

Recommendations to the Minister of Justice on an Accessibility Standard in Employment

Summary

*Submitted to the Minister of Justice
by the Accessibility Advisory Board*

July 2024

This is a summary of recommendations developed by the Employment Standard Development Committee and submitted to the Accessibility Advisory Board in April 2024.

The Accessibility Advisory Board reviewed, made amendments, and approved the recommendations for submission to the Minister of Justice.

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Introduction

Nova Scotia's Accessibility Act enables Government to develop and enact accessibility standards in various areas, including employment. The Accessibility Advisory Board is responsible for developing recommendations to the Minister of Justice on accessibility standards. The Employment Standard Development Committee (SDC) was established to assist the Accessibility Advisory Board in developing recommendations on the accessibility standard in employment. Consultations and engagement activities were conducted with persons with disabilities, public sector bodies, employers and other impacted sectors, to gather feedback for developing the recommendations.

The recommendations are divided into two sections: one for employers and one for the Government of Nova Scotia. Some recommendations are for an accessibility standard (regulations) and some are non-regulatory. The document recommends a phased approach to the standard with specific exemptions for small employers.

The recommendations cover a range of topics, including workplace accessibility policies, individual accommodation plans, and return-to-work policies and include guidelines, encouraging employers to work towards best practices in creating accessible workplaces.

The recommendations are designed to promote inclusivity and diversity in the workforce and to prevent and remove barriers that may prevent persons with disabilities from fully participating in the workforce. The following is a summary of the content of the recommendations.

Section 1:

Recommendations for Employers

Emergency Preparedness

Emergency preparedness is a critical aspect covered by the recommendations. They emphasize the importance of safe evacuation for all individuals during emergencies, including those with disabilities. It recommends the requirement for up-to-date evacuation and shelter-in-place plans that consider the specific needs of employees with disabilities. These plans must be collaboratively developed, incorporating universal accessibility principles. Emergency response information must be available in accessible formats.

Recruitment, Assessment, Selection, and Onboarding

The section on Recruitment, Assessment, Selection, and Onboarding processes aims to help employers diversify their workforce, reach qualified applicants, and reduce disability discrimination. The recommendations require employers to provide recruitment materials and job descriptions, and orientation materials in accessible formats. Employers must include a statement of commitment to accessibility in their recruitment materials, and tell candidates about accessibility and accommodations. Job advertisements must focus on essential qualifications to reduce barriers for applicants with disabilities. It is recommended that employers must also use accessible digital platforms for recruitment to ensure job postings are easily accessible to all potential applicants. The recommendations require employers to consider alternate ways to assess applicants.

Workplace and Job Accommodation

Recommendations related to Workplace and Job Accommodation align with the Nova Scotia Human Rights Act. They require employers to provide reasonable accessibility services and accommodations to employees with disabilities. This includes developing a workplace accommodation policy, and involving employees with disabilities in discussions about individual accommodation plans and workplace accommodation.

Employee Retention and Advancement

Employee Retention and Advancement recommendations emphasize supporting ongoing career growth and inclusivity within the workplace. It is recommended that employers must provide mandatory staff training and education initiatives to enhance disability awareness

among staff involved in recruitment, supervision and policy. To ensure fair treatment and opportunities for career development, personal development plans and career development opportunities must consider the accessibility needs of employees and recognize workplace accommodation plans. The recommendations address leadership accountability to ensure accessibility goals are integrated into performance management plans of senior leaders. It is also recommended that employers must support employees to complete mandatory forms, and gather information on job exits to improve the retention of employees with disabilities.

Return-to-Work

Return-to-Work processes support employees returning from extended absences, including those due to disabilities. The recommendations require clear policies for return-to-work, job analyses, and personalized return-to-work plans developed in collaboration with employees. Recommendations for transparent and flexible practices aim to facilitate smooth transitions and promote employee well-being.

Section 2:

Recommendations for Government

This section provides specific recommendations to the Government of Nova Scotia. It recommends providing employers with templates, resources, financial support, and guidance to implement the accessibility standard in employment. Recommendations also include unifying provincial employment programs, expanding existing supports across career stages, ensuring equitable compensation, and integrating an intersectional accessibility lens into policy and program development.

The recommendations for Government emphasize fostering disability-confident workplaces through leadership networks, supporting youth with disabilities in early career exploration, and providing accessible career resources and financial literacy education. It also addresses gaps in disability support during transitions and calls for enhanced training for employers and service providers to better support persons with disabilities.