



e2r Alert!

The Accessibility Standard for Employment is Now in Effect in Manitoba

In December 2013, *The Accessibility for Manitobans Act* (“AMA”) became law, with the goal of making meaningful strides in accessibility across the province, by 2023.

The Accessibility Standard for Employment, which was enacted on May 1, 2019, is intended to eliminate barriers faced by Manitobans (the “Employment Standard”) and impacts private sector organizations, non-profit organizations and small municipalities as well as organizations with at least 1 employee in Manitoba.

As of May 1, 2022, all employers must comply with the following requirements, which require employers to consider reasonable accommodation at various stages of employment:

Recruiting and Offer of Employment

- Offer reasonable accommodations when recruiting new employees;
- When making an offer of employment, inform applicants about workplace accommodation measures, policies and practices;

Training

- Ensure that all employees know about workplace policies and practices, including updates. Ensure that this information is offered in accessible formats and with communication supports upon request;
- Consider workplace accommodations to remove barriers that may affect an employee’s opportunities for training and advancement;
- Provide training to supervisors, management and human resources staff about accessible employment and related legislation;

Individual Accommodation Plans

- Develop and implement individual accommodation plans for employees that request them;

Performance Management



- Management must consider workplace accommodations to remove a barrier affecting an employee's performance;

Return to Work

- Follow a return to work policy for employees who have been off work due to a disability. Ensure that there is a process to determine reasonable workplace accommodations;

Employers with 50 or more employees are also required to:

- Keep a written record of accessible employment policies and practices, including a summary of training content and when training is offered;
- Create and maintain a policy on individualized accommodation plans that meets the requirements of section 13(2) of the Accessible Employment Standard Regulation; and,
- Make accessible employment policies and practices available on request and in accessible formats.

Regardless of the May 1, 2022 deadline, all employers must also tailor their emergency response plans to employees who face special risk due to a disability and, with the employee's permission, share that information with a person appointed to assist the employee during an emergency.

Many of these requirements mirror the requirements of Ontario's *Accessibility for Ontarians with Disabilities Act, 2005* and its *Integrated Accessibility Standards* regulations and will be familiar to employers with operations in Ontario.

We are happy to work with you to ensure you remain compliant in this ever-changing workplace landscape. Please do not hesitate to reach out to speak with an e2r™ Advisor with any questions.