



POLICY ON ACCESSIBILITY

Table of Contents

1. Effective Date	2
2. Purpose	2
3. Expected Results	2
4. Application	2
5. Authorities	3
6. Roles and Responsibilities	3
7. References	5
8. Definitions	5
9. Enquiries	6
Policy Obligations	7
Appendix B - Definitions	18
POLICY AMENDMENTS	20

1. Effective Date

1.1 The *Policy on Accessibility* [the "Policy"] was approved by the Chief Executive Officer (CEO) and takes effect on November 12, 2024.

1.2 This Policy replaces relevant Human Resources policies in the NJI Policy Handbook, dated January 24, 2018.

1.3 The Policy will be reviewed, as required, or in the event of a legislative change.

1.4 The National Judicial Institute (NJI) [the "Institute"] reserves the right to amend this Policy at any time; however, when required, the Institute will provide the *Society of United Professionals, International Federation of Professional and Technical Engineers, Local 160* [the "Society"] with any amendments, additions, or changes at least forty-eight (48) hours in advance of the amendments, additions or changes coming into force.

2. Purpose

2.1 The purpose of the *Policy on Accessibility* is to outline the Institute's strategy for identifying, removing, and preventing barriers for persons with disabilities as they relate to employment, receipt of goods and services, the built environment, and information and communications.

3. Expected Results

3.1 The expected results of the Policy are met by:

- providing services in a way that supports accessibility, diversity and the equitable treatment of all persons with disabilities;
- increasing accessibility for persons with disabilities in a way that is respectful of their dignity and independence, considering the person's disability and embodies the principles of integration and equal opportunity; and
- ensuring compliance with provincial legislation.

4. Application

4.1 This Policy applies to candidates seeking employment, NJI employees, clients, visitors and contributors. Contributors include contractors, non-judicial faculty, volunteers, and students at the Institute working at an NJI office or attending external in-person NJI conferences/programs or meetings.

4.2 This Policy is to be read taking into consideration relevant policies, directives, and instruments listed in Appendix A.

5. Authorities

5.1 Consistent with *NJI General Operating By-law No. 1*¹, the Chief Executive Officer (CEO) shall supervise the day-to-day operations and the administration of the Institute except for those matters delegated by the Board to the Chief Judicial Officer.

6. Roles and Responsibilities

6.1 Senior Management Committee (SMC)

The SMC provides a forum for consultation, discussion, exchange of information, and advice in decision-making related to Institute-wide functions, practices, and processes, including human resource management, workplace health and safety, finance, communications, education programming, strategic planning and reporting, and to resolve issues collaboratively.

As such the Committee are informed on the *NJI Multi-year Accessibility Plan* [the “Plan”].

6.2 Director, Operations

The Director, Operations supports the CEO by:

- ensuring that “*the Plan*” is updated, when necessary, to reflect any changes made regarding accessibility;
- presenting “*the Plan*” to the SMC every five (5) years for information; and
- ensuring the monitoring of the performance of the Institute concerning the application and administration of this Policy and its instruments.

¹ *National Judicial Institute, General Operating by law No1, section VIII, 7.02 (d), January 23, 2024*

6.3 Human Resources and Workplace Management (HRWM) Department

The HRWM department supports the CEO; the Director, Operations; and the Delegated Managers by:

- developing, reviewing, and updating the *Policy on Accessibility*, as appropriate;
- reviewing updating, when necessary, the *NJI Multi-year Accessibility Plan*;
- providing and assisting the Delegated Managers with the necessary direction, interpretation, guidelines, training, information sessions, procedures, forms, and tools;
- ensuring that any mandatory training and refresher training are taken according to this Policy;
- ensuring that documentation is gathered and maintained in the employee file or other appropriate file; and
- retaining and disposing of all documents per the *Information Management Retention and Disposition Guidelines (under review)*.

6.4 Director, Finance

The Director of Finance provides financial strategic advice and administrates contracting services. As such, the Director, Finance is responsible for:

- ensuring that contributors acknowledge that they have read this Policy and the supporting protocols.

6.5 Delegated Managers

Delegated Managers are responsible for:

- understanding and complying with the *Policy on Accessibility* and supporting tools;
- ensuring that their employees have access to this *Policy* and supporting tools;
- respecting their sub-delegation according to the *Instrument of Delegation of Human Resources and Workplace Management Authorities*;
- providing employees with information on this Policy;

- ensuring that both they and their employees participate in relevant information sessions and mandatory training;
- ensuring that appropriate documented authorities are provided to the HRWM department promptly;
- contributing to a positive work environment by identifying, discouraging, and reporting comments or activities contrary to the *Policy on Accessibility*.

