



Rutherford Contracting Ltd.

Corporate Accessibility Policy

Accessibility Policy

Written: May 2017
Effective Date: May 2017

Last Revised: October 2021
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OVERVIEW

The Accessibility for Ontarians with Disability Act, 2005 (AODA) is a provincial statute that outlines the requirements for developing, implementing and enforcing accessibility standards in order to achieve accessibility for Ontarians with disabilities with respect to goods, services, accommodation, employment, buildings, structures and premises.

The AODA is made up of five standards, as well as some general requirements, and they include the:

1. Customer Service Standard
2. Information and Communication Standard
3. Employment Standard
4. Transportation Standard
5. Design of Public Spaces Standard

The AODA standards are part of the Integrated Accessibility Standards Regulation (IASR). The IASR includes, in addition to requirements specific to each standard, the following general requirements:

1. Provide training to staff and volunteers
2. Develop an accessibility policy
3. Create a multi-year accessibility plan and update it every five years
4. Consider accessibility in procurement and when designing or purchasing self-service kiosks

The AODA does not supersede the requirements for accessibility and accommodation described under the Ontario Human Rights Code.

The Accessibility Policy was developed to ensure that Rutherford Contracting Ltd. meets its compliance obligations for accessibility set out in the AODA and IASR (which collectively is the AODA) and in consideration of the related provisions of the Ontario Human Rights Code.

PURPOSE

This Policy defines:

- Rutherford Contracting’s vision and goals for accessibility; and
- Expectations to ensure compliance with the AODA, its standards and regulations, and other applicable legislation and Rutherford policies.

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Rutherford’s overall goal is to provide excellent service to everyone in a manner that is respectful and courteous regardless of disabilities of those we are serving and that encompasses the principals set out by the AODA and Human Rights Code.

APPLICATION AND SCOPE

This Policy applies to Rutherford Contracting Ltd., including Senior Management, employees and contractors, and pertains to all services provided by Rutherford Contracting Ltd.

In scope are the accessibility needs of persons with disabilities including clients, consultants, subcontractors, and Rutherford employees.

POLICY STATEMENT

Rutherford Contracting Ltd. is committed to excellence in customer service; staff members will endeavor to consistently treat others, regardless of their abilities, with courtesy and respect, and in so doing, will assist in facilitating independence and integration through the removal of physical, mental and/or attitudinal barriers. We will make reasonable efforts to create equal opportunities for access to the services we provide by understanding that equality sometimes means treating people differently in order to ensure they have access to services equal to someone who may possess different abilities.

DEFINITIONS

For the purpose of this Policy:

AODA – *Accessibility for Ontarians with Disability Act, 2005* and its regulations.

Accessibility – providing people with differing abilities access to a product, device, service, or environment. It can be viewed as the “ability to access” and benefit from some system or entity.

Accessible formats – ways of presenting printed, written, or visual material so that people who not read print can access it. Accessible formats can include, but are not limited to, large print, recorded audio and electronic formats, braille and other formats usable by persons with disabilities.

Assistive devices – any device that is designed or adapted to assist a person perform a particular task (i.e. canes, crutches, walkers, wheel chairs, communication aids, cognition aids, personal mobility aids, hearing aids, etc.).

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Barrier – obstacles that make it difficult for people with disabilities to participate in society.

These barriers can include:

- *Physical and architectural barriers* – occur in the environment and prevent access for people with disabilities.
- *Information or communication barriers* – this can happen when a person with a disability cannot easily receive and/or understand information that is available to others (e.g. publications that are not available in accessible formats).
- *Technological barriers* – occurs when technology or the way it is used does not meet the needs of people with disabilities.
- *Attitudinal barriers* – behaviours, perceptions, and assumptions that discriminate against persons with disabilities.
- *Systemic barriers* – policies, practices or procedures that result in some people receiving unequal access or being excluded.

Clients – refers to the general public whom Rutherford provides services to.

Communication supports – alternative forms of communication which can include methods that supplement or replace speech or writing for those with impairments.

Guide Dog – a dog used to assist persons with vision impairment who has been highly-trained by one of the facilities listed in Ontario Regulation 58 under the *Blind Persons' Rights Act*.

Service animal – animals trained to alert an individual to an oncoming seizure or that assist persons who are hard of hearing. These animals are easily identifiable as relating to the person's disability or disabilities (i.e. wears a vest or harness) and the individual can provide documentation from a regulated health professional confirming the animal is required due to a disability.

Support person – a person that helps a disabled individual with various things such as communicating, medical needs, personal care, gaining access to goods, services or facilities, or helping with mobility.

Information – data, facts, and knowledge that exists in any format.

Person Requiring Assistance (PRA) – A person requiring assistance at the time of an evacuation.

