MAKING WAVES

IN THE CURRENT
CANADIAN LABOUR MARKET

WINTER 2023

**The Labour Market
Trends Series**

VOL. 2

**The Past, Present, &
Future of Accessibility
and Disability Inclusion**

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In 2023, Canada's labour market and employers have reached a turning point.

Businesses are feeling the pain of the ongoing labour shortage. The ratio of unemployment to vacant jobs remains low – a marker of the difficulties employers are having filling positions. [1]

In 2022, five sectors bore the brunt of the labour shortage in Canada: healthcare and social assistance, accommodation and food services, construction, manufacturing, and retail trade. Vacancy rates have fallen only slightly in some of these sectors, while healthcare and social assistance vacancies have reached all-time highs. The labour crunch has not let up yet.[2] What's causing it?

For one thing, the shockwaves of the COVID-19 pandemic are still felt today. In fact, COVID itself hasn't gone anywhere. The uncomfortable truth is the virus is still challenging workplaces by causing punishing waves of absenteeism and lost productivity (and profits), and the wellbeing and capacity of our labour force is threatened by the long-term health repercussions of a still poorly understood virus. Employers who recognize the true nature of the situation – and adapt their strategies accordingly – will certainly have a competitive advantage in the years to come.

But it's not just the pandemic that led us to this moment.

Certainly, Canada's aging population is contributing – as we've always known it would. Nearly a quarter of Canadians are now over 65.[3] But this isn't the full story, either. People with disabilities have been excluded from full, equal participation in our labour market throughout our nation's history. There have been significant moments of change, such as the passing of the Canadian Human Rights Act of 1977, the Employment Equity Act of 1986, and the new Accessibility Canada Act (ACA), which seeks a barrier-free Canada by 2040.[4]

But to this day, there are still roughly 645,000 Canadians with disabilities who could work but are not. There is a massive opportunity to discover systemically overlooked and underutilized talent. And the number of people with disabilities in Canada continues to increase, forecasted to grow from one in five to one in four. [1]

Employers who still fail to recognize the full potential of workers with disabilities are doing themselves a huge disservice. The case for employment equity is obvious from a justice perspective – but the business and economic benefits invite consideration, too.

Because of the ACA, federally regulated employers are now obligated to do some serious thinking about workplace accessibility. Many are looking for guidance on how the ACA compares with existing legislation, how to ensure they're ACA-compliant, and what the benefits are for them.

New legislation, the ACA, revisions to existing legislation, the Employment Equity Act, and their accompanying standards are committed to implementing and enforcing an intersectional lens. That means knowledge about diversity, inclusion, equity, and accessibility will be pivotal for employers going forward. Fortunately, employers who are strong on these values actually outperform their competitors –a win-win situation.[5]

We are now entering a paradigm shift in Canada, from historical exclusion to forging inclusion. This volume in our Labour Market Trends series will guide you through past, present, and the future of disability and work.

Issue Report 1: A Retrospective Look at Accessibility & Disability Inclusion in Canada for a retrospective exploration of disability and work in Canada.

Issue Report 2: Inclusion, Diversity, Equity, and Accessibility Trends in Canada to learn more about current context in diversity, inclusion, equity, and accessibility, and the value they can bring.

Issue Report 3: COVID-19 and Work – Where We've Been & Where We're Going for a deep dive into how businesses can adapt and thrive in the 'new normal' of our post-pandemic world.

Issue Report 4: Looking to the Future – How the Accessible Canada Act (ACA) Changes the Game for a comprehensive walkthrough on what the upcoming ACA means for your business, and how you can prepare.

A Retrospective Look at Accessibility & Disability Inclusion in Canada

Issue Report 1
Ramitha Muralitharan, Michelle Willson, & Vanessa Sinclair

To countless citizens of Canada and of countries around the world, Canada is a land of opportunity, diversity, and compassion. As a developed nation, Canada provides its citizens with the resources they need to thrive and succeed: education, employment, healthcare, safety, and social supports. Yet for historically marginalized groups, including people with disabilities, the promise of an excellent quality of life and full, equitable access to our nation's re-sources still feels out of reach for many. For decades, people with disabilities have experienced stigma and discrimination and have been excluded from full participation in many spheres of life, such as work. Exclusion harms not only those with disabilities, but workers without disabilities, businesses, and the economic and social wellbeing of the nation, as we shall see throughout this report.[6]

Many of the misconceptions and barriers faced by people with disabilities are rooted in an understanding of disability as being something intrinsic to the person, and thus something that needs fixing.[7] This understanding of disabilities is commonly known as the medical model of disability.

The history of disability in Canada can be difficult to learn about. Some may also wonder why we should learn about it at all, instead of choosing to focus on progress. But to move past outdated practices and do better, it's necessary to understand where we've been. For employers, recognizing the past, how far we've come, and how far we still have to go – should serve as a galvanizing force to model growth and change for accessibility in employment.
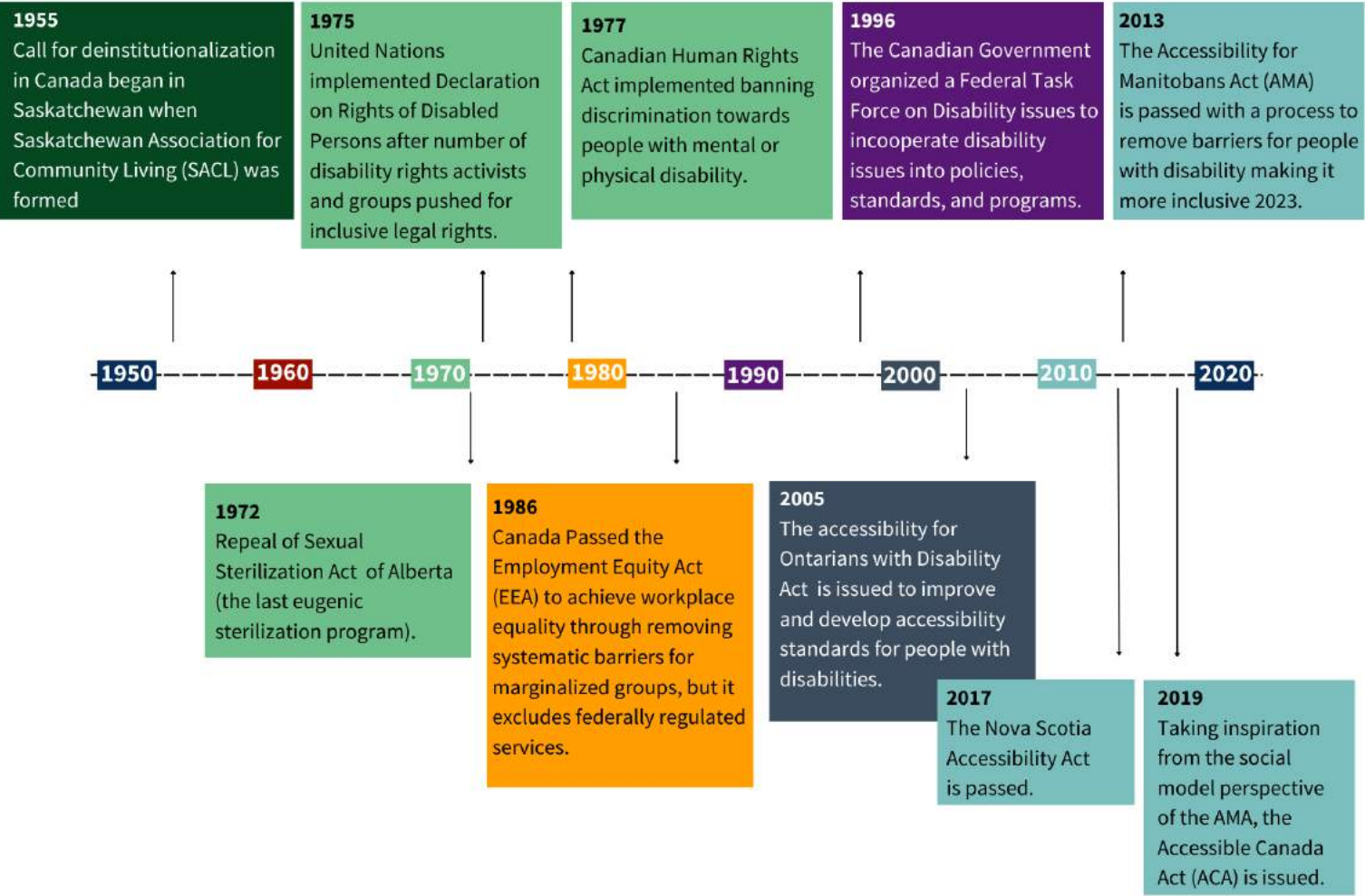
Canada's Record on Disability

The medical model of disability became ingrained in various structures and practices in Canada beginning with harmful institutionalization, involuntary sterilization, and their resulting barriers to social participation, employment, and education.[8] For nearly 200 years, Canadians with disabilities—primarily developmental or mental disabilities— were subject to abuse and neglect through institutionalization. From the early 1800's, psychiatric 'hospitals' (previously known as 'insane asylums') expanded across Canada. These asylums initially were intended as 'sanctuaries' for people with mental disabilities where they could receive treatment and care.[9] But like many other failed institutions, these sanctuaries became a place of inhumane practices, applying a harsh and paternalistic approach from staff to patient.[9] Survivors of these psychiatric institutions experienced physical and sexual abuse, sexual assault, beatings, solitary confinement, and drug-induced comas, among other forms of unethical practices.

Canada called for deinstitutionalization in 1955, but the last remaining psychiatric institutions did not close their doors until 2009.[10]

The exclusion of people with disabilities from society into the 1900s worsened as support grew for eugenics policies across the country. Eugenics is the belief and practice of controlling the human population by weeding out people with 'undesirable' characteristics and genes – including those with disabilities. These beliefs sowed the seeds of discrimination for decades to come. Both Alberta in 1928 and British Columbia in 1933 enacted Sexual Sterilization Acts, focusing on institutionalized people.[11] Other provinces across Canada, including Ontario, had unsuccessful attempts at passing eugenics policies. But in Alberta and British Columbia, these acts removed all bodily autonomy from victims, and permitted government-run institutions to sterilize people. In Alberta, further amendments even removed the need for patient con-sent. By the time these laws were repealed in the 1970's, over 2,800 people in Alberta and over 200 people in British Columbia were sterilized— a truly unimaginable chapter in Canada's history.[11]

A timeline of Canada's record on disability rights.

1955
Call for deinstitutionalization in Canada began in Saskatchewan when Saskatchewan Association for Community Living (SACL) was formed

1975
United Nations implemented Declaration on Rights of Disabled Persons after number of disability rights activists and groups pushed for inclusive legal rights.

1977
Canadian Human Rights Act implemented banning discrimination towards people with mental or physical disability.

1996
The Canadian Government organized a Federal Task Force on Disability issues to incooperate disability issues into policies, standards, and programs.

2013
The Accessibility for Manitobans Act (AMA) is passed with a process to remove barriers for people with disability making it more inclusive 2023.

1950 — 1960 — 1970 — 1980 — 1990 — 2000 — 2010 — 2020

1972
Repeal of Sexual Sterilization Act of Alberta (the last eugenic sterilization program).

1986
Canada Passed the Employment Equity Act (EEA) to achieve workplace equality through removing systematic barriers for marginalized groups, but it excludes federally regulated services.

2005
The accessibility for Ontarians with Disability Act is issued to improve and develop accessibility standards for people with disabilities.

2017
The Nova Scotia Accessibility Act is passed.

2019
Taking inspiration from the social model perspective of the AMA, the Accessible Canada Act (ACA) is issued.

Attitudes towards people with disabilities began to change following World War II. It was a pivotal time for the disability community, as more people advocated and supported their transition towards community living and reintegration into society – in large part due to the influx of veterans with new disabilities.[12] But despite these improvements, systemic bias and institutionalized barriers faced by people with disabilities continued – and continues – to present itself in the form of labour market and health inequities.

The 2001 Canadian Centre for Justice Statistics report mentioned that in 1991, 19% of people with severe disabilities between the ages of 15 to 64 were refused employment.[13] The most recent (2017) Canada Disability Survey (CSD) showed an increase of 5%— 24% of people with severe disabilities between the ages of 20 to 64 being refused a job. [14] Despite repealing several unconstitutional laws and implementing more inclusive policies, discrimination and bias remains entrenched. It is critical to understand that institutionalization is not just history, it is the present. There are still survivors of this systemic violence today, who transitioned out of psychiatric facilities to community living with hopes of a better life – only to find a lack of community supports or mental health services and barriers to full participation in society.

Progressive Policies Pave a Path

The Canadian Human Rights Act (CHRA) of 1977 asserted that every person should have an equal opportunity to live the lives they wish, while being accommodated and protected from discrimination.[15] It set the precedent for future inclusive legislation for people with disabilities. The CHRA was also the first legislation to introduce legal obligations for employers to provide accommodations up to the point of undue hardship. Under the CHRA, workplaces had to modify and/or eliminate policies or rules that prevented people with disabilities from participating fully.

