



**Document Name:** Accessible Employment Policy

**Document Id:** URS-HR-POL-0229-R002-EN

**Scope:** Ontario Employees

**Effective Date:** January 1, 2025

**Revised Date:**

<p><b>Who Does this document apply too?</b></p>	<p>This policy applies to all employees working on behalf of Universal Rail Systems Inc. and any affiliated companies that work in Ontario, Canada.</p>
<p><b>Purpose of Document</b></p>	<p>Universal Rail Systems Inc. is committed to compliance with the Accessibility Standard for Employment under the <i>Accessibility for Ontarians with Disabilities Act, 2005</i> (AODA). Our policies, practices and measures reflect principles of privacy, dignity, independence, integration, and equal opportunity for all, including people with disabilities. Wherever practicable, we aim to remove employment barriers and ensure barrier-free recruitment. If a barrier cannot be removed, we seek to provide reasonable accommodations to affected employees to the best of our abilities.</p>
<p><b>When does this Document Apply?</b></p>	<p>This policy is triggered:</p> <ul style="list-style-type: none"> <li>• during the recruitment process where we inform potential applicants that reasonable accommodations are available during the selection process, and,</li> <li>• we respond to employee requests for accommodations.</li> </ul> <p>This policy also applies to existing employees whose accessibility needs may change.</p>
<p><b>Definitions in Document</b></p>	<p><b>Employment Barrier:</b> an employment policy or practice that disproportionately excludes certain groups based on factors unrelated to the nature of work or merit.</p> <p><b>Barrier Free Recruitment:</b> All job applicants have fair and equal access to employment, the recruitment process should attract, rather than discourage, applications from people with diverse backgrounds, and staffing processes and practices must adhere to legislated requirements under The Human Rights Code and Accessibility for Ontarians with Disabilities Act and regulations.</p> <p><b>Bona Fide Occupational Requirement (BFOR):</b> Selection criteria must be based on bona fide occupational requirements and founded in the qualifications and duties identified in the position description. Requirements or qualifications for the job that are required are in good faith and are reasonably necessary for the safe and efficient performance of the employment or occupation.</p> <p><b>Reasonable Accommodations:</b> A temporary or long-term adjustment to working conditions, duties, policies, rules, practices, programs, or the physical work environment to address work-related needs arising from a protected characteristic(s) identified in The Ontario Human Rights Code, up to the point of undue hardship.</p>

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	<p><b>Medical Information:</b> Information obtained from a medical professional, with employee consent, to determine needs and abilities to accommodate an employee's request related to a medical issue.</p> <p><b>Undue Hardship:</b> The limits of reasonable accommodation beyond which the employer does not have a duty to accommodate. Undue hardship is assessed on a case-by-case basis, considering various factors relating to the situation including, but not limited to, health and safety risk; disruption to collective agreements or other contract; financial costs; business efficiency; interchangeability of employees and facilities; impact on employees and service users; and workplace size.</p>
<p><b>Referenced Documents</b></p>	<p><b>Hiring Policy</b></p> <p><b>Drug and Alcohol Policy</b></p> <p><b>Fit for Duty Testing &amp; Assessment Procedures</b></p> <p><b>Workplace Mental Health and PTSD Assistance Policy</b></p> <p><b>Disability Management Program</b></p> <p><b>Modified Duty Procedure</b></p> <p><b>Harassment and Discrimination Policy</b></p> <p><b>Privacy Policy</b></p> <p><b>Accessibility for Ontarians with Disabilities Act, 2005 (AODA)</b></p>
<p><b>Alignment to Current Market and/or Industry Situation</b></p>	<p>The intent of the <i>Accessibility for Ontarians with Disabilities Act, 2005 (AODA)</i> is to attract and retain the best people for the position in a manner that is accessible, inclusive and free from discrimination, in accordance with the Ontario Human Rights Act while supporting our mission of creating and maintaining an effective safety culture, remaining in compliance with all government and regulatory requirements, and ensuring the health, safety and wellness of all employees. The company understands the importance of safety to the well-being and productivity of its people, and strives to safeguard the workplace, clients and public from injury and accidents through the attentiveness of employee capabilities and ensuring bona fide occupational requirement status.</p>
<p><b>Communication Plan</b></p>	<p>This document will be communicated to the organization, to all applicable employees, through our DATS Learning Management System.</p> <ul style="list-style-type: none"> <li>• New Hire orientation process,</li> <li>• Rehire orientation process,</li> <li>• Annual requirement to review.</li> </ul>
<p><b>Exceptions</b></p>	<p>If a position has a reasonable and necessary <b>bona fide occupational requirement</b> that would cause <b>undue hardship</b> to accommodate, an accommodation request may be declined by the Company.</p>

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## **Document Name: Accessible Employment Policy**

### **Section 1.0 Pre-employment Accessibility Policies and Practices**

#### **Remove Barriers to Recruitment and Selection.**

Human Resources includes a statement on all job postings that reasonable accommodations are available to applicants with disabilities. Human Resources and hiring managers consult with applicants to determine how best to accommodate their needs. When making interview arrangements, we inform applicants that reasonable accommodations are available during the assessment and selection processes. When an applicant has made a request for an accommodation during the selection process, we put the appropriate accommodation in place. Human Resources will include information about workplace accommodations in offer letters and orientation materials.

### **Section 2.0 Informing and Educating Employees**

We inform employees through various methods of staff communications in a way that meets various employee needs such as information on DATS, Company website, staff memo's, emails, and messaging applications. We also included information in promotional posters, brochures, pamphlets, or advertisements. We inform and educate through discussions with management (in person, by phone, or through email) and during staff meetings. When appropriate, we ask employees what accessible format or communication support is most appropriate for them and provide information to an employee in an accessible format on request.

