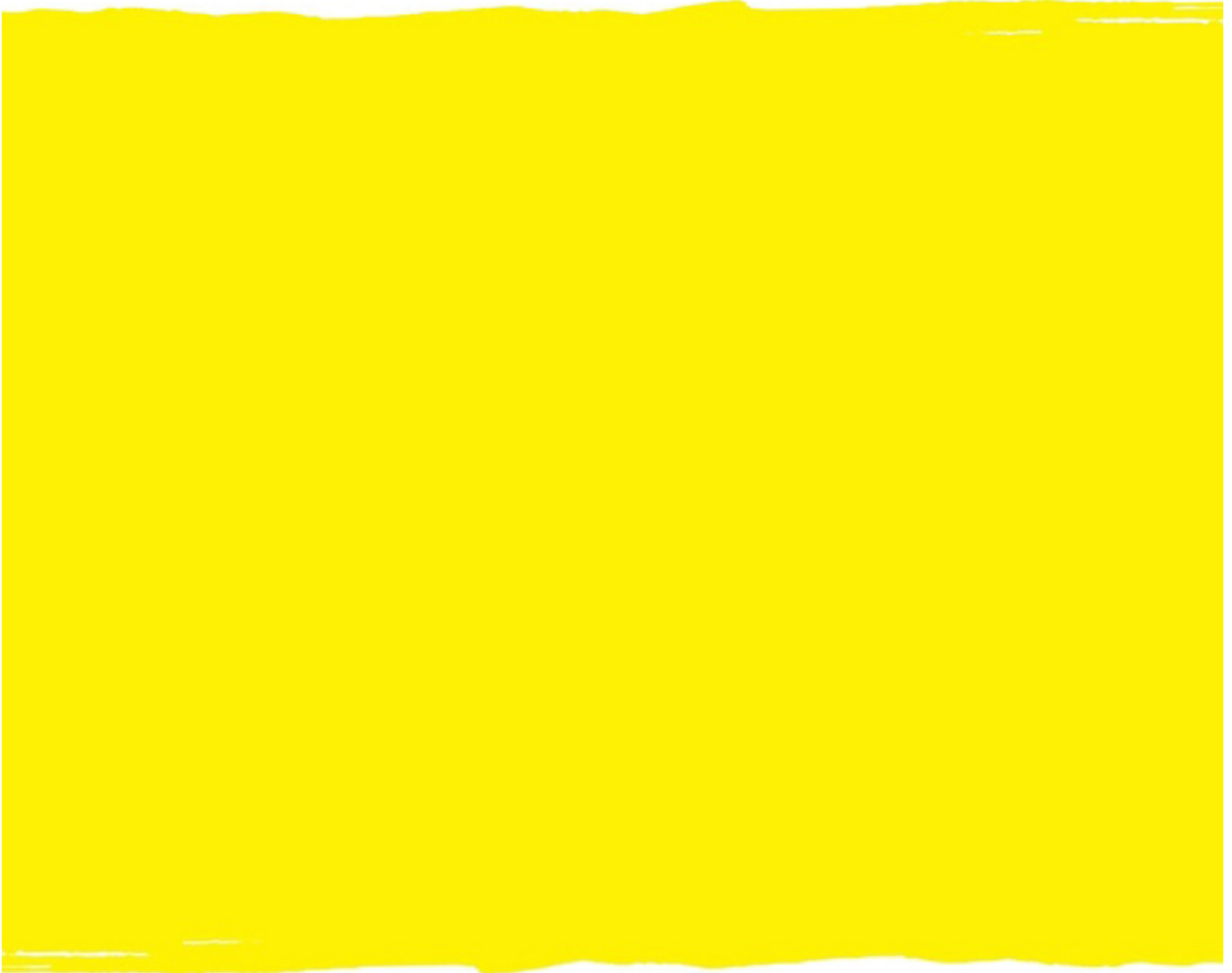


Employment

Know Your Rights – Legal Information Handbook



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Disclaimer

This content is provided as general information and is not legal advice. If you need advice about a specific legal issue, contact a lawyer.

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To learn more about the Know Your Rights project, please visit cnib.ca/KnowYourRights

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My Legal Rights

Q: What legal rights do I have in Manitoba's employment sector?

A: Under Manitoba laws, people with disabilities have important legal rights when it comes to employment:

- You have the right to be treated equally in the workplace without discrimination because of your disability. This includes the following:
 - The right to work in a safe workplace, and to refuse work that is unsafe.
 - The right to be treated without discrimination when your employer is determining your wages and benefits.
 - The right to be treated without discrimination when your employer is deciding on promotions.

- The right to be treated without discrimination in the day-to-day operations of the workplace.
- The right to be treated without discrimination if a decision is being made to terminate your employment.
- You have the right to receive accommodations for your disability from your employer, prospective employer, or employment agency up to the point of undue hardship.
 - Your employer must provide you with accommodations in a way that respects your dignity, meets your individual needs, and promotes your integration and full participation in the workplace.
 - Accommodations in the workplace include things like providing you with special equipment, modifying tasks, or creating new policies that enable you to succeed at your job, such as:
 - Technological supports
 - Modifications to the work environment
 - Customized work duties
 - Additional training
- You have the right to challenge employment practices that you believe are based on unlawful discrimination, without reprisal. This means your employer cannot cut your pay, reduce your hours, or fire you for challenging discriminatory employment practices.