Undue hardship refers to a reasonable limit to accommodations that businesses or employers are expected to implement. Beyond this, if accommodation 1) is unreasonably expensive, 2) requires outside sources of funding, 3) has been shown to introduce health and safety concerns, then the business or employer can claim undue hardship.[16]

Of course, the CHRA was not a perfect fix. The 2017 Canadian Survey on Disability (CSD) reported that 1 in 3 Canadians aged 25 to 64 require at least one workplace accommodation – over 770,000 people.[17] It also showed that the greater the number of accommodations required, the less likely they were met. While 75% of Canadians who required at least one accommodation had their needs met, only 36% who required three or more accommodations did—about half.[17]

Significant efforts from various activist groups, non-profit organizations, human rights organizations, and social enterprises helped create awareness of the fight towards full inclusion for people with disabilities. Social justice organizations championed the voices of people with disabilities, helped challenge unethical laws and practices, and provided comprehensive legislative recommendations across Canada.[18] To further address the representation gaps in the labour market, the Employment Equity Act (EEA) was implemented in 1986 specifically outlining people with disabilities as one of four underrepresented groups— a critical step towards disability justice.[19] The EEA recognized people with disabilities as facing disproportionate barriers in the workforce and aimed to promote their full participation in society.

In recent years, accessibility and disability inclusion are increasingly formalized and legalized. Policies enacted by the Canadian Government over the past 50 years include the aforementioned Employment Equity Act of 1986 up to the most recent Accessibility Canada Act (ACA) of 2019. In 2010, Canada ratified the United Nations Convention on the Rights of Persons with Disabilities (CRPD), with the goal of changing attitudes, approaches, and legal rights for persons with disabilities. In 2012, the Canadian Government also demonstrated an active interest in tracking progress towards accessibility and inclusion by implementing a census addendum (the CSD), deployed every 5 years (2017, 2022). This first-of-its-kind survey provides a more complete picture of disability in the Canadian labour market.

Understanding the Current Landscape

Informally and culturally, through the past decade the medical model of disability has slowly been replaced with the social model of disability, a framework which shifts the focus from people with disabilities themselves to the barriers that exists in society. The conversation becomes about accessibility: the usability of a product, a service, a design, or a built environment for all people, including persons with disabilities (in other words, the 'ability to access'). In this view, people are disabled because of barriers in the environment, not personal deficiencies. Recently, there has also been an increasing awareness of invisible disability, a category which represents the most common types of disabilities faced by Canadians – pain, mobility, flexibility, and psychological – and about mental health conditions specifically, which are experienced by 1 in 5 Canadians in any given year.[20,21] This is significant, as these types of disabilities are especially likely to be undisclosed in the workplace – for example, 75% of Canadians say they would be reluctant (or refuse) to tell their workplace about a mental health condition.[22]

Despite existing legislation mandating accessibility in Canadian workplaces, labour market inequity for people with disabilities remains. The recent (2017) CSD shows that 22% of Canadians aged >15 years (approximately 6.2 million people) had one or more disabilities.[23] Less than two thirds (59%) of working age Canadians with disabilities (25-64) are employed, compared to 80% of their counterparts without disabilities, and their income is lower by 12-51% (Statistics Canada 2018).[23]

The rate of employment for persons with severe disabilities is even lower – it is 76% among those with mild disabilities, but 31% among those with very severe disabilities.[23] Employment rates among older adults (aged 55-64 years) are also lower – only 58% of older adults with mild disabilities are employed.[23] At least two in five working-age PWDs (39%) have potential to work.[23] This represents a huge pool of untapped talent – nearly 645,000 Canadians who could work but are not.

Discrimination against people with disabilities is often known as 'ableism' because it favours 'able-bodied' individuals. Businesses and employers need to continue challenging ableism and inaccessibility in the workplace by embedding accessibility into all stages of the employment cycle, growing their disability confidence, and fostering a culture of inclusivity and trust by enforcing zero tolerance of discrimination and prejudice. Since fostering an inclusive culture cannot be legally mandated – nor does it benefit from a 'one-size-fits-all' approach – improvements must be guided by a focus on continuous learning and growth. In Issue Report 2, we'll take a deep dive into current and emerging trends in Inclusion, Diversity, Equity, and Accessibility (IDEA) to show how these principles can make the labour market a better place for workers with disabilities and for businesses.

In Issue Report 3, we look more closely at the current state of affairs for accessibility and disability inclusion in the labour market with an in-depth look at one of the most pivotal moments to-date – the COVID-19 pandemic.

> "I WISH FOR A WORLD THAT VIEWS DISABILITY, MENTAL OR PHYSICAL, NOT AS A HINDRANCE BUT AS UNIQUE ATTRIBUTES THAT CAN BE SEEN AS POWERFUL ASSETS IF GIVEN THE RIGHT OPPORTUNITIES"
>
> -OLIVER SACKS

Inclusion, Diversity, Equity, and Accessibility Trends in Canada

Issue Report 2

Michelle Willson, Charan Karusala, & Vanessa Sinclair

Have you heard of EDI? Or DEI? DEIA? IDEA or JEDI?[24,25]

A number of different acronyms are being utilized to summarize the values that promote full representation, fair treatment, and meaningful participation in the workplace and society. More than likely, you are already familiar with some, or even all, of the principles these acronyms represent. The Government of Canada and organizations nation-wide have increasingly championed progress towards equity, diversity, and inclusion for everyone.

But to create true equity and inclusion for people with disabilities, a fourth pillar is equally important: **accessibility.**

What matters isn't the acronym you choose to communicate these concepts – it's about understanding their value and implementing them in your workplace. And as we'll see, **inclusion, diversity, equity, and accessibility aren't something to assign just to the HR Department. Employers benefit when they're built into the framework of their business.**

Below, we break down what's meant by inclusion, diversity, equity, and accessibility. They are distinct but mutually dependent values that contribute to a positive workplace culture.

Inclusion

Inclusion means ensuring everyone belongs – it is creating an environment that welcomes, values, and respects all people, regardless of their identity.[26] It means everyone can contribute, to participate in career advancement and development, and to be heard when they provide feedback or engage in decision-making processes.

Without a culture of inclusion in the workplace, it's impossible to maintain diversity. If members of diverse groups do not feel they belong, they will certainly not feel empowered to do their best work, and they are unlikely to continue to work there.

Diversity

Diversity refers to differences, including (but not limited to) race and ethnicity, gender, Indigeneity, culture or religion, sexual orientation, nationality, socioeconomic status, education level, age, or disability.

Canada is an incredibly diverse nation. A diverse workplace is one that more truly reflects the many demographics, experiences, attributes, and talents that make up our country.

In short, diversity pertains to the presence of people from different walks of life in your workplace (or elsewhere).

Equity

Equity means providing necessary resources and opportunities to everyone, in relation to their unique needs and abilities – that is, in a way that is fair and just.

Equality and equity are often used interchangeably, but they are different. Equality is giving everyone equal access to the same resources and opportunities. At face value, this seems like a fair approach, but it fails to consider the barriers faced by members of historically marginalized groups. An equitable approach accounts for the barriers faced by equity-deserving groups (such as people with disabilities, women, or visible minorities). It adjusts the process and provides the resources necessary to create an equal opportunity.

To give an example, an equal opportunity looks like a person with a disability and a person without a disability both getting a job interview. An equitable opportunity is when the person with a disability receives the accommodations they need, without judgement or bias, in the interview.

Accessibility

Accessibility, quite literally, is the 'ability to access'. It means making something usable to as many people as possible. That includes people with disabilities and people without.

Accessibility can refer to the design of built environments – and this is what many people think of first. But it can also refer to products, services, devices, and digital environments.[27] When something is not accessible – whether due to physical, institutional, or social constraints – barriers exist: factors that prevent someone's full and meaningful participation in a space, or in their use of a product or service.

You can see why accessibility is just as important as inclusion, diversity, and equity, and how it's related to them. People with disabilities will be fully included and have equitable outcomes when accessibility is baked into a workplace culture. But if the workplace is inaccessible to them, they will likely not be there at all.

Equality is giving everyone the same things. Equity is giving people what they need to succeed.

Why Does it Matter?

Workplace discrimination is much more commonly faced by those who are members of equity-deserving groups – hindering efforts towards inclusion, diversity, equity, and accessibility.[28, 29]
The Survey on Employment and Skills (Experiences of Discrimination at Work) showed the following trends [30]:

30% of women experience gender-based discrimination at their workplace.

40% of racialized employees (employees who are not white) experience race-based discrimination in the workplace.

40% of Indigenous employees experience discrimination in the workplace because of their Indigenous identity.

33% of young adults aged 18 to 34 experience age-based discrimination in the workplace.

Separately, a 2018 study on Canadian federal public service employees found that, compared to workers without disabilities, workers with disabilities had had almost three times the odds of experiencing workplace harassment, and five times the odds of experiencing workplace discrimination[31].

It is known that employees with intersecting identities (i.e., being a part of multiple equity-deserving groups) are more likely to experience workplace discrimination.

For example:

•Age-based discrimination is more common for women across all age groups.[30]

•25% of employees who identify as a person with disability and belonging to the LGBTQ2S+ community considered themselves to be disadvantaged in employment because of their condition.[32]

•47% of employees from the LGBTQ2S+ community experienced discrimination when they also belonged to another equity-deserving group. [33]

•46% of Indigenous people who identify as having a disability reported experiencing discrimination in their lives generally compared to 22% of Indigenous folks who do not have a disability (22%) and 24% of those who are non-indigenous and are from non visible minority populations that identify as having a disability. [34]

The benefits of promoting inclusion, diversity, equity, and accessibility (IDEA) practices in the workplace are well-established. Organizations that apply these principles make better decisions, anticipate changes, capture more market share, and are more economically successful in the short and long term – to name just a few benefits.[35] In today's high-stakes environment, when the competition for top talent is fierce and factors like the COVID-19 pandemic shake up the way we do business, these values should be an even higher priority.

Intersectionality

There is another important "I" word that ties all these values together: intersectionality. You may have heard intersectionality come up in meetings, appear in articles, or in workshops or training sessions. It might sound like a buzzword, often used in conversations about IDEA, but what is intersectionality? What does it have to do with the workplace?

Intersectionality recognizes that people have more than one identity, relating to gender, disability, race, citizenship, nationality, class, and religion, amongst others.[36] It helps us to understand people's multifaceted identities, and highlights that while each facet of the person can be linked to specific barriers on its own, some people with multiple marginalized identities face complex experiences of discrimination or barriers because of how these facets *intersect*.

When identities overlap – or 'intersect' – within a person, so can the experiences of barriers and discrimination.[37]

The term intersectionality was coined by Kimberlé Crenshaw in 1989 while she explored Black women's experiences of workplace discrimination through her analysis of legal proceedings. Crenshaw found that these cases were often overlooked and misunderstood, as their experiences were not solely based on their sex or race but were compounded by the interplay of both.[38]

Applying this analogy, for an employee with multiple equity-deserving identities – for example, being a woman and being a person with a disability – these can be represented by two roads. The cars represent workplace experiences, and a car accident represents workplace discrimination. If there is a car accident at the intersection of these two roads (her identities), it would be difficult, if not impossible, for the employee to pinpoint whether the accident was a result of discrimination against her sex or gender, discrimination against her disability, or the interplay of both. It is important to know that an intersection is not just the sum of, for example, sexism and ableism – it is unique to the person and their circumstances, and can be compounding, not just additive.[38]

Contemporarily, the understanding of intersectionality has expanded to include varying communities and identities that often experience discrimination including (but not limited to) race, gender, sexuality, and citizenship – and of course, disability as well.[39]

To give another example in the employment context, imagine there is someone trying to enter the workforce. They have applied to a position for which they are qualified. They are an Indigenous person, a woman, and a person with a disability. All three of these identities are known to experience barriers to employment, underrepresentation in the workforce, and discrimination.[39] If this applicant experienced bias in the hiring process, it would be extremely difficult to point to the specific identity being discriminated against – it may very well be that the discrimination occurs at the intersection of their indigeneity, gender, and disability. The barriers are layered and compounded.

It is important to recognize and unpack the role of intersecting identities in addressing barriers in and around the workforce and in the application of IDEA policies and initiatives. If work being done to support diversity and inclusion focuses on one specific identity, such as disability or gender, it is very possible that those who are meant to be supported by these efforts will still experience barriers.

In the example of the job applicant above, let's say the organization she has applied to has been working hard to be more gender inclusive in their hiring and has recently implemented policies to help eliminate barriers to employment for women, trans, non-binary, and other gender diverse applicants. While these new policies might provide supports that relate to gender, they could still be experiencing barriers as an Indigenous person and as a person with a disability, and through the compounding nature of all three. When we approach IDEA through a single identity lens, we can easily overlook other barriers.[40] This is why an intersectional lens should be used to frame IDEA practices, policies and supports.

Crenshaw (1989) used the following analogy to illustrate the point:

"Consider an analogy to traffic in an intersection, coming and going in all four directions. Discrimination, like traffic through an intersection, may flow in one direction, and it may flow in another. If an accident happens in an intersection, it can be caused by cars traveling from any number of directions and, sometimes, from all of them." [38(p.149)]

Beyond the Buzz:
Intersectionality in Policy

So far, we've talked about what intersectionality is and how applying intersectional frameworks supports IDEA practices and initiatives. But what is intersectionality's importance for businesses? Is it worth the time and effort?

While we know that intersectional IDEA policies and practices are critical in dismantling barriers and unlocking opportunity for workers, it is also relevant to businesses. Legislation and policies across Canada speaking to accessibility and equity in employment are recognizing intersectionality beyond a buzzword.

The Accessible Canada Act (ACA), enacted in 2019, was created to eliminate barriers for people with disabilities by 2040 and address barriers across seven priority areas, one of the seven being of particular importance to businesses, employment. The ACA outlines a number of principles that organizations are expected to follow in complying with the regulations. One of the principles explicitly points to intersectionality, as it states:

> "*laws, policies, programs, services and structures must take into account the disabilities of persons, the different ways that persons interact with their environments and the multiple and intersecting forms of marginalization and discrimination faced by persons.*" [41]

This principle not only illustrates the imperative of incorporating intersectionality into barrier-dismantling practices and policies, but it also emphasizes intersectionality as an expectation under the ACA.

