



Hawk Plastics Limited: Working Together – The Code and the AODA Policy

PURPOSE AND STATUTORY INTENT:

Hawk Plastics Limited is committed to fulfilling its legal obligations under the *Ontario Human Rights Code* (the Code) and the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA).

The Organization is champions fostering an organizational culture grounded in the principles of dignity, independence, integration, and equality of opportunity. This Policy serves to ensure that accessibility is not merely a reactive measure but a proactive, integrated component of our operational excellence.

SCOPE OF APPLICATION:

This Policy is applicable to all Members of the Organization, which includes:

- Full-time, part-time, temporary, and contract employees
- Volunteers, interns, and students on placement
- Third-party contractors, agents, and any person who participates in developing the Organization's policies or provides goods, services, or facilities on behalf of the Organization

LEGAL FRAMEWORK AND PRIMACY:

The Organization recognizes that the Code and the AODA work together to promote equality.

- **The Code:** Provides protection from discrimination and harassment based on disability in five social areas, including employment.
- **The AODA:** Sets out specific standards (IASR) to make Ontario accessible by 2025.
- **Primacy:** In accordance with Section 1 of the Code, the Organization acknowledges that the *Ontario Human Rights Code* has primacy over all other provincial legislation. If a conflict arises, the law providing the highest level of accessibility shall be the governing standard.

THE DUTY TO ACCOMMODATE & INCLUSIVE DESIGN:

The Organization affirms its Duty to Accommodate individuals with disabilities to the point of Undue Hardship.

- **Inclusive Design:** We shall adopt a "design-down" approach- refers to the practice of designing environments, products, or communications to be accessible to the widest range of people possible—including children or people with limited mobility—rather than designing only for the average adult and then adding accessibility features later. Identifying and removing barriers in

the built environment, information and communications, and employment processes before they are encountered.

- **Individualized Process:** Where inclusive design does not meet an individual's specific needs, the Organization will engage in a collaborative, non-adversarial process to determine appropriate accommodations.
- **Medical Privacy:** The Organization will request only the medical information necessary to understand the employee's functional limitations and restrictions. A formal diagnosis is not a prerequisite for the commencement of the accommodation process.

DOCUMENTED INDIVIDUAL ACCOMMODATION PLANS:

In compliance with the AODA Employment Standard, the Organization shall maintain a formal process for the development of Documented Individual Accommodation Plans. This process shall include:

1. **Participation:** The manner in which the employee can participate in the development of the plan.
2. **Assessment:** The means by which the employee is assessed on an individual basis.
3. **Privacy:** Stringent protocols to protect the confidentiality of personal and medical information.
4. **Review:** A schedule for regular review and updates to ensure the accommodation remains effective.
5. **Emergency Response:** Integration of Workplace Emergency Response Information where required.

UNDUE HARDSHIP STANDARD:

Accommodation will be provided unless it causes Undue Hardship. Under the Code, the Organization shall only consider the following three factors when claiming undue hardship:

- **Cost:** Specifically, costs that are so substantial they would alter the essential nature of the business.
- **Outside Sources of Funding:** After all available grants and subsidies have been exhausted.
- **Health and Safety:** Where the accommodation would create a significant risk to the individual or others that cannot be mitigated.

DISPUTE RESOLUTION AND RECOURSE:

The Organization is committed to resolving accommodation-related disputes in a timely and professional manner.

- **Internal Review:** If an agreement on accommodation cannot be reached, the individual may request a formal review by the [Insert Office, e.g., Diversity & Inclusion Officer or Director of HR].

- **Non-Reprisal:** Every individual has the right to exercise their rights under the Code and AODA without fear of retaliation, coercion, or adverse employment action.
- **External Recourse:** This policy does not supersede an individual's right to file an application with the Human Rights Tribunal of Ontario.

TRAINING AND COMPLIANCE:

The Organization shall ensure that training on the requirements of the accessibility standards and the Code is provided to all employees. Records of training, including dates and the number of individuals trained, shall be maintained for compliance auditing.

ACKNOWLEDGEMENT OF RECEIPT AND COMPLIANCE:

I, the undersigned, hereby certify that I have received, read, and understood the contents herein. I agree to abide by the principles set forth and acknowledge my role in maintaining a barrier-free environment.

Name (Print): _____

Signature: _____

Date: _____