Duty to Accommodate & Undue Hardship

An employer's "**duty to accommodate**" means that they are legally required to provide the supports you need to succeed in the workplace. This will look different in every situation.

The duty to accommodate is limited. This limitation is known as "**undue hardship**". **Undue hardship** is a legal term meaning that it would be too difficult for your employer (or potential employer) to make accommodations, either because the cost would be so high it would interfere with their ability to operate, or because the accommodations would create serious

health or safety risks for others.

It is important to note that it is **not enough** for an employer to **simply claim** undue hardship. An employer **must show clear evidence** of undue hardship. Even if an employer can show that an accommodation you need would cause undue hardship, they must still provide the **next best** type of accommodation.

Alongside the right to reasonable accommodation, employees also have responsibilities. These include:

- telling an employer when an accommodation is required
- assisting your employer in putting accommodation in place
- not turning down a reasonable proposal for accommodation
- providing medical or other information that justifies the request for accommodation

Required Qualifications

An employer may have **required qualifications** for a job that results in treating employees, or prospective employees, differently on the basis of disability.

For example, a job description for a taxi driver will require a driver's license. This may exclude persons with vision loss.

To establish a job requirement, the following three criteria must be met:

- The requirement must be rationally connected to the performance of the job,
- The requirement must be adopted in an honest and good faith belief that it is necessary to the fulfillment of a work-related purpose, and
- The requirement must be reasonably necessary to accomplish the work-related purpose.

If these three points are met, an employer **does not** have a duty to accommodate employees, or prospective employees, who cannot meet the requirement.

Q: Do I have these legal rights even when I'm looking for work or when I'm leaving a job?

A: Yes. The prohibition against discrimination extends to all aspects of full-time, part-time, permanent, casual, or probationary employment and applies to paid and unpaid or volunteer work.

You have the legal rights explained above through all stages of employment, including:

- recruitment – job postings, responding to job advertisements, completing application forms, attending interviews
- working conditions – benefits, wages, training, suspensions, lay-offs, dress codes, interacting with colleagues, clients or customers
- promotion
- employment agency referrals
- trade union, occupational association or employee association activity
- dismissal – including during a probationary period
- leaving work – including changing jobs or being laid off

Q: Where do my legal rights come from?

A: Your legal rights come from a variety of different laws, including:

- **Manitoba's [Human Rights Code](#)**
 - The Human Rights Code prohibits discrimination based on physical or mental disability or related circumstances (such as using a service animal).
 - The Human Rights Code also requires reasonable accommodations to be made for people with disabilities.
 - The Human Rights Code applies to existing employment, as well as potential employment. This means you cannot be denied a job on the basis of your disability, unless your disability would prevent you from being able to do the job.
- The [Accessibility for Manitobans Act](#)

- The Accessibility for Manitobans Act applies to most organizations in Manitoba, including government, for-profit and not-for-profit organizations.
- The Accessibility for Manitobans Act requires the government of Manitoba to create [Accessibility Standards](#) that focus on five key areas of daily living. The Accessibility Standards set out detailed minimum accessibility requirements in the following contexts:
 - Customer Service
 - Employment
 - Information and Communications
 - Design of Public Spaces
 - Transportation
- Manitoba's [Accessibility Standard for Employment](#) is the second standard under the Accessibility for Manitobans Act. The purpose of the Accessibility Standard for Employment is to remove and prevent barriers that affect current and potential members of Manitoba's labour force. The Accessibility Standard for Employment:
 - Applies to **all employers** in the public, private, and non-profit sectors.
 - Builds on existing requirements of Manitoba's Human Rights Code
 - Helps organizations hire, support and keep employees
 - Applies to paid employees who are full-time, part-time, apprentices, and seasonal.
- Manitoba's [Employment Standards Code](#), which sets out general requirements for most employment in Manitoba, such as the minimum wage, standard work hours and overtime, termination notice, vacation time, and work breaks. It also deals with leaves of absence for health reasons.
- Manitoba's [Workplace Safety and Health Act](#), which sets out the duties and obligations employers and employees must follow to create a safe working environment.

- Manitoba's [Labour Relations Act](#), which sets out the rules for unions and collective bargaining for industries regulated by the government of Manitoba.

Q: Who must comply with Manitoba's employment and human rights laws?

A: Employees and employers operating businesses that are regulated by the Government of Manitoba must comply with Manitoba's human rights, accessibility, employment, and labour laws. This includes:

- Employees
- Employers, including prospective employers, and employment agencies, both for-profit and not-for-profit
- Independent contractors, unions, trade unions, self-governing professions, and other occupational associations
- The Manitoba government and its boards and agencies

Your legal rights protect you in most situations, such as when you are dealing with:

- clients and customers
- employers, prospective employers, or employment agencies
- trade unions, occupational associations, or self-governing professions

Q: I work in a federally regulated industry. Do Manitoba employment and human rights laws apply to me?

