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Effective Date: February 07 2024

Revision #: 2

SCOPE

All employees and students.

RATIONALE

To prevent and remove barriers to employment and provide workplace accommodation in compliance with the Ontario Human Rights Code, the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) including *Ontario Regulation 191/11: Integrated Accessibility Standards*.

POLICY

Community Care Peterborough (CCP) is committed to providing an environment that is inclusive and is free of barriers. CCP will support all employees who require workplace accommodation under any grounds described in the Ontario Human Rights Code, unless to do so would cause undue hardship.

The Ontario Human Rights Code protects against discrimination of the following grounds: Ability; age; ancestry; citizenship; creed; ethnicity; family life (marital status, with or without children); gender expression; gender identity; income; place of origin; race; record of offences; religion; sex (including pregnancy); sexual orientation.

This policy applies to all stages and to all aspects of the employment relationship. Applicants and the public are informed about the availability of accommodations, where needed, to support the participation of applicants with disabilities in recruitment processes. By notifying potential internal and external applicants about the availability of accommodations, CCP invites individuals with disabilities to participate in recruitment processes. CCP will take into account the accessibility needs of employees with disabilities as well as individual accommodation plans when using performance management processes and when providing career development and advancement opportunities. Accommodations will be provided in accordance with the principles of dignity, individualization and inclusion. CCP will work cooperatively, and in the spirit of respect, with all partners in the accommodation process.

DEFINITIONS

Undue Hardship: Occurs when providing an accommodation that would cause excessive costs for the organization and outside sources of funding are unavailable or

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insufficient, or where the accommodation would create a health or safety hazard.

PROCEDURES

Recruitment and Selection

1. During the recruitment process, CCP will notify job applicants, when they are individually selected to participate in an assessment or selection process, that accommodations are available upon request in relation to the materials or processes to be used.
2. If a selected applicant requests an accommodation, CCP will consult with the applicant and provide or arrange for the provision of a suitable accommodation in a manner that takes into account the applicant's accessibility needs due to disability. Suitable accommodations take into account the individual's needs so that the accommodations that are provided are effective.
3. When making offers of employment, CCP will notify the successful applicant in the employment agreement of its policies for accommodating employees with disabilities.

Informing Employees of Supports

4. During the onboarding process, the supervisor will inform the employee of CCP's policies used to support employees with disabilities, including, but not limited to, policies on providing employment-related accommodations that take into account an employee's accessibility needs due to disability.
5. CCP will provide updated information to employees whenever there is a change to existing policies regarding workplace accommodations.

Accommodation Requests

6. Employees will make requests for accommodation to their supervisor. Accommodation requests should, whenever possible, be made in writing. The accommodation request should indicate:
 - a) The Ontario Human Rights Code ground, as defined in the policy statement, that the accommodation is being requested on;
 - b) the reason accommodation is required, including enough information to confirm the existence of a need for accommodation; and
 - c) the specific needs related to the *Code* ground.



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7. All accommodation requests will be taken seriously, regardless of the format of the request.
8. CCP will offer assistance and accommodation to persons who are clearly unwell and in need of assistance, or who are perceived to have a disability, even where no accommodation request is made.
9. No person will be penalized for making an accommodation request.

Providing Information

10. The supervisor may require more information related to the accommodation request, in the following circumstances:
 - a) Where the accommodation request does not clearly indicate a need related to a *Code* ground;
 - b) where more information on the employee's limitations or restrictions is needed to determine an appropriate accommodation;
 - c) where there is a demonstrable objective reason to question the legitimacy of the person's request for accommodation.
11. Where expert assistance is needed to identify accommodation needs or potential solutions, the accommodation seeker is required to cooperate in obtaining that expert advice. Any costs associated with obtaining such expert advice will be assumed by the employer.
12. Failure to respond to such requests for information may delay the provision of accommodation.
13. The supervisor will maintain information related to:
 - a) The accommodation request;
 - b) any documentation provided by the accommodation seeker or by experts;
 - c) notes from any meetings;
 - d) any accommodation alternatives explored;
 - e) any accommodations provided.

This information will be maintained in the accommodation seeker's occupational health file, and will be shared only with persons who need the information.

Privacy and Confidentiality

14. CCP will maintain the confidentiality of information related to an accommodation request, and will only disclose this information with the consent of the employee

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or applicant.

Individual Accommodation Plans

15. Each person's situation will be individually assessed to determine the appropriate accommodation. An accommodation will be deemed appropriate where it results in equal opportunity to attain the same level of performance or to enjoy the same level of benefits and privileges experienced by others, and where it respects the principles of dignity, inclusion and individualization.
16. Accommodation requests will be dealt with promptly. Where necessary, interim accommodation will be provided while long-term solutions are developed.
17. The supervisor, the person requesting accommodation related to a *Code* ground and, where appropriate, senior management and any necessary experts will work together to develop an individual accommodation plan for the employee.
18. CCP may request an evaluation by an outside medial or other experts, at the organization's expense, to determine if and how accommodation can be achieved.
19. The employee can request the participation of a representative from the workplace in the development of the individual accommodation plan.
20. The aim of accommodation is to remove barriers and ensure equality. Appropriate individualized accommodations may include, but are not limited to:
 - a) Work station adjustments;
 - b) job redesign;
 - c) changes to organizational policies and practices;
 - d) technical aids;
 - e) human support;
 - f) providing materials in alternative formats;
 - g) communications supports;
 - h) building modifications;
 - i) counselling and referral services;
 - j) temporary or permanent alternative work;
 - k) changes to performance standards;
 - l) leaves of absence; and
 - m) changes to scheduling or hours of work.
21. The individual accommodation plan, when agreed on, will be put in writing, and signed by the employee requesting accommodation and the supervisor. It may



