

## **SHERRARD KUZZ LLP**

### **Multi-Year Accessibility Plan**

#### **1. BACKGROUND & PURPOSE**

The goal of the *Accessibility for Ontarians with Disabilities Act, 2005* (the “Act”) is to create a more accessible Ontario, by identifying, and to the extent possible, preventing, and eliminating barriers experienced by persons with disabilities.

The *Integrated Accessibility Standards* (the “IAS”) is a regulation under the Act the purpose of which is to ensure accessibility for persons with disabilities in the areas of (i) Information and Communication, (ii) Employment, (iii) Transportation, (iv) Design of Public Spaces and (v) Customer Service.

Sherrard Kuzz LLP (“SK”) has developed policies that identify how SK currently achieves and will continue to achieve accessibility by meeting the requirements of the IAS and by preventing and eliminating barriers faced by persons with disabilities. The two principal policies are the Integrated Accessibility Standards Policy and the Accessible Client Service Policy collectively the “Policy”.

The purpose of this multi-year accessibility plan (“Accessibility Plan”) is to create a roadmap that describes in more detail the steps SK will take to meet the accessibility objectives set out in the Policy and the timeline in which these steps will be taken. The Accessibility Plan will help SK ensure accessibility is incorporated into its regular business operations and its future development plans.

#### **2. STATEMENT OF COMMITMENT**

SK strives to provide an accessible environment for its team members and members of the public, and is committed to developing, implementing and maintaining policies aimed at meeting the accessibility needs of persons with disabilities in a timely manner.

#### **3. COMPLIANCE WITH EXISTING LAW**

Nothing in the Accessibility Plan or Policy is intended to replace or negate existing laws regarding accessibility for persons with disabilities including but not limited to the *Human Rights Code* and the *Workplace Safety and Insurance Act*.

#### 4. REVIEW

The Accessibility Plan must be reviewed and updated at least once every 5 years but may be reviewed more frequently depending on need.

The most recent review of the Accessibility Plan was completed in 2020. The next review is scheduled for January 2025 unless an earlier review is required due to changes in the legislation or SK's policies.

#### 5. TRANSPARENCY

As of January 1, 2014, the Accessibility Plan will be posted on SK's website. The Accessibility Plan will be provided to any member of the public in a hard, electronic or other Accessible Format upon request.

#### 6. APPLICATION

This Accessibility Plan applies to:

- i. Every team member of, or a volunteer with, SK.
- ii. Every person who participates in developing SK's policies.
- iii. Every other person who provides goods, services or facilities on behalf of SK.

#### 7. DEFINITIONS

- i. **Accessible Formats** - may include, but are not limited to, large print, recorded audio and electronic formats, braille and other formats usable by persons with disabilities.
- ii. **Client** - means existing and prospective clients of SK.
- iii. **Communication Supports** - may include, but are not limited to, captioning, alternative and augmentative communication supports, plain language, sign language and other supports that facilitate effective communications.
- iv. **Contractor** - means an independent contractor, agent, consultant or other third party engaged by SK to provide goods, services or facilities on its behalf.
- v. **Disability** - means:
  - a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
  - b) a condition of mental impairment or a developmental disability,

- c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
  - d) a mental disorder, or
  - e) an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*
- vi. **Guide Dog** - A guide dog as defined in section 1 of the *Blind Persons Rights' Act* is a dog trained as a guide for a person who is blind and having qualifications prescribed by the regulations under the *Blind Persons' Rights Act*.
- vii. **New Internet Website** - means either a website with a new domain name or a website with an existing domain name undergoing a significant refresh.
- viii. **Performance Management** - means activities related to assessing and improving a team member's performance, productivity and effectiveness, with the goal of facilitating team member success.
- ix. **Redeployment** - means the reassignment of team members to other departments or jobs as an alternative to layoff, when a particular job or department has been eliminated.
- x. **Service Animal** – means an animal:
- (a) That can be readily identified as one that is being used by the person for reasons relating to the person's disability, as a result of visual indicators such as the vest or harness worn by the animal.
  - (b) For which the person provides documentation from a member of the following regulated health professionals confirming the person requires the animal for reasons relating to the disability:
    - College of Audiologists and Speech-Language Pathologists of Ontario.
    - College of Chiropractors of Ontario.
    - College of Nurses of Ontario.
    - College of Occupational Therapists of Ontario.
    - College of Optometrists of Ontario.
    - College of Physicians and Surgeons of Ontario.
    - College of Physiotherapists of Ontario.
    - College of Psychologists of Ontario.
    - College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario.