A: Examples of industries that are federally regulated include:

- telecommunications
- airlines
- postal services
- the Federal Government and its Boards and Agencies

If you work in a [federally regulated industry](#), federal employment and human rights laws usually apply instead of Manitoba human rights and employment laws.

There are federal laws that provide protections for workers in federally regulated industries including:

- The [Canadian Human Rights Act](#), which prohibits discrimination on the grounds of disability in employment contexts that are regulated by the federal government.
- The [Canada Labour Code](#), which creates safety standards and provides rules about unions and collective bargaining for industries regulated by the federal government.

Q: What can I do to enforce my legal rights?

A: If you have experienced discrimination while looking for work or while working, there are things you can do to challenge the discrimination.

In general, you should first try to resolve your concerns by speaking with the people who are directly involved in an informal and collaborative way.

If relevant, you may also wish to:

- Contact [Employment Standards](#) for information about employment-related issues, such as wages, vacations, and leaves of absence.
- If you are a member of a union, you may also wish to speak with your union representative.

For more resources on self-advocacy, please visit the **Self-Advocacy** section of the [Know Your Rights website](#).

If your concerns can't be addressed through collaborative discussions, you should consider consulting with a lawyer who specializes in human rights or employment law to determine if any of the following options are appropriate:

- [Filing a complaint](#) with [Employment Standards Manitoba](#)
- [Filing a complaint](#) with the [Manitoba Human Rights Commission](#)
- Reporting an [unsafe work environment](#) or [serious incident](#) to [Workplace Health and Safety](#)
- Filing an application with the [Manitoba Labour Board](#)

Common Scenarios

Even though there are laws to protect you from discrimination, people with disabilities still face barriers to accessing employment opportunities and fulfilling their potential in the workplace.

This section describes barriers that are commonly experienced and suggests practical next steps. Keep in mind that, in most situations, you should first try to resolve your concerns by speaking with the people who are directly involved in an informal and collaborative way.

Looking for Work

Q: I'm looking for a volunteer position. Am I entitled to receive accommodations as a volunteer?

A: In general, yes. Manitoba's [Human Rights Code](#) defines “work” as including unpaid work. However, it is important to keep in mind that the duty to provide accommodations applies to the

point of undue hardship. The threshold for undue hardship may be lower for organizations looking for volunteers than it would be for large for-profit companies.

Q: There's a requirement in a job advertisement that I can't meet because of my disability. Should I still consider applying for the job?

A: Sometimes job advertisements include “requirements” that are not essential to doing the job in a safe or effective way.

If you can't meet a requirement in a job advertisement because of your disability, and you believe that requirement is **not essential** to doing the job, then you should still consider applying for the job.

When a job advertisement includes a “requirement” that is **not essential** to doing the job safely or effectively, the employer is **not allowed to reject** your application on the basis that you could not meet that requirement. Here's an example:

Mary is looking for work. She is trained as an accountant, and she has sight loss which prevents her from driving.

Mary sees a job advertisement for an accountant position that is based in one office and does not require travel to other locations. The job advertisement includes a requirement that “all applicants must have a driver's licence”.

In this example, the requirement that applicants must have a driver's licence is not essential because it does not affect whether someone can do the job in a safe or effective way.

If Mary chooses to apply for this job, the employer is not allowed to reject her application on the basis that she doesn't have a driver's licence.

How can you tell which job requirements are “essential” and which are not?

It is not always easy to know because the law on this topic can be complex. Whenever you are in doubt, it's important to get help from a lawyer who can apply the law to your specific situation.

Here's an example of when it's not 100% clear if a job requirement is essential:

Fara is looking for work. She is an experienced salesperson, and she has sight loss which prevents her from driving.

Fara sees a job advertisement for a sales associate position that will require frequent travel to different client locations. The job advertisement includes a requirement that “all applicants must have a driver’s licence”.

If most clients are located nearby, then Fara could take a taxi to meet clients. The cost of a local taxi will probably not cause **undue hardship** to the employer. In this case, the requirement that applicants must have a driver’s licence is **probably not essential** to the job.

However, if most clients are located far away, the cost of travelling by taxi to remote locations might create an undue hardship for the employer. In this case, the requirement that applicants must have a driver’s licence **could be essential** to the job.

Fara should consider getting help from a lawyer who can apply the law to her specific situation.

Q: A job posting is not in an accessible format. What can I do?

A: If you find a job posting in Manitoba that’s not in an accessible format, you have the right to request the job posting be provided in an accessible format from the employer, as an accommodation for your disability.

By disclosing your disability and making a request for accommodation, you trigger the employer’s legal duty to accommodate you up to the point of undue hardship.

If you don’t want to disclose your disability to the employer before you apply for the job, you can ask a friend to make the request for you. You can also get help from a local community organization or CNIB.

Q: I got an interview, but I'm not sure when to disclose my sight loss to my prospective employer. What should I do?

A: There's no single "right answer" about whether you should disclose your disability to an employer and when you should do so. You need to consider the pros and cons depending on what you know about the job, the employer, the industry, and your own feelings.