Person with Disabilities – an individual who has a disability which is defined in the *Ontario Human Rights Code* as:

- i. 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

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- ii. 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, physical reliance on a guide dog or other animal or in a wheelchair or other remedial appliance or device;
- iii. A condition of mental impairment or a developmental disability;
- iv. A learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
- v. A mental disorder; and
- vi. An injury or disability for which benefits were claimed or received under the insurance plan established under *the Workplace Safety and Insurance Act, 1997*.

Temporary Disruption – short term disruption (either planned or unplanned) to facilities or services that persons with disabilities usually utilize to obtain access to Rutherford’s services.

Undue Hardship – special or specified circumstances that partially or fully exempt a person or organization from performance of a legal obligation so as to avoid an unreasonable or disproportionate burden or obstacle. Rutherford has the duty to accommodate short of undue hardship. What constitutes undue hardship varies depending on each individual case.

KEY REQUIREMENTS FOR ACCESSIBLE CUSTOMER SERVICE

Rutherford Contracting Ltd. will:

- a. Establish policies, practices, and procedures on providing goods or services to people with disabilities.
- b. Use reasonable efforts to ensure that our policies, practices, and procedures are consistent with the core principles of independence, dignity, integration, and equality of opportunity.
- c. Set a policy on allowing people to use their own personal assistive devices to access our goods and use our services and about any other measures our organization offers (assistive devices, services, or methods) to enable them to access our goods and use our services.
- d. Communicate with a person with a disability in a manner that takes into consideration his or her disability.
- e. Train staff, volunteers, contractors and any other people who interact with the public or other third parties on our behalf on a number of topics as outlined in the *Customer Service Standard*.

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- f. Train staff, subcontractors and any other people who are involved in developing our policies, practices, and procedures on the provision of goods or services on a number of topics as outlined in the *Customer Service Standard*.
- g. Allow people with disabilities to be accompanied by their guide dog or service animal in those areas of the premises we own or operate that are open to the public, unless the animal is excluded by another law. If a service animal is excluded by law, use other measures to provide services to the person with a disability.
 - i. It is the responsibility of the person with a disability to ensure that their service animal is under their control at all times.
- h. Permit people with disabilities who use a support person to bring that person with them while accessing goods or services in premises open to the public or third parties.
- i. Provide notice when facilities or services that people with disabilities rely on to access or use our goods or services are temporarily disrupted.
- j. Establish a process for people to provide feedback on how we provide goods or services to people with disabilities and how we will respond to any feedback and take action on any complaints. Make the information about our feedback process readily available to the public.
- k. Document in writing all our policies, practices and procedures for providing accessible customer service and meet other document requirements set out in the standard.
- l. Notify customers that documents required under the *Customer Service Standard* are available upon request.
- m. When giving documents required under the customer service standard to a person with a disability, provide the information in a format that takes into account the person's disability.

AODA Training

1. Rutherford Contracting Ltd. will ensure that training is provided to the following persons:
 - Employees – Senior Management Team, Superintendents, Project Managers, Project Coordinators, Estimators, Administrative Staff, and Field Staff
 - Every person engaged to deliver goods and/or services on Rutherford's behalf; and
 - Any person involved in developing Rutherford's policies, as required by the AODA.

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2. The training will be provided to staff as soon as practical after hiring or promotion and within one month of orientation. Ongoing training shall be provided in connected with changes to Rutherford Contracting Ltd.'s policies, practices, and procedures governing the provision of goods and/or services and/or facilities to persons with disabilities.
3. Rutherford Contracting Ltd. will maintain a training plan that integrates the requirements of the AODA.
4. Rutherford Contracting Ltd. will ensure that the training will be tailored to the amount of exposure the person has with Rutherford Contracting Ltd.'s customers.
5. Rutherford Contracting Ltd. will maintain a record of the dates on when the training was provided and the people who received the training.
6. The AODA training will cover:
 - a. An overview of the AODA and the requirements of the Customer Service Standard.
 - b. Rutherford Contracting Ltd.'s policy and procedures related to accessible customer service.
 - c. Instructions on how to interact and communicate with people with various types of disabilities.
 - d. Instructions on how to interact with people with disabilities who:
 - i. use an assistive device(s); or
 - ii. require the assistance of a guide dog, service dog or other service animal;
or
 - iii. require the use of a support person
 - e. Instructions on how to use equipment available on Rutherford Contracting Ltd.'s premises or that Rutherford Contracting Ltd. provides that may help people with disabilities.
 - f. Instructions on what to do if a person with a disability is having difficulty accessing our services.

Information and Communication

Accessible Formats Available Upon Request

Our staff will make reasonable efforts to communicate with people with disabilities in ways that take into account their disability which will be accomplished in numerous ways depending on the nature of the person's disability or disabilities.