6.6 Employees

Employees are responsible for:

- understanding, adhering to and complying with the *Policy on Accessibility* and supporting tools;
- participating in the training or any relevant information sessions when required;
- providing appropriate documentation to their Delegated Manager in a timely matter; and
- contributing to a positive work environment by identifying, discouraging, and reporting comments or activities contrary to this Policy.

7. References

- *National Judicial Institute General Operating By-law No.1*
- [Ontario Human Rights Code \(ON\)](#)
- [Charter of Human Rights and Freedoms, Act to secure handicapped persons in the exercise of their rights to achieve social, school and workplace integration, Chap E-20.1](#)
- [Accessibility for Ontarians with Disabilities Act, 2005 \(ON\)](#)
- [Act to secure handicapped persons in the exercise of their rights to achieve social, school and workplace integration \(QC\)](#)
- [Integrated Accessibility Standards \(ON\)](#)

8. Definitions

The terms and definitions to be used in interpreting this Policy can be found in [Appendix B](#).

9. Enquiries

Delegated Managers: Please direct enquiries to the Manager, Human Resources and Workplace Management (HRWM).

Employees: Please direct enquiries to your Delegated Manager.

Candidate seeking employment: Please direct enquiries to the HRWM department.

Policy Obligations

1. Introduction

1.1 The Institute continually strives to provide an environment and services that respect the dignity and independence of persons with disabilities by providing a barrier-free environment for all stakeholders, including visitors who enter the premises, work for the Institute, access information provided by the Institute and training sessions.

1.2 The Institute considers accessibility standards and applicable human rights legislation in job design, recruitment and hiring, training and career development, workplace accommodation due to accessibility, emergency response planning, information accessibility, building accessibility, and client services.

2. Background

2.1 The *Accessibility for Ontarians with Disabilities Act (AODA)*² Became law on June 13, 2005. “The AODA aims to identify, remove, and prevent barriers for people with disabilities.”

2.2 Ontario’s accessibility standards help businesses and organizations to identify and remove barriers to improve accessibility in five (5) areas: (1) Customer service; (2) Information and communications; (3) Transportation; (4) Employment; and (5) Design of public spaces. Transportation and Design of public spaces do not apply to the Institute.

2.3 The object of the *Quebec Act to secure handicapped persons in the exercise of their rights to achieve social, school and workplace integration (QC)*³ is to secure handicapped persons in the exercise of their rights and, through the involvement of government departments and their networks, municipalities and public and private agencies, to help them integrate into society to the same extent as other citizens by providing various measures to apply specifically to handicapped persons and their families, their living environments and the development and organization of resources and services for them.

3. Principles

3.1 Services provided by the Institute shall be provided to persons with disabilities by the following fundamental principles:

- Dignity – Service is provided in a respectful manner consistent with the needs

² [Integrated Accessibility Standards, Part 1, General 1. \(1\)](#)

³ [Act to secure handicapped persons in the exercise of their rights with a view of achieving social, school and workplace integration \(QC\)](#)

- of the person with a disability.
- Independence – Services for persons with disabilities shall support their independence while respecting their right to safety and personal privacy.
- Equity/Equality of Outcome – Service outcomes are the same for persons with disabilities as those without disabilities.
- Integration – Services allow persons with disabilities to benefit fully from the same services, in the same place, and in the same way as other clients.

4. Multi-Year Plan

4.1 The Institute's Multi-Year Accessibility Plan (the “Plan”) outlines its strategy for preventing and removing barriers while meeting the requirements of provincial legislation.

4.2 According to the requirements, the Plan is available on the NJI website in an accessible format and provided to individuals upon request.

4.3 The Plan is reviewed and updated by the Manager, HRWM, when required, and presented to SMC by the Director, Operations every five years.

5. Procurement of Goods, Services or Facilities

5.1 The Institute is committed to eliminating barriers, improving accessibility for persons with disabilities to afford equal opportunities, and providing integrated programs and services where possible in a manner that respects dignity and independence. The Institute is committed to incorporating accessibility design, criteria and features when procuring or acquiring goods, services or facilities, except where it is not practicable.

5.2 All contractual relationships entered by the Institute are governed by a standard contract compliance clause, which states that contractors must comply with the *Policy on Accessibility*. Breach of this clause may result in the contract's cancellation.

6. Communicating with Persons with Disabilities

6.1 When communicating with a person with a disability, the Institute will do so in a manner that considers the person's disability.

6.2 Accessible formats or alternative formats (e.g., Braille), communication supports, and assistive devices are provided promptly and at no additional cost.