Emerging from the ACA is the mandated development of accessibility standards by Accessibility Standards Canada (ASC). We can expect these standards to incorporate intersectionality, as guided by the ACA and its principles. Outlined in the work completed by the ASC thus far is the application of inclusion and intersectionality in programs that support accessibility standard development. This can be seen across many of the activities carried out by the ASC, including the intentional structuring of their technical committees in which, on average, 50% of committee members are reported to be people with disabilities and include "a balance of Indigenous people, LGBTQ2IA+ individuals, seniors, visible minorities, women, and youth " and their use of Gender Based Analysis+ (GBA+), which is an analysis method that is used to understand the impacts of policy, programs and initiatives on people with varying genders.[42]

If the standards created by ASC are made regulation by the Government, they will become mandatory.[43] With the potential of mandatory regulations on the horizon, it is opportune for businesses to be in-step with current legislation – or better yet, at the forefront of emerging accessibility standards. Intersectionality is not a trend, but a priority in accessibility and equity legislation that is here to stay.

Other critical pieces of federal employment legislation are progressing towards incorporating intersectionality. The Employment Equity Act (EEA) has been under review with the intent of both strengthening and modernizing the current employment equity framework. A report for this review will be submitted to the Ministry of Labour in the Spring of 2023.[44] Tasks involved in the EEA review include applying intersectionality across all work and involve the application of GBA+.[45] This review is being done in response to a clear need to modernize legislative language that has not kept up with contemporary needs, and to include other equity-deserving groups that face barriers to employment, such as members of the LGBTQ2S+ community. Additionally, there has been a call from various groups including, but not limited to, researchers, employer associations, unions, and community groups to ensure the EEA is in line with "intersectional, contemporary understandings and concerns of Indigenous Peoples, persons living with disabilities, Black and racialized people, and gender identity and gender equality"[46 (p. 12)]. With the review of the EEA underway, we can expect to see intersectionality included through both the process and amendments made to this legislation, making it timely for employers to be at the forefront of understanding and implementing intersectionality in the workplace.

While some people may already be well versed in intersectionality and how to apply it, this can feel challenging or burdensome to others. If you're an employer thinking about applying IDEA and intersectionality principles in your workplace, policies, and practices, but aren't sure where to begin, the highly skilled team at INNoVA, www.TheInnovaSolution.ca can provide customized plans and work with you to develop and implement innovative, intersectional business solutions.

CCRW Spotlight: Intersectionality in our Work

As a part of CCRW's mission to break down barriers to employment for people with disabilities, CCRW recognizes and values the diversity of the job seekers and employees with disabilities they support. CCRW has developed programs and projects that apply intersectional frameworks to best support employees and jobseekers with disabilities and other intersecting identities.

CCRW's Empower program provides and tests effective, trauma-informed pre-employment skills development through a wraparound supportive approach for women and gender non-binary job seekers who self-identify with a disability and are living at the intersections of race/Indigeneity, the LGBTQ2S+ community, and/or prolonged detachment from the labour force. Applying an intersectional framework to address barriers, this program works towards workplace inclusivity and increased labour market participation for women with disabilities.

Through the Accessibility FIRST project, CCRW is working with broad-based partners to break down barriers for people with disabilities and other equity-deserving identities, such as women and Indigenous youth, to train, test, and secure employment in the Red Seal Trades within the provinces of Manitoba and British Columbia. This project applies an intersectional framework to meet the unique needs of those with multiple equity-deserving identities looking to enter the trades.
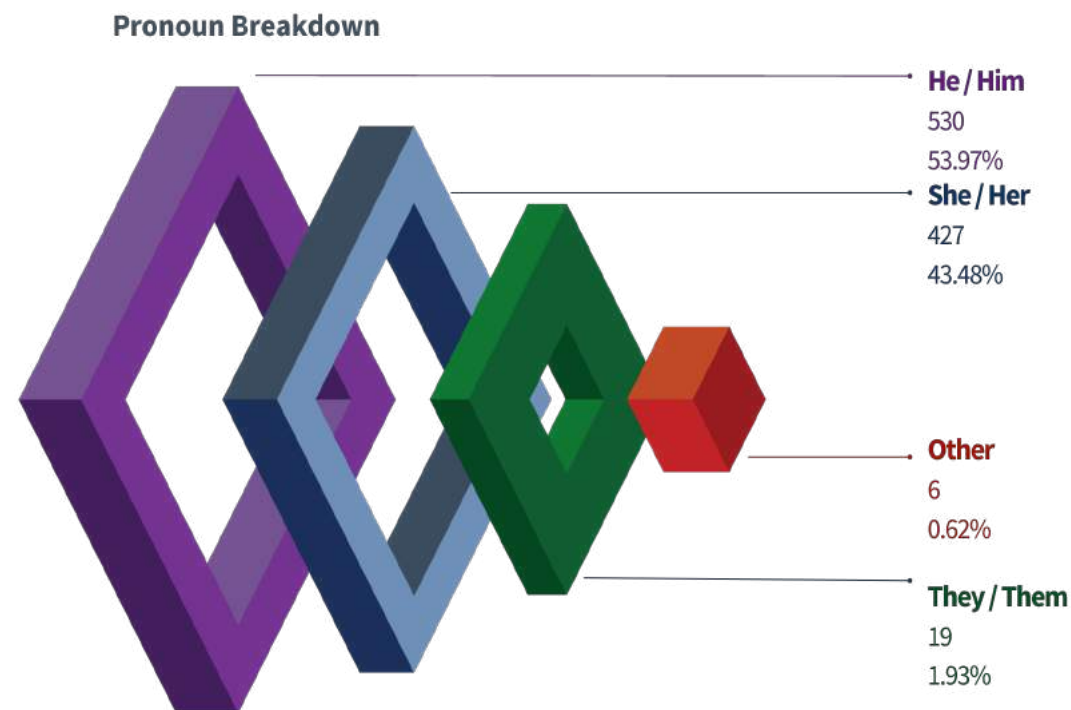
CCRW Candidate Data

Data collected about CCRW job candidates gives us a snapshot of who is using our employment services, be it those who focus on pre-employment skills or upskilling, job searching, getting the proper accommodations or supports at work, or other services that support employment retention. Understanding the demographics of those using our services, particularly when compared to the Canadian population statistics, helps to paint a picture of the demographics most in need of support in entering, remaining, or progressing in the workforce.

Data from the 2021 census provided insights into Canadians that identify as LGBTQ2S+, and for the first time, in any country, Canada collected census data on transgender and non-binary people.[47] We can look to this landmark data collection to understand how the demographics of our candidates weigh against the Canadian population.

Data CCRW collects on pronouns shows just under half of our candidates tell us their pronouns are she/her, indicating many of our candidates are women. Additionally, nearly 2% of our candidates use they/them pronouns, and an additional 0.6% prefer to self-describe their pronouns (for example, she/her/they/them; both she/her and he/him), indicating they may identify as non-binary or transgender. Comparing this to Canadian census data that reports 0.33% of the population aged 15 and older identify as transgender or non-binary, we can see CCRW may serve a proportionately higher number of candidates from this demographic.[47]

Pronoun Breakdown

He / Him
530
53.97%

She / Her
427
43.48%

Other
6
0.62%

They / Them
19
1.93%

All CCRW candidates identify themselves as people with disabilities. As we know, those with identities at the intersection of multiple equity-deserving groups above are usually at a higher risk of being discriminated against, not having equal opportunities, and being unemployed.

Equity data CCRW collected between June 2022 and December 2022 showed that nearly 10% of CCRW's candidates identify as LGBTQ2S+, almost 11% are Indigenous Canadians, nearly a quarter are visible minorities in Canada, and over 5% of our candidates are new immigrants to Canada. For comparison, from Canadian population data we know that only 5% of the population identifies as LGBTQ2S+[49], 4% identify as Indigenous[50], and 22% identify as visible minorities.[51] This means that candidates at CCRW represent a higher proportion of visible minorities, LGBTQ2S+ individuals, and Indigenous candidates than are represented in the Canadian population. This underscores the barriers to work experienced by individuals who sit at the intersection of disability and other equity-deserving identities.

CCRW's equity data also shows that many candidates experience several intersecting identity factors. For example, 245 (23.5%) candidates belonged to more than one of the equity-deserving groups listed above, and further, 45 (4.3%) candidates belonged to three or more of the equity deserving groups.[52]
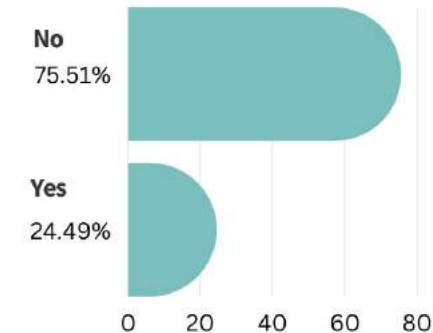

LGBTQ2+ clients that identify as Indigenous
No 65.31%
Yes 34.69%

LGBTQ2+ clients that identify as a member of Visible Minority
No 55.10%
Yes 38.78%
Decline to answer 6.12%
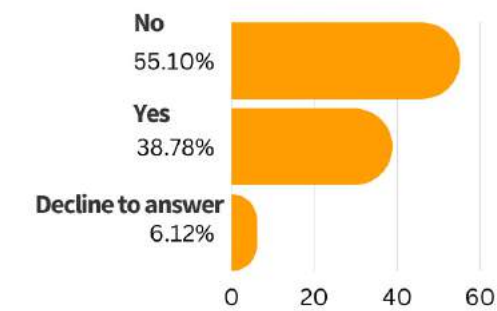
LGBTQ2+ clients that identify as a New Immigrant
No 75.51%
Yes 24.49%

[48]

The figures above show the proportions of CCRW candidates that identify as LGBTQ2S+ and have other intersecting equity-deserving identities. For more examples, click here to view the interactive Power BI dashboard showing intersectionality across CCRW's candidates.

COVID-19 and Work – Where We've Been & Where We're Going

Issue Report 3

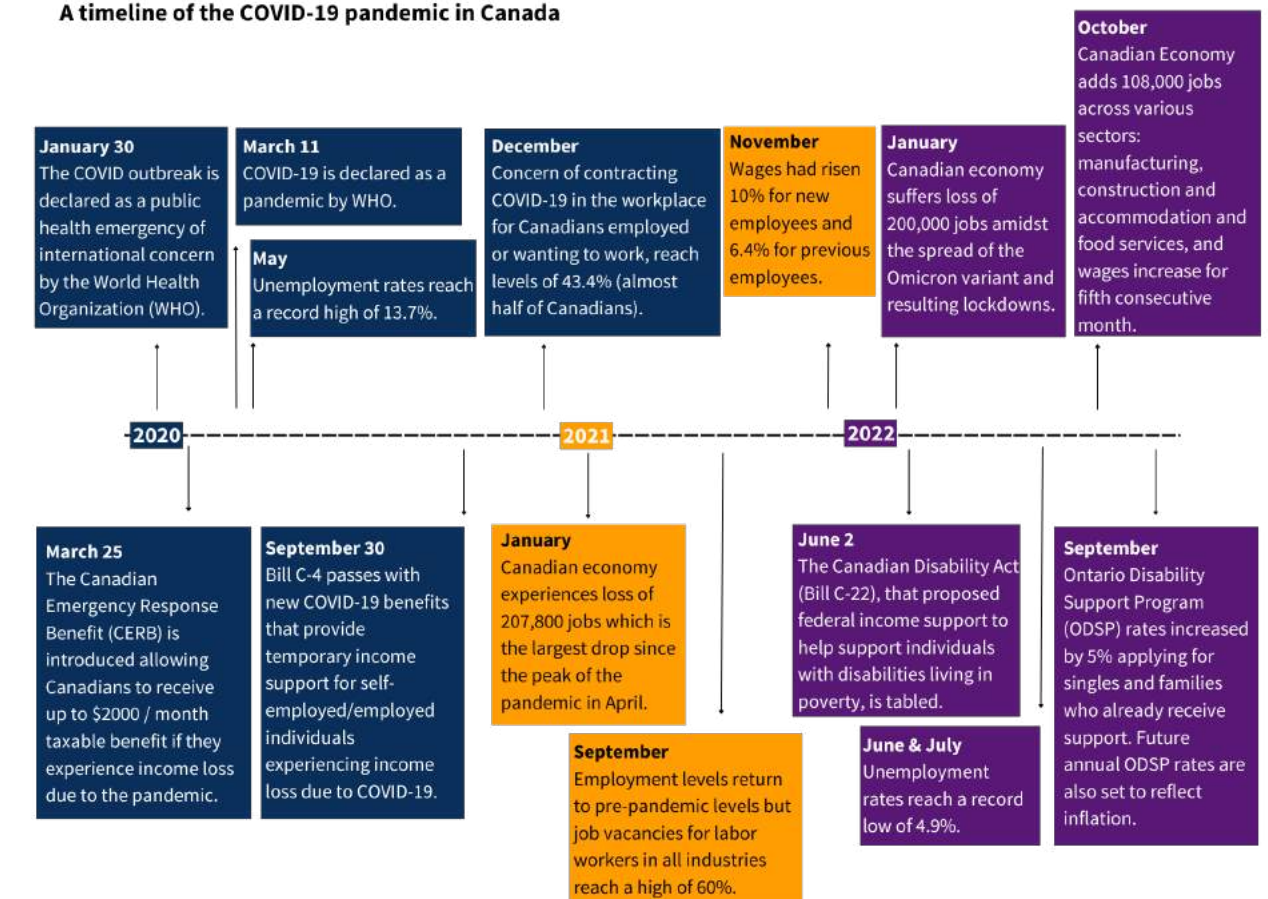*Vanessa Sinclair, Noor Al-Azary, & Ramitha Muralitharan*

The emergence of the SARS Co-V-2 virus (COVID-19) permanently changed the landscape of the Canadian labour market. At the end of 2022, 78% of Canadian businesses were still dealing with pandemic stress, especially businesses in hospitality (91%), social services (91%), enterprise and administrative management (90%), and information, arts, and recreation (88%).[53] Nearly 40% of all Canadian businesses expect hiring skilled talent is going to continue to be a challenge – and nearly half of those in construction, manufacturing, and food services think so. Not coincidentally, these three industries – as well as retail trade, and healthcare and social assistance – had the lowest ratios of new hires to vacancies in 2022.[54] In other words, many employers in these sectors were struggling to fill roles. Throughout this report, you will also see spotlights on how the ongoing pandemic is impacting specific sectors.

