

Accessibility Policy

Purpose

This policy relates to standards for providing the services of Miller Thomson LLP (Miller Thomson) to people with disabilities. This policy is guided by the *Accessibility for Ontarians with Disabilities Act (AODA) Accessibility Standards for Customer Service, 429/07*.

Policy Statement

Miller Thomson enjoys a reputation as one of Canada's most respected national business law firms. Daily, our people demonstrate a consistent ability to provide practical, creative and cost-effective advice, combined with an unyielding service commitment to our clients.

In fulfilling our mission, Miller Thomson strives at all times to provide its services in a way that respects the dignity and independence of people with disabilities. We are also committed to giving people with disabilities the same opportunity to access our services and allowing them to benefit from the same services, in the same place and in a similar way as other clients.

Application of the Accessibility Policy

The Accessibility Policy applies to all individuals who provide services on behalf of Miller Thomson. In this policy, the term "employee" includes all lawyers, partners, associate counsel, staff, students-at-law, law clerks and paraprofessionals, contract service providers and directors of the firm.

Definitions

"Assistive devices" shall mean an auxiliary aid such as communication aids, cognition aids, personal mobility aids and medical aids (i.e. canes, crutches, wheelchairs, or hearing aids).

"People with Disabilities" or a "Person with a Disability" shall mean those individuals, including clients of the firm, who have a disability. "Disability" as defined under the Ontario Human Rights Code is:

- a. any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
- b. a condition of mental impairment or a developmental disability,
- c. a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- d. a mental disorder, or
- e. an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*;



“Disability” should be interpreted in broad terms. It includes both present and past conditions, as well as a subjective component based on perception of disability. Although sections (a) to (e) set out various types of conditions, it is clear that they are merely illustrative and not exhaustive. Protection for persons with disabilities under this subsection explicitly includes mental illness, developmental disabilities and learning disabilities. Even minor illnesses or infirmities can be “disabilities,” if a person can show that she was treated unfairly because of the perception of a disability. Conversely, persons with an ailment who cannot show they were treated unequally because of a perceived or actual disability will be unable to meet even the prima facie test for discrimination. It will always be critical to assess the context of the differential treatment to determine whether discrimination has taken place, and whether the ground of disability is engaged.

“Service Animals” shall mean any animal individually trained to do work or perform tasks for the benefit of a person with a disability.

“Support persons” shall mean any person whether a paid professional, volunteer, family member, or friend who accompanies a person with a disability in order to help with communications, personal care or medical needs or with access to products or services.

1.1 Providing services to people with disabilities

Miller Thomson is committed to excellence in serving all clients including people with disabilities and we will carry out our functions and responsibilities in the following areas:

1.1.1 Communication

We will communicate with people with disabilities in ways that take into account their disability.

We will train lawyers and staff who communicate with clients on how to interact and communicate with people with various types of disabilities.

1.1.2 Telephone services

We are committed to providing fully accessible telephone service to our clients. We will train lawyers and staff to communicate with clients over the telephone in clear and plain language and to speak clearly and slowly.

We will offer to communicate with clients by telephone relay, email, courier, mail and/or fax, or videoconferencing, if telephone communication is not suitable to their communication needs or is not available, provided the identity of the client has been verified.

1.1.3 Assistive devices

We are committed to serving people with disabilities, who use assistive devices to obtain, use or benefit from our services. We will ensure that our lawyers and staff are trained and familiar with various assistive devices that may be used by clients with disabilities while accessing our services.



We will also ensure that lawyers and staff will know how to use, and instruct others in the use of, assistive devices if they are available for clients at Miller Thomson sites.

1.1.4 Accessible Document Formats

Within a reasonable time after receiving a request by, or on behalf of a person with a disability, Miller Thomson shall make documents available in a format that is accessible to such person, unless it is not technically feasible to do so.

1.1.5 Service Animals

We are committed to welcoming people with disabilities who are accompanied by a service animal on the parts of our premises that are open to the public and other third parties. The service animal must be in the care of the person with a disability or their support person at all times.

We will also ensure that all lawyers and staff dealing with the public are properly trained in how to interact with people with disabilities who are accompanied by a service animal.

1.1.6 Support Persons

We are committed to welcoming people with disabilities who are accompanied by a support person. Any person with a disability who is accompanied by a support person will be allowed to enter the parts of our premises that are open to the public with his or her support person. At no time will a person with a disability who is accompanied by a support person be prevented from having access to their support person while on our premises.

Where confidentiality is important because of the kinds of information discussed, Miller Thomson will obtain the consent of the client and may require the support person to sign a confidentiality agreement.

1.1.7 Notice of temporary disruption

Miller Thomson will provide clients with notice in the event of a planned disruption in the facilities or services usually used by people with disabilities. In the event of an unexpected disruption, Miller Thomson will make reasonable efforts to contact clients with disabilities regarding disruptions prior to their scheduled meetings. This notice will include information about the reason for the disruption, its anticipated duration, and a description of alternative facilities or services, if available.

The notice will also be placed at public entrances where applicable and at reception.

