

Procedures for Accommodation

Job Applicants

When contacted for an interview, job applicants will be advised that **[Name of Organization]** has an accommodation policy and asked whether he or she requires accommodation to participate in the hiring process.

[Name and/or Position A] will evaluate the job applicant's request for accommodation and may request more information from the applicant to facilitate the accommodation.

If a request for accommodation is denied, the reasons why will be clearly communicated to the job applicant.

Employees

An employee may request accommodation by notifying his or her supervisor. Alternatively, accommodation needs may be identified through supervisor and employee collaboration in response to concerns raised by the supervisor.

The supervisor will document the request, including the employee's name, position and date of the request, any details provided by the employee and any accommodation options suggested by the employer or employee.

The supervisor may request supporting documentation from the employee in order to identify accommodation needs and options (e.g. details of restrictions or limitations).

When dealing with an accommodation request based on disability, the supervisor should refer to **Annex A** which provides guidance on asking for medical information to support the accommodation request.

The supervisor will consider accommodation options including, but not limited to: workstation adjustments; reassignment of job tasks; changes to scheduling or hours of work; leaves of absence; and temporary or permanent reassignment.

The supervisor will discuss available accommodation options with the employee. The accommodation preferences of the employee will be taken into account. However, the supervisor may proceed with an option that is less costly or easier to provide, when it meets the employee's accommodation needs. The supervisor will clearly communicate the reasons for his or her decision to the employee.

The supervisor will review the accommodation measures with the employee on a regular basis to confirm they continue to be necessary and effective.

If the available accommodation options raise the likelihood of causing undue hardship, the supervisor will refer the matter to **[Name and/or Position B]** for decision.

[Name and/or Position B] will ensure that all accommodation options short of undue hardship have been considered prior to refusing accommodation. If a request for accommodation is denied, **[Name and/or Position B]** will clearly communicate the reasons why to the employee.

Appeals

If an employee or applicant has been denied accommodation, is not satisfied with the accommodation offered, or believes that his or her request has not been handled in accordance with this policy, he or she may request a second opinion from [Name and/or Position C].

An employee or applicant may also file a discrimination complaint with the Canadian Human Rights Commission and the BC Human Rights Tribunal.

Privacy and Confidentiality

All records associated with accommodation requests will be maintained in a secure location, separate from employees' personnel files and will only be shared with persons who need the information.

[Name of Organization] and all individuals involved in the accommodation process will comply with the requirements of the [insert "(title of applicable privacy legislation)"] to protect personal information.

Review

[Name and/or Position A] will review this policy and related procedures on an annual basis, or as required, and will make adjustments as necessary to ensure that it continues to meet the needs of all employees.

Enquiries

Enquiries about this policy and related procedures can be made to **[Name and/or Position B]**.

Date: [Month, day, year]

Annex A: Requesting Medical Information

Gather and consider the relevant medical information

To appropriately accommodate an employee's disability the employer may require information from a medical professional about the employee's accommodation needs.

Employers must keep in mind that requesting medical information for the accommodation process requires the balancing of two competing rights: the employer's right to manage the workplace and the employee's right to privacy.

When asking for medical information to support an accommodation request, employers must use the least intrusive means possible and respect the employee's privacy rights.

In most cases the necessary medical information can be provided by the employee's family doctor or specialist. The medical information will allow the employer to make an informed decision about reasonable accommodation options.

Employers need to know:

1. Whether the employee has a disability; and if so
2. What accommodations the employee needs.

Provide relevant information to the medical professional

The employer should provide the medical professional with the following information:

- Description of the employee's job function/responsibilities.
- The employee's work schedule.
- Whether the employee is in a safety-sensitive position.
- Any other relevant information that is particular to the workplace

Ask the medical professional for information

The employer should ask the following questions:

- Does the employee have a disability that requires accommodation?
- What accommodations does the employee require?
 - For example: are there any restrictions or limitations to the performance of the job?
- What is the employee's prognosis?
- If the employee is off work, are there specific recommendations for accommodation that will facilitate a safe and successful return to work?
- For an employee in a safety sensitive position, is the employee medically fit to safely perform their job?
 - Does the employee require medication where side effects may prevent them from working in their safety sensitive position?

****Employers are rarely entitled to the employee's diagnosis****

Medical information may come in various formats—from a hand-written note to a formal report. Based on the information provided, the employer should be able to determine whether the employee

- Is able to perform the essential duties of their position with appropriate accommodation.
- Needs to move to a different position due to their accommodation requirements.
- Needs to be off work, and if so, for how long.

Once the medical information has been provided, the employer has the primary responsibility for accommodating the employee.