As we've discussed, people with disabilities experience significant barriers to employment in comparison to workers without disabilities. COVID-19 magnified many of these existing gaps.[55] Workers with disabilities are disproportionately employed in the hardest-hit sectors, especially service, retail, and blue-collar labour; they are also disproportionately likely to work in precarious and non-unionized roles.[56,57]

The immediate effects of the pandemic, declared in March 2020, on people with disabilities were reflected through data captured in the Statistics Canada Labour Force Survey (LFS). Data from the LFS are released monthly and track labour market metrics such as unemployment rates. The April 2020 LFS showed an 11% decrease in employment for workers with disabilities (66% to 55%), and over a third of people with disabilities who were working prior to the pandemic lost their jobs, either temporarily or permanently.[56] Job losses were 10% greater for people with disabilities who reported more than one long-term condition. People with disabilities continue to face difficulties maintaining job security, are more likely to work temporary or part-time hours, and are more susceptible to adverse outcomes from COVID-19.[55,57]

A timeline of the COVID-19 pandemic in Canada

January 30
The COVID outbreak is declared as a public health emergency of international concern by the World Health Organization (WHO).

March 11
COVID-19 is declared as a pandemic by WHO.

May
Unemployment rates reach a record high of 13.7%.

December
Concern of contracting COVID-19 in the workplace for Canadians employed or wanting to work, reach levels of 43.4% (almost half of Canadians).

November
Wages had risen 10% for new employees and 6.4% for previous employees.

January
Canadian economy suffers loss of 200,000 jobs amidst the spread of the Omicron variant and resulting lockdowns.

October
Canadian Economy adds 108,000 jobs across various sectors: manufacturing, construction and accommodation and food services, and wages increase for fifth consecutive month.

2020 --- **2021** --- **2022**

March 25
The Canadian Emergency Response Benefit (CERB) is introduced allowing Canadians to receive up to $2000 / month taxable benefit if they experience income loss due to the pandemic.

September 30
Bill C-4 passes with new COVID-19 benefits that provide temporary income support for self-employed/employed individuals experiencing income loss due to COVID-19.

January
Canadian economy experiences loss of 207,800 jobs which is the largest drop since the peak of the pandemic in April.

September
Employment levels return to pre-pandemic levels but job vacancies for labor workers in all industries reach a high of 60%.

June 2
The Canadian Disability Act (Bill C-22), that proposed federal income support to help support individuals with disabilities living in poverty, is tabled.

June & July
Unemployment rates reach a record low of 4.9%.

September
Ontario Disability Support Program (ODSP) rates increased by 5% applying for singles and families who already receive support. Future annual ODSP rates are also set to reflect inflation.

The pandemic also highlighted the potential of implementing changes such as flexible hours and remote work models, previously considered unfeasible by most employers. Many of the measures taken by businesses to adapt to the pandemic are accommodations often requested by workers with disabilities. Canadian legislation outlines that employers must provide reasonable accommodations in the workplace, up to the point of undue hardship, so that employees can work without barriers. The pandemic has irrevocably changed perceptions of what accommodations are reasonable.

Workers with disabilities continue to be disproportionately impacted by COVID-19.

Business has also felt the burden of the pandemic on their workforces. To attract workers and return to pre-pandemic employment levels, employers have adjusted their hiring and compensation strategies to stay competitive. Previous positions that required university education levels have seen a 10% increase in occupation by workers with high school education levels, an overall 6% increase since 2019; further, new hires received, on average, 10% higher wages, while established employees received a 6.4% wage increase.[58] Enduring symptoms linked to post-acute ('long') COVID are creating staffing challenges, and data from the U.S. and U.K. – discussed in more detail below – suggest this is a significant driver of labour shortages.

With no coordinated national response, treatment protocol, or standards, employers are often forced to create their own solutions.[59]

COVID-19 is here to stay. To thrive, business must adapt to our 'new normal'. The ongoing impact of the COVID-19 pandemic on the workforce is twofold. Employers with primarily in-person workplaces must contend with the inevitable risk of intermittent waves of acute COVID infection, as well as the long shadow cast by the pandemic: post-COVID syndrome ('long COVID') and newly acquired disability.

## The Business Burden of Acute COVID-19

While the flu and the common cold predictably surge in colder seasons, the virus which causes COVID-19 has a different pattern. Estimates from wastewater surveillance – one of the best indicators of infection rates– such as those from Public Health Ontario show cases in the first half of 2022 peaking following newly emerged variants, not seasonally.[60] Following the roll-back of public health measures such as masking mandates and vaccine requirements, surveillance from Fall 2022 onwards showed a largely stable and relatively high infection burden across the province – comparable to levels seen at the end of December 2021, when the province initiated a lockdown to curb the rapid spread of Omicron. 'Waves' occur at the region- and municipality-level but circulating levels of the virus remain high across the province and country.

A November 2022 outbreak at a steel mill in Sault Ste. Marie, Ontario, provides a case study on what can happen when acute COVID tears through a workplace. Rajat Marwah, Chief Financial Officer at Algoma Steel, estimated a sudden burst of COVID-19 infections cost their company $26 million dollars – a direct result of lost labour due to acute illness and resulting absenteeism.[61]

Evidently, COVID-19 has not disappeared. Absences per worker rose by one full day on average across Canada in 2020,[62] and businesses report continuing to struggle with high levels of workplace absenteeism due to acute COVID infection[63] – a problem no doubt compounded by the fact that reinfections are common, both due to fading immunity post-infection and post-vaccine, and as a result of increasingly immune-evasive variants.[64,65] Further, without sufficient paid sick days, employees often report working through acute COVID infections – leading to reduced productivity and slower recovery times, and, for those who work in person, putting other employees and the general public at risk of infection.[66]

Workplaces are sites of high COVID transmission. Acute and long-haul COVID are associated with "substantial costs" in employee productivity, employee quality of life, and the organization's bottom line. [67,68]

The workplace hazard of COVID-19 presents unique challenges for employees with disabilities, many of whom are more vulnerable to experiencing severe symptoms and complications. Creating an accessible workplace requires adapting to the threat of COVID by implementing and enforcing policies such as flexible work models (including remote or hybrid work, when feasible), providing sufficient paid sick leave, enforcing masking and rapid testing/screening policies, and improving air filtration systems in buildings.
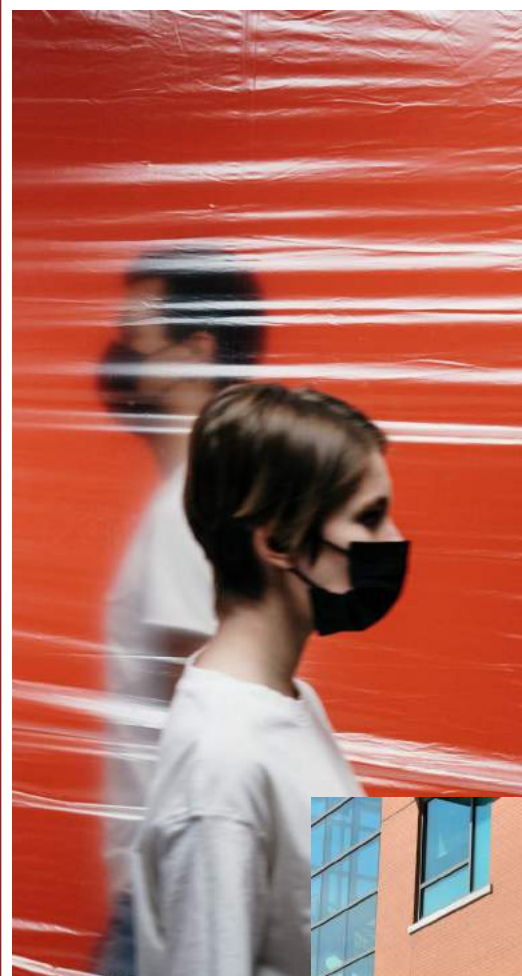
Sector Spotlight: Healthcare [69, 70, 71]

The number of healthcare workers increased from about 1.3 million in 2016 to 1.5 million in 2021 – driven largely by the needs associated with both our aging population and the pandemic. Despite this, vacancies for front-line healthcare jobs are high. Further, front-line workers like doctors, nurses, and personal support workers are overworked. In Fall 2021, nearly half of all doctors with less than 5 years of experience intended to leave or change jobs. The most common reason given was stress and burnout. Our healthcare systems operate under incredible strain. In 2022, they were burdened by an unprecedented, simultaneous influx of three respiratory diseases – COVID, influenza, and Respiratory Syncytial Virus. Moving into our 'Next Normal' will mean rethinking how we deal with viral transmission in our workplaces.

COVID's Long Shadow – Long COVID & Disability

Beyond the burden of acute COVID, post-COVID symptoms and new experiences of chronic, episodic disability are a part of the pandemic's legacy.

Post-viral syndromes are not new, though they are poorly understood. Following the 1918 flu pandemic, countless patients reported prolonged symptoms of sleeplessness, apathy, tremors, and exhaustion – symptoms echoed today by patients coping with enduring symptoms after COVID.[72] Prolonged complications can follow other viruses too, like the modern-day flu, Epstein-Barr (the virus that causes mononucleosis), and Lyme. However, the unprecedented spread of COVID-19 and the high risk of prolonged symptoms following infection make post-COVID syndrome or 'long COVID' particularly concerning.

One in seven Canadians who has had acute COVID has experienced long COVID, defined as new or continuing symptoms 12 weeks after infection.[73] About half of those with long COVID had, or have had, long COVID for a year or more. Vaccination lowers this risk, but by no means eliminates it. You may have heard that 'newer' strains of COVID do not cause long COVID, but this is not true – among those who reported a COVID infection after December 2021, when Omicron became prominent, about one in ten developed long COVID.[73] The incredible transmissibility of Omicron strains and related variants means in sheer numbers, cases of long COVID will almost certainly be higher than ever before.

The implications of long COVID for the labour market are still being revealed, but they are profound. Working-age adults – especially women – are most frequently affected. Long COVID is most common in people between the ages of 40 to 59. As many as 60% of people with long COVID fall into this range.[74] Three-quarters of working adults with long COVID miss about 20 days of work because of their symptoms.[73]

One study found that an estimated 16 million working-age Americans – just under 5% of the population – have some form of long COVID, and of these, 2-4 million are out of work temporarily or permanently. In America, the cost of the resulting lost wages was estimated at around $170 billion.[75] If Canadian numbers are similar, we can assume that 1.85 million Canadians may be experiencing long COVID symptoms, and between 230,000-463,000 could be out of work. Estimates as of the end of 2022 suggest about 4.6% of Canadian adults has had long COVID either previously or currently.[73] Another American study found that workers who were absent for one week due to COVID-19 were 7% less likely to be in the workforce at all one year later.[76] This translated into a labour force reduction of about 500,000 people, or 0.2% of American adults. In Canada, 0.2% of adults is roughly 60,000 people.

Long COVID is most common in working-age people.

Businesses ignore the risk of long COVID at their own peril. As increasing numbers of workers exit the labour market – some permanently – more employers will struggle to attract qualified talent and fill vacant roles.[77] Among existing staff, employers can also expect to see a tsunami of long COVID-related insurance claims.[78] Personal injury lawyers foresee that disability claims will rise steeply into 2023. To illustrate the point, as of June 2022, Ontario's Workplace Safety and Insurance Board had approved over 45,000 COVID-related (including long COVID) claims and denied only 3000.

Long COVID symptoms are incredibly varied. The Government of Canada acknowledges reports of over 100.[79] The most common include fatigue; problems with thinking, concentration, and memory; pain; shortness of breath; sleep disturbances; and psychiatric issues. Many of these symptoms make it difficult or impossible for employees to work, or to work at their previous levels of productivity. More than half of workers with long COVID report having to reduce their working hours, and nearly 70% must take a leave of absence at some point.[74]

In addition to the ramifications of Long COVID itself, there is growing evidence that acute COVID infections raise a person's risk of contracting other viral and bacterial illnesses. In the months following a case of COVID, for example, one's risk of catching strep throat and conjunctivitis are increased[80], and COVID infection may also be a risk factor for subsequent Respiratory Syncytial Virus (RSV) infection[81], which surged to unprecedented levels in winter 2022.[82] There is an urgent need for business to adapt to the risks of viral transmission in their workplaces.

Adapting to 'Next Normals' – How do Businesses Keep Up?