- xi. **Team Member** - means an employee of SK.
- xii. **Support Person** – A person who accompanies a person with a disability to assist with communication, mobility, personal care or medical needs or with access to goods, services and facilities.
- xiii. **Unconvertible Information or Communication** - means information or communication that it is not technically feasible to convert, or if it is technically feasible to convert, the technology required to do so is not readily available.
- xiv. **Web Content Accessibility Guidelines (“WCAG”)** - means the international standard for making websites and web content accessible to people with a wide-range of disabilities. The WCAG contain two levels of compliance, Level A and Level AA.

## 8. GENERAL ACCESSIBILITY STANDARDS

### I. Training

#### Policy Statement:

SK provides training to all persons to whom the Policy and this Accessibility Plan apply.

Training will be provided on:

- i. the requirements of the IAS and the Policy;
- ii. SK’s obligations under the *Human Rights Code* as it pertains to persons with disabilities;
- iii. How to interact and communicate with persons with various types of disabilities.
- iv. How to interact with persons with a disability who use an Assistive Device or require the assistance of a Guide Dog, Service Animal or Support Person.
- v. How to use equipment or devices made available on SK’s premises to assist persons with a disability to obtain, use or benefit from SK’s goods, services and facilities.
- vi. What to do if a person with a disability is having difficulty accessing SK’s premises and/or services.
- vii. the AODA Policies as required by the IAS.

SK will ensure training is provided to all persons to whom the Policy applies as soon as practicable after the person is hired or otherwise retained. On-going training will also occur as Changes are made to the Policy.

SK will maintain records of the individuals to whom training is provided and when the training occurred.

**Accessibility Plan:**

*i. Content of Training*

SK has developed a training program on the general accessibility requirements under the IAS, the Information and Communication Standards, the Employment Standards and the Customer Service Standards as well as on the *Human Rights Code* as it pertains to persons with disabilities. Training provided is appropriate to the individual's duties. Appropriate individuals receive specialized training on the Design of Public Spaces Standards as required

*ii. Format of Training*

Team members receive a comprehensive written training program and are required to confirm in writing that they have read, understood the materials. Records of this confirmation are maintained by the Director of Team Development.

**9. INFORMATION AND COMMUNICATION STANDARDS**

**I. Feedback Procedures**

**Policy Statement:**

SK ensures that its processes for receiving and responding to feedback are accessible to persons with disabilities by providing or arranging for the provision of Accessible Formats and Communications Supports, upon request.

SK notifies the public of the availability of Accessible Formats and Communications Supports for feedback purposes.

**Accessibility Plan:**

SK currently accepts feedback from team members, Clients and the public in a number of different ways including but not limited to: (i) in person, (ii) over the telephone and (iii) in writing (*i.e.* handwritten, by mail or email).

In addition to the above, SK will provide or receive responses to feedback in an Accessible Format or with Communication Supports upon request.

Notification about the availability of Accessible Formats and Communications Supports in respect of SK's process for receiving and responding to feedback is posted on SK's website.

## **II. Accessible Formats & Communication Supports**

### **Policy Statement:**

Upon request, SK will provide or arrange for the provision of Accessible Formats and Communication Supports in order to make its communications or information about the goods, services and/or facilities it offers accessible to persons with disabilities. Accessible Formats and Communication Supports will be provided in a timely manner and at a cost no more than the regular cost charged to any other person.

SK will consult with the person making the request when determining the suitability of an Accessible Format or Communication Support. SK will also notify the public of the availability of Accessible Formats and Communication Supports.

### **Accessibility Plan:**

#### *i. Exempt Information*

The Information and Communication Standards do not apply to (i) products and product labels; (ii) Unconvertible information or communications; and (iii) information that SK does not control directly or indirectly through a contractual relationship.

