



Supporting Disability Disclosure

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SUPPORTING DISABILITY DISCLOSURE

INTRODUCTION

Many policies and practices for inclusive workplaces are important for employees with disabilities as well as those without. To ensure your company is able to meet the specific needs of people who do have disabilities, it is important that these individuals feel comfortable and safe in self-identifying. This can be a challenge when considering disabilities that may be non-visible (such as diabetes, fibromyalgia, hearing impairment, etc.).

Help improve your company's capacity to accommodate with an understanding of:

- Why individuals may or may not disclose their disability
- Why employers should encourage disclosure
- How to create a safe environment for disclosure
- Strategies that can be used to help increase the rate of disclosure

DISCLOSING A DISABILITY

The Decision to Disclose

The decision to disclose a disability to an employer can be difficult and there can be a lot to consider. For example, an employee with a disability may ask themselves:

- My disability is non-visible. Should I bother to disclose it or hope it doesn't become an issue?
- Will the employer understand my disability? If they don't, am I prepared to explain it?
- Does the employer have policies in place that will support my ability to contribute? Will they provide accommodations that will allow me to be successful?
- Does my employer have other persons with disabilities working for them or do they have any experience working with persons with disabilities?
- If I do decide to disclose, how do I say it and to whom will I say it?
- Will I be granted the same opportunities to progress as my peers?
- Can I trust my manager with this information? What will my colleagues think if they find out?
- I already face some inappropriate comments from my colleagues at work about my [gender, race, etc.]. If I disclose my disability, will that make things worse?

Initiating the Discussion: Duty to Inquire

These decisions are difficult, even in environments that have proven to be diverse, inclusive, and supportive. Job applicants and employees are not required to disclose a disability, but an employer's goal should be to make it as easy as possible for people to disclose a barrier they face at work or an accommodation requirement.

It is well known that an employer has a duty to provide reasonable accommodation for an employee who is facing barriers in the workplace due to grounds protected under human rights legislation. However, many employees will hesitate to come forward to disclose a disability or ask for a needed accommodation. Legal decisions have confirmed that employers have a "duty to inquire", if they suspect an employee's poor performance or failure to meet expectations may be due to an undisclosed disability or other need for accommodation. This is seen as a requirement prior to taking any action such as disciplinary action or dismissal. If the employer knew or ought reasonably to have known that an accommodation is required, the action may be judged to be discriminatory. Inquiring with the employee is also critically important if the disability has the potential to impact safety.

Observing changes in a worker's attendance, performance or behaviour that are more than an "off day" may trigger the employer's duty to inquire -- essentially checking in with a worker. Initiating these discussions requires sensitivity.

Do not make assumptions about a worker's behaviour or its cause. Ask questions. Be curious. Be respectful, supportive and non-judgmental. Let the worker know that they can talk with any member of management or human resources with whom they feel comfortable sharing their situation.

When starting a conversation about a worker's job performance, absenteeism, or other concerning changes, be prepared to give concrete examples. The main goal is to ask how the employer may best support the worker. The discussion should be collaborative, and it may continue over time.

Other tips in this document can help to create an environment where the person will feel comfortable disclosing. However, if they are not open to disclosing their disability or discussing potential accommodation, do not force the issue.

Once the conversation has opened up to discussing potential accommodation needs, see the suggestions in the THRC resource, [*A Manager's Tool for Having Accommodation Discussions*](#).

Benefits to Creating a Work Environment that Encourages Disclosure

Increasing a company's disclosure rate supports both the employee and employers in the following ways:

Higher productivity: Providing suitable accommodations to employees can remove barriers and improve performance and productivity – not only for that employee but for a more accessible workplace overall.

Improved job satisfaction: Once employees have been accommodated, they may feel better supported and happier in their jobs.

Increased retention: When employees experience greater job satisfaction and productivity, they are generally more committed and stay with the employer longer, reducing turnover and recruitment costs.

Improved health and well-being: Hiding who you are is hard. Hiding a non-visible disability can be mentally and physically draining and can negatively affect an employee's well-being.

Enhanced organizational culture: Employers that support disclosure are helping to create an open and trusting work environment. This positively impacts everyone.

Legislative compliance: When employers put measures and practices in place to encourage disclosure, they are more likely to be aligning with employment equity, accessibility and accommodation legislation.

The *Canadian Human Rights Act* sets out that employers have a duty to accommodate employees who fall under the Act up to the point of undue hardship, considering health, safety, and cost. Provincial and territorial jurisdictions have similar requirements.

