	Title: <b>Employment Accommodation Policy - HR009</b>	
	Status: <b>Released</b>	Type: <b>Policy/Procedure</b>
Document No.: <b>16521</b>	Effective Date: <b>Dec 5, 2014</b>	Revision: <b>0</b>
Plant: <b>Fergus Plant, 2500</b>	Department: <b>Human Resources</b>	

At A.O. Smith Enterprises Ltd., we follow a core set of values and guiding principles when we conduct our business activities. We act with integrity, we always treat each other with respect and dignity, we will adhere to all legislative and regulatory requirements, and we are fair in our dealings with our customers, team members or citizens of the communities in which we work. This Document can be made available in a different format upon request.

## COMMITMENT

A.O. Smith Enterprises Ltd. is committed to providing equal treatment with respect to employment without discrimination because of race, ancestry, place of origin, citizenship, creed, sex, sexual orientation, age, record of offence(s), marital status, family status, disability, colour or ethnic origin as described by the Human Rights Code.

A.O. Smith Enterprises Ltd. has adopted this policy to ensure that our employees are provided with meaningful employment that is ethical and fair, and follows all applicable employment, and human rights legislation.

This policy additionally is intended to meet the requirements of the *Integrated Accessibility Standards, Ontario Regulation 191/11* for the Employment Standard set forth under the *Accessibility for Ontarians with Disabilities Act, 2005*. This policy applies to the provision of accessible employment services for people with disabilities.


All employment services provided by A.O. Smith Enterprises Ltd. shall follow the principles of dignity, independence, integration, and equal opportunity.

## SCOPE

### Principles

The approach taken by A.O. Smith Enterprises Ltd. in the provision of reasonable accommodation shall include:

- Personalized plans designed to meet the specific needs of individuals.
- Collaborative practices in the creation and implementation of accommodation plans through consultation of all relevant stakeholders, the person to be accommodated and medical professionals.

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- An approach that ensures confidentiality and dignity.

## Purpose

A.O. Smith Enterprises Ltd. will support the accommodation of employees and job applicants who require workplace accommodation under any of the grounds described in the Human Rights Code.

A.O. Smith Enterprises Ltd. will work to achieve a workplace free of barriers by providing accommodation for the needs of those individuals covered by the Code, up to the point where it causes undue hardship for A.O. Smith Enterprises Ltd. Every effort will be made such that the impact of accommodation will not discriminate against another group protected by the Code.

## Duty to Accommodate

A.O. Smith Enterprises Ltd. will work to ensure that individuals protected under the Code are able to work effectively, by making adjustments or modifications to the work, or the work environment, up to the point of undue hardship.


A.O. Smith Enterprises Ltd. will work with the individual that requests accommodation to ensure that the measures taken are both effective and mutually agreeable. A.O. Smith Enterprises Ltd. encourages individuals to make any needs for accommodation known to their Human Resources Department, and to work with them in addressing the issue(s).

## Accommodation

Accommodation shall be provided for individuals where a disability or religious requirement requires that the work be modified or adjusted to address the needs of the individual, based on protected grounds of discrimination under Human Rights legislation.

A.O. Smith Enterprises Ltd. shall provide accommodation as appropriate, using a consultative approach that involves the company, the individual, and as appropriate, any applicable union representatives, healthcare professionals, and other third parties that are required to assist in the accommodation process.

Accommodation may be temporary, or permanent, based on the requirements of the individual.

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<b>DEFINITIONS</b>
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***Persons with Disabilities:***

The following definitions for a Person with a disability are sourced from the Ontario Human Rights Code:

- 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, including diabetes mellitus, epilepsy, and any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, or physical reliance on a guide dog or on a wheelchair or other remedial appliance or device;
- b) A condition of mental impairment or 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 Workplace Safety and Insurance Act.


***Performance management:*** means activities related to assessing and improving employee performance, productivity, and effectiveness, with the goal of facilitating employee success.

***Career development and advancement:*** includes providing additional responsibilities within an employee’s current position and the movement of an employee from one job to another in an organization that may be higher in pay, provide greater responsibility or be at a higher level in the organization or any combination of them and, for both additional responsibilities and employee movement, is usually based on merit or seniority, or a combination of them.

***Redeployment:*** means the reassignment of employees to other departments or jobs within the organization as an alternative to layoff when a particular job or department has been eliminated by the organization.

***Undue Hardship:*** implies that there may necessarily be some hardship in accommodating someone’s disability, but unless that hardship imposes an undue or unreasonable burden, it yields to the need to accommodate a person with a disability. Concrete evidence is required to establish undue hardship.

<b>RESPONSIBILITIES</b>
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The process of accommodating individuals is a shared obligation of A.O. Smith Enterprises Ltd., the employee, and any applicable unions representing employees. Management staff should be the first point of contact for employees when requesting a form of accommodation. Together, in consultation with Human Resources, and, where appropriate, healthcare practitioners and other required third parties, they will work to determine the most appropriate form(s) of accommodation to meet the needs of the individual. The union may cooperate in the accommodation process should any employee require representation. All updated information in regard to changing accommodation policies will be communicated to all employees affected by the change, employees who seek accommodation and new employees during the orientation process.

