



Resource Guide

for Lawyers with Disabilities and Employers

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About the Resource Guide

The Equity & Diversity Committee and the Disability Research Working Group of the Law Society of BC are pleased to provide this resource guide as a reference for the BC legal profession on issues relating to disability and workplace accommodation. This guide should be viewed as a useful starting point for research, and not as an exhaustive listing of programs or services or an endorsement of any program or service.

As this is a new initiative, the Disability Research Working Group welcomes comments from lawyers, law students, articulated students and law firms on their experience in using these or other resources. In particular, the Working Group would appreciate knowing which resources have proved useful, whether there are other resources that should be added to this guide and what assistance law firms, lawyers and students have found in seeking or making workplace accommodations.

Please send your comments to Staff Lawyer, Policy and Legal Services.

This resource guide is possible thanks to research undertaken for the Law Society by Nick Istvanffy of the Social Planning & Research Council of BC (SPARC BC) in 2004.

Introduction

This resource guide is intended to introduce law firms and other legal employers, as well as individual lawyers and articulated students, to some of the financial, information and advocacy resources in British Columbia that support workplace accommodations for people with disabilities.

Every disability is unique and the needs of people for accommodation in the workplace accordingly vary. The goal of this guide is to provide a starting point for research for current or prospective employees seeking accommodation and for employers in providing it.

The guide sets out three categories of resources on workplace issues and accommodations, although a number of the organizations listed may provide services in more than one category:

- **Financial resources:** financial resources that may be available to offset the costs of accommodation;
- **Informational resources:** websites, organizations and publications that can assist an employer in learning about the potential costs and options for accommodation;
- **Advocacy resources:** some of the organizations and individuals that can support persons searching for employment, or provide access to accommodations in employment.

Financial Resources

The federal and provincial governments offer financial resources to support the employment of people with disabilities. Government funding is often administered through community agencies and non-profit organizations, but some is provided directly to individuals.

It is not clear to what extent financial assistance to offset the cost of accommodations is available to businesses and professional service firms, and specific enquiries in this regard would be needed. Some programs are means tested, and eligibility is dependent on a prescribed level of financial need and personal resources.

Community and organizational funding for accommodations

There are a number of community organizations that implement federal funding programs for accommodations, in particular to assist those persons with disabilities who are seeking employment. These organizations typically serve a specific client group and include the Canadian National Institute for the Blind, the BC Paraplegic Association, IAMCARES and others. Some of these organizations are listed in the “Community Support and Advocacy” section of this guide and others can be found through the various disability website directories.

The following is a general program offered through the business community.

Advice and Business Loans for Entrepreneurs with Disabilities (ABLED)

www.vancity.com/Business/Borrowing/Loans/A.B.L.E.D.

The goals of ABLED are to provide loans of up to \$75,000, as well as one-on-one business counselling that is tailored to the realities of entrepreneurs with disabilities. ABLED is a joint

initiative of VanCity Savings Credit Union and Western Economic Diversification Canada. This may be a resource for lawyers with disabilities seeking to start a law practice.

Federal funding for accommodations

The Opportunities Fund

www.hrsdc.gc.ca/asp/gateway.asp?hr=en/epb/sid/cia/grants/of/desc_of.shtml&hs=oxf

The Opportunities Fund is a project of Social Development Canada and the Ministry of Human Resources and Skills Development that helps persons with disabilities prepare for, obtain and keep employment or self-employment. The site contains general information for potential employers and individuals.

The Ministry of Human Resources and Skills Development (HRSD)

www.hrsdc.gc.ca/en/gateways/nav/top_nav/ps.shtml

HRSD offers a number of programs for people eligible for support under the *Employment Insurance Act*. These programs include targeted wage subsidies, self-employment and skills development. Those seeking support for accommodations should contact their local HRSD office for information before initiating a job search to see if assistance is available.