You are not required to disclose your disability to your prospective employer. There may be potential cons to disclosing your disability before an interview. For example, you may be worried the employer could form misconceptions about you based on false stereotypes before you are able to meet them in person.

That being said, it may be a good idea to disclose your disability before an interview to ensure appropriate accommodations are provided to you during the interview. This is especially important if a written test or other type of formal evaluation is part of the interview process.

Other reasons to disclose your disability in advance of an interview may include:

- Ensuring you can frame your disability in a positive way that highlights your achievements
- Ensuring that the employer is not surprised
- Demonstrating that you are proactive in finding solutions, and willing to work collaboratively to establish accommodations.

Q: I had the qualifications and performed well during the interview, but I didn't get the job. I feel that I have been discriminated against because of my sight loss. What can I do?

A: In some cases, employment discrimination is easy to spot as there are clear signs that you have been discriminated against during an interview process. For example:

- The employer asks intrusive questions about your sight loss
- The employer makes statements that are offensive or based on false stereotypes about people with sight loss
- The employer says that they will not hire you because of your sight loss

There are some questions that employers are prohibited from asking in an interview, such as questions about the nature or severity of your disability.

Employers **can** ask if you have a disability that would interfere with your ability to do the job. If you say yes to this question, they may ask about what duties you would have difficulty performing and the accommodations you would need.

When the signs of discrimination are not as clear, it can be harder to prove that you were discriminated against. Even if the signs of discrimination are not overt, it's important to understand how the law applies to your specific situation. You should consider consulting with a lawyer who specializes in human rights or employment issues to see if a complaint to the [Manitoba Human Rights Commission](#) is appropriate. A complaint may lead to a settlement of the matter or may lead to a formal investigation.

At Work

Q: My sight loss is affecting my ability to do my job. What can I do?

A: Eventually, you will need to tell your employer about how your disability is affecting your ability to perform job-related tasks. When you choose to disclose your disability to your employer, you will trigger their legal duty to accommodate you up the point of undue hardship.

Keep in mind that employees have obligations under the [Workplace Safety and Health Act](#) to create a safe work environment, just as employers do. If your sight loss is creating an unsafe situation in your workplace, you could potentially be fined under that Act.

Before deciding what to do, it's important to understand how the law applies to your specific situation. You should consider consulting with a lawyer who specializes in human rights or employment law.

You may also contact [CNIB](#) to obtain information about how to develop a proposal for accommodation and receive support through the process. You may also wish to contact [Vision Loss Rehabilitation Canada](#) to obtain information and support on how to continue living independently and safely as your sight changes.

Consultation with a lawyer, along with [CNIB programs](#) and [Vision Loss Rehabilitation Canada services](#), can ensure you have a well-developed advocacy strategy when speaking with your employer.

Q: Who should I disclose my disability to in the workplace?

A: It depends on the size of the employer and other types of organizations involved (for example, a union or a temporary placement agency).

In a large company, you may want to speak with the human resources department, a workplace accessibility advisory committee, or a union representative.

In smaller workplaces, you may want to speak directly with your employer or supervisor.

Q: How much information, if any, am I required to disclose to my employer/prospective employer about my sight loss?

A: While you are not under any obligation to provide medical information to your employer, it will be difficult for your employer to provide appropriate accommodations if they are not aware of your sight loss.

If you decide to request accommodations for your disability, you usually only need to disclose the **general nature** of your disability (for example, sight loss), and what would be needed to accommodate you.

Your employer can request documentation about your disability, but they are **not entitled** to the following information:

- Your medical diagnosis,
- Your medical treatment plan, or
- Your full medical record.

Usually, a doctor's note stating that you have sight loss will be sufficient.

It is important to note that if your disability puts you, or others, in danger in a workplace context (for example, if your job involves operating heavy machinery and you have sight loss), you do have a duty to disclose your disability to your employer.

Q: Despite multiple requests, my employer has refused to provide me with my requested accommodations. What can I do?

A: When you choose to disclose your disability to your employer, and request accommodations, you trigger their **legal duty** to accommodate you up to the point of undue hardship.

It is important to note that employees have a responsibility to participate in the accommodation process. This involves providing information to substantiate or clarify their needs, making suggestions, and trying out different options even when these options are not the employee's preference.

However, failure to provide reasonable accommodation for an employee with a disability is discrimination. Although the employer and employee both have responsibilities in the accommodation process, the duty to accommodate is the employer's.

When an employer receives a request for accommodation, they must treat it seriously. The employer is required to conduct an individualized assessment and determine what can be done to accommodate the employee's needs, to the point of undue hardship. The employer should ensure the employee who requires accommodation is treated with dignity and respect.

In cases like this, you should keep detailed records of your employer's responses to your requests for accommodations. This includes the dates you made the requests, the information and options you proposed to your employer, and your employer's responses.

You should consider consulting with a lawyer who specializes in human rights or employment law as early as possible. A lawyer can help you resolve the issue or assist you in building a human rights claim.

Q: My employer has provided me with accommodations, but they aren't working. What can I do?

A: Eventually, you will need to tell your employer about how your current accommodations are not providing you with the support you need to succeed in your job.

