

# Public Review of the SDC's initial Proposed Accessibility Standard for Employment

## Ministry of Community and Social Services Accessibility Directorate of Ontario

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### PART ONE: RESPONDENT PROFILE INFORMATION

#### General Info

*Contact Name:* Kim Steele

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*Are you an individual or are you submitting feedback on behalf of an organization?*

Organization.

*Organization name:* Multiple Sclerosis Society of Canada

*Primary or Head office location:* Toronto, Ontario

*Approximately how many employees does your organization have in Ontario?*

The MS Society has approximately 180 employees in Ontario. This number may increase or decrease slightly throughout the year, based on seasonal and/or temporary employees.

*Is your organization primarily Ontario-based?*

The Multiple Sclerosis Society of Canada is a national health charity that supports research to find the cause, prevention and cure for MS, that provides services and programs for persons with MS and their families and caregivers, and that educates the public about the disease.

The Ontario Division and national offices are co-located in Toronto, and there are 42 local chapters, extending the Society's reach into bigger and smaller communities throughout the province. There are 7 divisional offices of the Society throughout the country, with the

Ontario Division being the largest, having the most employees and clients than any other division.

*Are you a representative association or disability interest group?*  
Yes.

*If yes, please describe what particular type of stakeholder, membership or group that you are representing:*

- Disability - multiple sclerosis

The Primary clients of the MS Society of Canada are people who are:

- Living with a diagnosis of MS
- Waiting for a diagnosis with respect to MS
- Close to a person with MS, such as family and friends
- Caregivers to a person with MS, who may also include family and friends

In addition to serving its primary clients, MS Society volunteers and staff also provide information and support to health professionals, employers, institutions and students.

*Are you a public funded or non-profit organization?*

The MS Society of Canada is a non-profit, registered national health charity.

The MS Society appreciates the opportunity to respond to proposed Accessible Employment Standard. The Society's feedback is summarized below.

*1. How will the proposed Employment Standard help to improve accessibility for people with disabilities?*

The Standard should do much to prevent or remove barriers to employment, particularly organizations and businesses that currently have no standards, policies or protocols in place to help ensure that people with disabilities can actively participate in the labour market.

The proposed Standard also considers the impact that requesting special measures at the time of seeking employment in order to accommodate an interview may have on an individual. Accommodation at the time of interviewing could bias or alter perceptions of a potential employee. The care and attention that the Standard Development Committee has given to this clause helps to put all applicants on a level playing field.

*2. What do you like or dislike about the proposed standard?*

The MS Society, views the proposed Standard through two lenses: that of providing a representative voice for Ontarians affected by multiple sclerosis, and that of a Class E organization under the proposed Standard. Our responses are provided with these two perspectives in mind.

From the perspective of representing Ontarians affected by multiple sclerosis, we strongly support the Standard and Ontario's broader accessibility agenda. We are pleased to partner with the Government of Ontario to ensure that our province is accessible to all of its citizens

by 2025. We therefore like the fact that the Accessible Employment Standard has been created as part of this agenda.

We are, however, increasingly concerned at the different classes that have been created through each Standard and fear that the different approaches to class distinctions may create confusion and challenges to implementation. For example, the MS Society falls under the following classes for each of the Standards that have been created-to-date:

<b>Accessibility Standard</b>	<b>Defined Classes</b>	<b>MS Society Class</b>
Customer Service	<ul style="list-style-type: none"> <li>• Public organizations</li> <li>• Private organizations with more than 20 employees</li> <li>• Private organizations with less than 20 employees</li> </ul>	Private organization with more than 20 employees
Information & Communication	<ul style="list-style-type: none"> <li>• Class 1 – Private Sector or non-profit organizations with 1-19 employees</li> <li>• Class 2 – Private Sector or non-profit organizations with at least 20 employees</li> <li>• Class 3 - Public Sector organizations with 1 employee or more</li> </ul>	Class 2
Transportation	Not applicable	Not applicable
Employment	<ul style="list-style-type: none"> <li>• Class A: private sector organizations, one to five employees</li> <li>• Class B: private sector, six to 49 employees</li> <li>• Class C: private sector, 50 to 99 employees</li> <li>• Class D: private sector, 100 to 200 employees</li> <li>• Class E: private sector, more than 200 employees</li> <li>• Class F: public sector</li> </ul>	Class E
Built Environment	To be determined	To be determined

Attention should be paid to streamlining the classes to ensure consistency of application across standards, which may help avoid confusion during implementation, monitoring, and reporting.