6.3 The Institute will provide course materials in accessible or conversion-ready formats to those who request access.

6.4 The Institute will ensure that its subject collections library provides accessible or conversion-ready materials for persons with disabilities, as requested. These materials may include print materials, digital or multimedia resources, or specific materials for persons with disabilities.

6.5 If a client has questions regarding accessible formats or services, contact information is available on the Institute's Web site.

7. Mandatory Training

7.1 New employees are required to take an accessibility awareness training course as part of the Employee Orientation Program. A training refresher course is provided every two (2) years or when new legislation or legislative amendments occur.

7.2 The training course includes:

- instruction on how to interact and communicate with persons with disabilities;
- instruction on interacting with persons with disabilities who use assistive devices or require the assistance of a guide dog, other service animal or a support person;
- instruction on the use of equipment or devices available, such as wheelchairs and TTY; and
- instructions on what to do if a person with a disability is having difficulty accessing services.

8. Corporate Programs or Processes

8.1 The Institute considers barriers when implementing new programs or business processes.

8.2 When developing in-house training, implementing performance management processes, and offering career development, employment support, or advancement opportunities, the Institute will ensure that the materials provided meet the needs of the employees with disabilities.

9. Emergency Notifications

9.1 The Institute provides emergency and public safety information, plans, procedures, maps, warning signs at evacuation points, and any other emergency alert information in accessible formats or with appropriate communication support upon request.

10. Emergency Response Plan

10.1 Employees and clients must inform the Institute when they need assistance in an emergency.

10.2 Upon disclosure of this information, the Institute works with the individual to create individualized workplace emergency response measures or plans.

10.3 If a person with a disability requires assistance from a support person during an evacuation, the Institute will designate an employee to act as such. Where necessary, this employee will have the required first aid training and certification necessary to provide emergency support.

10.4 If the person with a disability is an employee, they must complete the *HR-0012E Individual Evacuation Assistance Form*.

10.5 Emergency response plans are reviewed when:

- the individual is located in a different physical location;
- the individual's overall accommodation needs to change or cease; or
- the Institute reviews general emergency response procedures and tools.

11. Building Accessibility

11.1 The Institute ensures that the built environment, including building interiors and exteriors, is designed to facilitate barrier-free access for clients and employees.

11.2 If areas of the built environment are not accessible for a specific person with a disability, the Institute will work with the person to provide an alternate means of access up to undue hardship.

12. Assistive Devices

12.1 Personal assistive devices are permitted in all NJI offices or training facilities except when subject to operator safety. The Institute will train its employees, volunteers, and contributors on using various assistive devices available at the Institute, as necessary. It should be noted that the provision, use, and safety of personal assistive devices are the responsibility of the person with a disability.

13. Service Animals

13.1 A person with a disability whom a service animal accompanies may access the Institute's premises provided the animal is not otherwise excluded by law. When a service animal is excluded by law, the Institute will ensure that alternate means are

available within a reasonable time and location to provide the person with a disability access to the Institute's services.

13.2 There may be instances where a service animal may represent a health hazard to another individual within the Institute's premises. In those cases, an HRWM representative will assess the risk and, if required, suggest a suitable arrangement for all affected parties.

13.3 If it is not readily apparent that an animal is a service animal, the Institute's representative may ask the person to verify the status of the animal. The use, safety, and clean-up of the service animal are the responsibility of the individual handling the animal.

14. Support Person

14.1 The Institute welcomes support persons when they have been hired or chosen by a person with a disability to accompany them to provide support for mobility, personal assistance and communication.

14.2 People with disabilities accompanied by a support person are expected to inform the HRWM Department of their participation.

14.3 The HRWM-0014E Non-Disclosure Consent Agreement Form and the FIN-0011E Policy Acknowledgement and Acceptance Form (Contractor) must be completed and signed by the support person prior to providing support.

14.4 There may be rare circumstances where, for reasons of health and safety, allowing a person with a disability to enter a premises accompanied by their support person needs to be evaluated. Examples of such situations include potential fire code violations. An HRWM representative will conduct a risk assessment. The risk assessment will identify individual risk and recommend alternate measures (s) available to the individual with a disability to access the service.

14.4 Support persons shall be permitted entry to all Institute facilities and meeting rooms open to the public. Where admission fees are charged for an event or education program organized by the Institute, no admission fee shall be charged to a support person.

14.5 Support persons will not receive certification or documentation of course completion, for although they have attended a training session, they are not considered active participants.