Your employer has a legal duty to accommodate you up to the point of undue hardship. It's important to remember that selecting an appropriate accommodation is a collaborative process. As

an employee requesting an accommodation, you have a legal duty to collaborate with the employer to help them select an appropriate accommodation.

Your employer has the right to get enough information from you about your disability to select an appropriate accommodation. If the employer asks for medical documentation about your disability, you should only provide the information that is necessary to explain your need for accommodations. You are not required to tell your employer your exact diagnosis. You are not required to give your employer information that is not related to your need for accommodations.

Before deciding what to do, it's important to understand how the law applies to your specific situation. You should consider consulting with a lawyer who specializes in human rights or employment issues.

You may also contact [CNIB](#) to obtain information about how to develop a proposal for additional accommodation and receive support through the process. Consultation with a lawyer, along with [CNIB programs](#) and [Vision Loss Rehabilitation Canada services](#), can ensure you have a well-developed advocacy strategy when speaking with your employer.

Q: Do I have to pay for my employment-related accommodations?

A: Your employer cannot make you pay for accommodations related to your disability. It is your employer's duty to accommodate you to the point of undue hardship and your employer is responsible for paying the costs of these accommodations.

Q: I've been denied promotions and other opportunities within my workplace because of my sight loss. What can I do?

A: Your employer cannot deny you a promotion, or access to opportunities, because you have a disability. However, an employer may have other reasons for withholding a promotion or opportunity. If you haven't already, you should consider discussing the situation with your employer to determine the specific reasons your employer has not promoted you or extended certain opportunities to you.

If you believe your disability was the reason for being denied a promotion or opportunity at work, you should consider consulting with a lawyer who specializes in human rights or employment issues.

Q: One of my colleagues makes disparaging remarks and teases me about my sight loss. What can I do?

A: You may be experiencing **harassment**. Harassment is abusive and unwelcome behaviour that degrades, demeans, humiliates, or embarrasses a person. It may be limited to one occasion, or may be repeated.

Harassment can take many forms:

- Verbal behaviour, such as comments, jokes, innuendo, and threats.
- Gestures and other non-verbal behaviour, such as touching or unnecessary physical contact.
- Visual harassment, such as posters and videos.
- Physical behaviour, such as pushing and shoving.
- Electronic harassment, such as emails, text messages, and displaying graphic images.

Harassment is discrimination when it is based on a ground protected by the **Human Rights Code**, which includes disability.

Workplace harassment can occur in the workplace, or outside of the workplace in a situation that is in some way connected to work (for example, off-site meetings, workplace parties, and business trips).

Employers, including senior managers, are responsible for providing a harassment-free work environment. Employers must not harass others, and must ensure those around them are protected from harassment.

While it is not your responsibility to stop the harassment, it is your responsibility to inform someone in authority of the harassment. Here are some steps you can take to address the situation:

- If you can, make it clear to the harasser that their behaviour is unwelcome.

- Keep a record of the incidents, including a description of unwanted behaviour, times, places, and witnesses.
- Report the incident(s) to management as soon as possible.
- If your employer has a harassment policy, notify the appropriate person identified in the policy.
- If your workplace is covered by a collective agreement, you may choose to contact your union for advice and assistance.

Once your employer is made aware of a concern of harassment, they must take reasonable steps to investigate the concern and stop the harassment. Simply advising the harassed person to take their concerns to the police is **not sufficient** to deal with a concern of harassment in the workplace.

If management fails to take **prompt and effective** action regarding your concern, you should consider consulting with a lawyer who specializes in human rights or employment issues; and/or, [contacting the Manitoba Human Rights Commission](#) for more information or to file a complaint.

Q: My employer has advised that due to another employee's allergies, I cannot have my guide dog in the workplace. What can I do?

A: Employees who are guide dog handlers have the right to access and fully participate in employment. Employers have a duty to accommodate employees with service animals up to the point of undue hardship.

Relationships in employment contexts often endure for extended periods of time. Individuals requiring accommodation of a service animal in an employment context may, as a result, be required to produce a training certificate for their guide dog to confirm the specialized nature of their service animal. This is distinct from disclosing details about a disability. An employer is prohibited from requiring a person with a service animal to disclose such information.

Regarding whether the employee's allergies amount to undue hardship, the presence of the guide dog must present an **unreasonable risk** to the employee. Minor irritation, limited financial costs, or

unsupported fears of property damage **do not** represent undue hardship. Unless undue hardship can be established, the duty to accommodate a service animal applies.

In this scenario, accommodations could include the following:

- Rearranging the physical workspace so the employee with allergies is far enough away from the guide dog to avoid an allergic reaction.
- Moving each employee's workstations to ensure limited cross-over.
- Implementing enhanced cleaning protocols to remove potential allergens, such as dog hair and dander.

Whether the accommodations would cause undue hardship depends on the particular case. If your employer refuses to make accommodations that could be made without undue hardship, you should consider consulting with a lawyer who specializes in human rights or employment issues, as you may wish to [file a complaint with the Manitoba Human Rights Commission](#).

Leaving Work

Q: I was let go from my job because my sight loss prevented me from performing my duties. What now?