### **Section 3: Accessibility Accommodation**

#### **3.1 Duty to Accommodate**

The Employers duty to accommodate is in most cases triggered when an **applicant** or **employee communicates their needs or requests** accommodation based on a protected characteristic that, if accommodated, would enable them to participate on an equal level with their co-workers. The duty to accommodate is the responsibility to address and remove unreasonable burdens or barriers based on a protected characteristic that limit access to opportunities and benefits available to others, up to the point of undue hardship. For certain positions there are bona fide occupational requirements that must be met. The accommodation process is based on the responsibility, shared by all parties, to have meaningful dialogue about accommodation, and to work together respectfully towards accommodation solutions. Everyone involved should engage in the process, by sharing information, consulting with professionals as needed, and work

towards providing the employee with a solution that allows them to operate in the workplace on an equal level with others. Most importantly employers should ensure that the employee requiring accommodation is always treated with dignity and respect.

### 3.2 Mental Illness and Addiction

Employees may not always be able to identify or articulate a need or request for accommodation. This may include situations involving a mental disability or addictions. In these cases, if the employer has reason to question, or ought reasonably to have recognized a need for accommodation, the employer may have a duty to make enquiries about whether the employee in fact has a need that requires accommodation. The employer should always proceed cautiously and respectfully to make those enquiries focusing on how the employee may not be meeting the normal expectations of the workplace. Please refer to the following policies that include important information on effectively dealing with these types of scenarios located on the [DATS “Document Library”](#) under “[Human Resources](#)”:

- Drug and Alcohol Policy
- Fit for Duty Policy
- Workplace Mental Health and PTSD Assistance Policies.

### 3.3 Individualized Accommodation Plan

The Company provides reasonable accommodations by developing and documenting individualized accommodation plans for employees who need and agree to accommodation. Human Resources will work collaboratively with the employee and management to develop accommodation plans in a manner that is mutually satisfactory. Once an accommodation plan is identified and implemented, the employer should monitor and re-evaluate the situation to ensure the accommodation is effectively meeting the employee’s needs. The employer should be prepared for an employee’s needs to change over time, which may require adjustments to their accommodation plan.

### 3.4 Medical Information

Employee medical information may be necessary to properly determine reasonable and appropriate accommodation requirements. **Written consent** will be required from the employee before the health professional will be able to share information with the Company and our third-party medical consultant. Please be advised that the Company works with a third-party medical consultant to ensure medical information is kept confidential and any potential accommodation can be conducted safely in our operational environment. Medical information collected would be at the employer’s expense.

The employee will be advised of the type of information that is being requested. Human Resources should not ask for access to an employee’s complete medical file nor for more information than they need. The amount of medical information requested should be proportionate to the significance of the accommodation requested. The employer must protect any medical information collected and maintain confidentiality with respect to sensitive information that underlies the employee’s accommodation plan, only disclosing sufficient information about the plan to ensure that managers can monitor how the accommodation is working out.

## **Section 4: Accommodation Request**

All accommodation requests should be reported directly to our corporate **Human Resource** department in writing. You can send your written e-mail requests to: [hrgeneralinquiries@universalrail.com](mailto:hrgeneralinquiries@universalrail.com)

## **Section 5: Undue Hardship**

In many cases, accommodation is simple and affordable. With flexibility and good communication, providing reasonable accommodation may not be a complicated or costly matter. However, situations may arise where providing accommodation is not feasible for safety or cost related reasons.

Providing reasonable accommodation for persons with a protected characteristic means accommodating those needs to the point at which the employer cannot accommodate those needs without experiencing undue hardship. Under case law, undue hardship is more than minimal hardship and must be based on actual evidence of hardship and not merely assumptions about how hard it would be to accommodate a person's special needs.

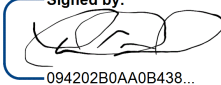
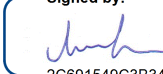
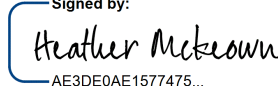
When assessing whether and how to accommodate an employee's needs, the employer should consider if there any health and safety risks associated with the accommodating the employee, what are the financial implications of accommodating the employee, are there legitimate operational requirements that would limit or prevent accommodating the employee, would accommodating the employee cause disruption to the collective agreement or negatively impact rights that have been bargained for, and would accommodating the employee negatively impact workplace morale. Evidence that the employer has considered these factors is important in establishing that the employer has provided reasonable accommodation for the employee's special needs based on their protected characteristic(s).

## **Section 6: Accommodation Training**

*Accessibility for Ontarians with Disabilities Act, 2005* (AODA) will be mandatory for key positions and provided on the Company DATS training system to persons within the organization who are responsible for:

- recruiting, selecting or training employees;
- supervising, managing or coordinating employees;
- promoting, redeploying or terminating employees; or
- developing and implementing the employer's employment policies and practices.

Training will be provided to a person as soon as reasonably practicable after the person is assigned the duties described above; and on-going training will be provided in connection with changes to the employer's measures, policies and practices respecting accessible employment.

<b>Policy Approval</b>		
<b>Tim McMillan, President &amp; COO</b>	<b>Signature:</b>  Signed by: 094202B0AA0B438...	<b>Date:</b> 1/9/2025
<b>Ivor Lee, Chief Financial Officer</b>	<b>Signature:</b>  Signed by: 2C691549C3B3436...	<b>Date:</b> 1/9/2025
<b>Heather McKeown, VP, People &amp; Safety</b>	<b>Signature:</b>  Signed by: AE3DE0AE1577475...	<b>Date:</b> 3/28/2025