Should SK determine that information or a communication is Unconvertible it will explain why this is the case and provide the person making the request with a summary of the said information or communication.

#### *ii. Consultation*

Team members who receive a request from a Client or the public for information in an Accessible Format or with Communication Supports should consult with the requesting individual to determine how the information may best be made accessible.

A Contractor who receives a request from a Client or the public for information in an Accessible Format or with Communication Supports should report the request to SK immediately.

The Managing Director and/or the responsible lawyer are responsible for assisting team members with the consultation process where required.

#### *iii. Providing Accessible Formats at No Additional Cost*

SK may not have Accessible Formats immediately available upon request. If a Client makes a request for accessible documentation in these circumstances, SK will contact and obtain the services of a company that specializes in converting written documentation into Accessible Formats (i.e. pdf document that can be read by a screen reader, Braille etc.)

Accessible Formats and Communication Supports will be provided in a timely manner and at a cost that is no more than the regular cost charged to other persons.

### **III. Accessible Websites and Web Content**

#### **Policy Statement:**

SK will ensure that, where practicable, any New Internet Website and web content on such site(s) conforms with WCAG 2.0 Level A.

By January 1, 2021 SK will ensure, where practicable, any website or content on that site(s) published after January 1, 2012 conforms with WCAG 2.0 Level AA to the extent required by the IAS.

When determining whether meeting the requirements of this section is practicable SK will consider: the availability of commercial software or tools required to achieve web accessibility, and the impact meeting the requirements of this section will have on projects planned before January 1, 2012.

The commitment to provide accessible websites and web content only applies to websites and web content that SK controls directly or indirectly through a contractual relationship that allows for modification of the website or web content at issue.

#### **Accessibility Plan:**

SK operates a website to service Clients and members of the public. SK's website and content, which SK controls and which it publishes on its website, is compliant with WCAG 2.0 Level AA to the extent required by the IAS.

### **10. EMPLOYMENT STANDARDS**

The Employment Standards only apply to team members. They do not apply to Contractors or volunteers.

#### **I. Recruitment/Selection/Assessment**

#### **Policy Statement:**

SK notifies the public and team members of the availability of accommodation during the recruitment process. SK further notifies all job applicants who are individually selected to participate in an assessment or selection process that accommodation is available upon request in relation to the assessment or selection process if the applicant requires accommodation due to a disability.

If an applicant requests accommodation, SK will consult with the applicant and provide or arrange for the provision of a suitable accommodation in a manner that takes into account the applicant's accessibility needs.

**Accessibility Plan:**

*i. Notification to the Public & External Applicant: Accommodation During Recruitment*

There is a notification posted on SK's website regarding the availability of accommodation during the recruitment process.

SK may occasionally post open positions on various job search websites. Where such postings are made, SK will include a notification of the availability of accommodation during the recruitment process.

*ii. Notification: Accommodation During Assessment & Selection*

SK employs different assessment and selection processes depending on the position for which it is hiring. The assessment and selection process may include but is not limited to standard interviews and skills tests. Where an applicant is individually selected to participate in any assessment or selection process SK will notify the applicant of the availability of accommodation in respect of same.

Where, by reason of a disability, an applicant requests accommodation in respect of an assessment or selection process, SK will consult with the applicant for the purposes of determining an appropriate accommodation. Where SK determines an applicant, due to a disability, does require accommodation during the assessment and selection process, SK will provide accommodation up to the point of undue hardship.

*iii. Use of External Recruitment Agencies*

SK uses recruitment agencies to recruit for certain positions. Where SK retains a recruitment agency it will ensure that an obligation to notify applicants about the availability of accommodation during the recruitment, assessment and selection process is included in its service contract.

**II. Notice to Successful Applicants**

**Policy Statement:**

When making offers of employment, SK notifies the successful applicant of its policies on accommodating team members with disabilities.

**Accessibility Plan:**

SK notifies successful candidates for employment of its policy regarding the accommodation of team members with disabilities in its offer letters and/or contracts of employment.



