New Accessibility Standard for Employment

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The Accessibility for Manitobans Act (AMA) was created to achieve an accessible society for all Manitobans disabled by a barrier. Over time, a number of standards will be enacted under the AMA to create accessibility obligations for organizations in areas such as customer service, employment, information & communications, the built environment and transportation.

On May 1, 2019, the Accessible Employment Standard Regulation came into force. It creates a general obligation on all employers to implement policies and practices to reasonably accommodate employees who are disabled by a barrier in the workplace.

Specific highlights of the Accessible Employment Standard include:

- Employers must tell job applicants that reasonable accommodation is available during the recruitment process.
- When offering employment, employers must inform successful applicants of the employer's accommodation policies.
- Employers must ensure that all performance management and career development processes take accessibility into account.
- Any employees responsible for recruiting, supervising, or managing employees must receive accommodation training.
- Employers must establish return to work policies, offer individual communication supports (like making documents available in accessible formats) and create individualized accommodation plans upon request from the employee.
- Employers must tailor emergency response plans to employees who may face special risks due to a disability and, with the employee's permission, share that information with someone in the organization who agrees to help that employee during an emergency.
- Employers with 50 or more employees must document their accessible employment policies and practices in writing, which must include a policy as to how the organization will create individual accommodation plans for employees.

Compliance with this standard will be phased in over the next several years:

- All employers must meet the emergency response plan requirement by May 1, 2020.
- Government must comply with all other requirements by May 1, 2020.
- Public sector employers and large municipalities must comply with all other requirements by May 1, 2021.
- Private sector employers (including non-profits) and small municipalities must comply with all other requirements by May 1, 2022.

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While this means that many businesses will have 3 years to develop a compliance plan, it is never too early to start. We would be happy to assist you in developing your accessible employment policies.

PS - The Accessible Customer Service Standard creates an obligation for all organizations to provide accessible customer service. It had a compliance deadline of November 1, 2018. Did you miss it? Find out more about it in my previous article: **Did you miss the November 1, 2018 deadline to implement a Customer Service Accessibility Policy?**

*Please contact **businessdevdept@tdslaw.com** to connect with a lawyer on this topic.*

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