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Title:	Accommodation of Disabilities	Effective:	July 22, 2024

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PURPOSE:

To ensure compliance with the Ontario Health atHome in the area of North West duty to accommodate disability and maintain an environment of equal opportunity and treatment.

SCOPE:

This policy applies to all employees in all employment categories, full-time regular, part-time regular, contract, student and intern, board members, and volunteers. This policy is intended to supplement Collective Agreement Language, and will not contradict or supersede such language. Where Collective Agreement Language is absent, this policy will govern.

POLICY:

The Ontario Health atHome in the area of North West is committed to meeting its obligations under the Ontario Human Rights Code and the *Accessibility for Ontarians with Disabilities Act* by providing a workplace that ensures full inclusion and participation of employees with disabilities. The accommodation program will support an environment which allows any Ontario Health atHome in the area of North West employee with disabilities to reach his/her full potential in a manner that is both respectful and dignified.

PROCEDURE:

This procedure outlines the process in determining and documenting the accommodation needs of employees with disabilities. Section 28 of Ontario Regulation 191/11 under the *Accessibility for Ontarians with Disabilities Act* requires the Ontario Health atHome in the area of North West to have in place a written process for the development of documented Individual Accommodation Plans for employees with a Disability. These procedures outline the elements required for an Individual Accommodation Plan to meet the requirements of the Act and Regulation 191/11.

<i>Step</i>	<i>Procedure Action</i>	<i>Responsibility</i>
1.	<u>Request for Accommodation</u> Employees submit accommodation request to their Manager in writing.	Employee
2.	<u>Supporting Documentation</u> The Manager refers to Human Resources who will request the appropriate documentation from the employee. Employees seeking an accommodation measure are expected to provide their fullest cooperation in providing any information or medical assessments relevant to determination of the accommodation measure. Information will be	Manager Employee Human Resources

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	<p>sought with the consent of the employee.</p> <p>In the event that the information provided is not clear, an independent outside medical opinion or expert can be requested by Human Resources to determine if accommodation can be achieved. This will be at the expense of the employer. Once a disability has been established by medical diagnosis the Ontario Health atHome in the area of North West will begin the accommodation process.</p>	
3.	<p><u>Individual Accommodation Plan</u></p> <p>To facilitate the assessment and determination of the Accommodation Measure, the employee is required to participate in the development of an Individual Accommodation Plan (IAP). The employee can request representation from the Union in development of the individualized accommodation plan.</p> <p>A meeting will be facilitated by Human Resources between employee, Manager and Union (if applicable) to discuss possible accommodation solutions. The employee's functional abilities will be matched against the essential duties of the job. If accommodation is not available within the department, then alternative placement options are reviewed. The Ontario Health atHome in the area of North West will consult with the employee with a disability who is requesting an accommodation to perform the essential duties of the job.</p> <p>The purpose of the accommodation is not to satisfy the personal preferences of employees, but rather to assist in meeting legitimate needs related to disability. Accommodation will vary based on a person's unique needs, which must be considered, assessed, and accommodated individually.</p> <p>The accommodation details are documented by Human Resources by completing an Individual Accommodation Plan Form and will include such detail as:</p> <ul style="list-style-type: none"> the request for accommodation; 	<p>Human Resources</p> <p>Manager</p> <p>Employee</p> <p>Union (if applicable)</p>