15. Notice of Disruption in Service

15.1 In the event of a service disruption, the Institute will take reasonable steps to report such disruption promptly through appropriate information channels. Such channels include, but are not limited to, the Institute's website, physical postings, and communication via email, text, or phone calls to affected individuals.

15.2 If an unexpected disruption occurs, the Institute will make reasonable efforts to accommodate the person with a disability of means to deliver the services, such as:

- the use of an alternative place and time to provide service directly to the persons with disabilities (for example, change of office); or
- any other appropriate assistive measures available to deliver services.

15.3 The required information necessary for any communication of a temporary disruption may include:

- the name of the event and service;
- the time, date and location of the disruption;
- information about the reason for the disruption;
- anticipated duration of the disruption;
- descriptions of alternative facilities or services, if any;
- contact information; and
- other information suitable to the delivery of a service.

16. Inability to Accommodate

16.1 As per the *Policy on Duty to Accommodate*, the Institute provides workplace accommodation up to the point of undue hardship. Undue hardship may occur where it is established that no reasonable accommodation exists or where the creation of accommodation would create a health and safety hazard or cause unreasonable costs for the Institute.

16.2 Where a necessary accommodation is found to cause undue hardship on the Institute, the *Accommodation Request Committee (ARC)* will work to find a fair and equitable compromise that meets the needs of the person with a disability and the Institute to the greatest extent possible.

17. Exceptions

17.1 The Information and Communications Standard does not apply to products and product labels, unconvertible information or communications, or information that the Institute does not control directly or indirectly through a contractual relationship or if it creates undue hardship for the Institute.

17.2 If the Institute determines that information or communications are unconvertible, the Institute will provide the person with a disability requesting information or communication with the following:

- an explanation as to why the information or communications are unconvertible and
- a summary of the unconvertible information or communications.

17.3 Information is regarded as unconvertible if it is not technically feasible to convert it or its communications or if the technology to transform it is not readily available.

18. Feedback Process

18.1 Feedback regarding the delivery of services to a person with a disability is welcome, as it may identify areas that require change and assist in continuous service improvement.

18.2 Feedback may be provided by telephone, in person, in writing, or by email. The Institute will respond in the same format as the one received.

18.3 Upon receipt, an HRWM representative will review the feedback and complete an investigation into any concerns or complaints. Corrective action will be taken as deemed necessary.

18.4 Clients who provide feedback identifying concerns or complaints regarding providing services to persons with disabilities will receive an acknowledgement of receipt of their feedback along with a summary of any action taken by the Institute in response. The Institute will respond within thirty (30) working days.

19. Confidentiality

19.1 The personal information of anyone who provides feedback remains confidential, following all applicable privacy laws.

19.2 Accommodation measure(s) for a person with a disability are evaluated and implemented based on the circumstances of each case while respecting the right to privacy and confidentiality.

19.3 As such, information regarding accommodation need(s) and measure(s) due to accessibility can only be accessed by those whose work requires access to such information.

20. Information Management

20.1 The Institute maintains accessibility information and documentation in the applicable database.

20.2 All documentation is retained or destroyed following the *Information Management Retention and Disposition Guidelines (under review)*.

Appendix A – List of Policies, Directives and Instruments

(Last updated November 28, 2024)

Human Resources Management (HRM)

Policy on Human Resources Management (HRWM) (under review)

- *Organisational Design and Position Management Program (HRWM) (under review)*
- *NJI-Job Evaluation Plan (HRWM)*
- *Program on Recruitment and Staffing (HRWM) (to be developed)*
- *Employment Directive for Executives (HRWM)*
- *Employment Directive for Department Managers/Managers (HRWM)*
- *Employment Directive for Excluded Employees (HRWM)*
- *Remote Work Guidelines (HRWM) (under review)*
- *Grievance Process Guide (HRWM)*
- *Grievance Process Chart (HRWM)*
- *Program on Award and Recognition (HRWM) (under review)*
- *Directive on Training and Professional Development (HRWM) (under review)*
- *Directive on Official Languages Training (HRWM)*
- *Performance Management Program (HRWM)*
- *Glossary Terms and Definitions (NJI) (to be developed)*

Policy on the Right to Disconnect from Work (HRWM)

Discipline Policy (HRWM)

Policy on Conflict of Interest (HRWM)

Policy on Compensation for Executive, Department Manager/Manager and Excluded Positions (HRWM)

- *Directive on Pay Administration (HRWM)*
- *Directive on Time off with Pay, Leave Without Pay and Leave with Pay (HRWM)*
- *Performance Reward Plan for Executives (HRWM)*
- *Performance Reward Plan for Department Managers/Managers (HRWM)*

