

Accommodation on the Basis of Disability Policy & Procedure

PURPOSE:

The purpose of this policy is to state Georgian Downs's commitment to preventing and/or removing barriers to people with disabilities, to accommodate persons with disabilities to the point of undue hardship and to establish a process by which persons with disabilities may request accommodation.

SCOPE:

This policy applies to all employees in locations in Ontario.

POLICY:

Where an employee requests an accommodation for needs related to a disability, Georgian Downs will accommodate the employee to the point of undue hardship. Where an accommodation would cause undue hardship, Georgian Downs will implement the next best accommodation short of undue hardship.

The Company is required to and will comply with certain provisions contained in the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)* and Part III – Employment Standards of the Integrated Accessibility Standards Regulation made under the AODA.

All accommodation requests will be taken seriously. No person will be penalized for making an accommodation request.

RESPONSIBILITY:

Each manager is responsible for ensuring the principles outlined in this policy are adhered to throughout all business activities for which he or she is responsible.

The employee requesting an accommodation and his or her immediate manager are responsible for working together cooperatively with the goal of finding a reasonable accommodation and developing an accommodation plan.

PROCEDURE:

- During the recruitment process, Georgian Downs shall notify job applicants and the public (specific wording included in job advertisements & job postings) about its commitment to accommodate those with disabilities, and shall advise those selected for an interview that accommodation is available upon request. If a selected applicant requests an accommodation, Georgian Downs shall consult with the applicant and provide or arrange for the provision of a suitable accommodation in a manner that takes into account the applicant's needs due to disability.
- Successful applicants and employees shall be notified of the Georgian Downs policies regarding accommodating employees with disabilities as soon as practicable after their employment begins and whenever a change in policy takes place.
- Employees who wish or need to raise a potential accommodation issue shall do so by submitting a request for accommodation, preferable in writing, to their immediate manager. The request should:
 - (a) Describe the limitations on the employee's ability to perform the duties of his or her position caused by the disability;
 - (b) Describe any accommodation(s) sought;
 - (c) Provide sufficient information to confirm the existence of a need for accommodation.
- If an employee is under a program of medical treatment which requires the consumption of prescription drugs, including medical marijuana, or over-the-counter drugs, which are labelled or known to cause

impairment, the employee is required to inform his or her manager about the program immediately so that the risk of impairment relative to the employee's safe job performance can be considered.

- When necessary to facilitate the assessment and determination of a reasonable accommodation, the employee may be required to participate in the development of an accommodation plan and to provide relevant medical information to Georgian Downs. Employees seeking accommodation on the basis of disability are expected to provide their fullest cooperation in providing any information or medical assessments and participating in assessments relevant to the determination of the accommodation request. The employee may request the participation of an employee representative or union representative in the development of the accommodation plan.
- The departmental manager and Human Resources Manager will jointly finalize a decision regarding the accommodation issue. The manager shall notify the employee, in writing or other format as required by the employee's disability, of the decision and the reason(s) for the decision.
- If the employee is not satisfied with the written decision regarding the request for accommodation, the employee may appeal the decision to the Executive Director Racing Ontario for further review. The decision of the Executive Director Racing Ontario shall be final and binding upon the parties.
- Georgian Downs shall ensure that the employee's personal medical information shall be kept confidential and will only be disclosed to those necessary in the assessment and development of the accommodation in accordance with the Personal Information Protection Privacy Act.
- Georgian Downs shall provide individualized workplace emergency response information to disabled employees who require it, and to any person designated to assist the disabled employee, with the consent of the disabled employee, and shall review the individualized workplace response information upon the following events:
 - (a) When the employee moves to a new location in the workplace;
 - (b) When the employee's overall accommodation needs are reviewed; and
 - (c) Upon review of Georgian Downs general emergency response policies.
- Employees who are absent from work due to their disabilities shall participate in the development of a return to work process which includes the development of an individual accommodation plan. Employees who require an accommodation in order to return to work shall submit a request for accommodation preferably in writing.
- Accessibility needs of employees and individual accommodation plans will be taken into account when managing an employee's performance, career advancement or opportunities for redeployment.
- All employees will be provided with adequate training with respect to the Human Rights Code (Ontario), the Accessibility for Ontarians with Disabilities Act, 2005 and the accessibility standards requirements.