to:

- Diabetes mellitus;
- Epilepsy;
- A brain injury;
- Any degree of paralysis;
- Amputation;
- Lack of physical coordination;
- Blindness or visual impediment;
- Deafness or hearing impediment;
- Muteness or speech impediment; or
- Physical reliance of a guide dog or other animal, or on a wheelchair or other remedial appliance or device.
- 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.
- An injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety & Insurance Act, 1997.

The definition includes disabilities of different severity, visible as well as non-visible disabilities, and disabilities the effects of which may come and go. This is a broad definition, and one that must be considered closely when educating our employees in the appropriate response to our customers.

## A. Integrated Accessibility Standards Regulation Policy

### **Purpose and Background**

The Integrated Accessibility Standards Regulation (Regulation 191/11) (the "IASR") under the AODA provides standards for private sector organizations to increase accessibility for persons with disabilities specifically in the areas of:

- Information and Communications
- Employment

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## **Accessibility Plan**

In order to achieve our goals, EHGNA has developed a multi-year Accessibility Plan which documents EHGNA's strategy and commitment to meet the applicable standards of the IASR.

The Accessibility Plan was developed in consultation with a cross-functional team at EHGNA that helped to identify barriers that prevent a person with a disability from fully participating in aspects of society because of his or her disability (such as attitudinal, information or communication, technology, organizational and physical) within the stated goals of the IASR.

The Accessibility Plan will be reviewed and updated at least once every five years.

EHGNA will prepare an annual status report on the progress and measures taken to implement EHGNA's Accessibility Plan. The Accessibility Plan and annual report will be made available and can be provided in an accessible format on request.

### **(1) Training**

EHGNA will ensure that timely training is provided to all necessary persons, that it aligns with the requirements of the accessibility standards referred to in the IASR, and EHGNA will continue to provide training on the Human Rights Code as it pertains to persons with disabilities. Appropriate records of training will be maintained.

Training, using the most appropriate methodologies, as appropriate, will be provided to the following person(s):

- all employees (new & existing)
- all persons who work under a contractual agreement directly with EHGNA

### **(2) Information and Communication Standards**

#### **(a) Feedback**

EHGNA will ensure that its processes for receiving and responding to feedback are made available to persons with disabilities, whether members of the public, clients, customers or employees, in an appropriate, accessible format or communication support, upon their request, and that members of the public are notified of the availability of such an option. EHGNA will review its current feedback processes to ensure that it is accessible and make any changes necessary to ensure compliance with the IASR as required.

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## **(b) Accessible Formats and Communication Supports**

EHGNA will, upon request and consultation, endeavour to provide information and communications under our control about our goods and services to people with disabilities using the appropriate accessible format or communication support wherever possible, in a timely manner and on par with the fee charged to others for the same information. EHGNA will notify the public about the availability of accessible formats and communications supports. EHGNA will review and determine its current offerings of accessible formats and communications supports and will engage in an ongoing process of identifying additional accessible formats and communications supports that may be offered by EHGNA.

## **(c) Accessible Websites and Web Content**

EHGNA is pleased to confirm that all of its new websites and content, are in conformance with Web Content Accessibility Guidelines (WCAG) 2.0 Level A as of January 1, 2014.

EHGNA will ensure all of its websites, content, and applications directly controlled by EHGNA or through its contractual relationships, will be in conformity with WCAG 2.0 Level AA, as required by the IASR, by January 1, 2021, as practicable.

## **(d) Educational Materials (to be effective in full by January 1, 2020)**

As applicable, EHGNA will upon request provide educational and training institutions with accessible or conversion-ready versions of its print-based supplementary educational resources.

## **(3) Employment Standards**

### **(a) Recruitment**

EHGNA will notify its employees and external applicants about the availability of accommodation for applicants with disabilities in its recruitment process.

### **(b) Recruitment, Assessment or Selection Process**

EHGNA will ensure that job applicants are notified when they are individually selected to participate in the assessment or selection process and that accommodation for disabilities are made available upon request in relation to the materials or processes to be used. EHGNA will consult with individuals who request accommodations and will provide for appropriate accommodations.

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## **(c) Notice to Successful Applicants**

When presenting offers of employment, EHGNA will notify the successful applicant of its policies for accommodating employees with disabilities.

## **(d) Informing Employees of Supports**

EHGNA will ensure that employees are informed of all accessibility policies (and any updates to those policies) used to support employees with disabilities, including policies on the provision of job accommodations that take into account an employee's accessibility needs due to disability. This information will be provided to new employees as soon as practicable after commencing employment.