Some success strategies that worked for businesses in 2019 are no longer viable. Meeting the challenge of COVID and its labour market impacts means thinking differently – implementing dynamic accessibility policies, enforcing health and infection-prevention measures, and seriously considering the potential of remote and hybrid work models.

Adapting doesn't mean going back to normal – it means evolving to do things better.
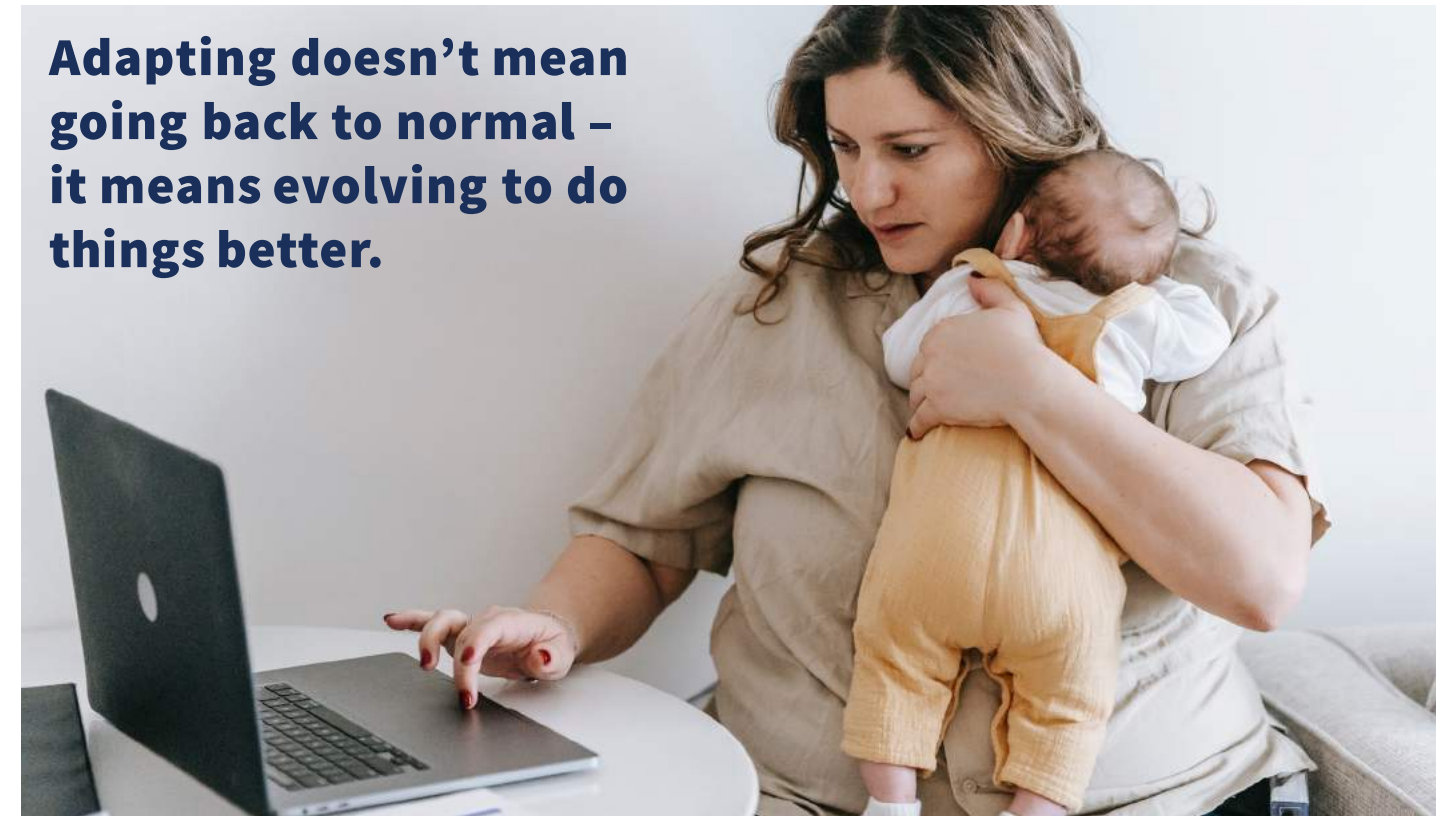
The pandemic has irrevocably altered the way we do business. But not all of those changes have been negative, and many of the ways business can continue adapt to COVID and other viruses have the potential to benefit their employees and their bottom line.

COVID has impacted nearly everyone's work-lives, directly or indirectly. One report found that 40% of supervisors have a team member with enduring challenges related to COVID. Nearly 80% also said their organizations have changed their accommodation policies as a result of the pandemic, often by making them more formalized – and ultimately easier for their employees with disabilities to navigate. [83]

Learning to live with COVID will look different for every business, depending on their industry, their work model (on site, hybrid, or fully remote), and the built environment of their workplaces. In this section, we talk about managing the workplace hazard of viral transmission, how to handle the post-COVID return-to-work process, and cover both the 'why' and the 'how' of remote work models in detail.

Mitigating the Workplace Hazard of Viral Transmission

Employers – represented by managers and supervisors – are responsible under the Canada Labour Code for looking after the health and safety of their workers, and to provide a healthy and safe work environment.[84] That means at minimum, managers and supervisors must stay up-to-date on guidance from the Public Service Occupational Health Program and from Health Canada on the COVID-19 situation, and must know their responsibilities and their organization's procedures for addressing employee's health and safety complaints and their rights to refuse unsafe work.[84] The employer's relevant public health authorities will provide the most up-to-date information on the minimum guidelines with respect to vaccination, masking, self-isolation and quarantine, and messaging around workplace outbreaks.

However, the most well-prepared employers will also think about how to go above and beyond the bare minimum required by legislation to ensure health and safety, and to protect their workers from infectious diseases in general. Taking measures to enhance workplace safety and accessibility enhances inclusion for workers with disabilities, but also workers without disabilities – as well as customers and clients.[85] As we've seen, it also serves business by ensuring they can continue to benefit from a healthy, productive workforce and reduced absenteeism.

Public health measures that can reduce COVID-19 transmission are well-documented, and mirror guidance for reducing transmission of other respiratory viruses.[86] Respiratory viruses are primarily spread through droplets (large particles) and aerosols (small particles) generated when an infected individual breathes, talks, or coughs and sneezes. In the case of COVID, the particles can spread even from asymptomatic or pre-symptomatic individuals, who may cause up to 50% of transmissions.[87] Aerosols in particular can build up in enclosed indoor spaces, such as a small office, particularly if ventilation is poor. Evidence for surface transmission ('fomites') of COVID-19, specifically, is limited.

Blocking the aerosolized virus from accumulating in the air (with masks) and keeping air flowing (with good ventilation) are proven ways to lower the transmission of COVID, as are workplace screening measures such as regular COVID rapid testing or symptom checklists. Employers in many provinces are eligible to access rapid tests through various distribution channels.[88] Keeping up to date with COVID and flu vaccinations is also crucial.

While government mask mandates are no longer in place in most settings, employers may still choose to enforce masking in their workplaces (though as before, they must accommodate workers who cannot wear a mask due to a disability). If not enforced, employers can still encourage mask use by providing masks to employees, and modeling mask usage themselves. To encourage up to date COVID vaccine uptake, employers can also consider implementing vaccination policies, ensuring they align with the relevant human rights code (e.g., OHRC) and privacy laws in their jurisdictions.[89] If employers choose to forego implementing a policy, they can still encourage vaccination in workers through leading by example, sharing information about vaccination and nearby vaccine clinics, and offering paid time off for employees to get vaccinated. Regarding ventilation, viruses notwithstanding, good airflow is well worth the associated energy and costs – breathing stagnant air is linked to worse decision-making and productivity in office workers and can cause a condition known as 'sick building syndrome'.[90] With respiratory illnesses, the stakes are even higher.

Employers can gain a competitive advantage by recognizing the health hazards of viruses and going above-and-beyond to protect their workforces.

In summary, for in-person workforces, to manage the workplace hazard of both acute and long COVID and other viruses, employers should seriously consider mitigation measures such as improving and maintaining air filtration systems, providing personal protective equipment (masks) and encouraging or mandating their use in the workplace, encouraging or mandating up to date COVID and flu vaccinations, and putting a COVID rapid testing and screening program in place. Combining measures ("layering") is more effective than any single measure on its own.[86]

Sector Spotlight: Manufacturing [91,92,93]

Because of its significant reliance on an in-person workforce and intricate supply chains, manufacturing has been among the hardest-hit sectors by the COVID-19 pandemic, and have been one of the five sectors struggling most to fill job vacancies. Further, as we saw earlier in the example about Algoma Steel – a Sault Ste. Marie steel producer – waves of COVID in a workplace can decimate productivity in a matter of days. Shockingly, more manufacturing workers have died of COVID than workers in any other sector – even healthcare. In 2022, Canadian manufacturing sales, in dollar value, were at their highest levels in history, but this was largely driven by record inflation, as the volume of actual goods sold rose by only 0.1% between January 2020 and June 2022.

Return-to-Work Post-COVID

Thinking through how to reintegrate employees who have severe or prolonged symptoms from COVID is another aspect of adapting. So far, guidelines for facilitating return-to-work for employees with long COVID are similar to those for individuals with other episodic disabilities, such as Chronic Fatigue Syndrome. They include implementing slow-paced, phased return-to-work plans; flexible schedules; practicing energy conservation techniques (like taking frequent breaks); planning periods of activity and periods of rest; and modifying the environment to mitigate pain, discomfort, or sensory issues.[94]

For HR and managers, it is crucial to be proactive and supportive with workers experiencing COVID and long COVID. Be on the lookout for signs workers are experiencing difficulties at work after an acute illness, even if they have not formally reported a case of COVID. Engage in regular communication. Ensure the reality of COVID is understood across your organization, especially at the leadership level, and provide as much information as possible to workers.

Focus on what your employees need to thrive, not why they need it.

Lastly, and not exclusively to COVID-related disability, focus on the accommodations needed – not their origin. Changing the lens by asking a worker 'how can we help you thrive?' instead of 'why aren't you thriving?' lessens stigma and misconceptions, and it empowers your employees to **succeed**.

Remote Work Can Work – The Business Case

In our 2021 Trends Report, CCRW highlighted that the normalization of remote work in the wake of the COVID-19 pandemic had the potential to facilitate more accessible employment opportunities. No longer seen as an "employee benefit", remote or hybrid work can be a permanent model. Across North America, about 40% of jobs can potentially be done from home.[95,96] At the height of the pandemic, the number of employees working from home approached (and in some cases exceeded) that estimated proportion, demonstrating that a rapid shift to remote work models was viable.[97] Employers can also adapt work models as public health context evolves, encouraging on-site work when the risk of viral transmission is low, and remote work when transmission is high.[98]

As pandemic restrictions wind down and society collectively pursues a 'return to normal', many employers who previously facilitated remote work models have rolled out return-to-office plans – citing it as a business necessity or a way to drive teamwork, foster company culture, spur innovation, and increase energy.[99] We will likely never return to the 4% rates of remote work seen in 2016, but businesses are divided on whether to keep their flexible models or push for a return to office.[100] The Strategic Regional Research Alliance's Occupancy Tracker shows that office occupancy rates in Toronto have continued to climb upwards, hitting 42% of pre-COVID rates in February 2023.[101] Yet according to many workers, remote work afforded them a greater sense of wellbeing, flexibility, and productivity – especially so for many workers with chronic health conditions or disabilities, as we'll discuss below. Some employers, like software company SAP Canada and the US-based AirBnB, have embraced a permanent 'flexible' model.[102,103] Deloitte Canada has termed this the 'Next Normal' – a framework where staff are given the flexibility to decide where they do their best work.[104]

Some employers question remote work – citing concerns about low productivity, lack of creativity, or lack of collaboration. While much of this depends on industry and individual roles, research has shown that net productivity is higher during work-from-home periods. As a rule of thumb, an employee who is productive in the office will be productive at home.[105] Knowledge workers and those with high-focus problem-solving as key components of their roles are especially likely to thrive in remote work arrangements.

About 40% of jobs can be done remotely.

Remote work can also be an economic advantage. Companies offering higher remote work flexibility outperform their peers on asset prices.[106] Part of this advantage is likely due to sheer numbers: staff that work remotely are less likely to get sick and miss work (as well as less likely to infect their coworkers). It also helps workers with disabilities to manage their conditions and, ultimately, perform better in the workplace -- over three-quarters of workers with a long-term disability or illness say implementing a remote work model meant less missed work resulting from their condition.[107] And of course, they are also less likely to develop long-term effects from COVID-19. Remote work can also lower operating costs by reducing or eliminating overhead – leases, office supplies, utilities, and repairs.[108] IBM, for example, saved $50 million dollars in real estate costs alone.[109]

Remote work can also help businesses win the talent game by attracting high-quality workers and untethering their talent search from geographic constraints. Some have argued there is little evidence for a Canadian 'Great Resignation' (at least compared to the United States) – unemployment rates in Canada have been at record lows in 2022 and 2023.[110] Yet at the same time, many workers facing burnout and disengagement in a post-pandemic world are looking for greener pastures.