## PROCEDURE

### Accommodating Employees with Disabilities


Any employee requesting accommodation must make a request to the Human Resources Department. HR is responsible for ensuring that a written description of the accommodation plan is prepared for any employee. The employee seeking accommodation may participate in the development of a plan and may request the participation of a union representative in development of the plan.

A.O. Smith Enterprises Ltd. shall create an accommodation plan and attempt to determine methods of achieving the requirements for success in the position in alternative manners.

In the creation of an accommodation plan, A.O. Smith Enterprises Ltd. shall:

1. Identify the need for accommodation.
2. Determine objectives for performance in the role, and potential barriers.
3. Create a plan for achieving the objectives in an alternative manner.
4. Examine the options for accommodation and select the most appropriate avenue for accommodation.
5. Implement the accommodation process.
6. Provide training as appropriate.
7. Review and revise based on feedback.
8. The plan will be in a format that considers the employees needs due to disability.
9. Confidentiality will be ensured whenever possible.

### Accommodating Job Applicants

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A.O. Smith Enterprises Ltd. will meet all legislative requirements in providing accommodation to job applicants as well as employees.

Any applicant to A.O. Smith Enterprises Ltd. that communicates the need for accommodation shall be considered in a manner that is non-discriminatory, and respectful of our Human Rights obligations.

### **Financing the Accommodation**

Where the accommodation required necessitates an investment in materials, equipment or increased budget for the position, requests for financing must be directed to:

John Weiler  
 Director of Finance, HR, & IT  
 519-843-1610 ext. 5521  
[jweiler@hotwater.com](mailto:jweiler@hotwater.com)

### **In the Event an Employee Cannot be accommodated in Current Position**


**REDEPLOYMENT:** In some cases, it will be reasonable to accommodate an individual in another position. The Human Resources Department, working with appropriate A.O. Smith Enterprises Ltd. officers, the employee, and union if applicable, will attempt to place the employee in another available position. This may require the assistance of third parties with specialized expertise.

Where an employee is placed in an alternate position, A.O. Smith Enterprises Ltd. shall ensure that the employee has the requisite qualifications and skill-sets necessary for success in the position, can perform the tasks associated with the position, and that the employee agrees that the alternate work is acceptable.

**JOB REDESIGN:** In the event that the accommodation requires a substantial change in the position, involving duties or hours, the position may be redesigned.

### **Undue Hardship**

A.O. Smith Enterprises Ltd. shall work to provide workplace accommodation up to the point of undue hardship. Undue hardship may occur where it is established that no forms of

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appropriate accommodation exist, or where the creation of accommodation would cause excessive costs that create undue hardship for the organization, or where the accommodation would create a health and safety hazard.

### **Performance Management**

A.O. Smith Enterprises Ltd. shall consider the accessibility needs of employees with disabilities, as well as individual accommodation plans, when using its performance management process with employees with disabilities.

### **Career Development and Advancement**

A.O. Smith Enterprises Ltd. shall consider the accessibility needs of its employees with disabilities as well as any individual accommodation plans, when providing career development and advancement to its employees with disabilities.

### **Non-Compliance**

Failure to comply with this policy may result in disciplinary action up to and including termination.


## **QUESTIONS ABOUT THIS POLICY**

This policy exists to achieve service excellence for all our employees including those with disabilities. If anyone has a question about the policy, or if the purpose of a policy is not understood, an explanation will be provided by a representative of our Human Resources Department.

## **MODIFICATIONS TO THIS OR OTHER POLICIES**

At A.O. Smith Enterprises Ltd. we are committed to developing employee accommodation policies that respect and promote the dignity and independence of persons with disabilities. Therefore, no changes will be made to this policy before considering the impact on those with disabilities.

Any policy of A.O. Smith Enterprises Ltd. that does not respect and promote the dignity and independence of persons with disabilities will be modified or removed.

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## ADMINISTRATION


If you have any questions or concerns about this policy or its related procedures please contact:

Name: Mary Shannon  
 Telephone: 519-843-1610 ext. 4305  
 Email: mshannon@hotwater.com  
 In person: 599 Hill Street West  
 Fergus, Ontario, N1M 2X1

This policy and its related procedures will be reviewed as required in the event of legislative changes.

## REFERENCES

- Accessibility for Ontarians with Disabilities Act, 2005  
[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_05a11\\_e.htm#BK19](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_05a11_e.htm#BK19)
- Integrated Accessibility Standards, Ontario Regulation 191/11  
[http://www.e-laws.gov.on.ca/html/source/regs/english/2011/elaws\\_src\\_regs\\_r11191\\_e.htm#BK0](http://www.e-laws.gov.on.ca/html/source/regs/english/2011/elaws_src_regs_r11191_e.htm#BK0)
- Ministry of Community and Social Services, *Making Ontario Accessible* (Access ON)  
<http://www.mcscs.gov.on.ca/en/mcscs/programs/accessibility/index.aspx>
- Ontario Human Rights Code, 1990  
[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90h19\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90h19_e.htm)

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