## **(e) Accessible Formats and Communication Supports for Employees**

Upon request of an employee with a disability, EHGNA will consult with the employee to provide, or arrange for accessible formats and communication supports for information that is needed to perform his/her job, and information that is available to other employees. In order to determine the suitability of an accessible format or communication support, EHGNA will consult with the employee making the request. Accessible formats and communications supports regarding general workplace information will also be provided to employees with disabilities.

## **(f) Workplace Emergency Response Information**

EHGNA provides employees with disabilities individualized workplace emergency response information when the employee's disability is such that the information is required and EHGNA has been informed of the need to accommodate the employee's disability.

## **(g) Documented Individual Accommodation Plans**

EHGNA currently accommodates the needs of its employees with disabilities as required under the Ontario Human Rights Code. EHGNA will develop individualized accommodation plans for its employees with disabilities, as EHGNA is made aware. The process by which EHGNA will consult, develop, determine, document, review and routinely update the individualized accommodation plan will be formalized. EHGNA will implement and maintain measures effective to maintain the privacy of its employees with disabilities.

## **(h) Return to Work Process**

EHGNA will maintain a documented return to work process for employees who have been absent from work due to a disability and who require disability-related accommodations and support in order to return to work. The return to work process will clearly define and outline

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the steps EHGNA will take to facilitate the return to work and will include documented accommodation plans for each individual as part of the process. The above stated return to work process will not replace, hinder or override any other return to work process created by or under any other statute (i.e., the Workplace Safety Insurance Act, 1997).

## **(i) Performance Management, Career Development and Advancement and Redeployment**

EHGNA will continue to consider the accessibility needs of employees with disabilities as well as individual accommodation plans, when conducting performance management reviews, providing career development and advancement to employees and when redeploying employees.

## **B. Accessibility Standards for Customer Service Policy**

### **Purpose and Background**

Under the AODA, Ontario Regulation 429/07, entitled "Accessibility Standards for Customer Service" (the "Service Regulation"), came into effect on January 1, 2008. The Service Regulation establishes accessibility standards specific to customer service for private sector organizations that provide goods and services to members of the public or other third parties.

The objective of this policy is to identify what the equal treatment provisions of the Ontario Human Rights Code, through the AODA and the Service Regulation, require with respect to service delivery to persons with disabilities and addresses the following:

- The Provision of Goods and Services to Persons with Disabilities;
- The Use of Assistive Devices;
- The Use of Guide Dogs and Service Animals;
- The Use of Support Persons;
- Notice of Service Disruptions;
- Customer Feedback;
- Training; and
- Notice of Availability and Format of Required Documents.

## **Statement of Commitment and Accountabilities**

### **Commitment**

EHGNA is committed to providing a respectful, welcoming, accessible, and inclusive environment in the provision of goods and services for both customers/clients and employees alike. EHGNA is committed to, and strives to ensure that, the AODA, the standards and all other relevant legislation concerning accessibility, are rigorously observed. EHGNA ensures that all

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persons within its community are aware of their rights and responsibilities to foster an accessible and inclusive environment with and for persons with disabilities.

People with disabilities will be given an equal opportunity to obtain, use and benefit from EHGNA products and services in a way that is respectful of the dignity and independence of people with disabilities and in a manner which takes into account the person's disability.

All goods and services provided by EHGNA shall follow the principles of dignity, independence, integration and equal opportunity.

EHGNA is committed to becoming a barrier free environment and meeting the requirements of all existing legislation and its own policies and goals related to identifying, removing and preventing barriers to people with disabilities that might interfere with their ability to make full use of the services provided by EHGNA.

## Scope

1. This policy applies to the provision of goods and services at premises owned and/or operated by EHGNA as well as any interactions with employees and customer/clients via telephone, email or written mail.
2. This policy applies to employees, volunteers, agents and/or contractors who deal with the public or other third parties that act on behalf of EHGNA.

## Additional Definitions:

**Guide Dog:** A highly-trained working dog that has been trained at one of the special facilities to provide mobility, safety and increased independence for people who are blind.

**Service Animal:** The Service Regulation [3] defines a "service animal" as "an animal for a person with disability". In this policy, a service animal is:

- any animal used by a person with a disability for reasons relating to the disability; or
- where the person provides a letter from a physician confirming that they require the animal for reasons relating to their disability; or
- where the person provides a valid identification, card signed by the Attorney General of Canada or a certificate of training from a recognized guide dog or service animal training school.