Half of Canadian workers plan to search for a new job in 2023, seeking not just higher salaries, but also work flexibility.[112] Remote job postings receive disproportionately more applications than their in-person competitors[113], according to LinkedIn data. Jobseekers are also increasingly unlikely to relocate for a company – workers who are in-demand will seek out opportunities that allow them the flexibility they want.[114] Organizations that offer remote work have drastically lower employee turnover rates.[115] Other factors might also shift the balance of supply and demand for remote work in the future, such as developments in automation technology constraining the availability of in-person roles,[116] and younger workers curating their education and training to suit flexible work models. [117]

Sector Spotlight: Tech [112,118,119,120,121,122]

Information technology jobs have been called "pandemic-proof". In the first two months of COVID, employment in tech contracted by only 4.2%, and it recovered by May 2020. There is evidence from 2022 that the number of tech job postings declines less during lockdowns, compared to non-tech jobs, and that this number recovers faster post-lockdown as well. A large part of the sector's resilience was its high capacity for remote work.

The growth of the tech sector in the previous few years – which some have called a 'pandemic hiring frenzy' – has led to significant layoffs in the United States, driven largely by the biggest industry names. Canadian tech has been comparatively more resilient, though not spared entirely. But in the tight labour market, competition for skilled talent is fierce. Canada's employers expect to look for 250,000 technology workers by 2025, yet the layoffs have spurred these workers to search for new opportunities. Many will be looking for more than just competitive compensation. The time is ripe for employers to think about how their organizations stack up on metrics like workplace wellbeing, benefits, as well as inclusion and accessibility.

> Remote work can pay dividends in the form of increased productivity, better performance, happier and healthier employees, higher retention, access to a larger talent pool, decreased environmental impacts, and lower operating costs. [111]

Remote Work and Disability Inclusion

A flexible workforce is often a more satisfied one – one study found that 88% of remote workers reported it increased their job satisfaction.[123] On average, remote and hybrid workers are 22% happier – and as a result, they stay in their roles longer.[124] Businesses seeking to attract top talent, reduce turnover, and promote staff morale would do well to consider the competitive advantage telework models can offer. For many people with disabilities and chronic illnesses, fully remote or hybrid and flexible work models enhance their physical and mental wellbeing.

Among full-time remote workers, over half say they felt improvements to their mental health, and three-quarters saw improvements to work-life balance and increases in physical activity levels.[123] 77% of workers with disabilities say that implementing remote work results in less missed work from managing their condition.[107] Where remote or flexible work models are feasible, they have the potential to give businesses a competitive advantage as well as improve the wellbeing and morale of staff. Remote work also has enormous potential for promoting the career advancement of people with disabilities, by lessening the impact of workplace cultural dynamics and negative stereotypes in advancement decisions.[125]

Interestingly, while people with disabilities were more likely to work remotely before the pandemic, they were less likely to work from home during the pandemic.[126] In our previous Trends Report, we highlighted how people with disabilities are underrepresented in fields with high remote work capacity, such as Finance and Insurance; Educational Services; and Professional, Scientific and Technical Services; and overrepresented in low remote work capacity industries such as Retail; Healthcare and Social Assistance; and Construction.[127] Part of this is due to inequities in the education system for people with disabilities: 60% of workers with a bachelor's degree or higher can work from home, and this opportunity is afforded only to 10% of workers without a high school diploma.[128]

We also previously looked at the trend towards 'upskilling' – teaching workers new professional and technical skills. The launch of the Canadian government's Skills for Success program in May 2021, billed as a way to get Canadians back into the labour market post-pandemic, showcases the trend towards up- and re-skilling as a pathway to employment success for all workers. Given 45% of Canadians do not have the reading, writing, numeracy, and/or digital skills to obtain jobs in the knowledge economy, the Skills for Success initiative program is one pathway to closing this gap.[129] Helping workers with disabilities develop new skills and reach their full potential is a crucial step towards employment equity in sectors where people with disabilities are historically underrepresented.

CCRW and INNoVA have always recognized the potential for upskilling not only workers, but also businesses. Our services give employers the tools and knowledge they need to become disability confident, and to hire and manage diverse talent.

Now, we are seeing other innovators in the disability and employment space push for the same thing – such as the Inclusive Design for Employment Access (IDEA) initiative, a project dedicated to building employers' capacity to tap into underutilized talent pools by 'skilling them up' on topics like recruitment, accommodations, and career advancement of workers with disabilities.[130]

A disability confident employer can foster the career development of their employees with disabilities. Even within industries, remote work capacity varies by occupation and specific job roles. Employees with disabilities are much less likely than their peers without disabilities to be working in managerial positions – and less likely to have the flexibility that comes with them. Equitable performance management and career advancement processes ensure that access to opportunity is built in, and that evaluations are grounded in the recognition of talent and skill.

How to Implement a Successful Remote Work Model

In workplaces where remote work models are technically feasible, employers may still have reservations. Some of these concerns are founded, but they can be mitigated or even eliminated through careful management.

First, know your workplace. Some types of work are more suited to remote work than others. As we discussed above, knowledge workers and jobs that require problem-solving and high focus are well-suited to remote work environments. Information technology, research, writing, engineering, programming, data entry, web development and graphic design are just a few examples of roles that fit the bill. Where remote work 'works', net productivity will likely be higher.

Second, know your employees. As we discussed above, a worker who is productive on site is likely to be productive at home, and employees who need lots of uninterrupted focus time are also likely to thrive. Switch your performance management lens from 'inputs' to 'outputs' – focus on the results your team delivers, not the minutiae of their daily activities. However, workers who need high degrees of managerial oversight, who are in highly collaborative roles, or who miss the social interaction of the workplace may prefer to work on-site at least part of the time.

Employees who are productive on-site will be just as, if not more, productive working from home.

On the other hand, remote work can introduce problems if employers don't take steps to handle them. Team communication and collaboration can halt or stall without in-person interaction. To encourage teamwork in a remote setting, try:

- Setting up informal spaces for sharing ideas or celebrating wins, like a Teams channel or Yammer website.

- Starting work meetings with personal check-ins and informal sharing to help team members get to know each other and give 'breathing room' between work meetings.

Working remotely can also lead to digital 'burnout'. To keep workers engaged during virtual meetings, try the following:[131]

- Create clear agendas and have defined goals for work meetings.

- Sprinkle opportunities for meaningful engagement throughout the meeting for all attendees.

- Give everyone in the meeting a 'task' – even a small one – to avoid the problem of diffuse responsibility.

- Keep slides brief – only share the information you absolutely need to.

Employers can mitigate pitfalls of remote work by applying strategies to encourage teamwork and prevent digital burnout.

When remote work is requested as an accommodation, employers must address the question of whether remote work is considered a necessary accommodation or a preference for an employed individual. In situations where an accommodation for remote work is requested based on human rights grounds, such as disability (or family status), the employer does have an obligation to accommodate, up to the point of undue hardship.[132] In situations where employees express the preference for remote work, employers are not legally required to accept this request. However, remote work and flexibility has become one of the top incentives for talent,[133] and so as we've seen, employers benefit from offering this incentive in a competitive labour market.

From a legislative and policy standpoint, the perception of whether in-person work is 'required' is changing. Remote work is shifting towards being considered a "reasonable accommodation"[134], whereas the physical presence of an employee was previously considered to be an "essential function". In general, the meaning of 'reasonable accommodations' is evolving. The effects of the pandemic, as well as Canada's historically aging population[135], mean employers must continue to adapt.

There are unique considerations for accessibility and inclusion in remote work models as well. For organizations that have either accommodated or willfully decided to maintain remote/hybrid models, the Government of Canada provides the following steps to assess accommodation needs for remote workers[136]:

"1. Identify employees who are required to work remotely and discuss with employees (and your human resources department) what accommodation may be required for remote work.

2. Have periodic one-to-one discussions with employees to identify any accommodation that may be newly required or need adjustment, recognizing that, typically, employees would initiate a request for an accommodation.

3. As needed, seek guidance from your human resources department on employee accommodation and considerations on whether and how accommodation can be implemented (for example, technical aids, flexible hours of work, adaptive technology, etc.).

4. Assess each situation on a case-by-case basis, beginning with an open and positive conversation with the employee. Do not automatically assume that an employee who is accommodated at the worksite will necessarily require any or similar accommodation while working remotely. Equally, an employee who was not accommodated at the worksite may now require accommodation while remote working.

5. Contact the Accessibility, Accommodation and Adaptive Technology team at Shared Services Canada, if you need advice and assistance specific to job accommodations concerning computer technology or adaptive solutions.

6. Assess any health and safety impacts and measures that should be considered when providing necessary equipment, including how it should be delivered."

Digital Accessibility

As remote and hybrid work models persist and even give businesses a competitive advantage[137], businesses must consider best practices and standards for implementation. Businesses with remote/hybrid models should include digital accessibility considerations into their strategies. Ensuring accessibility – even when employees are not on site – is federally legislated and is part and parcel of the Accessible Canada Act's regulations.[138]

The term digital accessibility means optimizing usability and access to digital content and tools for everyone, including persons with disabilities. All members of your workforce must be able to perceive, understand, navigate, interact, create, and contribute to your digital platforms.[139] Platforms include web content and virtual meetings, and all aspects of remote work that apply to your organization's functions and processes.

Employees with disabilities know what they need, and they are sources of knowledge and learning about accessibility and inclusion – involve them in the development of policy and resources whenever possible, such as through working groups. Create channels for accepting feedback and suggestions from all employees.[140]

Digital accessibility should be a primary consideration for employers implementing remote work models.

Since virtual meetings are a necessary component of remote work, it's important to ensure conferencing platforms are accessible. It is recommended to review their captioning and audio description capabilities. Meetings and trainings can all be supported with Communication Access Realtime Translation (CART). If your captioning capabilities are powered by AI, check the accuracy rate, and consult with people with disabilities to ensure their clarity. Ask the following questions when reviewing and updating these platforms:

> •Was the conference platform designed to meet accessibility standards (e.g., WCAG 2.1 AA, Authoring Tool Accessibility Guidelines)?
> •Are screen readers supported?
> •Can keyboard-only users have full functionality including chat, screensharing, and recording?

Further, when developing and implementing your accessibility plan, it's important to maintain transparency with your team by sharing accessibility information for employees for any other tools you use, such as filesharing or other collaborative software; vendor accessibility supports, such as Microsoft Disability Answer Desk (DAD). Tools like the International Labour Organization's publication "Business as usual: Making workplaces inclusive of people with disabilities" can help bake accessibility into your procurement processes.

Accessibility information for the currently most popular platforms can be found online. You can review and incorporate such information from Zoom, Webex, Microsoft and Google, to start.

Looking to the Future – How the Accessible Canada Act (ACA) Changes the Game

Issue Report 4

Noor Al-Azary, Marni Lifshen, Ramitha Muralitharan, & Vanessa Sinclair

As many employers are aware, the Accessible Canada Act (ACA), a law passed in 2019, seeks to make Canada a barrier-free nation by the year 2040. The scope of the ACA leaves some wondering what their obligations are, who it applies to, and how this will change the way we do business.

In this final, forward-looking section, we lay out the key principles of the ACA, and what employers under federal responsibility can expect in the decades to come.

How Did We Get Here? A Brief History of the ACA

The ACA's origins lie in Canada's 2010 commitment to furthering the rights of people with disabilities:

- In 2010, Canada made the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) official, committing Canada to furthering the rights of people with disbailities.
- On June 20, 2018, the Minister of Science and Sport and Persons with Disabilities, Kirsty Duncan, proposed Bill C-81, the Accessible Canada Act (ACA).
- In 2019, Canada developed and validated the ACA at the federal level to apply the purpose of the UNCRPD, which aims to create a barrier-free Canada by 2040.[141]

In developing the ACA, the Government of Canada consulted with stakeholders and the disability community to better understand their perspectives, barriers, and issues relating to accessibility in all areas of life. The Act details a proactive process, required by all federally regulated bodies, to identify, remove, and prevent barriers to accessibility in 7 priority areas:[142]
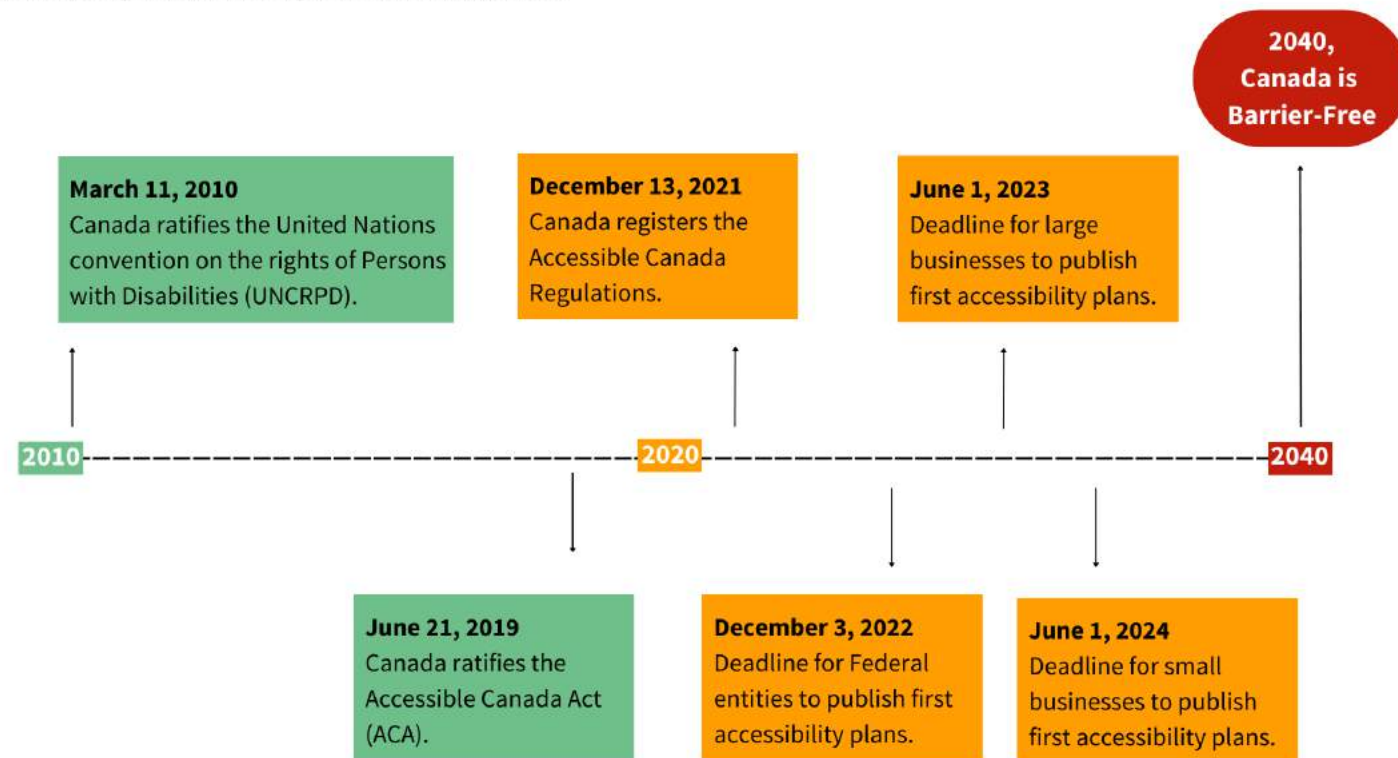
- **Employment**
- **The built environment** (buildings and public spaces)
- **Information and communication technologies** (ICT)
- **Communication separate from ICT** (including but not limited to American Sign Language, Quebec Sign Language, and Indigenous sign languages)
- **The design and delivery of programs and services**
- **The procurement of goods, services, and facilities**
- **Transportation** (airlines, rail, road, marine trans-national and international transportation providers)

