

EnAbling Retail Webinar Series

Accessibility for Ontarians with Disabilities Act's Employment Standard

Webinar #5 – Career Development

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Submit Your Questions

Please submit questions during the webinar by using:

WebEx's chat feature on the right side of the WebEx pane

For questions and information post webinar please contact:

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Webinar Agenda

The agenda for Webinar #5 includes:

- Career Development – Retail Council of Canada
- Presentation – Epilepsy Toronto
- Webinar Series – Questions and Answer
 - Retail Council of Canada
 - Accessibility Directorate of Ontario
 - Epilepsy Toronto

Introduction

Like all other employees, an individual with a disability requires performance management and career development opportunities in the workplace.

Whether a formal or informal process, the employee's accessibility needs must be taken into account.

This is especially important to retailer's who wish to retain top talent to grow their business and support customer needs.

Webinar Objectives

By the end of Webinar #5 you will be able to:

- Distinguish between disability related issues and performance related issues
- Identify the importance of performance management for employees with disabilities
- Foster career development and advancement opportunities
- Manage the transition of individual accommodation plans

Sections

This presentation has been divided into three sections:

1. Performance management
2. Career development and advancement
3. Redeployment

Performance Management

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Legislation

Performance management requirements:

(1) An employer that uses performance management in respect of its employees shall take into account the accessibility needs of employees with disabilities, as well as individual accommodation plans, when using its performance management process in respect of employees with disabilities.

Section 30 – Integrated Accessibility Standard Reg. 191/11

Legislation

Performance management requirements continued:

(2) In this section,

“performance management” means activities related to assessing and improving employee performance, productivity and effectiveness, with the goal of facilitating employee success.

Section 30 – Integrated Accessibility Standard Reg. 191/11

Meeting the Requirement

To meet the requirements, employers must:

- Review individual accommodation plans or accessibility needs when managing employee performance

This is not required if an employer does not currently have an internal requirement to manage performance

Disability or Performance Related Issues

Before attempting to coach or correct performance, it is critical to identify whether the issue a manager perceives it actually a performance related issue.

Requiring additional time to read documents or process information resulting from an intellectual or learning disability and would be considered disability related and not performance related.

Arriving late, arguing with a customer or theft would be considered performance related issues.

Disability or Performance Related Issues

It is important for the employer to speak with an employee with a disability to validate if performance issues are in fact disability related issues.

Example: Arriving late to work may be the result of an employee with a disability having difficulty accessing information to public transportation or information that is not designed in an accessible format.

In the above example, a manager can assist the employee in developing an accommodation strategy to solve the disability-related issue.

Disability or Performance Related Issues

There are resources to assist employers in better understanding an employees disability related versus performance related issues.

- Treating physicians or therapists may be able to describe an employee's limitation and capabilities based on the disability
- Functional capacity or psycho-vocational assessment may also provide further insight into the accommodations required based on the specific disability in comparison to specific job requirements

Awareness of Opinions and Attitudes

Employers must be conscious of managers and supervisors as some may have existing opinions and attitudes that may impact the performance assessment for an employee with a disability:

Examples:

- A manager may believe an employee is not suited for their current position because of their disability
- A supervisor may not provide the same training to an employee with a disability because it is not seen as a wise investment

This may cause the employee to be unsuccessful.

Awareness of Opinions and Attitudes

To ensure a bias does not impact employees with disabilities:

- Set clear performance expectations around duties, timing, quality and priorities
- Provide awareness training on inclusive practices to all managers and employees
- Senior management or Human Resources can participate in annual accommodation and performance reviews of employees with disabilities with the employee's manager in order to verify appropriate practices and behaviours have been adopted

Career Development and Advancement

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Legislation

Career development and advancement requirements:

(1) An employer that provides career development and advancement to its employees shall take into account the accessibility needs of its employees with disabilities as well as any individual accommodation plans, when providing career development and advancement to its employees with disabilities.

Section 31 – Integrated Accessibility Standard Reg. 191/11

Legislation

(2) In this section,

“career development and advancement” includes providing 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, provide greater responsibility or be at a higher level in the organization or any combination of them and, for both additional responsibilities and employee movement, is usually based on merit or seniority, or a combination of them.

Section 31 – Integrated Accessibility Standard Reg. 191/11

Meeting the Requirement

To meet the requirements, employers must:

- Review individual accommodation plans or accessibility needs
- Provide accessible career development and advancement opportunities for employees with disabilities

This is not required if the employer does not provide development and advancement opportunities to employees in general.

How to Approach Employees about Advancement Opportunities

The best way to communicate the existence of advancement opportunities and whether there is interest is to:

- Talk directly to the employee that has a disability about the opportunity
- Provide the information in a format that meets the employee's needs based on their accommodation plan
- Do not rely on other mediums where the job opportunity is posted, *i.e. online, newspaper, recruiter*
- Never assume that an employee with a disability has reached their peak potential

Employees Advancement Opportunities Preparation

To assist an employee with a disability to prepare for advancement opportunities:

- Required or recommended training must account for the accessibility needs of the employee
- Teaching styles and training materials should address the different ways that people learn. i.e. Visual, Verbal, Kinesthetic
- Mentoring from a long tenured and experienced employee can assist an employee with a disability in learning the role and building confidence

Redeployment



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Legislation

Redeployment requirements:

(1) An employer that uses redeployment shall take into account the accessibility needs of its employees with disabilities, as well as individual accommodation plans, when redeploying employees with disabilities

Section 32 – Integrated Accessibility Standard Reg. 191/11

Legislation

Redeployment requirements continued:

(2) In this section,

“**redeployment**” means the reassignment 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.

Section 32 – Integrated Accessibility Standard Reg. 191/11

Meeting the Requirement

Redeployment may result from restructuring, temporary or permanent layoffs. If an employee with a disability is redeployed, the employer must:

- Review individual accommodation plans or accessibility needs
- Transfer the plan as part of the reassignment
- The plan may also serve to identify a new job that suits the employee with a disability
- Once in the new position the accommodation plan should be reviewed and revised based on changes in the job, location or other circumstances

Epilepsy Toronto



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Epilepsy Toronto

Presenter:

Tim Nourse – Coordinator, EnAbling Change Project

- www.epilepsyatwork.com

Summary

The information included within the webinar on career performance under the AODA's Integrated Accessibility Regulation will allow you to:

- Distinguish between disability related issues and performance related issues
- Identify the important of performance management for employee
- Foster career development and advancement opportunities
- Manage the transitioning of individual accommodation plans

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Thank you for attending

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