### **III. Informing Team Members of Supports**

#### **Policy Statement:**

SK informs its team members of its policies on supporting team members with disabilities, including, but not limited to, policies on the provision of job accommodations that take into account a team member's accessibility needs due to disability. This information is provided to a new team member as soon as practicable after commencing employment.

SK provides team members with updated information whenever there is a material change to its policies on the provision of job accommodations for team members with disabilities.

#### **Accessibility Plan:**

SK's policies on the availability of accommodation during employment as well as its policies for the development of documented individual accommodation plans and return to work plans are included in its Office Manual which is provided to every team member. SK will notify team members as necessary, where there is a change to these policies.

### **IV. Accessible Formats and Communication Supports for Team Members**

#### **Policy Statement:**

Upon the request of a team member with a disability, SK provides or arranges for the provision of Accessible Formats and Communication Supports in order to ensure that (i) information required by the team member to perform his/her job; and (ii) information generally available to team members in the workplace, is accessible to the team member with a disability.

SK will consult with a team member making such a request to determine the suitability of any Accessible Format or Communication Support. However, SK reserves the right to determine the Accessible Format or Communication Support that will be provided.

#### **Accessibility Plan:**

A request for the provision of information in an Accessible Format and/or with a Communication Support may be made to the Managing Director (Lawyers and Accounting team members) or the Director of Team Development (Support team members excluding Accounting team members). Such requests will be addressed in accordance with SK's regular procedure for accommodating team members with disabilities which includes the development of a documented individual accommodation plan in consultation with the team member.

Where the provision of information in an Accessible Format is required, SK may utilize the services of Accessible-IT or another service provider as may be appropriate in the circumstances.

## V. Workplace Emergency Response Information

### Policy Statement:

SK will provide individualized emergency response information to any team member who requires it as a result of a disability. This information will be provided as soon as practicable after SK becomes aware of the team member's need for an individualized response.

Where the team member will require assistance in an emergency, and with the team member's consent, SK will designate a colleague(s) to provide such individualized assistance and will provide the colleague(s) with the team member's individualized emergency response information.

SK will review the individualized workplace emergency response information when (i) the team member moves to a different work location; (ii) the team member's overall accommodations needs or plans are reviewed; and (iii) when SK reviews its general emergency response policies.

### Accessibility Plan:

#### *i. Existing Team Members*

A notification regarding SK's emergency response procedures as well as the availability of individual emergency response information was circulated to existing team members when this requirement originally came into force in 2012. Individual emergency response information has been developed as required. SK will continue to update individualized workplace emergency response information as necessary.

#### *ii. New Team Members*

Team Members hired after January 2012, are notified of SK's emergency response procedures by its policy in respect of same which is included in the Office Manual that is provided to team members upon commencement of employment. Information regarding the availability of individual emergency response information is provided to team members as soon as practicable upon commencement of employment.

## **VI. Documented Individual Accommodation Plans**

### **Policy Statement:**

SK has a written process for the development of documented individual accommodation plans for team members with disabilities. The process includes all elements required by the IAS.

Any individual accommodation plan prepared for a team member will include:

- i. Information on Accessible Formats or Communications Supports provided to the team member.
- ii. Any individualized workplace emergency response plan developed for the team member.
- iii. Any other forms of accommodation being provided to the team member as a result of his or her disability

### **Accessibility Plan:**

SK has created a written policy on the development of Individual Accommodation Plans which is included in its Office Manual.

## **VII. Return to Work Process**

### **Policy Statement:**

SK has a written process for any team member who may be returning to work following a disability-related leave of absence. The process includes the steps taken to facilitate the team member's return to work and the development of any required individual accommodation plan on return.

### **Accessibility Plan:**

SK has created a written policy on the development of a documented return to work process which is included in its Office Manual.

## **VIII. Performance Management**

### **Policy Statement:**

SK will take a team member's accessibility needs and any individual accommodation plans into account when conducting performance management.

### **Accessibility Plan:**

Individuals responsible for evaluating team member performance are aware of their obligations under the *Human Rights Code* and the need to take accessibility needs into account when engaging in performance management. Individuals responsible for performance management also take into account written individual accommodation plans as applicable.