CREATING AN ENVIRONMENT THAT ENCOURAGES & SUPPORTS DISCLOSURE

Creating a safe and welcoming workplace is everyone’s responsibility. The chart below helps us understand how each person can support this mission.

WHO?	ACTION	WHY?
ORGANIZATION REPRESENTATIVE (E.G. HR, LEADERSHIP)	Assess your organizational culture	Employers need to understand prevailing perceptions, attitudes, and values currently within the organization and to what extent they support a safe environment for disclosure.
	Make the commitment and take action to create a safe space to disclose	Policies are a good starting place, but commitment is demonstrated through actions. Appropriate actions will result in increased disclosure rates.
	Create and communicate clear process steps for employees who are ready to disclose the barriers they face in the workplace.	Provide ongoing opportunities for employees with disabilities to self-identify. For federally regulated employers, this would include an annual employment equity update process. For all employers, having a designated person (supervisor, HR rep, health & safety rep, etc.) will be important. Adopting an ongoing problem-solving approach to identifying and removing barriers that people face can encourage open discussion.
	Adhere to and exceed accessibility requirements	If you are in compliance with appropriate legislation (for example, AODA or ACA) then you already have a good foundation for having the policies and procedures in place to create a space for disclosure. Ensuring compliance is a great first step. A commitment to accessibility shows that the Company understands its role in identifying and removing potential barriers for all employees.

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MANAGER/ SUPERVISOR	Foster an inclusive work environment	Team managers and supervisors play a key role in setting the tone and communicating expectations for creating an inclusive and safe space for employees. Make sure they are trained and aware of their role in the disclosure process.
	Deal with all disclosures in a confidential and timely manner	Respecting an employee’s concerns when they choose to share their disability helps build trust. Addressing accommodation requests in a timely manner will demonstrate that you value the employee and view their disclosure as important.
	Do not tolerate discrimination of any kind within your team	Discriminatory actions need to be dealt with immediately. A safe space to disclose can only be created when there is no fear of being harassed, bullied, or treated differently as a result of making a disability known.
	Be aware of and address any bias or misperceptions you may have about the person and their disability	Check your own assumptions and actions. By being aware of conscious and unconscious bias, your actions are more likely to show support for disclosure.
	Be a role model	If you have a disability, consider sharing your story and challenges. It will serve as evidence that you and the company are committed to diversity and inclusion. It demonstrates that career development and progression is possible for those with disabilities, which also increases the likelihood that they feel comfortable to disclose.

WHO?	ACTION	WHY?
COWORKERS	Participate in creating an inclusive and safe workplace	Being part of the solution and being inclusive in how you work day-to-day will help those with disabilities feel safe, comfortable, and more likely to share their disability.
	Listen to specific needs and treat them with respect	Accessibility needs are individual and unique. Building rapport and being genuinely interested in understanding the challenges of a disability will help co-workers with disabilities feel safe and supported.
	Remember it is not just about disability – consider the whole person. For more information, see the THRC tool .	Every individual has their own set of characteristics – age, gender, family situation, ethnic and racial background, and so on. These will make a difference in how a person with a disability will experience their workplace.

	Check assumptions	Believe and act like co-workers with disabilities are just as capable of producing quality work as you are. If persons with disabilities see that you treat them as fairly and as positively as other co-workers, they will be more trusting and comfortable to share their experience.
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STRATEGIES FOR CREATING AN ENVIRONMENT THAT ENCOURAGES DISCLOSURE

Promote Trust

An employee disclosing a disability must be able to trust that their company and supervisor will take the disclosure seriously and treat them with respect.

DO

- Respect confidentiality and only share information that has been agreed to by the employee.
- Actively listen to the needs and concerns of the employee. Demonstrate that you have heard and understand their needs. Show appreciation that they feel comfortable discussing their needs with you.
- Collaborate with the employee to identify effective solutions for accommodations, if needed.
- Give fair and equal consideration for promotions.
- Make yourself available to discuss any challenges an employee is facing.

Start from the Beginning but Don't Forget About the End

Creating a safe space begins during the recruitment process. If a job candidate feels they have been treated with respect from day one, they are more likely to feel comfortable disclosing their disability. If they have a positive experience, they may share that experience with others, even if they aren't selected for the role.