The federally regulated bodies that must abide by the ACA include:

- **Industry sectors** (banking, telecommunications, transportation, etc.)
- **Government of Canada** departments and agencies
- **Parliament**
- **Crown corporations**
- **Canadian Armed Forces**
- **First Nations band councils**

In 2021, the **Accessible Canada Regulations (ACR)** came into force under the ACA as the first set of regulations establishing the rules of federally regulated bodies. The ACR specifies the practices and deadlines required of entities, including (1) accessibility plan development and publication, (2) feedback processes and (3) progress report development. Further, it states that a penalty to organizations failing to comply within the stated deadlines of the ACA can include up to $250,000 per violation.[141,142,143]

A timeline of the Accessible Canada Act, from inception to goal, including relevant deadlines.

2040, Canada is Barrier-Free

March 11, 2010
Canada ratifies the United Nations convention on the rights of Persons with Disabilities (UNCRPD).

December 13, 2021
Canada registers the Accessible Canada Regulations.

June 1, 2023
Deadline for large businesses to publish first accessibility plans.

2010 — — — — — — — — — 2020 — — — — — — — — — 2040

June 21, 2019
Canada ratifies the Accessible Canada Act (ACA).

December 3, 2022
Deadline for Federal entities to publish first accessibility plans.

June 1, 2024
Deadline for small businesses to publish first accessibility plans.

By December 2022, Federal entities reached their deadline to publish their accessibility plans. Next, large businesses must prepare and publish their first accessibility plans by June 1, 2023, and small businesses have until June 1, 2024 to do the same. Although the current Federal accessibility plans can serve as a precedent and example for your organization, the Government of Canada released detailed guidelines on how to comply fully with the ACA in July 2022.

Key Terms and Principles of the ACA

A barrier is anything that obstructs or inhibits someone from fully and equally participating in society. The ACA defines barriers in relation to *impairments* – conditions that produce functional limitations via loss of ability – and considers the combination of *impairments* and *barriers* to produce disability. Impairments can include intellectual, cognitive, learning, communication, or sensory limitations.[144]

The ACA defines a **barrier** as: [145]

"Anything – including anything physical, architectural, technological or attitudinal, anything that is based on information or communications or anything that is the result of a policy or a practice – that hinders the full and equal participation in society of persons with an impairment, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairment or a functional limitation."

The ACA defines a **disability** as: [147]

"Any impairment, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairment – or a functional limitation – whether permanent, temporary or episodic in nature, or evident or not, that, in interaction with a barrier, hinders a person's full and equal participation in society."

These definitions are important to organizations in developing their accessibility plans because each of the 7 priority areas must be addressed, and barriers as well as actions (previous or planned) must be clearly stated in each section of your accessibility plan.[146] Eight guiding principles are also outlined for organizations to ensure that their practices follow the goals of the ACA.

Nothing without us.

"Nothing without us" has become a phrase used to describe the necessity of including persons with disabilities as equal participants in all communities. It should be considered at every point in the discussion and decision-making stages of policies, programs, practices, service delivery, and feedback. For businesses, **this means the requirement of consulting with community members who identify as persons with disabilities** about identifying, removing, and preventing barriers, developing your accessibility plans, receiving, and responding to feedback, and measuring your progress over time.

The following principles are outlined in the ACA to guide organizations in complying with its regulations:[143]

1. *All persons must be treated with dignity regardless of their disabilities.*

2. *All persons must have the same opportunity to make for themselves the lives that they are able and wish to have regardless of their disabilities.*

3. *All persons must have barrier-free access to full and equal participation in society, regardless of their disabilities.*

4. *All persons must have meaningful options and be free to make their own choices, with support if they desire, regardless of their disabilities.*

5. *Laws, policies, programs, services and structures must take into account the disabilities of persons, the different ways that persons interact with their environments and the multiple and intersecting forms of marginalization and discrimination faced by persons.*

6. *Persons with disabilities must be involved in the development and design of laws, policies, programs, services, and structures.*

7. *The development and revision of accessibility standards and the making of regulations must be done with the objective of achieving the highest level of accessibility for persons with disabilities.*

These principles detail the intended goal of organizations to **identify and acknowledge both the status of people with disabilities and the barriers they face,** while also **including and working with people with disabilities in removing and preventing barriers** to full and equal participation in society.

How Does the ACA Compare to Current Legislation?

There is now accessibility legislation in several jurisdictions, applicable at the provincial level, across Canada. The Accessibility for Ontarians with Disabilities Act (AODA) came into effect in 2005. In the years since, accessibility legislation has also been passed in Manitoba (2013), Nova Scotia (2017), British Columbia (2021). As provincial policies, the following Acts and Regulations do not apply at the federal level, and before the ACA these policies lacked unifying cohesion. The ACA is the first to provide a minimum standard for all provinces to build from and go beyond.

Below are some provincial policies that overlap with the ACA in their goal for an accessible Canada.

Accessible British Columbia Act (ABCA)
The government of British Columbia began in 2021 to identify, remove and prevent barriers to their nearly 1 million residents who have disabilities. [147]

Nova Scotia Accessibility Act (NSAA)
Aims to make Nova Scotia barrier-free by 2030, 10 years earlier than the ACA, to support the nearly 20% Nova Scotians who have disabilities. [148]

Accessibility for Ontarians with Disabilities Act (AODA)
Aims to make Ontario fully accessible by 2025[149] to support 3.44 million Ontarians with disabilities. [150] In 2016, the IASR integrated the five standards of the AODA (Information and Communications, Employment, Transportation, Design of public spaces, Customer Service).[20]

Integrated Accessibility Standards Regulation (IASR)
In 2011, the IASR sets compliance dates for areas of accessibility improvement that allow for gradual implementation over several years.[151] Organizations are required to make accessible all information and communications both to and from people with disabilities. Depending on the type and size of the organization, compliance deadlines are between January 1, 2012, and December 31, 2025. [152]

The Accessibility for Manitobans Act (AMA)
Five standards are included in the AMA (customer service, employment, information and communications, built environment, transportation) for the removal of barriers[153] to nearly 175,000 Manitobans who have disabilities. [154]

Standards, or guiding rules, have been developed and implemented in Ontario (IASR) and Manitoba (AMAS) and are under development in Nova Scotia and British Columbia.

Although there is overlap, the ACA is a federal law, applying to all of Canada. Presently, the ACA impacts only areas that fall under federal jurisdiction, specifically the federal public service and crown corporations, and private enterprises falling under federal regulation (banks, air transportation, telecommunications etc.).

Accessibility legislations overlap federally and provincially through their focus on the following domains: Employment, Physical spaces/building; web/digital accessibility; accessibility in customer service; procurement of goods and service; transportation, communication other than ICT). These legislations have different timelines for reporting and planning, and compliance reporting cycles vary. Many of the provincial standards require progress reporting annually, and a full report every 5 years. However, the ACA requires a full report every 3 years (See Figure 2 for a full cycle). Deadlines for reporting are also variable, depending on your provincial policy, and the size and type of your organization.

All legislation mentioned, provincially and nationally, requires engagement and consultation with people with disabilities. The ACA requires updated accessibility plans every 3 years **in consultation with persons with disabilities,** that your organization **publishes your plans on web site and/or elsewhere** (ensuring that copies be made accessible to all through requested formatting), and **annual progress reports be submitted to the Accessibility Commissioner.**

What's in it for Employers? [155]

Accessibility goes hand-in-hand with business development and innovation.

First, being an accessible employer opens market opportunities by increasing contact with a broader market. People with disabilities represent a massive consumer base – they make up 22.3% (and growing) of the Canadian population[156] and have an annual market value of $55 billion in purchasing power. [157]

Employing people with disabilities and providing a disability inclusive workplace gives you other competitive edges. Inclusive workplaces are 6 times more likely to innovate and to anticipate change, and 9 in 10 employees with disabilities perform equally or better compared to their coworkers.[158] Employers who leverage this still-untapped talent pool surpass their competitors. Further, with the number of people with disabilities in Canada set to increase as a result of aging and illness, the future economic health of Canada's organizations rests on making employment accessible.[159,160] This not only means that your organization will be open to people who already have disabilities, it also means that your organization will be better prepared to support and retain your current talent in case of unforeseen circumstances. It is much more expensive to replace talent than it is to retain them[161], which is why becoming accessible to your employees will give them more support to continue with your organization. Research shows that people with disabilities are less likely to leave their jobs[162] – representing less staff turnover for businesses – and making accommodations for your employees the standard, not an exception, increases overall retention.[163]

Plainly, aside from being a legal requirement, making your organization more accessible will pay you back dividends in the form of broadening your market reach, access to top talent, quality work and retention, and economic resilience.

Becoming ACA Compliant: Guidelines and Requirements

The ACA requires both **planning and reporting practices** of federally regulated entities, with the greater goal of eliminating barriers and increasing accessibility. In short, the ACA requirements involve three items: **(1) a working accessibility plan, (2) consistent progress reports,** and **(3) ongoing feedback processes.** All ACA compliant documents must be submitted to the Accessibility Commissioner, as well as any other applicable regulators/enforcement authorities that apply to the services provided by your organization. [164,165] For entities that must report to more than 1 regulator, they can prepare one accessibility plan.

But what is an *accessibility plan* (AP)? What are *progress reports*? How do you include feedback from persons with disabilities? How can organizations ensure they aren't scrambling in the final few weeks of their deadline to submit an incomplete product? Here we summarize the most current details outlined by the Government of Canada about what must be included in your accessibility plan, deciding who is responsible for your plan, how to identify barriers, how to consult with persons with disabilities, and measuring your progress.

ACA Accessibility Plan Required Headings: [166]

1) General
2) Employment
3) The Built Environment
4) Information and Communication Technologies (ICT)
5) Communication (Other than ICT)
6) The Procurement of Goods, Services, Facilities
7) The Design and Delivery of Programs and Services
8) Transportation
9) Consultations

However, the Government of Canada recommends going above and beyond the foundational requirements of the ACA. Including the recommended headings in your accessibility plan will ensure that the primary goals and expectations are clear, future actions are stated and most importantly, that anyone can read it. This means that any person can access, understand, and expect outcomes from your accessibility plan. Below is a labeled list of both the required and recommended headings in their proper order

Below is a labeled list of both the required and recommended headings in their proper order:

ACA Accessibility Plan **Required** Headings and *Recommended** Subheadings [146]

    1) **General**
        a. *Executive Summary**
        b. *Accessibility Statement**
    2) **Employment**
    3) **The Built Environment**
    4) **Information and Communication Technologies (ICT)**
    5) **Communication (Other than ICT)**
    6) **The Procurement of Goods, Services, Facilities**
    7) **The Design and Delivery of Programs and Services**
    8) **Transportation**
    9) **Consultations**
    10) *Glossary**
    11) *Budget and Resource Allocation**
    12) *Training**
    13) *Areas Other Than Those Identified Under Section 5 of the ACA**

In each section of the seven priority areas (1-7):
a. Barriers*
b. Actions*

Progress reports occur in the second and third years after your accessibility plan has been published. They evaluate the stated goals and actions of your accessibility plan and set forth future considerations for your organizations to continue improving accessibility. The ACA and ACR do not mandate a specific approach to implementing or evaluating your plan, since each organization has a unique set of resources, needs, and capabilities. But since your accessibility plan is updated every 3 years, it is recommended to measure and evaluate the success of your plan's goals in this time period to be able to report on improvements and areas of concern, as well as potential, newly identified barriers. It's important to include specific, measurable actions in your plan and avoid being vague, so your progress report can clearly state whether your organization achieved its goals and if not, by how much.

