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Accommodation Policy - Ontario

Intent

OCTEVAW is committed to providing equal treatment with respect to employment without discrimination because of a prohibited ground as described by Ontario's *Human Rights Code* (the Code).

OCTEVAW has adopted this policy to ensure that our staff and volunteers are provided with meaningful employment that is ethical and fair, and is in compliance with all applicable employment and human rights legislation. Accommodation will be provided in accordance with the principles of dignity, individualization and inclusion. OCTEVAW will work cooperatively, and in a spirit of respect, with all partners in the accommodation process.

OCTEVAW will take all accommodation requests seriously. No person will be penalized for making an accommodation request.

OCTEVAW believes that the accommodation process is a shared responsibility, and everyone involved must work cooperatively, share information, and work towards potential accommodation solutions. OCTEVAW believes in maintaining a congenial and respectful relationship throughout the accommodation process.

Purpose

OCTEVAW will support the accommodation of employees, volunteers, and job applicants who require workplace accommodation under any of the grounds described in the Code.

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

OCTEVAW will work to ensure that all members of OCTEVAW are aware of their rights and responsibilities under the Ontario Human Rights Code with respect to accommodation.

Application

While many provisions of this policy concentrate on designated group members, the policy applies to all employees (including full-time, part-time, temporary staff) as well as employees at the point of hire. This policy also applies to people who work to gain experience or for benefits, such as volunteers and students.

It applies at all stages and to all aspects of the employment relationship, including recruitment and selection, promotions and transfers, and conditions of work such as hours of work and leaves of absence.

Duty to Accommodate

OCTEVAW 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.

OCTEVAW will work with the individual that requests accommodation in an effort to ensure that the measures taken are both effective and mutually agreeable. OCTEVAW encourages individuals to make any needs for accommodation known to OCTEVAW, and to work with them in addressing the issue(s).

Definition

- Accommodation: A modification or adjustment to a job or work environment that will enable a qualified applicant or employee with a special need to participate in the staffing process or to perform job functions without jeopardizing OCTEVAW's ability to carry out its mandate. Accommodation is often identified with the removal of physical barriers or the provision of technical devices. However, changes to policy and procedures can also constitute accommodation. Job accommodation may be as simple as a rearrangement of equipment or a change in work schedules.

Accommodation

Accommodation shall be provided for individuals where the work must be modified or adjusted to address the needs of the individual based on protected grounds of discrimination under human rights legislation.

OCTEVAW shall provide accommodation as appropriate using a consultative approach that involves the organization, the individual, and as appropriate, any third parties that are required to assist in the accommodation process.

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

Responsibility

The process of accommodating individuals is a shared obligation of OCTEVAW and the employee or volunteer. The Executive Director should be the first point of contact for employees or volunteers when requesting a form of accommodation. Together, in consultation with the Human Resources Committee, and, where appropriate, any other required third parties, they will work to determine the most appropriate form(s) of accommodation to meet the needs of the individual.

Creating the Accommodation Plan

Any employee or volunteer requesting accommodation must make a request to the Executive Director, or, if appropriate, to the Board. The Executive Director, or the Board, if appropriate, is responsible for ensuring that a written description of the accommodation plan is prepared for the employee or volunteer. This written description of the accommodation will be kept in the Employee's Human Resource file or in the Volunteer's file.

OCTEVAW shall create an accommodation plan and attempt to determine methods of achieving the requirements for success in the position in alternative manners.

Accommodation Guidelines

The approach taken by OCTEVAW in the provision of reasonable accommodation shall include:

- Personalized plans designed to meet the specific needs of individuals;
- Collaborative practices and full commitment in the creation and implementation of accommodation plans through consultation of all relevant stakeholders, the person to be accommodated, and with, if needed, medical professionals; and
- An approach that ensures confidentiality and dignity.

For accommodation regarding volunteers, OCTEVAW implements an Integrated Accessibility Standards Regulation.

In the creation of an accommodation plan, OCTEVAW shall, in consultation with the employee or volunteer:

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. Assess the options for accommodation, to ensure activities are provided to people with disabilities in a manner that accommodates disability related needs, reflects the principles of

dignity and independence and seeks to provide integrated services and equality of opportunity, based on this review of options, select the most appropriate avenue for accommodation.