## **IX. Career Development and Advancement**

### **Policy Statement:**

SK will take a team member's accessibility needs and any individual accommodation plans into account when providing opportunities for career development and advancement.

### **Accessibility Plan:**

Individuals responsible for evaluating team members for career development and advancement are aware of SK's obligation under the *Human Rights Code* and the need to take accessibility needs into account. Individuals responsible for evaluating team members for career development and advancement also take into account written individual accommodation plans as applicable.

## **X. Redeployment**

### **Policy Statement:**

SK will take a team member's accessibility needs and any individual accommodation plans into account when making Redeployment decisions

### **Accessibility Plan:**

Team members responsible for Redeployment are aware of SK's obligation under the *Human Rights Code* and the need to take accessibility needs into account. Team members responsible for Redeployment also take into account written individual accommodation plans as applicable.

## 11. DESIGN OF PUBLIC SPACES STANDARDS

### Policy Statement:

SK will comply with the accessibility requirements of the Design of Public Spaces Standards should it redevelop or construct a new public space covered by the IAS.

### Accessibility Plan:

SK is not currently responsible for redeveloping or constructing any of the public spaces covered by the Design of Public Spaces Standards. However, should SK have such responsibility in the future it will ensure compliance with the requirements of the IAS.

## 12. CUSTOMER SERVICE STANDARDS

### I. Communication

#### Policy Statement:

SK strives to communicate with a person with a disability in a manner that takes into account the individual's disability.

#### Accessibility Plan:

Approaches for accessible communication are set out in our accessibility training program and our manual entitled "Accessible Practices for Client Service".

### II. Assistive Devices

#### Policy Statement:

A person with a disability is permitted, where possible, to use his or her own Assistive Device when on SK's premises for the purposes of obtaining, using or benefiting from SK's services or facilities.

If there is a physical, technological or other type of barrier that prevents the use of an Assistive Device on SK's premises, SK will make efforts to provide an alternative means of assistance to the person with a disability.

#### Accessibility Plan:

SK does not offer any particular Assistive Devices but its premises is equipped with an accessible washroom and its office building has accessible features including ramps, automatic doors and elevators as alternatives to escalators.

SK provides training to team members on its policy with respect to the use of Assistive Devices at its premises, how to communicate and interact with persons who use Assistive Devices and the procedures to follow when one or more of the accessible features at its office building is temporarily out of service.

### **III. Guide Dogs and Service Animals**

#### **Policy Statement:**

A person with a disability may enter SK's premises to which a client has access accompanied by a Guide Dog or Service Animal, and keep the Guide Dog or Service Animal with them, if the Guide Dog or Service Animal is not otherwise excluded by law.

If a Guide Dog or Service Animal must be excluded by law, SK will provide the explanation for why and explore alternative ways to meet the client's needs.

#### **Accessibility Plan:**

SK provides training to Team members on how to identify a Guide Dog or Service Animal and the requirement that the Guide Dog or Service Animal be permitted to accompany the client while he/she is on SK's premises.

Team members are further trained on how to interact with a client who is accompanied by a Guide Dog or Service Animal, what steps to take in the rare circumstance that the Guide Dog or Service Animal may be excluded by law and how to handle a circumstance in which the presence of a Guide Dog or Service Animal is problematic for Team members or for another client (e.g. if the individual has a fear or allergy to the Guide Dog or Service Animal).

### **IV. Support Persons**

#### **Policy Statement:**

A person with a disability may enter areas of SK premises to which a Client has access with a Support Person and have access to the Support Person while on the premises.

SK may require a person with a disability to be accompanied by a Support Person when on the premises, but only if, after consulting with the person with a disability and considering the available evidence, SK determines:

- (a) A Support Person is necessary to protect the health or safety of the person with a disability or the health or safety of others on the premises; and
- (b) There is no other reasonable way to protect the health or safety of the person with a disability and the health or safety of others on the premises.

**Accessibility Plan:**

SK provides Team members with training on its policy with respect to Support Persons including how to identify a Support Person and how to communicate and interact with a client who is accompanied by a Support Person. SK further provides training on how to address the disclosure of confidential information when a Client is accompanied by a Support Person.