Indirectly, the federal government also provides some support for accommodations through a "Canada Study Grant" component the Canada Student Loans Program. The grant provides a student up to \$8,000 per year to pay for adaptive equipment. On completion of his or her education, the student owns the equipment and is able to take it into future employment. For more information on applying for a Canada Student Loan, including the grant portion, see www.canlearn.ca/nslsc/apply/nlindex.cfm?langnslsc=en .

The federal government provides other funding that is administered by provincial governments as part of a joint commitment to enhance employment and economic opportunities for persons with disabilities.

Provincial funding for accommodations

Employment Program for Persons with Disabilities (EPPD)

www.mhr.gov.bc.ca/pwd/eppd_serv.htm

In British Columbia, the Ministry of Human Resources implements a number of programs to support the employment of persons with disabilities. The main financial program is the *Employment Program for Persons with Disabilities* (EPPD).

The EPPD provides a range of services, including pre-employment services (training for job-related skills) and planning and employment services (assistance with assessing goals, skills and the support needed for employment and services for self-employment). EPPD provides "disability supports for employment," which are goods and services required for training and employment activities including, but not limited to:

- interpreter services for the deaf;
- transportation (including vehicle modifications);
- workplace modifications;
- readers and note takers; and

- job coaching.

EPPD also provides assistive technology that might be required for employment in some cases. However, the provincial government recognizes the duty to accommodate falls on the employer, so there are some restrictions on financial support available. These technologies are provided on a loan basis, with the option of purchase after one year.

Also available from the provincial government is the Vocational Rehabilitation Services program.

As previously noted, some provincial programs are means tested, and eligibility is dependent on a prescribed level of financial need and personal resources.

Information Resources

Community information resources

EnableLink

www.abilities.ca

EnableLink offers information on a range of topics relating to disability. It includes a national directory of disability organizations and archived copies of *Abilities* magazine, Canada's lifestyle magazine for persons with disabilities.

ORW (Opportunities through Rehabilitation and Work Society)

www.orw.ca/findex.html

This site contains *The Source*, a directory of programs and services for persons with disabilities in BC. ORW is a non-profit organization that works to influence policy, programs and services related to employment for persons with disabilities.

National Education Association of Students with Disabilities

www.neads.ca

The National Educational Association of Disabled Students is a consumer organization for post-secondary students with disabilities. NEADS provides information on services and programs for students with disabilities nationwide, publishes a newsletter and conducts research on issues of importance to its members.

Among NEAD's publications is *Access to Success: A Guide for Employers*, which provides useful information for employers seeking to accommodate persons with disabilities.

BC Aboriginal Network on Disability Society

www.bcands.bc.ca

This site provides information for Aboriginal people who have disabilities. It includes an extensive catalogue of lending library resources, BCANDS' own publications and videos, and a directory of programs and services available to Aboriginal persons with disabilities. It offers many links to disability resources.

Canadian Council on Social Development

www.ccsd.ca/drip

The Canadian Council on Social Development (CCSD) is a national, non-profit research organization. CCSD has established a Disability Research Information Page (DRIP) that provides information sheets on issues related to disabilities, including labour market participation, children with disabilities and access to computer technology.

Multiple Sclerosis Society of Canada (MS Society), British Columbia Division

www.mssociety.ca/bc/default.htm

The MS Society publishes a number of helpful guides including *Disability Resources*, an online downloadable guide that features an extensive list of resources available to individuals with MS or other disabilities in British Columbia: www.mssociety.ca/bc/PDF/disability_manual.pdf. Some financial support programs listed in the guide may be of interest to lawyers with disabilities.

The Canadian Council on Rehabilitation and Work

www.ccrw.org

The Canadian Council on Rehabilitation and Work offers a number of services to employers and job seekers with disabilities, including WORKlink and the Job Accommodation Service, both listed below.