5. Implement the accommodation process. If OCTEVAW is unable to comply with the request for accommodation, the reasons should be clearly communicated to the employee or volunteer. A consultation may take place with the employee or volunteer to explain the reasons for denial. The employee or volunteer may request a second opinion by submitting a request for reconsideration through the Human Resources Committee.

6. Provide training as appropriate.

7. Review and revise based on feedback.

8. Respect the confidentiality of all requests and of all accommodation plans.

Establishing an Accommodation Plan

The Accommodation Plan, may include:

- A statement of the accommodation seeker's relevant needs;
- Identification of the most appropriate accommodation short of undue hardship;
- A statement of objectives, and specific steps to be taken to meet them;
- Clear timelines for providing the accommodation;
- Criteria for determining the success of the accommodation plan, together with a process for reviewing and re-assessing the accommodation plan as needed;
- An assessment process.

Appropriate Accommodations

Appropriate accommodations may include:

- Work station adjustments;
- Changes to organizational policies and practices;
- Technical aids;
- Human support;
- Providing materials in alternative formats;
- Building modifications;
- Counseling and referral services;
- Temporary or permanent alternative work;
- Changes to performance standards; and

Leaves of absence;

This list is not exhaustive.

Job Redesign

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

Financing the Accommodation

Where the required accommodation necessitates an investment in materials, equipment, or increased budget for the position, requests for financing must be directed to the Executive Director and, if appropriate, to the Board.

Accommodating Job Applicants

Any applicant to OCTEVAW who communicates the need for accommodation shall be considered in a manner that is non-discriminatory, and respectful of our human rights obligations. OCTEVAW will notify employees and the public about the availability of accommodation for job applicants who have disabilities in compliance with the [Accessibility for Ontarians with Disabilities Act, 2005](#).

Applicants will be informed that accommodations are available, upon request, for the interview process, and for other candidate selection methods. Where an accommodation is requested, OCTEVAW will consult with the applicant and provide or arrange for suitable accommodation.

Undue Hardship

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

Responsive Dispute Resolution

In the event that the employee or volunteer requesting accommodation feels that their needs have not been met in a reasonable manner, they may file a written complaint to the Human Resources Committee.

Roles and Responsibilities

- Board of Directors and Executive Director

The Board of Directors (the Board) is responsible for ensuring the implementation of the Accommodation Policy and Guidelines. They must ensure that the Executive Director, within her area of responsibility, adheres to and is accountable for progress within the policy requirements and guidelines.

The Executive Director and/or Board Volunteer Manager is expected to inform prospective and current employees and volunteers of essential job requirements and to assess each employee or volunteer's request for accommodation to determine whether or not, with the proper accommodation, the employee or volunteer would be able to perform the essential duties of the position. Once a request for accommodation is received, the Executive Director will thoroughly review the request. If no undue hardship would result, the accommodation request will be approved. If the Executive Director is unsure about her ability to provide accommodation, the Human Resources Committee shall be consulted.

- Human Resources Committee

The Human Resources Committee shall assist the Executive Director when required and provide advice and direction when appropriate.

- All Employees and volunteers

All employees and volunteers are responsible for respecting others and supporting the implementation of a working environment which encourages diversity and inclusion.

- Employees and volunteers who require accommodations shall, when appropriate:
- inform the Executive Director of the required accommodations;
- cooperate and assist OCTEVAW in finding the most appropriate means of accommodation;
- identify the general nature of any specialized services required, and the frequency of these services; and
- notify OCTEVAW when accommodations are no longer required.

Privacy and confidentiality

OCTEVAW 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.

Requests for accommodation may involve disclosing private or highly sensitive information. OCTEVAW shall ask people requesting accommodation only for information required to establish the foundation of the accommodation request, and to respond appropriately to the request.

Effective Date

This policy was approved by the Board of OCTEVAW on

I, (Employee Name), acknowledge that I have read and understand the Accommodation Policy and Guidelines of OCTEVAW. Further, I agree to adhere to this policy and guidelines and will ensure that employees working under my direction adhere to this policy and guidelines. I understand that if I violate the rules/procedures outlined in this policy, I may face corrective action, up to and including termination of employment.

Name:	_____
Signature:	_____
Date:	_____
Witness:	_____