**Support Person:** A support person means, in relation to a person with a disability, another person who accompanies him or her in order to help with communication, mobility, personal care, medical needs or access to goods and services.

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## Customer Service Policy, Practice and Procedure

### (1) The Provision of Goods and Services to Persons with Disabilities

EHGNA will make every reasonable effort to ensure that its policies, practices and procedures are consistent with the principles of dignity, independence, integration and equal opportunity by:

- ensuring that all customers receive the same value and quality;
- allowing customers with disabilities to do things in their own ways, at their own pace when accessing goods and services as long as this does not present a safety risk;
- using alternative methods when possible to ensure that customers with disabilities have access to the same services, in the same place and in a similar manner;
- taking into account individual needs when providing goods and services; and
- Communicating in a manner that takes into account the customer's disability.

**Best Practices:** EHGNA employees and representatives will be encouraged to be pro-active in seeking solutions and removing barriers, as well as alerting all customers to the range of accommodations that are available.

The term "persons with disabilities" will be the norm, and if a specific condition must be referenced, the condition will be referenced last (e.g., person with low vision). The following are some general tips that may help make communication and interaction with or about people with all types of disabilities more successful:

- Remember to put people first. It is proper to say person with a disability, rather than disabled person or the disabled.
- It is best to wait until an individual describes his or her situation to you, rather than to make your own assumptions. Many types of disabilities have similar characteristics and assumptions may be wrong.

EHGNA bills for services, it should demonstrate a commitment to providing accessible invoices to all of our customers. This means that invoices should be provided in alternate formats upon request (e.g., hard copy, large print, email) and that staff is prepared to answer questions customers may have about the content of the invoice.

### (2) Assistive Devices

Persons with disabilities may use their own assistive devices as required when accessing goods or services provided by EHGNA. In cases where the assistive device presents a safety concern or where accessibility might be an issue, other reasonable measures will be used to ensure the access of goods and services. For example, where elevators are not present and where an

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individual requires assistive devices for the purposes of mobility, service will be provided in a location that meets the needs of the customer.

**Best Practices:** Every employee who interacts with customers/clients or other third parties will be trained on how to assist with various assistive devices, should their assistance be required.

## **(3) Guide Dogs and Service Animals**

A customer with a disability that is accompanied by a guide dog or service dog will be allowed access to premises that are open to the public unless otherwise excluded by law. Dog Owners' Liability Act, Ontario: If there is a conflict between a provision of this Act or of a regulation under this or any other Act relating to banned breeds (such as pit bulls) and a provision of a by-law passed by a municipality relating to these breeds, the provision that is more restrictive in relation to controls or bans on these breeds prevails. If a guide dog or service animal is excluded by law, EHGNA will try to offer alternative methods to enable the person with a disability to access goods and services, when possible.

**Recognizing a Guide Dog and/or Service Animal:** If it is not readily apparent that the animal is being used by the customer for reasons relating to his or her disability EHGNA, may request verification from the customer. Verification may include:

- a letter from a physician or nurse confirming that the person requires the animal for reasons related to the disability;
- a valid identification card signed by the Attorney General of Canada; or,
- a certificate of training from a recognized guide dog or service animal training school.

**Care and Control of the Animal:** The customer/client that is accompanied by a guide dog or service animal is responsible for maintaining care and control of the animal at all times.

## **(4) Allergies**

If a health and safety concern presents itself, for example in the form of a severe allergy to the animal, EHGNA will make all reasonable efforts to meet the needs of all individuals.

**Best Practices:** Employees will be prepared to respond to requests of water for the service animal and to show the owner an outdoor area where the animal can be taken to relieve itself.

## **(5) Support Persons**

If a customer/client with a disability is accompanied by a support person, EHGNA will ensure that both persons are allowed to enter the premises together and that the customer/client is not prevented from having access to the support person. All customer/client confidentiality requirements and practices will also apply to support persons.

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## **(6) Training**

Training will be provided to all employees who deal with the public; revised training will be provided in the event of changes to legislation or EHGNA policy, practice and procedure. EHGNA will keep a record of training that includes the dates training was provided, the number of employees and names of employees trained.

The training will include information on the purposes of the AODA, requirements of this Service Regulation, how to communicate and interact with people with disabilities, how to interact with service animal or support person, how to utilize assisted devices that are available at our premises, what to do if a person has difficulty accessing EHGNA services or facilities, and our policies, procedures and practices pertaining to providing accessible customer service to people with disabilities.