WORKlink

www.workink.com

WORKink's mission is to facilitate communication and provide resources and information to enhance the equitable and meaningful employment of persons with disabilities. In order to reach this goal, WORKlink provides online visitors with labour market and career information, access to national, provincial and territorial resources, and experts' assistance online. Worklink lists a number of resources available for employers and prospective employees with disabilities. These include agency directories, employment consulting and articles about such issues as disclosing disability in job interviews.

Job Accommodation Service (JAS)

www.ccrw.org/en/programs/program_detail.asp?Program_ID=7

JAS assists with accommodation issues for employees with disabilities through a toll-free line and a fee-based consultation services.

Reach Canada

www.reach.ca

Reach works to remove barriers in education, work and the general community. One of its most useful references for lawyers with disabilities is the booklet *Advancing Professional Opportunities and Employment Accommodation for Lawyers and Other Law Graduates who have Disabilities*. (McChesney et al. 2001). This can be requested in hard copy and is expected to be posted online in the near future.

Here are Reach publications relating to the legal profession that are available online at www.reach.ca/publications.htm :

- *A Framework for Action: Law Schools, Education Equity and Students with Disabilities: Working Towards Equitable Access to Legal Education* (Goundry, S. & Peters, Y. 1998).

This publication outlines the issues and makes recommendations to improve the accessibility and equity of law schools and legal education in Canada.

- *Navigating Law School and Beyond: A Practical Guide for Students who have Disabilities.* (McChesney, A., Couette-Guena, F., Gervais, L., Hehr, K., & Scmieg, M. 2000). This publication stems from a study of Canadian law schools and bar admission programs. It offers current and prospective law students with disabilities information and insight on entry into law school and completion of law school studies.
- *Promoting Disability Accommodation in Legal Education and Training: The Continuing relevance of the Lepofsky Recommendations.* (Reach. 2003)

Federal information resources

Persons with Disabilities Online

www.pwd-online.ca/en/home.jsp

PWD-Online provides information on federal government programs and services for persons with disabilities.

Office for Disability Issues (ODI)

www.sdc.gc.ca/en/gateways/nav/top_nav/program/odi.shtml

The Office for Disability issues is the primary federal government resource centre on disability programs and services. It offers extensive resources, including publications, information for employers and job seekers and information about the funding available through the ODI, including the Opportunities Fund noted above.

Treasury Board of Canada

www.tbs-sct.gc.ca

The Treasury Board Secretariat offers two publications on disability issues that may be of assistance:

Guide to Planning Inclusive Meetings and Conferences

www.tbs-sct.gc.ca/pubs_pol/hrpubs/tb_852/gpimc-gprci1_e.asp#_Toc4832112 and

Creating A Welcoming Workplace for Employees with Disabilities

www.tbs-sct.gc.ca/pubs_pol/hrpubs/tb_852/cwwed_e.asp

This publication provides a brief overview of how to communicate, consult and network with employees who have disabilities. It also provides tips on enhancing inclusion in the workplace for specific types of disabilities.

Canadian Human Rights Commission (CHRC)

www.chrc-ccdp.ca

The CHRC has a number of resources available to promote equity and inclusion in Canadian society. Of particular interest are these publications:

Barrier Free Employers: Practical Guide for Employment Accommodation for People with Disabilities

www.chrc-ccdp.ca/discrimination/barrier_free-en.asp

This document focuses on hiring and understanding of the benefits of accommodation in the workplace.

A Place for All: A Guide to Creating an Inclusive Workplace

www.chrc-ccdp.ca/discrimination/place_for_all-en.asp

This guide helps employers in understanding their legal obligations and in creating workplace accommodation policies. It has three main sections: a policy guide, a procedures guide and a guide to individual accommodations.

The Workplace Accommodation Toolkit

www.apt.gc.ca/watindexe.asp

The Workplace Accommodation Toolkit is an internet resource that aids employers seeking information about the cost of accommodations for disabilities, as well as an index of suppliers and products for accommodations. Organized by disability type as well as product category, it is a valuable tool for identifying and estimating the cost of accommodations.