A: Generally, an employer cannot let you go because you have a disability – but, in certain jobs, a disability may prevent you from performing an essential part of your work (for example, driving or operating heavy machinery).

For more information on job requirements and disability, please refer to the [Required Qualifications section of this Handbook](#).

While it may appear reasonable for an employer to let you go because of your sight loss, usually an employer must make a reasonable effort to accommodate your disability (for example, finding different work assignments).

If you believe you lost your job due to your sight loss, you should consider consulting with a lawyer who specializes in human rights or employment issues, as you may wish to file a complaint with the [Manitoba Human Rights Commission](#).

If, however, your termination of employment is not linked to your disability, you may wish to contact [Employment Standards](#) to obtain more information or file a complaint.

You should consider consulting with a lawyer who specializes in human rights or employment issues to determine how the law applies to the unique circumstances of your case.

Resources

Legal Resources

[Manitoba Human Rights Commission](#)

The **Manitoba Human Rights Commission** is an independent office of the Government of Manitoba that is responsible for receiving and investigating complaints of discrimination to determine if the [Human Rights Code](#) has been contravened.

For information on **filing a complaint** with the Commission, the Commission's website provides direction on [how to start the process](#) and a [Guide to Filing a Complaint](#).

The Commission also educates the public about human rights through seminars and workshops; and, prepares and distributes [guidelines](#) and [fact sheets](#) to assist the public in understanding the [Code](#).

The Law Society of Manitoba

The **Law Society of Manitoba** oversees the legal professional in Manitoba. The Law Society is the only body that is authorized to determine who may become a lawyer in the province, and is responsible for responding to [complaints](#) about lawyers. The Law Society also has a [Lawyer Lookup](#) tool that enables the public to search for lawyers.

Infojustice

Infojustice is a legal information centre committed to promoting access to justice in French. By providing information, support and referral services, Infojustice helps French-speaking individuals understand and respond to the various legal situations they face in their everyday lives.

Infojustice provides the following services:

1. consultations via telephone and email, or in person if appropriate,
2. courthouse or tribunal accompaniment,
3. referrals to relevant organizations and resources, and
4. referrals to French-speaking lawyers.

For contact information, [visit the Infojustice website](#).

Community Legal Education Association

The **Community Legal Education Association (CLEA)** is a not-for-profit organization that provides legal information and education to Manitobans. CLEA develops programs and resources to help individuals better understand Manitoba's legal system, and how to resolve their legal issues.

CLEA can help members of the public by providing general legal information, suggesting resources, and telling people about different options for obtaining legal advice.

CLEA also operates the [Law Phone-In and Lawyer Referrals Program](#). Through this program, individuals can receive:

- legal information and advice,
- referrals to law-related agencies, and
- referrals to lawyers, when appropriate.

The Law Phone-In and Lawyer Referral Program allows Manitobans to call or email with legal questions, and staff lawyers will attempt to provide information, or connect them to a lawyer who can.

If you are referred to a lawyer through this program, your first consultation, up to half an hour will be free. This service is free and available to **all** Manitobans.

[Legal Aid Manitoba](#)

Legal Aid Manitoba provides legal services to low-income Manitobans. To qualify for services from Legal Aid Manitoba:

- You must meet their [financial eligibility criteria](#); and
- Your case must have merit. To learn more about how Legal Aid Manitoba determines whether a case has merit, please refer to their [qualification criteria](#).

[Public Interest Law Centre](#)

The **Public Interest Law Centre (PILC)** is an independent office of Legal Aid Manitoba. PILC represents clients at all levels of the court system; and, before boards, administrative tribunals and legislative committees.

PILC selects cases on the basis of social significance, legal merit and the availability of resources. Applications for public interest law cases will only be approved if:

- Funding is available to pursue the matter throughout the proceedings.
- There is a reasonable likelihood of success.
- The matter will impact a systemic issue in the law, or will impact a segment of the population of Manitoba.

- Clients meet Legal Aid Manitoba's financial eligibility criteria.

The University of Manitoba Community Law Centre

The **University of Manitoba Community Law Centre** primarily handles [summary conviction criminal offences](#), but may also assist with Highway Traffic Act offences, small claims cases involving consumer problems, and Manitoba Public Insurance disputes.

Legal Help Centre

The **Legal Help Centre (LHC)** provides legal information and assists self-represented litigants with certain non-urgent legal matters. LHC operates the following clinics:

- Drop-In Clinics
- Family Law Clinics
- Consumer Protection Clinics

To qualify:

- You must not be eligible for Legal Aid
- You must not already have a lawyer assisting you
- You must meet LHC's [financial eligibility guidelines](#)

Accessibility for Manitobans Act Website

The **Accessibility for Manitobans Act website** offers a helpful overview of the Accessibility for Manitoba Act and Accessibility Standards.

Manitoba Courts

The **Manitoba Courts** website provides general information about how Courts in Manitoba operate, and what to expect if you are attending Court. There is also a helpful resource on attending Court as a [self-represented person](#).

