

<b>Policy Name &amp; Number</b>	<b>Accommodation in the Workplace - 118</b>
<b>Date Last Reviewed</b>	<b>05/29/2018</b>
<b>Approval or Last Revision</b>	<b>02/20/2020</b>
<b>Approved By</b>	<b>CEO</b>

## **PREAMBLE**

The Accessibility for Ontarians with Disabilities Act (AODA) creates a legal duty of accommodation in Ontario workplaces. The duty to accommodate provides employees, who have work-related needs regarding a disability, with the right to be provided with reasonable assistance to enable them to fulfill the obligations identified in their job descriptions.

Workplace Accommodation due to religious obligations and/or family status are provided for under the Ontario Human Rights Code.

The employer and all employees who are members of the workplace community share a legal obligation to identify, implement and/or support appropriate accommodation initiatives where employees can be accommodated in the workplace without undue hardship.

## **POLICY**

CMHA Peel Dufferin will provide an inclusive and integrative workplace for its employees and volunteers. One means of accomplishing this support is through Workplace Accommodation.

### **The employee and/or volunteer will:**

- Communicate his/her needs;
- Provide to the employer all information that is relevant to assessing the accommodation issues and;
- Facilitate and support appropriate accommodation initiatives.

### **As the employer, CMHA Peel Dufferin will:**

- Verify and assess accommodation needs as identified through consultation with the employee.
- Verify and assess essential duties of the job that are requiring accommodation;
- Assess, identify and implement reasonable accommodation based on a clear set of terms and conditions that have been customized to the needs of the employee (including working conditions, work or the workplace);
- Provide ongoing management of accommodation issues, including follow-up to assess the effectiveness of the accommodation;

- Communicate the right to have an inclusive and integrative workplace to all employees; and when applicable, pay for the costs incurred as a result of the accommodation
- Accommodation may result in redefining the terms and conditions within which an employee works. However, the employer has the right to determine the level or quality of workplace participation and to adjust pay levels as required based on revised duties and hours of work. The employee is accountable for working consistently and productively within the terms of the accommodation initiative.
- 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 create a burden which cannot be reasonably borne by the agency, the obligation to accommodate is suspended.

## PROCEDURE

### Employees

- The onus for initiating the accommodation request is with the employee who requires the accommodation. The employee requesting an accommodation is expected to be reasonable in responding to accommodation proposals put forward by the Agency.
- The employee requiring accommodation will:
  - make the request in writing to her/his immediate supervisor (employee);
  - make the request in writing to the Manager of Human Resources (potential employee);
  - identify the type of accommodation required, if possible;
  - participate and cooperate to facilitate the accommodation
  - provide the necessary documentation such as medical information, doctor's note, etc..

### Supervisors

- On receiving a request for accommodation, the supervisor will:
  - identify accommodation options appropriate to that employee;
  - work in close cooperation with the employee;
  - pass the request to the HR Manager if the accommodation requires action that exceeds the supervisor's budget or authority to act;
  - participate and cooperate to facilitate the accommodation;
  - follow up and monitor accommodation process;
  - maintain documentation of the procedure.

### Human Resources

- On receiving a request for accommodation, the HR Manager will:
  - work with the employee in an efficient 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 the Agency;

- confer with Senior Management if an accommodation request requires a commitment of resources which the HR Manager believes is beyond the budget for accommodation or raises the likelihood of undue hardship;
- The Supervisor or HR Manager may request relevant documentation from the employee to support the need for accommodation.

**APPLIES TO:**

All	<input checked="" type="checkbox"/>	All Staff	<input type="checkbox"/>	Direct Services	<input type="checkbox"/>	Corporate Services	<input type="checkbox"/>
Board	<input type="checkbox"/>	Students	<input type="checkbox"/>	Volunteers	<input type="checkbox"/>		