Provincial information resources

Government of British Columbia, Ministry of Human Resources

www.mhr.gov.bc.ca/pwd.htm

This site provides links to information on disability programs available through the Ministry of Human Resources and on the Employment Program for Persons with Disabilities (EPPD), described above in the section on provincial funding.

One recent initiative is WorkableSolutions, an employment resource centre that offers an online job posting service and various publications such as *Recruiting and Retaining Persons with Disabilities in British Columbia*: www.workablesolutionsbc.ca.

For information about mental health see: www.healthservices.gov.bc.ca/mhd/.

Community Support & Advocacy Resources

A wide range of community organizations represent, serve and advocate for persons with disabilities in British Columbia or offer support services.

Law Society of British Columbia

www.qvbln.ca

The Society's Equity and Diversity Committee, through its Disability Research Working Group, is exploring ways to break down barriers to law school and the practice of law for persons with disabilities, through research studies and recommendations for reform.

The Law Society also offers the legal profession the services of an equity ombudsperson to assist lawyers in resolving concerns over discrimination and law firms in preventing discrimination: www.lawsociety.bc.ca/practice_support/ombuds/body_services_ombuds.html.

Greater Vancouver Business Leadership Network

www.gvbln.ca

This is an employer-led coalition that markets qualified individuals with disabilities. The site describes the services offered to employers in hiring persons with disabilities.

Vancouver Foundation Disability Supports for Employment Fund

www.vancouverfoundation.bc.ca/GrantInformation/dsef/AboutDSEF.shtml

The Disability Supports for Employment Fund (DSEF) funds projects that assist people in obtaining the goods and services they need to participate in the workplace. This is a source of funding for charities that wish to provide these forms of supports to individuals.

Career Edge/Ability Edge

<http://overview.careeredge.ca>

Ability Edge focuses on helping university, college and high school graduates with disabilities gain career-building experience. Internships of six, nine or 12 months are open to persons with disabilities who have recently graduated. Mentoring and job counselling are also provided.

BC Coalition of People with Disabilities

www.bccpd.bc.ca

The coalition works to "to use education, advocacy and special projects to work toward the dissolution of the physical, attitudinal and systemic barriers in our society that deny us equal opportunities."

Cerebral Palsy Association of BC

www.bccerebralpalsy.com

The association provides information, advocacy, support and resources to persons with cerebral palsy.

Canadian National Institute for the Blind

www.cnib.ca

The Canadian National Institute for the Blind (CNIB) is a national voluntary agency providing services to individuals across Canada to whom loss of vision is a central problem in personal and social adjustments. The CNIB also acts as a consultant and resource agency to the helping professions, government departments and private industry.

IAM CARES Society

www.iamcares.com

The International Association of Machinists Centre for Administering Rehabilitation and Employment Services (IAM CARES) offers employment and placement services to persons with disabilities in the Lower Mainland of British Columbia.

British Columbia Paraplegic Association

www.canparaplegic.org

The BCPA advocates for persons with spinal cord injuries. Services include employment outreach (in partnership with HRSC).

Job Accommodation Network

www.jan.wvu.edu/media/ideas.html

Consultants from the Job Accommodation Network (US Department of Labor) have compiled papers on accommodating individuals with disabilities. The website has an extensive list of publications describing potential accommodations by disability.

Neil Squire Foundation

www.neilsquire.ca/index.htm

The Neil Squire Foundation is a national non-profit organization committed to providing education, technology and career development for people with physical disabilities. The Foundation provides services, such as skills enhancement and training, consulting and assessment services for workplaces, and research and development of technology to improve accessibility. Of particular interest is the assessment service, which makes recommendations on how to ensure an accessible workplace.

Tetra Society of North America

www.tetrasociety.org

The purpose of Tetra is to recruit skilled volunteer engineers and technicians to create assistive devices for people with disabilities. This unique program developed in response to difficulties that people with disabilities experience in their search for greater independence and integration within their communities.