

**LOYALIST COLLEGE
POLICY & PROCEDURE MANUAL**

Subject:	Accommodations for Employees with Disabilities	Number:	HR 312
Issued By:	Human Resources Services	Date Issued:	5-Dec-13
Supersedes:	New Policy	Page(s):	1 of 3

1. PURPOSE

Loyalist College is committed to providing an accessible learning, working, and living environment that is inclusive of all persons and supports all members of the Loyalist community in an equitable manner. The College will support and facilitate the accommodation of employees with disabilities so that they are able to safely access all the opportunities that the College offers. The College will work to eliminate or minimize the adverse effects of all forms of barriers.

2. SCOPE

The policy applies to all College employees.

3. DEFINITIONS

- 3.1. Accommodation:** any temporary or permanent measure used to remove a barrier which prevents an otherwise qualified individual from performing, or fulfilling, the essential duties of a job.
- 3.2. Undue Hardship:** The College attempts to accommodate the employment needs of employees up to the point of undue hardship. The Ontario Human Rights Code prescribes three considerations in assessing whether an accommodation could cause undue hardship: cost, outside sources of funding, and health and safety considerations. Information on the concept of undue hardship can be accessed on the [Ontario Human Rights Commission website](#).

4. POLICY

4.1. Objectives

4.1.1. The College is committed to:

- Ensuring compliance with all applicable legislation and College policies.
- Ensuring that all requests for accommodation will be considered on a case-by-case basis in order to determine accommodation requirements.
- Ensuring that all safety measures are taken into consideration in determining appropriate accommodation.
- Establishing an efficient and timely accommodation process that is consistent with principles of confidentiality and shared responsibility.
- Clarifying roles and accountabilities for the accommodation process within the Loyalist community.

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4.2. Principles

- 4.2.1. Employment accommodation for people with disabilities is a fundamental part of the right to equal treatment under the Ontario Human Rights Code and the Accessibility for Ontarians with Disabilities Act. Employment accommodations shall be provided in a manner consistent with the core principles of independence, dignity, integration and equality of opportunity.
- 4.2.2. All workplace parties have a shared responsibility to engage in meaningful dialogue and to work together respectfully towards accommodation solutions.
- 4.2.3. The accommodation process will incorporate all measures to respect and protect the confidentiality of personal or medical information.

4.3. Accommodation Planning

- 4.3.1. The accommodation process is a shared responsibility by workplace parties to work together cooperatively in a respectful manner, to share information, and to avail themselves of potential accommodation solutions.
- 4.3.2. A written Accommodation Plan is developed to detail the roles and responsibilities of the parties and to facilitate accountability and regular monitoring.
- 4.3.3. Accommodations are developed on an individualized basis, aim to remove barriers and ensure equality, and incorporate all appropriate measures to ensure the safety of both employee requesting the accommodation and other College employees.
- 4.3.4. Appropriate accommodations may include, but are not limited to:
 - Workstation modifications
 - Technical aids
 - Flexible or alternative work schedules
 - Temporary or permanent alternative work
 - Leaves of absence
 - Human support services
 - Provision or materials in alternative formats
 - Counselling and referral services
 - Consultation with appropriate medical/occupational specialists
- 4.3.5. In determining whether an accommodation could cause undue hardship, budgetary restrictions are not assumed to be a barrier. If the cost of providing necessary accommodations is an issue, managers should consult with Human Resources Services.

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4.4. Confidentiality of Information

- 4.4.1. Requests for accommodation may involve the disclosure of private or highly sensitive information. Employees requesting accommodation will be asked only for information and supporting documentation required to support the accommodation request.
- 4.4.2. Information related to an employee's disability and accommodation requests shall be kept in a file, separate from an employee's employment file.
- 4.4.3. Personal information concerning an employee's disability will not be disclosed without the prior written consent of the employee and must be managed in a manner that is consistent with the Freedom of Information and Protection of Privacy Act.
- 4.4.4. Only relevant stakeholders will be involved in the development of an employee's accommodation plan.
- 4.4.5. Where the accommodation process requires the disclosure of confidential information to a third party (such as an external resource group), the third party and any person or department delegated by that third party shall be required to ensure that confidentiality is protected, that the information obtained is kept in a secure location, and is used solely for the purpose for which the disclosure was required.

REFERENCES

- Ontario Human Rights Code
- Accessibility for Ontarians with Disabilities Act
- Occupational Health and Safety Act of Ontario
- Freedom of Information and Protection of Privacy Act
- Loyalist College Occupational Health & Safety Policy
- Loyalist College Return to Work Program
- Loyalist College Short Term Disability Management (Absence Reporting) Policy
- Occupational Health & Safety Emergency Response Plan

REVISION HISTORY

New Policy