

January 1 2017 Deadline for AODA Compliance



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Peter Straszynski is a partner of the firm in our Employment & Labour Group. He assists employers with all of their labour and employment issues, from the hiring to the post-termination stages of employment, in both the union and non-union settings.

The deadline for “small” private sector employers to comply with the “Employment Standard” under the *Accessibility for Ontarians with Disabilities Act* (“AODA”) is rapidly approaching. “Large” organizations (50 or more employees) have already been required to comply by January 1, 2016. “Small” organizations (50 or fewer employees) only have until **January 1, 2017** to comply.

Failure to comply can result in orders, fines or penalties. The following is required for compliance:

Hiring

In the hiring process, employers have to notify their employees, the public and applicants selected to participate in an assessment or selection process of the availability of accommodation for disability. Where an applicant requests an accommodation, employers must provide suitable accommodation. When making offers of employment, employers have to notify successful applicants of their policies for accommodating employees with disabilities.

Support Policies

Employers will be required to inform employees of their policies used to support employees with disabilities, including policies on the provision of job accommodation, both when they begin their employment and whenever there is a change to the policies.

Communication Supports

Where requested by an employee with a disability, employers will have to provide or arrange for the provision of accessible formats and communication supports for information needed in order to perform the employee’s job, as well as information that is generally available to employees in the workplace.

Performance Management

Employers using “performance management” (activities related to assessing and improving employee performance, productivity and effectiveness, with the goal of facilitating employee success) will be required to take into account the accessibility needs of employees with disabilities.

Career Development & Advancement

Employers providing “career development and advancement” (by providing additional responsibilities within an employee’s current job, or moving an employee from one job to another that may be higher in pay, provide greater responsibility or be at a higher level in the organization) must take into account the accessibility needs of its employees as well as any individual accommodation plan.

Redeployment

Employers using “redeployment” (the reassignment of employees to other departments or jobs within the organization as an alternative to layoff) must take into account the accessibility needs of its employees with disabilities as well as individual accommodation plans.

Keep in mind that Ontario employers with fewer than 50 employees must comply with these AODA requirements by **January 1, 2017**.

If you need help with your company policies or would just like to learn more about the AODA or any other employment law or human rights issue, call or [email](mailto:Peter) Peter. Please check out his videos and articles at www.torkinmanes.com.