Policy on Prevention of Harassment and Violence in the Workplace (HRWM)

- *Protocol for Prevention of Harassment in the Workplace (HRWM)*
- *Protocol for Prevention of Violence in the Workplace (HRWM)*

Policy on Occupational Health and Safety (HRWM)

Policy on Duty to Accommodate (HRWM)

Policy on Accessibility (HRWM)

Policy on Equity, Diversity and Inclusion in the Workplace (HRWM)

Instrument of Delegation of Human Resources Authorities (under review)

Collective Agreement

Finance (FN)

Policy on Financial Management (FN)

- *Financial Authorities Framework (FN)*
 - *Chart on Financial Delegation Authorities and Reference Guide (FN) (under review)*
- *Directive on Acquisition and Procurement (FN)*
- *Directive on Travel and Expense Management (FN)*
- *Directive on Faculty Honoraria and Fees (FN) (under review)*
- *Directive on Hospitality and Event Expenditures (under review)*
- *Mobile Device Entitlement Guidelines (FN) (under review)*

Policy on Payment Authorizations (FN)

- *Directive on Corporate Credit Cards (FN)*
- *Directive on Professional Fees Reimbursement (FN) (under review)*

Policy on Reserves (FN) (under review)

- *Directive on Capital Asset Management (FN)*

Policy on Internal Controls over Financial Management

- *Financial Internal Controls Framework*
 - *Chart on Internal Controls Measures Over Financial Management (to be developed)*

Information Technology (IT)

Policy on Information Systems and Technology Management (IT)

- *Directive on Acceptable-Unacceptable Use of IT Equipment and Assets (IT)*
- *Directive on Electronic Network and Data Management (IT)*
- *Directive on Management and Acceptable Use of Email (IT)*
- *Directive on Social Media (IT) (to be developed)*

Policy on Electronic Monitoring (IT)

Operations

NJI Policy Development Framework (Operations) (under review)

Policy on Information Management (Operations)

- *Guide on Information Management (Operations) (under review)*
- *Information Management Retention and Disposition Guidelines (under review)*

Policy on Risk Management (Operations) (under review)

- *Risk Management Framework (Operations) (under review)*
- *Risk Management Guidelines (Operations) (under review)*
- *Business Continuity Plan (BCP) (Operations)*
- *Disaster Recovery Plan (DRP) (Operations)*
- *Emergency Response Plan (ERP) (Operations)*
- *Cyber Incident Response Plan (Operations) (under review)*

Appendix B - Definitions

Accessible Formats: include but are not limited to large print, recorded audio and electronic formats, braille, and other formats usable by persons with disabilities.

Accessibility Plan: a plan that describes the Institute's actions to prevent and remove barriers and when they were completed.

Assistive Device: any medical device, mobility aid, communication aid, or other aid specially designed to assist a person with a disability or need related to their disability.

Barrier: a barrier prevents a person with a disability from fully participating in all aspects of society because of their disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy or a practice.

Communication Supports: These may include but are not limited to captioning, alternative and augmentative communication supports, plain language, sign language, and other supports that facilitate effective communication.

Disability (ON): according to the *Ontario Human Rights Code*, disability is defined as: 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 coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog, wheelchair, or other remedial appliance or device.

Handicapped person (QC): a person with a deficiency considered as a handicap under the *Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration* or the *Charter of Human Rights and Freedoms*.

Information: The term information, used in the Information and Communications Standard, refers to knowledge, data, and facts that convey meaning and exist in any format, such as text, audio, digital, or images.

Person with Disabilities: any person with a disability as defined under the Ontario Human Rights Code (e.g., Person with a Visual Impairment, Person with a Hearing Impairment, etc.). The term disability, as defined by the Accessibility for Ontarians with Disabilities Act, 2005, and the Ontario Human Rights Code, refers to:

- 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 coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or a wheelchair or other remedial appliance or device,
- a condition of mental impairment or a developmental disability,
- a learning disability or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- a mental disorder, or
- an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

Mobility aid: any manual or electric wheelchair, scooter, boarding chair, walker, cane, crutch, prosthesis, or other aid that is specially designed to assist a person with a disability with a need related to mobility.

Service animal: an animal that can be recognized by visual indicators such as a vest or harness that a person with a disability uses for reasons relating to the person's disability.

Support person: another individual who accompanies a person with a disability to help with communication, mobility, personal care, medical needs, or access to goods and services.

POLICY AMENDMENTS

Date	Amendments	Approval
2025-01-07	Updated Appendix A to the most recent version	Manager, HRWM