

Martin Sheppard Fraser LLP Recruitment and Employment Accessibility Policy

This policy is consistent with the employment standards made under the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)* and augments the Firm's pre-existing obligations under the Ontario *Human Rights Code*, R.S.O. 1990, c. H.19. It creates specific obligations for employers with respect to establishing an accessible work environment and provides accessibility requirements for employees and potential employees in all phases of the employment cycle.

1. Purpose and Commitment

Martin Sheppard Fraser LLP (the "Firm") will use reasonable efforts to ensure that its employment practices are accessible to meet the needs of people with disabilities and are consistent with the following principles:

- All employment practices are provided in a way that respects the dignity and independence of persons with disabilities; and
- Persons with disabilities have opportunities equal to others.

2. Definitions

For the purposes of this policy:

"Candidate" means, an applicant who has applied to the Firm for a position or is in the interview process.

"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*.

"Guide Dog" means a dog trained as a guide for a person with disabilities who is blind or visually impaired.

“Lawyer” means, an Associate or Partner of the Firm.

“Personal Assistive Device” means any device a person with disabilities may bring with them to work or an interview.

“Service Animal” means an animal for a person with disabilities where it is readily apparent that the animal is used by the person for reasons relating to his or her disability or where the person provides a letter from a physician or nurse confirming that he or she requires the animal for reasons relating to the disability.

“Staff” means, an employee currently employed by the Firm, which includes but is not limited to a student-at-law, an articling student, law clerk, legal assistant, general partner, administrative assistants, accounting clerks and student volunteers.

3. Application of Policy

The policy applies to all Lawyers, Staff and Candidates.

4. Hiring

The Firm welcomes and encourages applications from people with disabilities for all positions. Accommodations are available on request for candidates taking part in all aspects of the selection process. During the interview process, accommodation will be provided upon written request to Gary Enskat, or the hiring lawyer.

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Niagara Falls, ON L2E 6V7
Telephone: 905.354.1611, extension 261
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enskat@msflawyer.com

If an applicant or successful candidate requests accommodation, their needs will be discussed directly with the candidate and adjustments will be made to support them.

5. Commitment to Employment Standards

The Firm is committed to accommodation and will carry out its functions and responsibilities by:

- communicating with Candidates, Staff and Lawyers with disabilities in ways that take into account their disability;
- allowing Candidates, Staff and Lawyers with disabilities to use assistive devices – the Firm will provide its Staff and Lawyers with training on how to use the assistive devices available, if any, on the Firm premises;
- ensuring that Candidates, Staff and Lawyers with disabilities who are accompanied by a Service Animal are permitted to enter the

- premises of the Firm with the animal and to keep the animal with them, unless the animal is excluded by law from the premises; and
- ensuring that all Staff and Lawyers with disabilities have an Individual Accommodation Plan (**WPD > Accessibility**)

6. Service Animals

Candidates, Staff and Lawyers with disabilities may be accompanied by a Guide Dog or other Service Animal when on the Firm's premises.

7. Parking and Access to the Building

Access to the Firm is wheelchair accessible at the front entrance. Upon request, the Firm will make the necessary arrangements should a Candidate, Staff or Lawyer require handicap parking. The design of the Firm permits wheel chair access to all levels.

8. Training for Staff

The Firm will train its Staff and Lawyers on its policies relating to the support of Staff, Candidates and Lawyers with disabilities. The training will be provided as soon as practicable after a successful Candidate commences his or her duties. The following topics include, but are not limited to the follow.

- an overview of the *Accessibility for Ontarians with Disabilities Act, 2005* and the requirements of the employment standards;
- an overview of the *Human Rights Code*, R.S.O. 1990, c. H.19 where it applies to persons with disabilities;
- how to interact and communicate with Candidates, Staff and Lawyers with various types of disabilities;
- how to interact with Candidates, Staff and Lawyers with disabilities who use an assistive device or require the assistance of a Guide Dog, or Service Animal;
- what to do if Candidates, Staff or Lawyers with a particular type of disability are having difficulty;
- the Firm's policies, practices and procedures relating to the employment standard;
- areas of the accessibility standards that are relevant to workplace responsibilities;
- general information and communications;
- transportation; and
- design of public spaces.

The firm will provide training on an ongoing basis when changes are made to the Firm's policies, practices and procedures governing the provision of goods or services to persons with disabilities.

9. Talent and Performance Management

The Firm will consider the needs of Staff and Lawyers with disabilities when it holds its annual salary reviews in mid June and in its determination to promote or move a Staff member or Lawyer to a new position within the Firm.

10. Feedback Process

The Firm welcomes any feedback regarding its employment standards relating to Staff, Candidates and Lawyers with disabilities. Individuals may provide their feedback in person, by telephone, fax, regular mail or email. All feedback will be directed to Gary Enskat.

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All feedback will be reviewed and, where necessary and practicable, action will be taken to correct any issues identified. Individuals can expect a reply within 30 days if a response is requested. Complaints will be addressed according to the Firm's regular complaint management procedures.

11. Modifications to this or other policies

Changes will not be made to this policy unless the impact of the changes on Staff Candidates and Lawyers with disabilities has been considered.

Any Firm policy that does not respect and promote the dignity and independence of Staff, Candidates and Lawyers with disabilities will be modified or removed.

12. Accessible Emergency Information

If the Firm is aware that Staff or Lawyers may need accommodation in an emergency, the Firm will prepare an Individualized Workplace Emergency Response Information ("IWERI") (**saved in the WPD>Accessibility**) with that Staff member or Lawyer and assign a Staff member or Lawyer to assist during an emergency. If that Staff member or Lawyer consents, the Firm may provide the assigned Staff member or Lawyer with the IWERI.

IWERI must be provided as soon as practicable after the Firm becomes aware of the need for accommodation, and must be reviewed annually or if the Staff member or Lawyer moves to a different location. Each time a Staff member or Lawyer moves to a different location, his or her accommodation needs must be reviewed by the Firm in light of the general emergency response policies at that location and the Joint Health and Safety Committee should be advised to ensure any changes are incorporated into their inspections.

13. Reports of Barriers

Feedback on barriers affecting access to the Firm, access to materials or issues with respect to the set up of a workplace may be directed to the Lawyer in that department.

14. Questions about this Policy

If anyone has a question about the policy, or if the purpose of the policy is not understood, please contact Gary Enskat.

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15. Maintenance of Documents/ Workplace Information

The Firm shall provide all new Staff and Lawyers with its policies, practices, procedures and general information.

The Firm will maintain documents describing its policies, practices and procedures and, upon request, shall give a copy of a document to any person. Any updates to these documents will be disseminated to Staff and Lawyers via email and or by such method as is reasonable in the circumstances.

The documents will include policies, practices and procedures with respect to the following:

- use of support persons;
- use of guide dogs or service animals;
- the training policy, including a summary of the contents of the training and details of when the training is to be provided;
- records of the training provided under this policy, including the dates on which the training is provided and the number of individuals to whom it is provided;
- the feedback process.

The Firm will notify the public, Candidates and its Staff by posting the information on the Firm website or by such method as is reasonable in the circumstances.

When required under this policy to give a copy of a document to a person with disabilities, the Firm will provide the document or information in a format that takes into account the person's disabilities. We will consult with the individual making the request to determine the format to be used for the document or information.