
Appendix 3E: Sample Accommodation Policy

Accommodation in the workplace is a matter of great importance when attempting to establish an equitable working environment. Accommodation is one or more measures taken to alter or eliminate a policy, practice or physical feature of the worksite that has or may have an adverse impact on, and that constitutes a barrier to, the full participation of employees from the designated groups.

The following is a sample accommodation policy that your organization may use as a guide in creating its own policy. You are invited and encouraged to be as innovative as possible in setting accommodation policies. You will also find a sample request for accommodation form attached.

1.0 Policy Statement

[Your organization] is committed to creating and maintaining a barrier-free work environment to ensure the full participation of all persons. To this end, [your organization] will, where it is possible and reasonable to do so and does not cause undue hardship, alter existing policies or practices, adopt new policies or practices, make adjustments to the worksite, or re-assign employees unable to perform the duties of their job to alternate work assignments. This policy provides guidance for the provision of these accommodations for all current and potential employees (herein referred to as **employee(s)**).

2.0 Definition

An accommodation is a measure taken to alter or eliminate a policy, practice or physical feature of the worksite that has or may have an adverse impact on, and that constitutes a barrier to, the full participation of employees from the designated groups identified in the federal *Employment Equity Act*—women, Aboriginal peoples, persons with disabilities and visible minorities. This includes all grounds covered by the *Canadian Human Rights Act* and is not limited to the accommodation of persons with disabilities (i.e. religious accommodation, family-related needs).

Accommodation means an exemption from or an adjustment to general policies and facilities for an individual with particular needs. It is provided when the policies or facilities in question are, broadly speaking, justifiable but have an adverse impact on the members of some groups. For something to be justifiable, it must be clearly linked to the nature of the work performed or service provided by the organization.

2.1 Examples of Accommodation

Types of accommodation during the selection process may include but are not limited to:

- providing information about the position in multiple formats (i.e., for candidates who are blind or visually impaired);
- ensuring that applicants who are deaf or hearing impaired can make inquiries via a TTY number or fax;
- allowing extra time, where appropriate, for tests or exams; and
- ensuring that the interview site is fully accessible.

Types of accommodation in the workplace may include but are not limited to:

- attendant services;
- adaptive technology;
- changes to worksites;
- flexible work arrangements, including but not limited to telework, task modification, allowing time for religious observance, or other alternative work arrangements;
- converting printed matter to alternative media and providing reader services for employees who are blind or visually impaired;
- providing work space and furnishings that are appropriate to the nature of the disability;
- providing interpreters for deaf and hearing-impaired employees;
- adapting training programs to the needs of employees with disabilities, including those with learning disabilities; and
- cultural accommodation.

Alternate formats can include:

- braille documents;
- large print documents; and
- electronic versions of documents.

3.0 Responsibilities

Overall responsibility for implementing this policy rests with [your organization]. [Your organization] will advise employees about their right to accommodation and assist concerned employees in identifying the most suitable accommodation.

There is, however, a shared responsibility for ensuring that accommodation needs are identified. The employee has a responsibility for requesting accommodation, including identifying, where possible, the types of accommodation he or she considers appropriate.

4.0 Procedures

4.1 Initiating Requests

The onus for initiating the accommodation request rests with the employee who requires the accommodation.

4.1.1 Employee Requiring Accommodation

The employee requiring accommodation will:

- make the request to his or her immediate supervisor (actual employee);
- make the request to the director of human resources (potential employee);
- identify the type of accommodation required, if possible;
- participate and co-operate to facilitate the accommodation; and
- provide the necessary documentation.

An employee requesting an accommodation is expected to be reasonable in responding to proposals put forward by [your organization] and, where it is involved, the union.

4.2 Processing Requests

4.2.1 Supervisor

On receiving a request for accommodation, the supervisor will:

- identify accommodation options appropriate for the employee;
- work in close co-operation with the employee and/or his or her representative;
- pass the request to the director of human resources if the accommodation requires action that exceeds the supervisor's budget or authority to act; and
- participate and co-operate to facilitate the accommodation.

4.2.2 Director of Human Resources

On receiving a request for accommodation, the director of human resources will:

- work with the employee in a timely manner to find the most appropriate means of accommodation;
- ensure that the employee can participate in the process as fully as possible;
- seek the advice of a specialist, with the employee's consent, where the request involves issues outside the expertise of [your organization]; and
- confer with the VP Corporate Services if an accommodation request requires a commitment of resources that the director of human resources believes is beyond the budget for accommodation or raises the likelihood of undue hardship.

