

TITLE: Workplace Accommodation Policy

Date of Approval:

March 27, 2014; March 8, 2016

Mandatory Review

Date:

5 years

Approved By:

Board of Governors

President's Council

Senate

Effective Date:

March 8, 2016

1. PURPOSE

This policy provides a framework at The Sheridan College Institute of Technology and Advanced Learning (Sheridan) for the Accommodation (as defined below) of employees and Job Applicants (as defined below) in accordance with the *Human Rights Code* (the "Code"). In addition this policy addresses the requirements of the *Accessibility for Ontarians with Disabilities Act, 2005* (the "AODA") for employees and job applicants with disabilities.

This policy applies to requests for Accommodation related to any Ground (as defined in the Code and set out below) protected by the Code, and establishes the authority for such requests, oversight and processes.

2. SCOPE

- This policy applies to all Sheridan employees and;
- Job Applicants who may require Accommodation through the recruitment, assessment, or selection processes.

This policy is distinct from the Sheridan Return to Work policy.

The AODA does not diminish Sheridan's legal obligations toward persons with disabilities that arise under the Code¹ or any other Act or which are otherwise imposed by law. If two laws conflict, the provision that provides the highest level of accessibility for persons with disabilities is the law that will be followed (AODA, Section 38).

¹ The Human Rights Code prohibits discrimination on the basis of disability (and other protected Grounds) in respect of goods, services or facilities, accommodations, contracts, employment and vocational organizations.

3. DEFINITIONS

Accommodation is a means of adjusting or modifying the work environment or the method of doing work in order to address individual needs of employees to permit them to perform the essential duties of their position.

Ground means any ground as defined in the Code and listed here:

- Age
- Ancestry
- Citizenship
- Colour
- Creed
- Disability
- Ethnic origin
- Family status
- Gender expression
- Gender identity
- Marital status
- Place of origin
- Race
- Receipt of public assistance
- Record of offences
- Sex
- Sexual orientation

Job Applicants means both external applicants and existing Sheridan employees who are applying for a position at Sheridan.

Undue Hardship means the outer limit of the accommodation obligation, and refers to activities, impacts or effects that would fundamentally alter the employment relationship between Sheridan and an employee, result in undue and/or excessive costs for Sheridan, or unreasonably interfere with the health and safety or other rights of Sheridan's other employees. Undue hardship must be considered individually, in the full context in which each request for accommodation arises.

4. POLICY STATEMENT

4.1 To deliver a premier, purposeful educational experience in an environment renowned for creativity and innovation, Sheridan shall at all times undertake reasonable efforts to address the Accommodation requests of employees and Job Applicants, including but not limited to Job Applicants with disabilities, in a timely manner, and in doing so will adhere to the following principles in the accommodation process:

Shared Responsibility: the process is a shared responsibility that requires all parties to engage in meaningful dialogue and work together respectfully towards accommodation solutions that respect the dignity of the individual requiring accommodation.

Individualization: the process, in order to be successful requires the development of individual Accommodation plans; as appropriate, intended for each unique situation and for the employee they function to assist.

Confidentiality: the process will incorporate reasonable measures to respect and protect the confidentiality of both personal and medical information.

4.2 All accommodations are subject to the limit of causing Undue Hardship.

4.3 The Responsible Office for this policy shall be the Centre for Equity and Inclusion, Human Resources. The Responsible Office will interpret and apply the policy and have responsibility to draft and/or approve any associated procedures.

5. RELATED DOCUMENTATION (Procedures/Additional Policies/Forms)

Workplace Accommodation Procedure – Employee
Workplace Accommodation Procedure – Job Applicant
Workplace Accommodation Request Form - General
Workplace Accommodation Request Form – Disability
Individual Workplace Accommodation Plan Form
Return to Work Policy
Accessibility Policy
Accessibility for Ontarians with Disabilities Act, 2005
Human Rights Code R.S.O. 1990. C. H.19