[Manitoba Law Reform Commission](#)

The **Manitoba Law Reform Commission** is an independent law reform agency. Its role is to improve, modernize and reform the law and administration of justice in Manitoba.

Projects of law reform are initiated in response to the public, the legal profession, and Manitoba's Minister of Justice and Attorney General. The Commission carries out research and consultation and makes formal recommendations for law reform to the Minister of Justice and Attorney General.

[Publications](#) produced by the Commission, and Information about the [Commission's current projects](#), are available online.

Government of Manitoba Programs and Resources

[Employment Standards](#)

Employment Standards is a Manitoba government program that enforces the [Employment Standards Code](#) (along with other laws), and investigates complaints about violations of this law.

Employment Standards staff can help employees and employers learn more about their rights and responsibilities in the workplace on issues such as wages, overtime, holidays, vacation time, and ending employment.

Staff can:

- answer questions
- explain the legislation
- investigate workplace disputes
- give presentations and workshops

You may [contact Employment Standards](#) to speak with an Employment Standards staff member and obtain information about employment-related issues, or how to [file a complaint](#).

Workplace Safety and Health Branch

The **Workplace Safety and Health Branch** of the Manitoba government promotes workplace compliance with the [Workplace Safety and Health Act](#). The Branch focuses on high-risk workplace hazards that may result in serious illness, injury, or death.

Unsafe Work

Any person may report an **unsafe work environment** to the Workplace Safety and Health Branch. You do not have to be employed by a company to do so.

For information on how to **report an unsafe work environment**, please refer to the [Workplace Safety and Health Branch – Report Unsafe Work webpage](#).

Serious Incidents

When a **serious incident** occurs at a workplace, the employer is required to notify the Workplace Safety and Health Branch of the incident immediately, and by the fastest means of communication available.

A **serious incident** is one:

- in which a worker is killed;
- in which a worker suffers
 - an injury from electrical contact,
 - unconsciousness from a concussion,
 - a bone fracture,
 - amputation of a limb, finger, or toe,
 - permanent or temporary loss of sight,
 - a cut or laceration that requires medical treatment at a hospital
 - asphyxiation or poisoning, or
- that involves

- the collapse or structural failure of a building, structure, crane, hoist, lift, temporary support system or excavation,
- an explosion, fire, flood, uncontrolled spill, escape of hazardous substance, or
- the failure of an atmosphere-supplying respirator.

For information on how to **report** a serious incident, please refer to the [Workplace Safety and Health Branch – Report a Serious Incident webpage](#).

Employment Assistance Program for Persons with Disabilities

The **Employment Assistance Program for Persons with Disabilities (“EAPD”)** is operated by the government of Manitoba, and offers a wide range of employment focused services to assist adults with disabilities in preparing for, obtaining, and maintaining employment.

To be eligible for EAPD, a person must be:

- a resident of Manitoba with an intellectual, psychiatric, learning, or physical disability;
- 16 years of age or older;
- Legally entitled to work in Manitoba on a permanent basis and show a willingness to prepare for, obtain, and maintain employment.

Applications for services must include proof of a qualifying disability diagnosed or assessed by an appropriate professional.

EAPD offers the following services:

- vocational counselling,
- specialized vocational assessments,
- vocational planning,
- vocational training,
- support services, and
- direct employment services (for example, resumé preparation).

For individuals with physical disabilities, services are provided by three designated agencies:

1. [Vision Loss Rehabilitation Manitoba](#)
2. [Spinal Cord Injury Manitoba Inc.](#)
3. [Manitoba Possible](#)

Individuals with a visual disability should contact [Vision Loss Rehabilitation Manitoba](#) to learn more and/or apply.

[Career Assistance Program for Persons with Disabilities](#)

The **Career Assistance Program for Persons with Disabilities** prepares candidates to successfully compete for positions with the Manitoba government.

Government departments submit proposals to the Manitoba Civil Service Commission (“CSC”) for term placements where recruitment needs have been identified. Departments then work with the CSC to recruit candidates with disabilities for these jobs.

You may apply for this program by taking the following steps:

- Email your resumé to csc@gov.mb.ca. Note in the subject line that you are applying for the Career Assistance Program for Persons with Disabilities.
- In your email, confirm that you are a person with a disability.
- If you do not have email, contact the CSC to arrange to send your resumé by another means.

For more information, refer to the [contact information available on the CSC’s website](#).

Other Resources

[The Manitoba Ombudsman](#)

The **Manitoba Ombudsman** is an independent office of the Legislative Assembly of Manitoba. The Ombudsman conducts independent, impartial and non-partisan investigations of complaints regarding the following issues:

- access to information and privacy matters,
- the fairness of government actions or decisions, and
- serious “wrongdoings” by the government.

Complaints may be related to any act, decision, recommendation, or omission relating to a matter of administration by any department or agency of the provincial or a municipal government.

For information on filing a complaint with the Manitoba Ombudsman, please refer to the information and [guidelines outlined on the Ombudsman’s website](#).

Manitoba 211

Manitoba 211 is a free, confidential service that operates 24 hours a day, seven days a week. It exists to connect individuals to government, health and social services that are available across Manitoba. The service helps Manitobans who are looking to find the right community or social resource, but do not know where to start.