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	<ul style="list-style-type: none"> • additional information or expert opinion received; • alternative solutions explored; • type and duration of accommodation; • an individualized employee emergency response plan, if applicable; • accessible formats and communication supports, if required; • the date the accommodation was implemented, and • a plan for review/evaluation. <p>The plan will be placed on file in Human Resources separate from the employee's personnel file. The Employee, Manager and Human Resources will sign the document and maintain copies for reference.</p> <p>Communication with the employee will be done in a format that takes into account the employees accessibility needs due to the disability. The format will be determined in collaboration with the employee.</p>	
4.	<p><u>Review of the Individual Accommodation Plan</u></p> <p>Individualized accommodation plans will undergo a formal review should one of the following events occur:</p> <ul style="list-style-type: none"> • the employee moves to a new location in the workplace; • the employee experiences a change in the nature of his/her medical condition, or • one year following the creation of the Individualized Accommodation Plan. 	<p>Human Resources</p> <p>Manager</p> <p>Employee</p>
5.	<p><u>Accessible Formats and Communication Supports</u></p> <p>Human Resources together with the employee's Manager will consult with an employee with a disability who has made a request to have information to perform their job and which is generally available in the workplace, to determine the most appropriate accessible format or communication support. The format chosen will be based on both the needs of the employee and the capacity of the Ontario Health atHome in the area of North West to provide the support.</p>	<p>Human Resources</p> <p>Employee</p> <p>Manager</p>

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<i>Step</i>	<i>Procedure Action</i>	<i>Responsibility</i>
	Any plans for alternative or accessible communication are included in the employee's individualized accommodation plan.	
6.	<u>Confidentiality</u> Employees with disabilities are not necessarily required to disclose private or confidential information; however, the employer has the right and the employee has the obligation to disclose information to the accommodation providers as it pertains to the need for accommodation, including any restrictions or limitations.	Employee
7.	<u>Privacy</u> The employee's personal information will be protected at all times. The protection of the privacy of an employee's health information will be ensured in accordance with the Employee Health Records Policy.	Human Resources Manager
8.	<u>In the Event an Employee Cannot be Accommodated</u> If an individual accommodation is denied, the Manager and Human Resources notify the employee of the decision and the reason(s) for the decision.	Human Resources Manager Employee
9.	<u>Managers</u> Managers will take into account the accessibility needs of their employees and Individual Accommodation Plans when managing an employee's performance, career advancement or opportunities for deployment.	Manager

DEFINITIONS:

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Accommodation: Removing barriers with modifications, assistive devices, or a combination of the two, with the goal of making the essential duties of the pre-injury or alternative employment consistent with the worker’s functional abilities.

Essential Duties: The essential duties of a position are those duties necessary to achieve the overall objective of the position. To determine the essential duties of a job, consideration should be given to:

- (i) How often each duty is undertaken
- (ii) Proportion of time spent on each duty
- (iii) Impact of removing a duty
- (iv) Description of current position, and
- (v) Normal productivity expected in the position.

Functional Abilities: A medically supported maximum or minimum amount, quantity or number that is temporary or permanent, and that directly relates to an employee’s physical/mental capabilities in reference to the job duties.

Human Rights Considerations: It is equally as important to ensure obligations under any policy or collective agreement are fulfilled as to ensure that any conduct towards the employee is consistent with the requirements of the Human Rights Code. If reasonable accommodation can be made to meet the restrictions, permanent or temporary, then these must be put into place. Accommodation does not mean creating a new job for the individual, but it does mean that there may be required adjustments depending on the nature of the illness/injury. The employee must be capable of performing the essential duties of the job.

Individual Accommodation Plan or “IAP” refers to a formal written document that records the workplace-related accommodation that the Ontario Health atHome in the area of North West will provide to an employee with a disability. IAPs are living documents. They are reviewed and updated to remain effective and up-to-date. The Ontario Health atHome in the area of North West Individualized Accommodation Plan Form will be used to document the IAP.

REFERENCES:

Accessibility for Ontarians with Disabilities Act, 2005 (AODA)
<https://www.ontario.ca/laws/statute/05a11>
Integrated Accessibility Standards (Ontario Regulation, 191/11)
http://www.e-laws.gov.on.ca/html/source/regs/english/2011/elaws_src_regs_r11191_e.htm
Ontario Human Rights Code
<http://www.ontario.ca/laws/statute/90h19>
Individualized Accommodation Plan Form