Be honest and thoughtful when evaluating your goals. You can note whether each action item is completed, in progress, or not yet started. For action items that haven't begun, develop a timeline for completion, and note potential resources that are needed. [167]
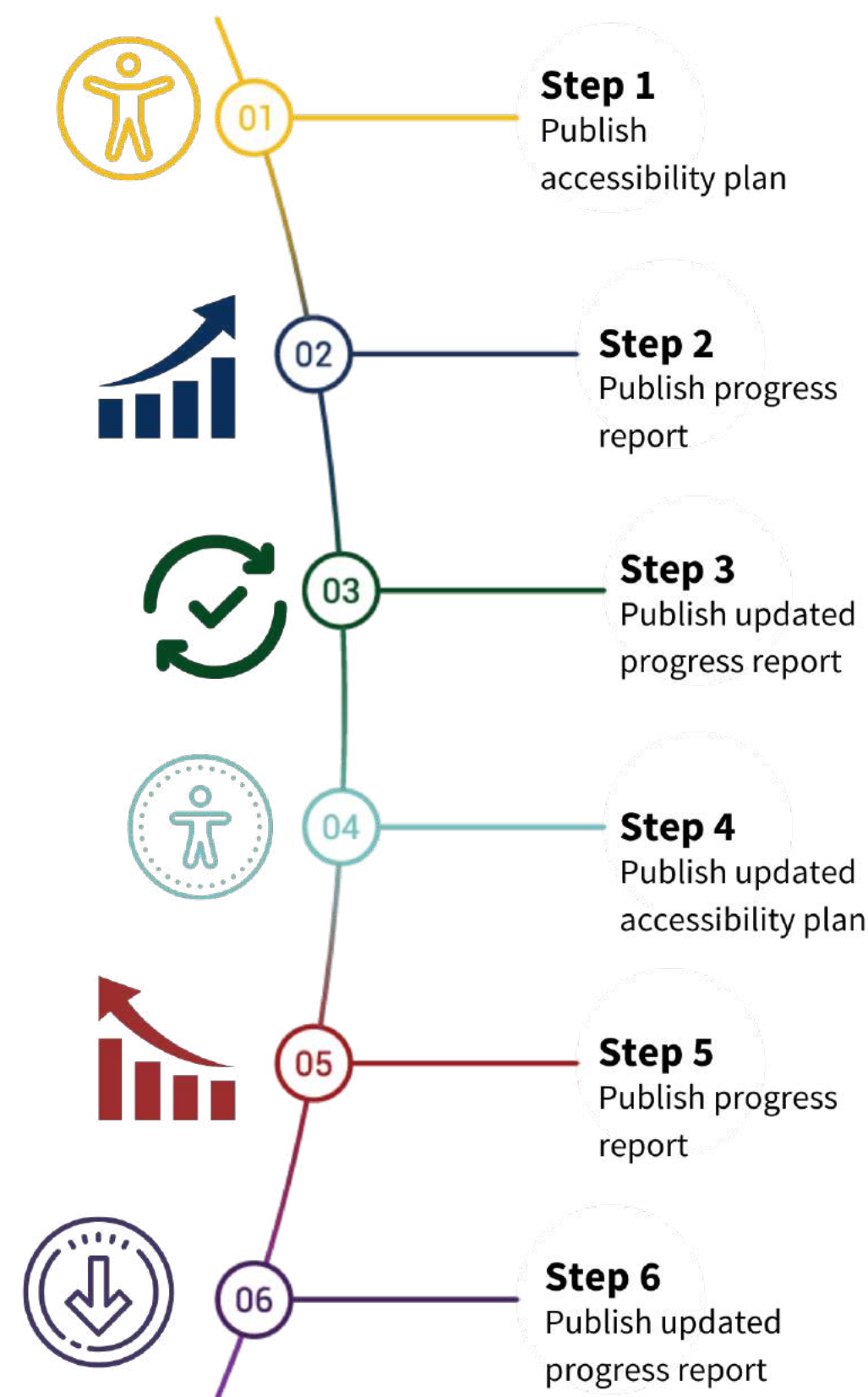

Step 1
Publish accessibility plan

Step 2
Publish progress report

Step 3
Publish updated progress report

Step 4
Publish updated accessibility plan

Step 5
Publish progress report

Step 6
Publish updated progress report

Figure 1. The reporting cycle for organizations to follow in complying with the ACA. Each Step occurs annually.

Deciding who is responsible for your plan

Select a team of individuals who know your organization well and collaborate effectively to lead the development and implementation of your plan. Good communication and listening skills are required to engage with key informants, like the disability community. This team should represent individuals with decision-making authority, such as executives and managers – or it can be made up by the executives and managers themselves. A gold-standard approach, as always, is to include employees with disabilities, as they bring with them lived experiences and perspectives and can speak to how barriers, actions, and the long-term goals of the plan will affect them. Team members should also reflect the make-up of your organization, such as including individuals from different departments.[168]

Identifying barriers

First, review your pre-existing policies, programs, practices, and services. Try to see them through the lens of accessibility and identify where barriers currently exist, as well as ways to prevent future barriers.[168]

An action to remove a barrier may sometimes also bring about new ones, so think through what might happen if you implement a plan.

Your team should be trained and informed on disability and inclusion and accessibility in order to recognize barriers. Briefly, the five barriers to accessibility are[169]:

1. Attitudinal
2. Organizational or systemic
3. Architectural or physical
4. Information or communications
5. Technology

Sometimes, an issue can have more than one barrier. For example, if someone is unable to use an assistive device to access a digital textbook, they face both informational and technological barriers to access. That's why it's important to be well-versed in what these barriers are, examples of them in the real-world, and how to effectively remove them. Asking your clients, employees, and the public for feedback will give your team a well-rounded and inclusive approach.

Consulting with persons with disabilities

This step of the accessibility plan upholds the principle of nothing without us and requires you to make your consultations with people with disabilities accessible and inclusive. Being inclusive means considering both geographic locations and cultural aspects of individuals you consult with. For example, someone may face barriers related to having consistent access to the internet or transportation, so you will need to be prepared to make accommodations for the people who provide consultations to your organization.[170]

Based on your organization's unique needs, resources, capacity, and conclusions made from your reviews, you will need to specify who, when, and how to consult with people with disabilities. Be sure to include these items in your accessibility plans and progress reports. It is recommended to include the following information in your accessibility plan[168,169]:

01

With Whom you consulted:

- The names of disability organizations or experts who participated
- The number of participants
- The range of disabilities represented

Note: except in the case of expert participants appearing in a professional capacity, the names of individual participants should be removed to respect individuals' right to privacy

02

What you consulted on:

- The questions asked and the answers received
- An explanation of how those responses informed your accessibility plan

03

When you consulted:

- The dates or period of time during which the consultation(s) took place
- A description of how far along you were in developing your accessibility plan at the time the consultations occurred

04

How you consulted:

- A description of the consultation process and activities (for example, whether you used in-person events, virtual meetings, group discussions, digital surveys, or a combination of these or other means)
- An explanation of why you chose that process and those activities
- An account of what your organization did to ensure the consultations were accessible

05

Where you consulted:

- The communities, cities, or other locations where you held consultations (if relevant)

06

Results:

- What data and information you received from your consultations and how you intend to act on them

What is the **IMPACT?**

D0UBT

The ACA introduces a national, federal standard for accessibility that sets a precedent for organizations, institutions, and businesses to follow. This strengthens Canada's commitment to accessibility, despite the direct impacts applying to a relatively small percentage of employers. It signals a change in 'how we do business' in the years to come.

In tandem with provincial policy, the unified front between federal and provincial commitment to increasing accessibility signals a social and cultural change for everyone to start:

1) Thinking about people with disabilities
2) Making places accessible
3) Recruiting all members of society to participate in inclusion and accessibility

We know that over 22% of people in Canada have a disability.[171] This also means that practically everyone knows or loves someone with a disability, visible or not, and that **this legislation impacts everyone** – not just the employers, employees, and the relationships between them, but all facets of life where barriers still persist.

This reality (and the big changes that organizations are now responsible for) can feel overwhelming. Navigating the necessary requirements for an accessibility plan is tricky. It requires forethought and planning, and businesses that don't comply can face a fine of $250,000. Fortunately, INNoVA is here to help businesses navigate the process.

INNoVA is an innovative employment strategies firm utilizing evidence informed solutions to create dynamic inclusion in Canadian workforces. INNoVA develops customized services that operationalize systemic change to drive employee engagement and business success. As a partner organization of CCRW, a non-profit with 45 years of experience in disability and work, INNoVA understands that disability inclusion is critical for the success of everyone in the workplace; our solutions are grounded in research and led by lived experience.

INNoVA can help ensure that your Accessibility Plan and Accessible Canada Act practices *benefit your organization*. By going beyond the legal requirements and enhancing accessibility effectively, you can attract a larger stream of talent and market potential. INNoVA can help create accessibility plans and progress reports, set up and track your feedback processes, and guide you through the reporting cycle.

Using a proprietary intelligence tool, dQi, INNoVA can also analyze and track impact from diversity and inclusion strategies, implemented accessibility plans, and ESG goals.

INNoVA's deep experience and strong relationships with thought-leaders in disability and accessibility, facilitates the support your business needs through facilitated consultation processes. Disability Confidence among employers is critical for ensuring access to meaningful work for people with disabilities. Disability Confidence develops through engaging and interacting with individuals with disabilities which is why our Disability Mentoring Experiences are critically acclaimed and sought as transformational activities. Focusing on the promotion and enhancement of disability confidence amongst employers has been shown to lead to more accessible workplaces, thereby generating a more inclusive labour market overall.

INNoVA can help:

•Benchmark disability performance and set priorities for action using internationally recognized ILO GBDN self assessment management tool
•Design high performance workplace accommodation and adjustment services
•Identify barrier free and flexible recruitment processes
•Leverage accessibility as advantage
•Integrate ACA accessibility plans and reports with ESG goals.

INNoVA…
creating an inclusive path to an enhanced workforce.
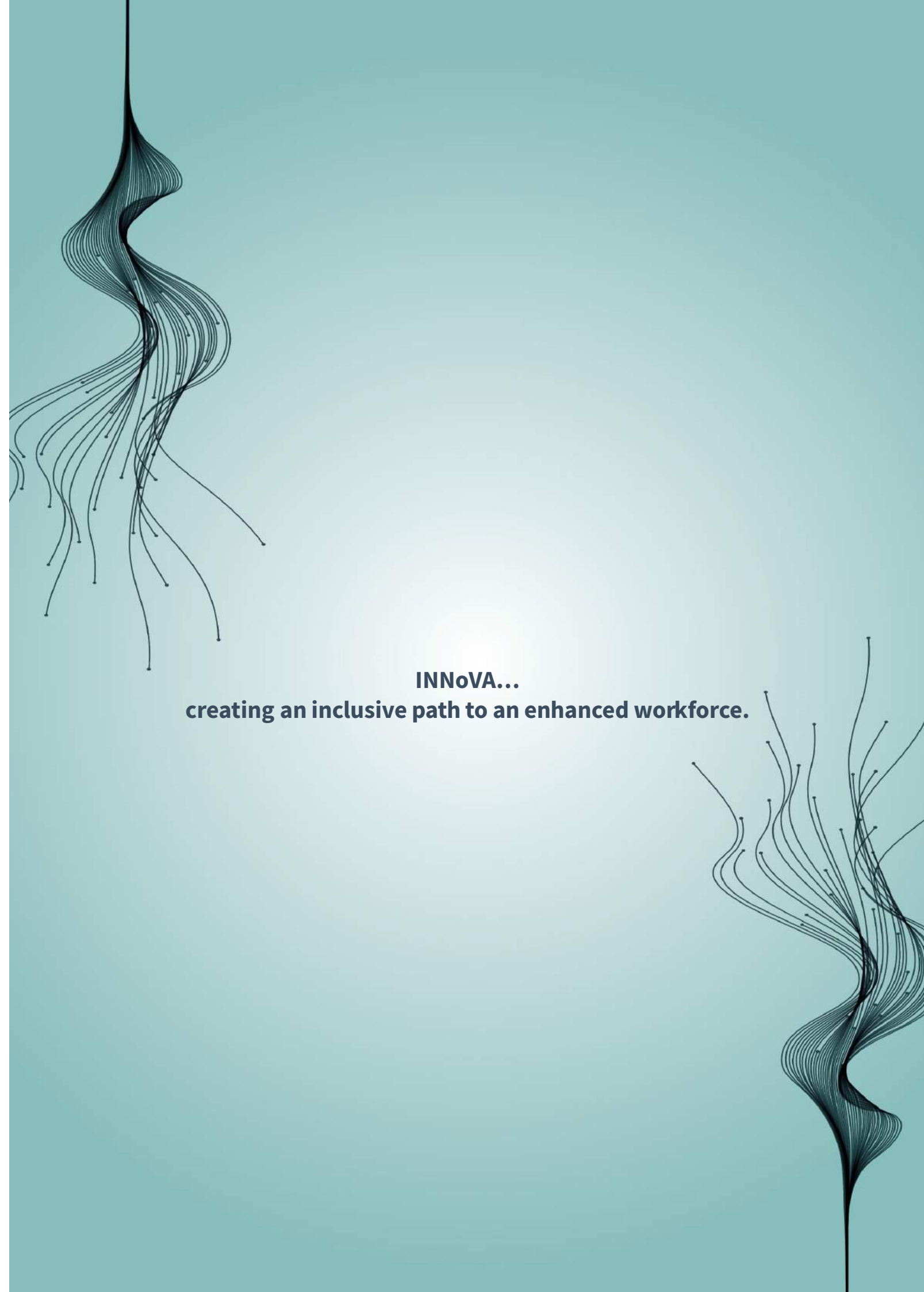
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