DO

- Ensure the first contact with all candidates is professional and respectful. The initial contact will set the brand of your company as an inclusive employer.
- HR, hiring managers and anyone else involved in the recruitment process need to be trained on appropriate legislation (such as the [Accessibility for Ontarians with Disabilities Act](#), [the Accessible Canada Act](#), or other provincial / territorial requirements).
- Should the employee choose to leave your organization, conduct an exit interview to obtain feedback and suggestions on how to improve your strategies for creating a work environment that encourages and supports the disclosure of disabilities. Ask about any accommodation that was provided, or perhaps that was needed beyond what was available.

Provide Training and Education

Training and education can build confidence throughout your workforce when working with a colleague or team member with a disability.

DO

- Invest in employee education and training to help all employees understand the barriers that your workplace might present to persons with disabilities. There are a wide range of service providers that specialize in providing training to organizations on disability and accommodation. They can customize sessions to your organization's particular needs. You can start with [this list from THRC](#) or look at this federal government website [Guide to Planning Inclusive Meetings - Canada.ca – 5. Resources](#).
- Upskill your managers and supervisors to better understand the different types of accommodations and how to develop accommodation plans. See the THRC tools that are available for planning and documenting accommodations:
 - [A Manager's Tool for Having Accommodation Discussions](#)
 - [Individual Accommodation Plans](#)
- Provide support and/or training to managers and supervisors so they can have successful and supportive discussions with their employees with disabilities.
- Share these short 2-minute THRC videos with staff members.
 - [Disabilities: Myths and Facts \(video\)](#)
 - [Talking about Disabilities \(video\)](#)

Build a Connection

Everyone wants to feel included in their workplace. Inclusion builds trust, comfort, and feelings of safety. For those with disabilities, deciding whether to disclose a disability can be largely dependent on whether they feel they have someone they can disclose to. Managers and supervisors who create the space to develop connections with their employees allow those conversations to take place.

DO

- Start early, spending time getting to know each employee.
- Create space for all employees. This will help those who haven't made the decision to disclose feel more comfortable doing so, even if it isn't right away.
- Schedule regular 1-1 meetings and meaningful check-ins with employees. This is particularly important when the employee might work remotely. Often individuals appreciate feeling connected to their managers, having dedicated time in a safe space to discuss any challenges, barriers, needs etc. they may have.
- Be open to disabilities that might emerge or change over time. Changes in work practices, or in the employee's situation, can also lead to changes in barriers they might experience in the workplace.
- Encourage participation in meetings. Ensure meetings are inclusive by creating opportunities for everyone to participate. This may mean providing information in advance or in multiple formats, giving time for thinking during the discussion, or breaking teams into smaller groups. Understanding how people communicate can help foster higher contribution levels and an overall feeling of safety.

Make Accessibility a Priority

Accessibility is a vital part of ensuring people with disabilities feel welcome and fully included in the workplace. This includes not only physical accessibility but also accessibility of information and communication technology.

DO

- Adopt a "access for all" mindset to prevent unintentional exclusion of job candidates and employees with disabilities.
- Show that you are curious about any characteristics of your workplace that might present challenges for people. Encourage all staff to contribute to identifying barriers and improving accessibility.

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- Question assumptions about how things are done. Brainstorm how things might be done differently. Be open to doing things in new ways. Some accommodations may require adapting to new technologies or being flexible in how or where you conduct meetings.
- Ensure your onboarding and orientation sessions are fully accessible to those with disabilities.
- Consider inclusivity when planning meetings and events. Ensure everyone can access and fully participate in meetings.

Implement a Communication Strategy

A well thought out communication plan can go a long way in building trust.

DO

- Share, post, and highlight your policies on accessibility, accommodation, and inclusion.
- Remember that the experience of people with disabilities can be strongly affected by their other characteristics. Employees of varying ages, genders, cultural backgrounds and so on can have very different perspectives about disclosing a disability. A thoughtful communication strategy can address myths and misconceptions.
- Routinely promote your organization's commitment to diversity, both internally and externally.
- Celebrate everyone's successes and accomplishments.

Provide Career Growth Opportunities

A common reason individuals choose not to disclose their disability is fear that this will limit their opportunity for career development and promotion. Consistently communicate that the company wants to remove barriers in order to develop and leverage employees' capabilities. This will reinforce the belief that the company values employees who have a disability and that disclosing a disability will not affect their opportunity to grow within the organization.

DO

- Abide by fair promotion practices.
- Ensure mentoring, skills training and career development programs are equally available