

# Ensure Your Emergency Response Plan Accommodates the Disabled



Do you have procedures for evacuating persons that need physical assistance?

As an OHS coordinator, you understand the importance of having a workplace evacuation and emergency response plan. But here's something that can get overlooked even by the most seasoned safety professionals: persons with disabilities might be unable to do the things your plan requires unless they get special help. Coming to that realization only after the alarm sounds can have tragic consequences. It could also get your company into a heap of legal trouble.

## What the Laws Require

Local fire and building codes and the OHS laws of each jurisdiction require employers to create and implement a plan and set of procedures for responding to fire and other emergencies, either by evacuating or sheltering in-place. Those plans and procedures must account for all workers and building occupants, including those with special needs. While this duty is universal, its legal origin varies by jurisdiction.

### 1. OHS Laws

The OHS laws of 6 jurisdictions—Federal, BC, Newfoundland, Northwest Territories, Nunavut and Saskatchewan—specifically require employers to assess and incorporate the accommodation needs of persons who are disabled or need physical assistance into their emergency response plans and procedures.

Although the remaining OHS laws don't expressly say so, nobody in their right mind would ever suggest that employers in these jurisdictions also need to factor persons with special needs into their emergency response plans and procedures. The difference is that the obligation is implied under what lawyers sometimes refer to as the 'general duty clause' of the OHS Act that requires employers to take 'reasonable' measures to protect the health and safety of workers and workplace occupants. [Click here](#) to see what your province requires.

## **2. Accessibility Laws**

In recent years, several jurisdictions have also adopted (or are in the process of adopting) legislation requiring covered entities to remove barriers and make special accommodations to ensure that their establishment is accessible to persons with disabilities. While some of these laws are limited to public sector entities, accessibility laws in Ontario, Manitoba and the federal jurisdiction also cover private businesses and workplaces. In Ontario and Manitoba, employers must create individualized accommodations plans for workers with disabilities based on their individual needs.

Emergency response and evacuation are among the elements these plans must address. Specifically, the employer must provide disabled workers individualized, site-specific information about emergency response that accounts for the specific characteristics of the site and the worker's disability, and review and, if necessary, revise that information in response to changes in work location, workspace or emergency procedures.

### **How to Comply**

Regardless of jurisdiction, there are 6 things you should do to ensure your emergency accommodates the needs of the disabled.

#### **1. Perform Emergency Response Hazard Assessment for Site**

First, have a competent person do a walk-through of the facility to identify potential barriers to safe evacuation, such as staircases or obstructions in exit routes barring access to persons in wheelchairs. If possible, have workers with disabilities accompany the competent person during the assessment to point out barriers.

#### **2. Assess Emergency Response Needs of Disabled Workers**

Assess the special needs of any disabled workers in the event of an emergency. One effective approach is to have such workers complete a self-assessment and notify you of any changes to their status. Give emergency response personnel for your building a list of the name and location of workers who need assistance.

#### **3. Designate Co-Workers to Aid Disabled Workers in Emergencies**

Designate a co-worker to act as a monitor responsible for looking after a worker who needs special assistance in the event of an emergency. Ensure that monitors:

- Are ready, willing and physically able to assist the worker without needing assistance themselves;
- Work the same hours and in the same floor or area as the worker they'll be assisting; and
- Have a backup in case the designated monitor isn't available when the emergency occurs.

#### **4. Create Areas of Refuge**

Designate safe areas where persons who can't evacuate without first responder assistance can wait or shelter in place until help arrives. According to

WorkSafeBC guidelines, areas of refuge should be used as a last resort where no feasible evacuation options exist. Ultimately, the decision about whether to wait for emergency personnel to evacuate should be made by the disabled worker.

## **5. Ensure All Workers Can Get Emergency Communications**

Ensure that all workers, including those with visual or hearing impairments, receive emergency instructions and information in a timely manner. Potential solutions include use of:

- Sign language, assistive listening devices or other communication aids to provide emergency response training and information;
- Visual alarms or lighted fire strobes for the hearing-impaired;
- Tactile/Braille signage and maps and/or audible directional signage to assist the visually impaired navigate exit routes; and
- Colour coded fire doors and picture books displaying evacuation procedures for workers with cognitive disabilities.

## **6. Ensure Emergency Procedures Address Disabled Workers' Needs**

Incorporate workers' special needs into your workplace emergency procedures, such as for evacuating using a service animal. Make sure workers and their service animals participate in drills to practice those procedures. Include protocols for monitors to communicate with workers in need of assistance and first responders.