

TITLE: EMPLOYEE ACCOMMODATION POLICY

Date of Approval: March, 2014

Mandatory Review Date:

Approved By:

Effective Date: Immediate

March 2017

- Board of Governors
- President's Council
- Senate

1. PURPOSE

Sheridan is committed to providing an environment in which employees are treated equitably. Employees may require a permanent or indefinite accommodation in order to receive an equal opportunity to fulfill the essential duties of a position. This policy serves to provide fair and consistent employment accommodation in accordance with the Ontario Human Rights Code (the Code).

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 who are protected from discrimination under the Ontario Human Rights Code.

The intent of this process is to address the accommodation requests of Sheridan employees. Historically these have been made primarily on the basis of religion, family status or disability. However, the process may be used to accommodate any request for accommodation involving protected Ontario Human Rights grounds.

2. SCOPE

This policy applies to all Sheridan employees.

This policy is distinct from Sheridan's Return to Work Policy. For employees looking for information regarding absences from work due to illness/disability, please refer to the Return to Work Policy.

For information about Service Animals please refer to Sheridan's Accessible Customer Service Policy.

3. DEFINITIONS

Accommodation: Change, adaptation, or adjustment to an employee's work and/or workplace environment to enable the employee to perform the regular duties of a job in a healthy and safe manner.

Disability: Any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness, a condition of mental retardation or impairment, a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language, a mental disorder, or an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

Undue Hardship: Activities or repercussions arising from an accommodation which would fundamentally alter or threaten the viability of the organization and/or the health and safety of its employees.

For complete definitions of grounds covered by the Ontario Human Rights Code, please refer to Sheridan's Harassment and Discrimination Policy.

4. POLICY STATEMENT

4.1 GUIDING PRINCIPLES:

In providing accommodation for the individual needs of our employees, Sheridan will adhere to the following guiding principles:

1. **Partnership:** the accommodation process is a partnership process requiring active participation of both Sheridan, the employee and where appropriate, the bargaining unit.
2. **Individualization:** the accommodation process, while consistently applied, is most successful when its solutions are individually tailored to each unique situation and the employee they function to assist.
3. **Confidentiality:** throughout this process an employee's personal information will remain protected and confidential. Personal information concerning an employee's disability cannot be released without the prior written consent of the individual. Where the accommodation process requires the release 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, will be required to ensure that confidentiality is protected, that the information obtained is kept in a secure location, and used solely for the purpose that the release required.

All accommodations are subject to the limit of causing undue hardship.

4.2 ACCOMMODATION OVERVIEW:

Step 1. Recognize the Need for Accommodation

The need for accommodation can be:

1. Requested by the employee in writing through their manager, or through human resources; or
2. Identified by the employee's manager or the hiring manager; or
3. Requested by a prospective employee to the Sheridan employee coordinating the recruitment process.

Employees may request the participation of a support person who may be a representative from their bargaining unit, if applicable.

Step 2. Gather Relevant Information and Assess Needs

To ensure a timely resolution of the accommodation request, the employee must provide the required documentation within a reasonable time frame as determined by Sheridan. As an active participant in this process, the employee may be asked to provide documentation (medical or other) to substantiate the need for accommodation.

In the case of a disability related accommodation request, Sheridan does not require details on the specific diagnosis of the employee. However, if needed, Sheridan may require information about how an employee's functional abilities are impacted.

Once all required information has been collected, the Centre for Respectful & Healthy Workplaces will work with the employee and their manager to evaluate potential options for accommodation. An external expert may be involved at the expense and discretion of Sheridan.

Although the employee and management (and the employee's representative where appropriate) are partners in the accommodation process, the final decision(s) regarding accommodation will be determined by Sheridan.

Step 3. Formalize an Individual Accommodation Plan

Once the appropriate accommodation has been identified, the accommodation details are documented in a formal plan. Details may include workplace emergency response information, scheduling information, communication supports etc. The accommodation plan is provided to the employee in a format respecting any accessibility needs, as appropriate.

In the event that an accommodation request is denied, the Centre for Respectful and Healthy Workplaces will provide the employee with a reason for the denial in an accessible format.

Where an employee is dissatisfied with an identified accommodation, a review of the substantive content can be undertaken by the Centre for Respectful and Healthy Workplaces. To request a review, the employee must provide in writing a rationale for the review and/or any new relevant information. In the event that the internal review processes remain unsatisfactory, the employee maintains access to grievance/appeal

processes as afforded through their collective agreement and the Sheridan Harassment and Discrimination policy.

Step 4. Implement, Monitor & Review the Accommodation Plan

The employee and their manager monitor the accommodation plan to ensure that it is effective. Formal reviews will be conducted by the Centre for Respectful & Healthy Workplaces on an annual basis to ensure the accommodation remains effective and relevant.

Reviews to the existing accommodation plan will also be conducted in the event of any of the following:

1. the employee's work location or position changes
2. the nature of the employee's status under the Code changes and the accommodation is based upon that change
3. the employee or Sheridan has determined that the accommodation is no longer appropriate

4.3 RESPONSIBILITIES

Employee responsibilities:

1. To communicate the need for an accommodation;
2. To co-operate with the accommodation process and relevant activities; and
3. To cooperate with "reasonable accommodation" initiatives identified by Sheridan.

Sheridan responsibilities:

1. To acknowledge a request within 3 business days and identify an approximate response time frame regarding next steps in the accommodation process commensurate with the complexity of the case. This may be conducted by whichever party is first notified (i.e., Managers, Human Resource Portfolio Managers, or the Centre for Respectful and Healthy Workplaces);
2. To provide reasonable accommodation solutions in as timely a manner as the complexity of the request permits; and
3. To communicate accommodation plans in a format accessible to the requesting party and review them as appropriate.

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

Employee Accommodation Request Form
Employee Accommodation Plan Form
Accessible Customer Service Policy
Return to Work Policy
Harassment and Discrimination Policy

RESPONSIBLE EXECUTIVE: Vice President, Human Resources & Organizational Development

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