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include:

- a) A statement of the accommodation seeker's relevant limitations and needs, including any needed assessments and information from experts or specialists, bearing in mind the need to maintain the confidentiality of medical reports;
 - b) arrangements for needed assessments by experts or professionals;
 - c) identification of the most appropriate accommodation short of undue hardship;
 - d) a statement of annual goals, and specific steps to be taken to meet them;
 - e) clear timelines for providing the accommodation;
 - f) criteria for determining the success of the accommodation plan, together with a process for reviewing and re-assessing the accommodation plan as needed; and
 - g) an accountability mechanism.
22. The individual accommodation plan will be provided to the employee in a format that takes into account their accessibility needs due to disability.
23. Individual accommodation plans are living documents. It will be reviewed and, if necessary, updated:
- a) Bi-annually, at minimum; or
 - b) when the employee's accommodation needs change;
 - c) when the employee moves to a different location in the organization;
 - d) when the employees moves to a different position in the organization; or
 - e) by request of the employee.

Workplace Emergency Response Information

24. To prepare for a range of potential emergencies including, but not limited to: fire, power outages, severe weather, natural disasters, and security incidents, CCP will provide individualized workplace emergency response information under the following conditions"
- a) When the employee's disability is such that the information is necessary; and
 - b) CCP is aware of the need for accommodation due to the employee's disability.
25. If the employee who receives individualized workplace emergency response information requires assistance when evacuating the workplace in emergencies, with the employee's consent CCP will share the workplace emergency response information to the person(s) designated by CCP to provide assistance to the employee.



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26. CCP will provide the information required for an individualized emergency response plan as soon as practicable after the organization becomes aware of the need for accommodation due to the employee's disability.
27. The supervisor will monitor and review the individualized workplace emergency response information in consultation with the employee:
 - a) When the employee moves to a different location in the organization;
 - b) When the employee's overall accommodation needs or plans are reviewed; and
 - c) When CCP reviews its general emergency response policies.
28. If an employee has an individual accommodation plan, then the individualized workplace emergency response information provided to the employee should be included in the plan.

Return to Work Process

29. When an employee has been absent because of their disability and they need some form of disability-related accommodation to return to work, the supervisor will consult with the employee to develop return to work processes that document the steps they will take to help employees to return to work. Return to work processes may be appropriate for employees who have permanent recurring, or temporary disabilities.
30. If an employee requires disability-related accommodation to effectively return to work, employers must develop an Individual Accommodation Plan for that employee.

Undue Hardship

31. Accommodation will be provided to the point of undue hardship, as defined by the Ontario Human Rights Commission's *Policy and guidelines on disability and the duty to accommodate*. A decision on undue hardship will be based on an assessment of costs, outside sources of funding, and health and safety. It will be based on objective evidence.
32. Only the Executive Director can determine that an accommodation will create undue hardship.
33. Where an accommodation is assessed to create undue hardship, the person requesting accommodation will be given written notice, including the reasons for



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the decision and the objective evidence relied upon. The accommodation seeker will be informed of their recourse under CCP's Diversity in the Workplace policy (HR-2-15) and under the *Ontario Human Rights Code*.

29. Where a decision has been made that an accommodation would cause undue hardship, CCP will proceed to implement the next best accommodation short of undue hardship.

Performance Management


30. CCP will take into account the accessibility needs of employees with disabilities, as well as individual accommodation plans. When using its performance management process in respect of employees with disabilities. Examples may include:
- a. Reviewing an employee's individual accommodation plan to understand the employee's accommodation needs and determine whether it needs adjusting to improve their performance on the job;
 - b. Have documents related to performance management, such as performance plans, available in accessible formats;
 - c. Provide informal and formal coaching and feedback in a manner that takes into account an employee's disability, such as using plain language for an individual with a learning disability.

RELATED POLICIES

ADM -7-10: Accessibility
 HR-2-15: Diversity in the Workplace
 HR-2-30: Recruitment and Selection
 HR-5-20: Performance Development
 HR-10-20: Anti-Bullying
 HS-1-60: Workplace Anti-Violence, Harassment and Sexual Harassment
 HS-1-120 Positive and Safe Return to Work

RELATED DOCUMENTS

Accessibility for Ontarians with Disabilities Act
 Ontario Human Rights Code
 Ontario Human Rights Commission, *Policy and Guidelines on Disability and the Duty to Accommodate*, Nov 23, 2000

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REVIEWS AND REVISIONS

Date Approved (mmm dd, yyyy)	Comments
Jun 20, 2019	Policy Developed by HR Committee
Dec 17, 2020	Reviewed and Revised
Feb 07, 2024	Reviewed and Revised

Next Review Date: February 2027