As has been noted in previous MS Society submissions to draft Standards, there is also concern about the availability of tools and resources to implement the requirements of the proposed Accessible Employment Standard according to the timelines outlined. It is recommended that the Accessibility Directorate of Ontario work with organizations and businesses to determine what kinds of supports are required to ensure timely and efficient implementation.

*3. Is the proposed standard clear and understandable?*

Overall, yes. However, clarity should be provided on how the proposed Accessible Employment Standard interacts with the Accessible Information and Communications Standard. It would be helpful to have a side-by-side comparison of sections of the two Standards that intersect and/or impact each other.

There are also questions around “how to” implement the proposed Standard; there is a need for the Accessibility Directorate of Ontario to provide a comprehensive and systemic approach to implementation through the provision of implementation guidelines, tools, and resources.

As with previous Standards, it is unclear how the Directorate will monitor and enforce the Standard. This should be made clear in the regulatory design stage of the proposed Standard and should be open to public consultation.

*4. What are your views about the scope and application of the proposed standard?*

Overall, the scope and application is appropriate; however, there are concerns about the ability to meet all of the requirements without leadership and guidance from the Accessibility Directorate of Ontario.

As well, there may be a need to differentiate between for-profit and not-for-profit organizations at various points in the propose Standard, particularly with respect to implementation requirements. For example, one of the challenges the MS Society will face during implementation is employee training on the Standard as some of our employees - primarily those employed by one of our 42 chapters in Ontario – are supervised by volunteers. Training volunteers who supervise employees is more challenging than training staff who supervise employees for several reasons, including the limited availability that many volunteers have for training and limited accountability and/or authority in terms of the ability for the organization to discipline volunteers who do not uphold the Standard.

Therefore, the MS Society, and organizations similar to it, may face additional challenges in training employees across the organization than will for-profit organizations in its ability to deliver appropriate employee training within the suggested timelines. The Society

welcomes any additional support or guidance the Accessibility Directorate of Ontario can provide to assist with the training of volunteers who supervise staff.

As well, the Standard does not include any details on the roles and/or impacts that third party interventions or consultations (such as an insurance adjudication for accommodation requests) will have on implementation of the Standard within organizations. It would be useful to provide some clarity on the roles and impacts that these types of interventions may have.

*5. What will be some of the potential positive or negative effects on your organization?*

The implementation of the proposed Standard and the Standard itself will do much to support the development of accessible employment policies, practices, and protocols. The development and implementation of the Standard provides the MS Society with an opportunity to review its current employment policies, practices, and protocols at both the divisional and national level, and provides the organization with an exciting opportunity to learn from the best practices of other organizations.

However, it will be difficult for the MS Society on its own to gain access to and to learn from best practices, as there is a current lack of resources, tools, and guidance to assist in implementation of the proposed Standard. It would be useful to have access to an inventory of best practices with respect to accessible employment when the

Standard becomes law, so that the Society may benefit from these practices when developing accessible employment policies and procedures. This would help to ensure that policies and procedures are developed in an efficient and cost-effective manner.

*6. Are the requirements of the proposed standard appropriate in terms of scope, application, technical feasibility and timelines for implementation?*

Overwhelmingly, yes. However, it is difficult to measure the appropriateness of application without understanding how progress of implementation will be evaluated. As well, it is difficult to fully consider the appropriateness of scope, application, and timelines without understanding how and in what format organizations will be required to report.

In closing, the MS Society appreciates the opportunity to respond to the proposed Accessible Employment Standard and extends many thanks to the members of the Standards Development Committee and the Accessibility Directorate of Ontario for their leadership in the development of the proposed Standard.