This may be accomplished by providing information in:

- written format

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- larger font
- speaking clearly, loudly, or slowly
- using plain language or simple terms
- changing the location of a meeting to accommodate physical barriers

Accessible formats available upon request to the people with disabilities who are Rutherford Contracting Ltd. customers, the information under Rutherford Contracting Ltd.'s control, about Rutherford Contracting Ltd.'s goods and/or services. Where possible, appropriate accessible format or communication supports shall be used. Such information shall be provided in a timely manner and take into account the accessibility needs of the person with a disability. This information will be provided at a cost that is no more than the regular cost charged to other persons.

Rutherford Contracting Ltd. will notify the public about the availability of accessible formats and communication supports through our website and will continuously research additional accessible formats and communication supports that Rutherford Contracting Ltd. can offer.

In the event Rutherford Contracting Ltd. cannot provide information or communications in an accessible format, Rutherford Contracting Ltd. will provide the person requesting the information or communication with an explanation for why we are unable to fulfill the request.

Website Accessibility

Any new websites or web content posted after January 1, 2012 and controlled directly by Rutherford Contracting Ltd. or through a contractual relationship that allows for modification of a product shall conform to the Web Content Accessibility Guidelines (WCAG) 2.0 Level AA other than criteria 1.2.4 (live captions) and 1.2.5 (pre-recorded audio descriptions). This takes effect January 1, 2021.

Rutherford Contracting Ltd. will continue to update the website to ensure accessibility of its web content and website.

Upon request, Rutherford Contracting Ltd. will work with individuals to make the content available to them in an alternate format.

Multi – Year Accessibility Plan and Annual Progress Reports

Rutherford Contracting Ltd. will maintain and generate a Multi-Year Accessibility Plan to continuously improve the accessibility of its goods, services, and facilities and meet the compliance requirements of the AODA. This plan will be updated by the Human Resources Department at least once every five years and then posted on Rutherford Contracting Ltd.'s website.

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Rutherford Contracting Ltd. will prepare an annual status report on the progress updates of measures taken to carry out the Multi-Year Accessibility Plan. This report will be made available on Rutherford Contracting Ltd.'s website.

Publicly Available Emergency Procedures and Safety Information

Rutherford Contracting Ltd. has detailed emergency response plans for emergency situations and has developed procedures to protect and assist everyone on Rutherford Contracting Ltd.'s premises during an emergency. Upon request, accessible formats and communication supports are available for the publicly available emergency procedures and safety information.

Employment

Notice of Accommodation Availability in Recruitment and Selection

1. Rutherford Contracting Ltd. will notify employees and external applicants about the availability of accommodation of applicants with disabilities in the recruitment and selection process.
2. Upon request, Rutherford Contracting Ltd. will make appropriate accommodation available, short of undue hardship, when applicants with disabilities are individually selected to participate in an assessment or selection process.
3. Rutherford Contracting Ltd. will notify successful applicants of its policies for accommodating employees with disabilities when making offers of employment, and provide information about policies used to support employees as applicable after they begin employment as part of the orientation program.

Informing Employees of Supports

Human Resources department will ensure that employees are debriefed about the accessibility policies (including any policy updates) used to support employees with disabilities. This information will be provided to new employees as soon as possible after beginning employment with Rutherford Contracting Ltd.

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Accessible Formats and Communication Supports for Employees

1. Employees of Rutherford Contracting Ltd. with a disability can request accessible formats and communication supports for information that is needed to perform their job, and information that is available to other employees. Rutherford Contracting Ltd. will consult with the employee who made the request to determine a suitable accessible format and/or communication support.
2. Accessible formats and communication supports regarding general workplace information shall also be provided to employees with disabilities.
3. Rutherford Contracting Ltd. will ensure that a formalized process is in place for development of documented individual accommodation plans for employees with disabilities.

Workplace Emergency Response Information and Individualized Plans

1. Rutherford Contracting Ltd. provides employees with disabilities workplace emergency response information in an accessible format or with appropriate communication supports.
2. The Human Resources department will work with employees with disabilities to develop individualized workplace emergency response plans when the employee identifies the need for an individualized plan by completing the “Persons Requiring Assistance Form”. The plan will be shared with those designated to assist in an emergency while respecting the employee’s confidentiality.
3. The Human Resources department will review the individualized plans annually with the individual to ensure accuracy. The plans will also be reviewed on an as-needed basis.

Documented Individual Accommodation Plans

1. Rutherford Contracting Ltd. will accommodate the needs of its employees with disabilities to the point of undue hardship, as required under the Ontario Human Rights Code. Rutherford Contracting Ltd. will develop individualized accommodation plans for its employees with disabilities, as Rutherford Contracting Ltd. is made aware.
2. The individualized accommodation plan will be documented and include:
 - How Rutherford Contracting Ltd. will provide workplace information in an accessible format, if requested
 - How Rutherford Contracting Ltd. will provide accessible emergency information, if needed
 - Any other accommodation that is to be provided
3. Rutherford Contracting Ltd. will consult with the employee to determine appropriate accommodation measures and implement.