1.1.8 Training for Employees

Miller Thomson will provide training to all employees who deal with the public or other third parties on our behalf, and all those who are involved in the development and approval of client service policies, practices and procedures. Individuals in the following positions will be trained:

Lawyers, Students-at-Law, Law Clerks and Paraprofessionals, Legal Assistants, Managers, Directors, Executive Committee Members, Office and Administrative Staff, Facilities Staff, Reception Staff, Supervisors.



This training will be provided during the new employee orientation period via E-Learning, which shall occur within the first month after a lawyer or staff commences their duties.

Training will include the following:

- How to interact and communicate with people with various types of disabilities
- How to interact with people with disabilities who use an assistive device or require the assistance of a service animal or a support person
- How to use the assistive devices on Miller Thomson sites that may help with the provision of services to people with disabilities
- What to do if a person with a disability is having difficulty in accessing Miller Thomson's services
- Miller Thomson's policies, practices and procedures relating to Accessible Client Services
- The purposes of the Accessibility for Ontarians with Disabilities Act, 2005 and the requirements of the Accessibility Standards for Customer Service (Ontario only).

All lawyers and staff will be trained on policies, practices and procedures that affect the way services are provided to people with disabilities. Lawyers and staff will also be trained on an ongoing basis when changes are made to these policies, practices and procedures.

1.1.9 Feedback process

The ultimate goal of Miller Thomson is to meet and surpass client expectations while serving people with disabilities. Comments on our services regarding how well those expectations are being met are welcome and appreciated.

Feedback regarding the way Miller Thomson provides services to people with disabilities can be made in the following ways:

- By completing the Online Client Feedback Form or by directly contacting the Talent Management Department:
 - talent@millerthomson.com or,
 - 416.595.8500 or 1.888.762.5559

Clients can expect to hear back within 10 business days. Our response will be in a format that respects the communication preference of the person with a disability. Additional time may be required for follow up depending on the format of response required.

Modifications to this or other policies

We are committed to developing client service policies that respect and promote the dignity and independence of people with disabilities. Therefore, no changes will be made to this policy before considering the impact on people with disabilities.



Any policy of Miller Thomson that does not respect and promote the dignity and independence of people with disabilities will be modified or removed.

Questions about this policy

This policy exists to achieve service excellence to clients with disabilities. If anyone has a question about the policy, or if the purpose of a policy is not understood, an explanation should be provided by, or referred to, the Director, Talent Services.

[Download a copy of the policy](#)

[Download the online client feedback form](#)

Accessibility Policy & Multi-Year Accessibility Plan

Miller Thomson Commitment to Accessibility

Miller Thomson is committed to identifying and taking steps to remove barriers to accessibility in customer service, information and communication, employment, and the built environment. We are committed to meeting and surpassing the requirements of the *Accessibility for Ontarians with Disabilities Act, 2005* (the “AODA”), the Ontario Human Rights Code and all applicable regulations made thereunder.

Application and Scope

This Policy and Multi-Year Accessibility Plan are made pursuant to the requirements of the AODA and the Integrated Accessibility Standards Regulation (“IAS Regulation”) of the AODA and address how the Firm will achieve accessibility in accordance with all legislative compliance requirements and schedules. This Policy and Multi-Year Accessibility Plan will be reviewed and updated as necessary at least every five years and posted on our website.

For purpose of this Policy and Plan, “disability” is defined as follows:

- i. any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
- ii. a condition of mental impairment or a developmental disability,
- iii. a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- iv. a mental disorder, or
- v. an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*.



Training

Miller Thomson provides training to all its employees on the requirements of the IAS Regulation, the Human Rights Code as it relates to persons with disabilities and Accessible Customer Service Policy in accordance with all statutory requirements, as well as others who are required to be trained pursuant to the AODA and associated regulations. Training is provided on an ongoing basis as necessary to comply with all statutory requirements.

Information and Communications Standards

Accessible Formats and Communication Supports

Upon request, and in accordance with the compliance schedule set out in the IAS Regulation, Miller Thomson will provide or arrange for the provision of Accessible Formats and Communication Supports for people with disabilities in a timely manner and at a cost that is not greater than the cost charged to other persons, if any. The Firm will consult with the person making the request in determining the suitability of an accessible format or communication support and notify the public about the availability of these formats and supports.

Feedback

In accordance with the requirements of the IAS Regulation, Miller Thomson ensures that its feedback processes for receiving and responding to feedback are accessible to people with disabilities by providing or arranging for the provision of accessible formats and communications supports, upon request. We will notify the public of the availability of “accessible formats” and “communication supports” including by posting this information online.

For purposes of this Policy and Plan, “accessible formats” may include but are not limited to large print, recorded audio and electronic formats, Braille and other formats usable by people with disabilities and “communication supports” may include but are not limited to captioning, alternative and augmentative communication supports, plain language, sign language and other supports that facilitate effective communications.

Accessible Websites and Web Content

In accordance with the compliance requirements set out in the IAS Regulation and subject to applicable exceptions, Miller Thomson will ensure that its websites and the applicable web content will conform with the World Wide Web Consortium Web Content Accessibility Guidelines (WCAG 2.0) Level AA by January 1, 2025.

