

Society of St. Vincent de Paul Toronto Central Council Policy Manual

Policy: **Accommodation Policy**

Policy Number: **18 - 08**

Total Number of Pages: 3 pages

Effective Date: June 2008

Last Revision Date: September 2008

Approved On: April 2010

Introduction/Commitment/Application

The *Ontario Human Rights Code* (the “Code”) recognizes the inherent dignity and worth of every individual and provides for equal rights and opportunities, without discrimination. Each employee therefore has the right to work in an atmosphere which promotes individual dignity and equal opportunity and which prohibits discriminatory practices and harassment.

The Code also prohibits discrimination and harassment on the basis of disability, age, family status, sex and creed, among other grounds, and, where requested or needed, requires employers to offer employees accommodation on these grounds to the point of undue hardship.

The Society recognizes its obligations to provide appropriate, individualized accommodation to its employees and is committed to providing an environment that is free of barriers based on age, race, ancestry, place of origin, ethnic origin, citizenship, creed, sex (including pregnancy and gender identity), sexual orientation, record of offences, marital status, family status and disability. The Society further encourages and supports the integration and full participation of all employees in the workplace.

Reasonable accommodation may include:

- additional support or training;
 - modification in job duties;
 - flexible scheduling of work hours;
 - changes in the work environment;
 - requests for time off; or
 - reassignment to an alternate position
- (this list is not exhaustive)

Reasonable accommodation will be provided to the point of undue hardship, as required under the Code.

This policy applies to all of the Society’s employees, regardless of position or seniority.

Procedure

In the event that an employee is unable to perform their regular duties due to a disability or other issue requiring accommodation, and wishes to request an accommodation, the employee may make that request in writing to their immediate supervisor, who will in turn submit the request to the Executive Director. In making such a request, employees should indicate:

- the Code-based ground (i.e. disability, religion, etc.) with respect to which the accommodation is being requested;
- the reason why the accommodation is required, including enough information to allow the Society to confirm the existence of a need for accommodation and to assess the potential options available to provide the accommodation; and
- any other information relevant to the request or to the employee's needs.

Where necessary, additional information, including medical or other forms of reasonable evidence may be requested by the Society, in order to support or better understand an accommodation request. It is expected that employees will promptly comply with such requests within a reasonable time frame. Failure to respond to such reasonable requests may delay the accommodation process.

The Society will diligently consider and, where necessary, will investigate all accommodation requests. Within the bounds of undue hardship for the Society, and as defined by the Code, the Society will endeavour to approve all requests for accommodation. The Society nonetheless reserves the right to suggest alternate forms of accommodation to those suggested or requested by the employee or to engage the employee in discussions aimed at achieving an appropriate and reasonable accommodation for both the employee and the Society.

The Society will endeavour to respond to all requests for accommodation within (10) business days. Where feasible, such response will be submitted in writing. Where accommodation is to be phased-in or ongoing for a prolonged period, the Society may prepare a formalized accommodation plan, to be executed by the relevant parties.

All requests for accommodation and all documentation related to such requests, including any medical or other evidence submitted by the employee will be treated with the utmost confidence and will be kept in a file or location separate from the employee's personnel file.

Employees retain the right, at all times in the accommodation process, to commence proceedings under the Code.

Non-Retaliation

No employee will be penalized in any way for making a request for accommodation or for seeking to enforce their rights under the Code.

Employees who feel that accommodation requests have been met with hostility by any member of the Society, or who have been the subject of unfair treatment as a result of making an accommodation request, are encouraged to raise the issue with the Executive Director or designate, or, if necessary, with the President. All such complaints will be promptly investigated and any evidence of retaliation or reprisal will be met with appropriate discipline.

Management Responsibilities in the Accommodation Process

Each manager and supervisor is responsible for ensuring the principles outlined in this accommodation policy are adhered to.

Generally speaking, the Society is required to:

- consider or accept an employee's request for accommodation in good faith unless there are legitimate reasons why it cannot;
- obtain expert opinion or advice where necessary;
- consider and investigate alternative approaches and solutions to accommodation requests;
- identify situations, prior to the imposition of discipline, where poor performance, attitudinal problems, attendance issues, etc may be linked to a disability
- keep detailed records of accommodations requested or discussed and steps taken;
- where appropriate, advise employees as to their options with respect to the Society's benefit and assistance plans;
- maintain employee confidentiality; and
- respond to employee requests in a timely manner.

Employee Responsibilities in the Accommodation Process

Employees are required to:

- advise the Society, as outlined above, of the issue that requires accommodation;
- provide detailed information as to his/her workplace needs;
- answer questions and provide information (including doctors notes and reports as necessary) relevant to restrictions or limitations in the workplace;
- participate in discussions regarding possible accommodation solutions;
- co-operate with the Society and any others who may be involved in assessing or implementing accommodations; and
- work with Society on an on-going basis to assess, manage and update the accommodation process or any accommodation plan.