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4. Rutherford Contracting Ltd. will ensure the privacy and confidentiality of its employees with disabilities.

Return to Work (RTW) Process and Accommodation Plans

1. Rutherford Contracting Ltd. has a process for RTW individual accommodation plans for employees returning to work after an absence due to a disability and who now require accommodation in order to return to work.
2. The RTW process will include documented accommodation plans for each individual but shall not replace other RTW processes create by or under any other statute.

Accommodation in Performance Management, Career Development and Advancement, and Redeployment

1. Rutherford Contracting Ltd. will ensure that our performance management, career development and advancement, and redeployment programs are accessible to employees with disabilities.

Design of Office Layout and Public Spaces

Rutherford Contracting Ltd. will ensure to maintain an office layout and public space that is accessible to people with disabilities. When planning new space or renovations, Rutherford Contracting Ltd. will ensure accessibility requirements are incorporated.

Accessibility Reporting

Rutherford Contracting Ltd. will file accessibility compliance reports every two years with the requirements set out by IASR. The reports will be made available on our website and through printed materials which will be available to employees and posted within Rutherford Contracting Ltd. head office. Accessible formats or communication supports will be available upon request and will be provided in a timely manner.

Roles and Responsibilities

1. **The President is responsible for:**
 - a. Approving the Policy; and
 - b. Ensuring the Policy is maintained and followed through.

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2. Vice President of Organizational Development & Safety is responsible for:

- a. ensuring the Policy and the overall organization and safety strategies are aligned and compliant;
- b. lead the design of the accessibility program and ensure compliance;
- c. leading the Accessibility program and working collaboratively with other leaders in the organization to support implementation; and
- d. providing leadership to the Human Resources Department and Health & Safety Department.

3. Senior Management is responsible for:

- a. supporting and promoting the accessibility program in their area of the business and throughout the entire organization;
- b. implementing the Policy and developing or adjusting applicable procedures and/or documents in order to adhere to the Policy;
- c. approving accessibility reports as need; and
- d. being aware of human rights issues and legislative requirements.

4. Human Resources Department is responsible for:

- a. ensuring compliance with applicable AODA requirements;
- b. documenting, maintaining, and updating this Policy as required;
- c. preparing the annual reports in consultation with other areas of the business that have AODA responsibilities;
- d. preparing the AODA Multi-Year Accessibility plan jointly with other members of the Senior Management team;
- e. ensuring the annual status report, accessibility policy, AODA Multi-Year Accessibility plan, and feedback form are available on Rutherford Contracting Ltd.'s website;
- f. filing the AODA Corporate Compliance Report with the Ontario Government;
- g. addressing AODA concerns;
- h. act as a resource for all workplace accommodations;
- i. supporting employees and managers by providing training in AODA;
- j. ensuring the individualized accommodation plans are reviewed/updated and kept confidential;
- k. prepare emergency response plans for persons requiring assistance in conjunction with that individual using the form they submitted (the "Person's Requiring Assistance Form"); and
- l. ensuring recruitment and other HR-related activities are accessible/barrier free;
- m. all associated communication duties for AODA compliance; and
- n. ensuring feedback process is documented and appropriate actions are taken.

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5. Health & Safety Department is responsible for:

- a. managing the RTW process and ensuring the duties performed are suitable and safe;
- b. determining safety sensitive positions and procedures to follow for individuals requiring accommodation in safety sensitive positions; and
- c. developing safe work practices for those employees with a disability, upon request.

6. Reception Employee is responsible for:

- a. ensuring reception area is accessible and reporting issues to the Human Resources department for resolution; and
- b. receiving requests and responding to requests in a timely fashion (consulting with the Human Resources department).

7. All Rutherford Contracting Ltd. Employees is responsible for:

- a. ensuring they understand the Policy and legislative requirements;
- b. complying with the Policy; and
- c. completing the required training.

8. Employees with Disabilities are responsible for:

- a. participating and working with all parties throughout the accommodation process; and
- b. informing the Human Resources department of an accommodation need during an emergency by completing a “Persons Requiring Assistance form”.

This policy is reviewing every three (3) years or sooner, if needed. Inquiries about the Policy should be addressed to the Human Resources department.

RELATED DOCUMENTS

- [Accessibility for Ontarians with Disabilities Act, 2005 \(AODA\)](#) and [Integrated Accessibility Standard Regulation \(IASR\)](#)
- [Blind Persons’ Right Act](#)
- [Ontarians with Disability Act, 2001](#)
- [Ontario Human Rights Code](#)
- [Workplace Safety and Insurance Act](#)
- Persons Requiring Assistance Form