The supervisor or director of human resources may request relevant documentation from the employee to support the need for accommodation.

4.3 Other Parties

4.3.1 Your Organization

Your organization will:

- ensure that all employees are provided with a copy of this policy (made available in alternative formats, as required);
- educate and communicate with all personnel about this policy;
- educate supervisors about their role in accommodation and ensure that they abide by this policy;
- make the resources necessary for implementing this policy available;
- participate and co-operate with all parties to facilitate the accommodation while respecting the dignity of the individual;
- provide accommodation to the point of undue hardship; and
- respect individuals' right to privacy and confidentiality.

4.3.2 Union

The union will:

- educate their members about accommodation;
- encourage their members to identify and communicate the need for accommodation; and
- work together with all parties to facilitate accommodation.

All parties will work diligently to ensure that all requests for accommodation are dealt with in a timely fashion and that all personnel involved in the process treat the employee with dignity and respect.

5.0 Undue Hardship

Accommodation will generally be provided up to the point of undue hardship. Undue hardship is determined on a case-by-case basis. Factors that constitute or may contribute to undue hardship include: insupportable costs, substantial disruptions of operations, and health and safety considerations. If any of these factors creates a burden that cannot reasonably be borne by [your organization], the obligation to accommodate is suspended.

6.0 Appeal

Should an accommodation request be denied or an alternative offered, the employee requesting the accommodation will be informed of:

- the reasons for the decision; and
- the right to request a review of the decision.

The employee may submit a written request for reconsideration to the VP Corporate Services as well as to the appropriate local human resources commission.

7.0 Monitoring and Revision

The VP Corporate Services will monitor all requests for accommodation to ensure that the accommodation policy has been implemented correctly and is being maintained.

[Your organization] will review this policy on a regular basis and will make revisions as necessary. All employees will be invited to contribute to the review process. [Your organization] will also accept comments on this policy at any other time and, unless the comment raises an urgent concern, will consider the comments during the review. Comments outside the review should be directed to the VP Corporate Services.

8.0 Confidentiality

All documents relating to specific requests for accommodation will be kept confidential and will only be disclosed with the express consent of the employee. No documentation with regards to accommodation will be kept in the personnel file of the employee.

Appendix 3E: Request for Accommodation Form

[Organization's name] is committed to ensuring that all its employees are able to effectively utilize their relevant skills and experience to perform their jobs and contribute to [Organization's name]'s performance and service delivery, regardless of any special needs they may have. In particular, [Organization's name] has established and maintains an effective system for preventing discrimination against any of the designated groups, in keeping with its responsibilities under the Federal Contractors Program. [Organization's name] is committed to a timely, confidential and sensitive response to requests for accommodation from individuals or designated groups.

In the event that assistance or an alternate format of this form is required in order to complete this form, please contact [Employment equity contact's name] at [Employment equity contact's phone number] or [Employment equity contact's e-mail address].

1) Name of employee/applicant: _____

2) Contact details (phone number, address or workstation):

3) If a current employee, please provide details (optional):

Position: _____

Classification: _____

Department or division: _____

4) Describe the request or need to be addressed (use back of page if necessary):

Date of request: ____ / ____ / ____
 dd mm yy

Signature of person requesting accommodation

Name of person completing form (if applicable)

Signature of person completing form

If appropriate, please attach supporting documentation.

Report on the Outcome of an Accommodation Request

To be completed by [Name of manager responsible for accommodation request] and maintained on record for reports and verification purposes with regard to the accommodation request.

1) Was an accommodation provided? (if **NO**, go to question 7) **YES** **NO**

2) If **YES**, describe the accommodation provided (use back of page if necessary):

3) What was the dollar cost (if any) of this accommodation?

\$ _____

4) Is this accommodation usable only by one individual employee/applicant (e.g., a specific computer screen, approval of particular leave)? **YES** **NO**

5) Was this the accommodation requested by the employee/applicant? **YES** **NO**

6) Date accommodation implemented: ____ / ____ / ____
(go to question 11) dd mm yy

7) If the answer to question 1 was **NO**, please provide the reasons why the accommodation was not provided (please attach relevant additional material):

8) Who authorized the decision not to provide an accommodation?