SK occasionally holds fundraisers, political events and seminars for which it charges attendees an admission fee. Where a person with a disability wishes to bring a Support Person, the Support Person will not be charged an admission fee unless advised otherwise prior to the function or event. If SK requires a person with a disability be accompanied by a Support Person, SK shall waive any applicable admission fee for the Support Person.

**V. Notice of Service Disruption**

**B. Policy Statement:**

SK will notify clients if there is a planned or unexpected disruption of a facility or service a person with a disability may otherwise use to access SK's goods, services and facilities. The notice will be posted where it is likely to come to the attention of SK's clients, such as at the entrance of our premises and/or on the home page of SK's website.

The notice will include the following information:

- (a) The facility or service that is unavailable.
- (b) The anticipated duration of the disruption.
- (c) The reason for the disruption.
- (d) Alternative facilities or services, if available.

**Accessibility Plan:**

All team members are responsible for reporting any service or facility disruptions to the Director of Team Development or in her absence, the Assistant to the Administrative Team.

The manner, timing and content of any notification will be the responsibility of the Director of Team Development or in her absence, the Assistant to the Administrative Team. Wherever necessary, decisions with respect to notification of a service disruption shall be made in consultation with the Managing Director (Rhonda Cohen).

Individual lawyers are responsible for notifying a client of a service or facility disruption if the lawyer is aware that such disruption will impact the client's ability to access SK's premises.

## **I. Feedback Procedure**

### **Policy Statement:**

SK welcomes and appreciates feedback regarding its Policy and its implementation. Feedback can be provided in the following ways

In person at 250 Yonge Street, Ste 3300, Toronto, Ontario M5B 2L7.

By telephone at 416-603-0700.

In writing to Rhonda Cohen, Managing Director, Sherrard Kuzz LLP, Employment and Labour Lawyers, 250 Yonge Street, Ste 3300, Toronto, Ontario M5B 2L7.

Electronically, either by email to rcohen@sherrardkuzz.com or through alternate means of providing electronic text.

Where feedback requires SK to take an action or where a complaint is received, SK will take the necessary action in response to the feedback or complaint and will document the action taken. This documentation will be available upon request.

We will make information about this feedback procedure readily available to the public and shall make it accessible to a person with a disability by providing, or arranging for the provision of Accessible Formats and Communication Supports, on request.

### **Accessibility Plan:**

Team members receive training on SK's feedback procedure as well as the information that should be collected from an individual who has made a complaint. Information about SK's feedback procedure is posted on its website and will be provided in an Accessible Format or with a Communication Support upon request.



### **13. DOCUMENTATION**

#### **Policy Statement:**

This Accessibility Plan, the Policy and any other documentation required to be provided by the IAS shall be made available to any member of the public upon request.

Notification of the availability of this documentation will be posted at a conspicuous place on our premises, by posting it in SK's website, or by such other method as is reasonable in the circumstances.

SK will provide documents, or the information contained in documents, required to be provided under the IAS, to a person with a disability in an Accessible Format or with a Communication Support, upon request.

Where a request is so made, the document(s) will be provided in a timely and in a manner that takes into account the person's accessibility needs due to disability. The document will also be provided at a cost that is no more than the regular cost charged to other persons.

SK will consult with the person making the request in determining the suitability of an Accessible Format or Communication Support.

#### **Accessibility Plan:**

Team members receive training on the obligation to provide this documentation and how to consult with a person making the request regarding the Accessible Format or Communication support that would meet that person's individual needs.

### **14. QUESTIONS ABOUT THE POLICY OR ACCESSIBILITY PLAN**

For more information about the Policy or SK's Accessibility Plan please contact:

#### **Rhonda Cohen**

Managing Director  
Sherrard Kuzz LLP  
Employment & Labour Lawyers

#### **Mailing Address / In-person Request**

250 Yonge Street, Suite 3300  
Toronto, ON M5B 2L7

#### **Telephone & Fax**

Tel: 416.603.6243 Fax: 416.603.6035

#### **Email**

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