## **(7) Notice of Disruptions in Service**

Service disruptions may occur due to reasons that may or may not be within the control or knowledge of EHGNA. In the event of any temporary disruptions to facilities or services that customers with disabilities rely on to access or use, reasonable efforts will be made to provide advance notice. In some circumstances such as in the situation of unplanned temporary disruptions, advance notice may not be possible.

**Best Practices:** Any service disruption will take top priority and EHGNA employees will check to ensure no one is trapped or stuck because of the disruption.

The notice should include statement of regret and include date.

## **(8) Feedback Process**

EHGNA shall provide customers/clients with the opportunity to provide feedback on the service provided to persons with disabilities. Information about the feedback process will be readily available to all customers/clients and notice of the process will be made available at location reception. Feedback forms along with alternate methods of providing feedback such as verbally (in person or by telephone) or written (hand written or email) will be available upon request.

**Best Practices:** Customers/clients will be informed about the feedback process and how action will be taken if a complaint is received. EHGNA will acknowledge verbal/written/telephone feedback within two business days, and within fifteen business days of the receipt of a mailed/e-mailed complaint. In some cases, it may not be possible or appropriate to acknowledge feedback, for example, if the customer wishes to remain anonymous, or indicates that he/she does not want to receive an acknowledgment. Customers can submit feedback by visiting the General Inquiry page at: <http://erwinhymergroupna.com/contact/>

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## **(9) Availability and Format of Documents (Alternative Formats)**

All documents required by the Accessibility Standards for Customer Service, including EHGNA Accessibility Policy, notices of temporary disruptions, training records, and written feedback process are available upon request, subject to the Freedom of Information and Protection of Privacy Act ("FIPPA"). When providing these documents to a person with a disability, EHGNA will endeavour to provide the document, or the information contained in the document, in a format that takes the person's disability into account. Notice of the availability of documents required by the Accessibility Standards for Customer Service will be posted on EHGNA website.

EHGNA shall notify customers that the documents related to the Accessibility Standard for Customer Service are available upon request and in a format, that takes into account the customer's disability. Notification will be given by posting the information in a conspicuous place owned and operated by, EHGNA the website and/or any other reasonable method. In the event that a notification needs to be posted, the following information will be included unless it is not readily available or known:

- goods or services that are disrupted or unavailable
- reason for the disruption
- anticipated duration
- a description of alternative services or options

## **Administration**

If you have any questions or concerns about this policy or its related procedures please contact: Paul Mason at [paulm@erwinhymergroupna.com.com](mailto:paulm@erwinhymergroupna.com.com) or 519 745 0711 ex. 1137.

[1] See the definitions of dignity, independence, integration and equal opportunity in Schedule 1.

[2] Ontario Human Rights Code, R.S.O. 1990, Chapter H.19, Section 10(1)(a-e), Service Ontario e-Laws, 2006, 03 April 2009, [http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90h19\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90h19_e.htm)

[3] Ontario Regulation 429/07, Section 4(9) (a-b)

[4] See Availability and Format of Documents section (page 6) for further information

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## Schedule 1 – EHGNA Accessible Customer Service Principles

**Dignity:** The principle of respecting the dignity of a person with a disability means treating them as customers and clients who are as valued and as deserving of high quality and timely service as any other customer. Persons with disabilities are not treated as an afterthought or forced to accept lesser service, quality or convenience. The delivery of goods and services must take into account how persons with disabilities can effectively access and use them.

**Independence:** In some instances, independence means freedom from control or influence of others -- freedom to make one's own choices. In other situations, it may mean the freedom to do things in one's own way. People who may move or speak more slowly or differently must not be denied an opportunity to participate in a program or service because of this. Staff must allow persons with disabilities to take the time they need, without rushing them or taking over a task for them if someone prefers to do it themselves in their own way.

**Integration:** The provision of goods or services to persons with disabilities and others must be integrated to allow persons with disabilities to fully benefit from the same services, in the same place and in the same or similar way as other customers. Integration means that policies, programs and services including practices and procedures are designed to be accessible to everyone, including persons with disabilities.

**Equal Opportunity:** Equal opportunity means having the same chances, options, benefits and results as others. In the case of services, it means that persons with disabilities have the same opportunity as others to obtain, use and benefit from the way goods or services are provided. They should not have to make significantly more effort to access or obtain services. They should also not have to accept lesser quality or more inconvenience.