Employment Standards

Miller Thomson is committed to ensuring that its employment practices are in compliance with the AODA, IAS Regulation and the Ontario Human Rights Code. The Firm is in the process of updating its written policies and practices to ensure compliance with all requirements of the IAS Regulation and in accordance with the compliance schedule.

To the extent that we are not already doing so, and in accordance with the requirements of the IAS Regulation, the Firm will ensure that it has the following policies and processes in place by January 1, 2024:



Recruitment

The Firm will notify employees and the public about the availability of accommodation for applicants (including existing employees) with disabilities in its recruitment processes and specifically:

- notify job applicants (including existing employees and members of the public) when they are individually selected to participate in an assessment or selection process that accommodations, including Accessible Formats and Communication Supports, are available upon request in relation to the materials or processes to be used;
- if a selected applicant requests an accommodation, the Firm will 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 accessibility needs due to a disability;
- notify successful applicants of the Firm's policies for accommodating employees with disabilities when making offers of employment; and
- notify employees of the Firm's policies used to support its employees with disabilities, including but not limited to policies on the provision of job accommodations that take into account an employee's accessibility needs due to a disability.

Information Sharing

In accordance with the requirements of the IAS Regulation, the Firm shall inform its employees of its policies used to support its employees with disabilities, including but not limited to, policies on the provision of job accommodations that take into account an employee's accessibility needs due to a disability. This information shall be provided to new employees as soon as practicable after they begin their employment and whenever there is a change to existing policies on the provision of job accommodations that take into account an employee's accessibility needs due to a disability.

Accessible Formats and Communication Supports for Employees

Where an employee with a disability so requests it, the Firm will consult with the employee to provide or arrange for the provision of accessible formats and communication supports for information that is needed in order to perform the employee's job and information that is generally available to employees in the workplace, including training materials. The Firm will consult with the employee making the request in determining the suitability of an accessible format or communication support.

Documented Individual Accommodation Plans & Return-to-Work Process

In accordance with the requirements set out in the IAS Regulation, Miller Thomson shall continue to develop a process for the development of individual accommodation plans for employees with disabilities. Our processes will include the following elements:



- the manner in which an employee requesting accommodation can participate in the development of the individual accommodation plan;
- the means by which the employee is assessed on an individual basis;
- the manner in which Miller Thomson may request an evaluation by an outside medical or other expert to assist with determining if accommodation can be achieved and, if so, how to achieve accommodation
- the manner in which the employee can request the participation of a representative from the workplace in the accommodation process;
- the steps taken to protect the privacy of the employee's personal information;
- the frequency with which the individual accommodation plan will be reviewed and updated and the manner in which it will be done;
- if an individual accommodation plan is denied, the manner in which the reasons for the denial are to be provided to the employee;
- the means of providing the accommodation plan in a format that takes into account the employee's accessibility needs;

Individual accommodation plans shall, if requested, include any information regarding Accessible Formats and Communication Supports provided; if requested, include individualized workplace emergency response information; and identify any other accommodation that is to be provided.

Miller Thomson has in place documented return-to-work processes for employees who have been absent from work due to a disability and require disability-related accommodation in order to return to work. Building on that foundation, we will ensure that those processes clearly outline the steps that the Firm will take to facilitate the return to work process amongst other requirements that facilitate that process. Our return to work processes will include individualized accommodation plans.

Performance Management, Career Development and Advancement, Redeployment

Miller Thomson shall take into account the accessibility needs and/or individual accommodation plans of employees when: using performance management processes; providing career development and advancement; and using redeployment.

Workplace Emergency Response Information

Miller Thomson provides individualized workplace emergency response information to employees who have a disability if the disability is such that the individualized information is necessary and the employer is aware of the need for accommodation. Miller Thomson provides this information as soon as practicable after becoming aware of the need for accommodation.

If an employee who receives individualized workplace emergency response information requires assistance, with the employee's consent, Miller Thomson will provide the workplace emergency response information to the person designated by the employer to provide assistance to the employee.



In each case, Miller Thomson reviews the individualized workplace emergency response information: when the employee moves to a different location in the organization, when overall accommodation needs or plans are reviewed, and when the employer reviews its general emergency response policies.

Accessibility Standards for our Facilities

Miller Thomson is committed to designing our facilities free from barriers and accessible to all persons we serve. Miller Thomson will comply with the Design of Public Spaces Standards with respect to public spaces that are newly constructed or redeveloped in accordance with the requirements of the IAS Regulation.

In the event that we adopt self-serve kiosks, we shall have regard to accessibility in the design, procurement or acquisition of these kiosks.

References

- Miller Thomson LLP Accessibility Policy made pursuant to the Accessibility Standards for Customer Service (Reg. 429/07)
- *Accessibility for Ontarians with Disabilities Act, 2005*
- Regulation 191/11 made under the *Accessibility for Ontarians with Disabilities Act, 2005* (Integrated Accessibility Standards)

Copies

Upon request, all of our policies can be made available in an accessible format and we can provide or arrange to provide communication supports as necessary.

[Download a copy of the Accessibility Policy & Multi-Year Accessibility Plan.](#)

© Miller Thomson LLP 2023. All rights reserved.