In addition to searching on the 211 Manitoba website, there are various ways for people to [contact](#) Manitoba 211, including calling 2-1-1 to talk with trained professionals to help identify the services that they need.

Services are grouped together into the following categories:

- [Emergency Resources](#)
- [Covid-19 Information](#)
- Food and Clothing
- Housing and Homelessness
- Health
- Mental Health
- Employment
- Newcomers
- Children and Parenting

- Youth

National Educational Association of Disabled Students

The National Educational Association of Disabled Students (“NEADS”) is a Canadian charitable organization that supports full access to education and employment for students with disabilities. As part of its effort to support full access to education and employment, NEADS has developed resources including:

- A [web portal for jobs called "Breaking it Down"](#), which includes many resources, links, and articles for job seekers
- A [booklet on the Duty to Accommodate](#)

Hire for Talent

Hire for Talent supports people with disabilities in developing their careers, covering many employment topics, including legal rights. While this website was created in New Brunswick, it provides helpful, relevant guidance for people across Canada.

CNIB Programs

We’re here to help – contact CNIB for more programs, support, and resources. Some ways we can assist include:

- [CNIB Virtual Programs](#)
 - CNIB offers a range of free virtual programs for children, youth, adults and families.
 - You can access a list of CNIB’s virtual program offerings on [CNIB’s website](#).
 - You can access a list and schedule of CNIB Manitoba’s program offerings on [CNIB – Manitoba’s website](#).
- [Technology Training](#)

- Join CNIB tech leads from across the country for programming that highlights the suite of programs, apps, products and services that will help empower you to achieve your personal and professional goals.
- [Virtual Vision Mate](#)
 - The Virtual Vision Mate program exists to address the feelings of isolation that many people with sight loss experience. Through the Virtual Vision Mate program, people who are blind or partially sighted are connected with sighted volunteers to engage in virtual, weekly conversation.
- [CNIB SmartLife](#)
 - CNIB SmartLife is an interactive retail experience that gives people with disabilities hands-on access to the latest breakthroughs in assistive technologies, as well as tried-and-true favourites.
 - SmartLife's goal is not necessarily to sell products but is to give customers the skills and confidence they need to make the most out of assistive tools that can help them lead better lives.
- [CNIB Advocacy Team](#)
 - The CNIB Advocacy Team can assist participants with advocating for themselves and understanding their rights. You can contact us at advocacy@cnib.ca if you have questions.
- [CNIB Guide Dogs](#)
 - CNIB Guide Dogs can assist guide dog handlers with advocating for themselves and understanding their rights. This program also provides public education to organizations about the rights of guide dog users.

[Vision Loss Rehabilitation Canada](#)

Vision Loss Rehabilitation Canada (“VLRC”) is a not-for-profit national healthcare organization and the leading provider of rehabilitation therapy and healthcare services for individuals with sight loss. VLRC’s services are tailored to the unique needs and goals of each person they assist.

Specifically, VLRC certified specialists provide a range of services that help individuals with sight loss lead more independent, active lives.

Contact information for VLRC's Manitoba offices is available in the [“Locations” section of the VLRC website](#).

Wayfinding

Wayfinding refers to technological tools that assist people who are blind, partially sighted or Deafblind with navigation and orientation. Such tools include:

- [BlindSquare](#): a GPS-app developed for people with sight loss that describes the environment and announces points of interest and street intersections.
- [Key 2 Access](#): a pedestrian mobility app that allows users to wirelessly request crossing at intersections without having to locate the button on the pole. It also allows users to wirelessly open doors and obtain information about indoor spaces.
- [Access Now](#): a map application that shares accessibility information for locations based on users' feedback.
- [Be My Eyes](#): a volunteer-based app that connects people with sight loss to sighted volunteers, who can assist with tasks such as checking expiry dates, distinguishing colors, reading instructions or navigating new surroundings.
- The [American Foundation for the Blind](#) provides an overview of some of the apps that are available to assist consumers with reading items such as product labels and menus.

Resources for Employers

[CNIB](#)

[CNIB's Blindness at Work website](#) has resources to help employers make the workplace more accessible:

- [Workplace accommodations](#) - Provides examples of tools and technologies that can be used to accommodate people with sight loss. It also includes a link to some quick tips around creating an accessible workplace

- [Creating an inclusive workplace](#) - Provides simple tips about how to be comfortable and supportive of co-workers with sight loss
- [Hiring someone with sight loss](#) - Provides tips for employers around making the recruiting process (e.g. job advertisements, etc.) and interviews accessible to job candidates with sight loss
- [Come to Work](#) – introduces employers to an innovative talent pool of Canadians who are blind or partially sighted and provides job seekers with work experience.

[March of Dimes Canada](#) is an organization that is dedicated to providing support to people with physical and other disabilities. It has developed a [guide for employers to create more inclusive work environments that are designed to accommodate the needs of people with disabilities](#).

This guide also includes statistics and myths about hiring people with disabilities.

[Conference Board of Canada](#) is a not-for-profit research organization. It maintains a hub of resources to support [accessible employment practices](#) in Canada.

