

SCOPE

All employees and students.

RATIONALE

To prevent and remove barriers to employment and provide workplace accommodation.

POLICY

Community Care Peterborough (CCP) is committed to providing an environment that is inclusive and is free of barriers. The agency will support all employees who require workplace accommodation under any grounds described in the Ontario Human Rights Code, unless to do so would cause undue hardship.

The Ontario Human Rights Code protects against discrimination of the following grounds: age, race, ancestry, place of origin, ethnic origin, creed, citizenship, sex (including pregnancy), gender identity, gender expression, sexual orientation, record of offences, marital status, family status, and disability.

This policy applies to all stages and to all aspects of the employment relationship. Accommodation will be provided in accordance with the principles of dignity, individualization and inclusion. CCP will work cooperatively, and in the spirit of respect, with all partners in the accommodation process.

PROCEDURES**Accommodation Requests**

1. Make requests for accommodation to your supervisor. Accommodation requests should, whenever possible, be made in writing. The accommodation request should indicate:
 - a) The Ontario Human Rights Code ground, as defined in the policy statement, that the accommodation is being requested on;
 - b) the reason accommodation is required, including enough information to confirm the existence of a need for accommodation; and
 - c) the specific needs related to the Code ground.
2. All accommodation requests will be taken seriously, regardless of the format of the request.
3. CCP will offer assistance and accommodation to persons who are clearly unwell and in need of assistance, or who are perceived to have a disability, even where no accommodation request is made.

4. No person will be penalized for making an accommodation request.

Providing Information

5. The supervisor may require more information related to the accommodation request, in the following circumstances:
 - a) Where the accommodation request does not clearly indicate a need related to a *Code* ground;
 - b) where more information on the employee's limitations or restrictions is needed to determine an appropriate accommodation;
 - c) where there is a demonstrable objective reason to question the legitimacy of the person's request for accommodation.
6. Where expert assistance is needed to identify accommodation needs or potential solutions, the accommodation seeker is required to cooperate in obtaining that expert advice. Any costs associated with obtaining such expert advice will be assumed by the employer.
7. Failure to respond to such requests for information may delay the provision of accommodation.
8. The supervisor will maintain information related to:
 - a) The accommodation request;
 - b) any documentation provided by the accommodation seeker or by experts;
 - c) notes from any meetings;
 - d) any accommodation alternatives explored;
 - e) any accommodations provided.

This information will be maintained in the accommodation seeker's occupational health file, and will be shared only with persons who need the information.

Privacy and Confidentiality

9. CCP will maintain the confidentiality of information related to an accommodation request, and will only disclose this information with the consent of the employee or applicant.

Accommodation Planning

10. Each person's situation will be individually assessed to determine the appropriate

accommodation. An accommodation will be deemed appropriate where it results in equal opportunity to attain the same level of performance or to enjoy the same level of benefits and privileges experienced by others, and where it respects the principles of dignity, inclusion and individualization.

11. Accommodation requests will be dealt with promptly. Where necessary, interim accommodation will be provided while long-term solutions are developed.
12. The supervisor, the person requesting accommodation related to a *Code* ground and, where appropriate, senior management and any necessary experts will work together to develop an Accommodation Plan for the individual.
13. The Accommodation Plan, when agreed on, will be put in writing, and signed by the individual requesting accommodation and the manager. It may include:
 - a) A statement of the accommodation seeker's relevant limitations and needs, including any needed assessments and information from experts or specialists, bearing in mind the need to maintain the confidentiality of medical reports;
 - b) arrangements for needed assessments by experts or professionals;
 - c) identification of the most appropriate accommodation short of undue hardship;
 - d) a statement of annual goals, and specific steps to be taken to meet them;
 - e) clear timelines for providing the accommodation;
 - f) criteria for determining the success of the accommodation plan, together with a process for reviewing and re-assessing the accommodation plan as needed; and
 - g) an accountability mechanism.

Appropriate Accommodations

14. The aim of accommodation is to remove barriers and ensure equality. Accommodations will be developed on an individualized basis. Appropriate accommodations may include, but are not limited to:
 - a) Work station adjustments;
 - b) job redesign;
 - c) changes to organizational policies and practices;
 - d) technical aids;
 - e) human support;
 - f) providing materials in alternative formats;
 - g) building modifications;

- h) counselling and referral services;
- i) temporary or permanent alternative work;
- j) changes to performance standards;
- k) leaves of absence; and
- l) changes to scheduling or hours of work.

Monitoring Accommodation Plan

15. The Supervisor / Manager and the person receiving accommodation will regularly monitor the success of the Accommodation Plan, and promptly address any deficiencies or any relevant changes in the workplace or the employee's needs.
16. Accommodation needs and organizational structures may change over time. As well, accommodations may require adjustments during and after implementation, to improve effectiveness or efficiency.

Undue Hardship

17. Accommodation will be provided to the point of undue hardship, as defined by the Ontario Human Rights Commission's *Policy and guidelines on disability and the duty to accommodate*. A decision on undue hardship will be based on an assessment of costs, outside sources of funding, and health and safety. It will be based on objective evidence.
18. Only the Executive Director can determine that an accommodation will create undue hardship.
19. Where an accommodation is assessed to create undue hardship, the person requesting accommodation will be given written notice, including the reasons for the decision and the objective evidence relied upon. The accommodation seeker will be informed of his or her recourse under CCP's Diversity in the Workplace policy (HR-2-15) and under the Ontario *Human Rights Code*.
20. Where a decision has been made that an accommodation would cause undue hardship, CCP will proceed to implement the next best accommodation short of undue hardship.

COMMUNITY CARE PETERBOROUGH

Standards, Policies, and Procedures

Policy Name: Workplace Accommodation

Policy Number: HR-2-16

Date Approved: June 20, 2018

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Date Reviewed: December 17, 2020

Approved: _____

OBelaw

(Signature, Executive Director)

Date: _____

Dec 17, 2020

Reference

ADM -7-10: Accessibility

HR-2-15: Diversity in the Workplace

HR-10-20: Anti-Bullying

HS-1-60: Workplace Anti-Violence, Harassment and Sexual Harassment

HS-1-120 Positive and Safe Return to Work

Ontario Human Rights Code

Accessibility for Ontarians with Disabilities Act

