

## Introduction to

# Manitoba's Accessibility Standard for Employment

Enacted on May 1, 2019, Manitoba's Accessibility Standard for Employment is the second standard under The Accessibility for Manitobans Act. Its aim is to remove and prevent barriers that affect current and potential members of Manitoba's labour force. The Accessibility Standard for Employment:

- builds on existing requirements of Manitoba's Human Rights Code
- helps organizations hire, support and keep employees
- applies to paid employees who are:
  - full-time
  - part-time
  - apprentices
  - seasonal

## Safety comes first!

To ensure the safety of employees with disabilities, **all employers** in the public, private and non-profit sectors must comply **by May 1, 2020** with the following two requirements:

- **Workplace Emergency Response Information**
  - Create emergency response information to help employees with disabilities stay safe during emergencies
- **Workplace Emergency Assistance**
  - Ask employees who require assistance during an emergency for permission to share information with individuals who agree to help

For more information, see the [Workplace Emergency Response Information Toolkit](#).

## Compliance deadlines for all other requirements

**Manitoba government** will demonstrate leadership, complying within one year, by May 2020.

**Public sector organizations** must comply by May 2021.

- These include Crown corporations, regional health authorities, colleges, universities, school divisions, Manitoba's 10 largest municipalities and government agencies, boards and commissions

**Private sector, non-profit organizations and small municipalities** must comply by May 2022.

- Private sector includes Manitoba businesses and organizations with one or more employees, such as shops, restaurants and professional services
- Non-profit organizations include charities, places of worship, community organizations and membership associations

## Reasonable accommodation in the workplace

The Accessibility Standard for Employment requires employers to provide [reasonable accommodation](#) to people with disabilities. Most accommodations offer an adjustment to how things are usually done at little or no expense. A workplace accommodation is reasonable if it:

- is required for an employee to carry out workplace responsibilities or to access benefits available to employees
- would not result in undue hardship, such as safety risks to other staff

Reasonable accommodation levels the playing field for employees with disabilities, so they can equally access opportunities available to others in the workplace. The employer and employee share the responsibility to find the right solution.

### Example:

An employee tells her employer that since her knee replacement surgery, she has difficulty standing for long periods. The employer accommodates her needs by offering the option of sitting while performing her duties.

# Employer Requirements

The Accessibility Standard for Employment calls on all employers to have measures, policies and practices to provide reasonable accommodations for employees and applicants. Employers need to consider reasonable accommodation at various stages of employment as it applies to their organizations. This includes:

## Recruitment

- Inform applicants that reasonable accommodations are available on request and consult with affected applicants on the requested accommodation
- Offer and provide reasonable accommodations to the individuals participating in the selection process

## Offer of employment

- Notify new hires about the organization's policies for accommodating employees in the workplace

## On the job

- During performance management, consider whether a workplace accommodation could remove a barrier affecting job performance
- Consider how a workplace accommodation may support an employee's opportunities for training and advancement
- Inform employees about employment policies and practices and any updates
- Offer to provide information in accessible formats and with communication supports
- Develop an individualized accommodation plan if an employee requests it

## Return to work

- Create a policy that sets out the steps to reintroduce an employee who has been absent from work due to a disability
- Describe the process the employer will follow to determine whether and what reasonable accommodation is necessary to support an employee in returning to work

## Training

An employer must ensure they train staff with the following responsibilities:

- recruiting, selecting, or training employees
- supervising, managing, or coordinating the work of employees
- promoting or redeploying employees
- developing and implementing employment policies and practices

Content must include:

- how to create accessibility in the workplace
- how to interact with individuals who use an assistive device or require a support person or service animal
- a review of The Human Rights Code (Manitoba), The Accessibility for Manitobans Act and the Accessibility Standard for Employment

## Additional requirements for large employers

All public sector organizations and Manitoba organizations with 50 or more employees, must:

- Document in writing all accessible employment policies and practices, including the content and timeframe for training
- Make these documents publically available and in accessible formats, by request

**For more information or alternate formats, contact:**

## **Manitoba Accessibility Office**

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Visit [AccessibilityMB.ca](http://AccessibilityMB.ca) for information, tools and templates.

Legal disclaimer: This information complements the application of the regulations under The Accessibility for Manitobans Act (AMA). It is not legal advice. For certainty, please refer to the [AMA](#) and the [Accessible Employment Standard Regulation](#).

**Version 2.0**

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