

EMPLOYMENT ACCOMMODATION

Statement on Employment Accommodation

1. Carleton University is committed to providing access to employment so that no individual experiences reduced access to employment opportunities or benefits on the basis of their membership in a group for which human rights protection is provided.
2. Employment accommodation policies are one of the ways in which the University implements its Employment Equity Policy and its commitment to sections 11, 17 and 24 of *Ontario Human Rights Code*, which requires the University, as an employer, to accommodate employees on the basis of human rights grounds to the point of undue hardship considering the cost, outside sources of funding, if any, and health and safety requirements, if any.
3. The purpose of employment accommodation is to enable employees to perform the essential requirements of their jobs. The University strives to accommodate both employees and job applicants in a way that respects their dignity, is equitable, and enhances their ability to compete for jobs, perform their work, and fully participate in employment at Carleton. Accommodation is viewed as a protection of human rights.
4. Employment accommodation refers to employment practices, systems and support mechanisms designed to accommodate diversity and difference. Accommodation may mean making changes to the working environment to allow for the most efficient use of an employee's skills in order that the essential requirements of the job may be met. The period of accommodation may be temporary or permanent, depending on the particular circumstances.
5. Employment accommodation is assessed and provided on an individual basis. The University is committed to maintaining confidentiality to the greatest extent possible when providing accommodation and related support services to employees.
6. The University recognizes that employees with infectious illnesses have the right to pursue those activities that their medical condition and public health allow, including continuing to work. The University does not tolerate discrimination, stigma or harassment on the basis of infectious illness, including HIV/AIDS. Individuals with infectious illness are encouraged to inform University Health Services and/or their manager in order that support and accommodation can be provided as required.
7. The test for undue hardship is assessed at the corporate level, not the departmental level. Thus, in most cases that may arise at the University, there will be a requirement that the employee be accommodated, provided that he or she can perform the essential duties of the job.

8. Both the employing work unit and the central administration of the University have a role in providing accommodation to employees; managers and supervisors share the University's responsibility in implementing this policy. For record-keeping and reporting purposes, units are asked to notify both the Human Resources Department and Equity Services of all accommodations made.

9. The terms of the Employment Accommodation Policies are kept under review by the Equity Policy Committee.

1. Accommodation Policy for Employees with Disabilities

Policy

1. Carleton University encourages applications from individuals with disabilities included within the meaning of the *Ontario Human Rights Code*, including visual, hearing, communication and mobility impairments and learning and other non-visible disabilities. Information to applicants and interview candidates should signal that the University is prepared to accommodate disabilities in the selection, testing and interview process and identify whom the applicant should contact for the necessary arrangements to be made.
2. In order to secure appropriate accommodation, employees with disabilities are responsible for identifying their individual needs to their manager and (assisted as appropriate by the employee's bargaining agent) working with the manager to develop and implement an accommodation plan.
3. Employees with disabilities who request accommodation must provide their manager with relevant professional supporting documentation as determined by the University, generally from a regulated health professional practitioner (e.g., a physician, psychiatrist, clinical psychologist). The documentation must include a statement that the individual has an ongoing, recognized disability that requires accommodation and must specify the resulting limitations to the performance of the employee's job. The University has a right to request a separate medical opinion.
4. If needed to clarify the accommodation requested or the adjustment in work tasks, the employee must be willing to sign a consent to release to the Human Resources Department, at Carleton University, relevant accommodation information for the disabling condition in question.

Implementation

5. This policy encourages dialogue between managers and employees as to how the needs of individuals can be accommodated within the terms of the legislation and current University guidelines in the area. All such dealings require mutual understanding and respect from the parties involved in the accommodation process.
6. Employment accommodation is assessed and provided on an individual basis. For example, limitations that are traditionally attributed to a particular disabling condition cannot, and should not, be generalized. The University is committed to maintaining confidentiality to the greatest extent possible when providing accommodation and related support services to employees.
7. The Manager is responsible for identifying the essential duties of the employee's job. If the employee can perform the essential duties of the job, arrangements must be made for appropriate accommodation. Examples of possible accommodation are appended to this Policy.

8. If a Manager determines that an employee cannot perform the essential duties of the job, he or she must consult the Assistant Vice-President (Human Resources) and the Director of Equity Services before taking any action. Furthermore, the employee may request that their bargaining unit be notified and a representative of the union participate in discussions related to this issue.

9. Where possible, the employing work unit is expected to carry the cost of any accommodation. If the employing work unit is unable to carry the cost of the accommodation, the Chair or Director or the unit manager will contact the relevant Resource Planning Committee (RPC) for funding. If costs are beyond the ability of the RPC to carry, the RPC Chair can apply to the Vice-President (Finance and Administration) for funding of the accommodation.

Problem Solving

10. The parties involved may seek advice at any time from Equity Services and/or the Human Resources Department, which may also provide assistance for communicating the situation to others in the workplace.

11. While every effort will be made to provide accommodation, there may be times when it is not possible to do so. If managers conclude that they cannot accommodate an employee's request for accommodation, they will meet and discuss the situation with the Assistant Vice-President (Human Resources) and the Director of Equity Services.

Examples of Accommodation of Individuals with Disabilities

To provide some guidance, the following are given as examples of the types of accommodation that could be provided, subject to cost, outside sources of funding, if any, and health and safety requirements, if any:

Work station modifications: specialized or adjustable furniture, signs with raised or Braille lettering, modified lighting, flashing signals, and handrails;

Job redesign: the reassignment of duties or the restructuring of job tasks for both the person with a disability and coworkers;

Employment policy and practice modifications: flexible or part-time hours;

Technical aids and devices: environmental control units (e.g., remote control to open and close doors, operate lights), hoists, grips, technical devices for the deaf, infrared systems, FM broadcast systems, Braille computer printers, optical character recognition systems, keyboard adaptations and the training and technical support required to use technical aids and devices and ergonomic furniture;

Building modifications: ramps, retrofitted washrooms, elevators with audio signals, lowered elevator panels, automatic doors, visual-display alarm systems, suitable designated parking spaces;

Accessible transportation: for employment-related activities that are held outside of the place where work is routinely performed;

Communication services: captioning, sign language interpreters, in-meeting notetakers, personal FM systems, transcription services from print to alternate formats (audio tape, Braille or computer disk);

Human support services: personnel provided to assist in accommodation.

2. Accommodation Policy for Employee Religious Obligations

Principles

1. Carleton University accommodates employees who, by reason of religious obligation, must miss work for all or part of a day.
2. Where reasonably feasible, managers should make scheduling or other arrangements (e.g., flex-time) so that employees do not lose pay in order to meet their duly requested religious obligations. In the event leave is required, while there is an obligation to provide duly requested religious accommodation, it may not always be possible to provide paid leave. Whether an employee is entitled to paid leave for the purpose of meeting their religious obligations will depend upon their employment status and the terms and conditions applicable to their relevant employee group.

Implementation

3. Employees who seek religious accommodation must give at least five days' notice to their supervisor. In the case of emergency or unusual circumstances, every reasonable effort will be made by the supervisor to accommodate requests made with fewer than five days' notice, but approval of leave in this circumstance is not assured.
4. Employees or supervisors who have questions or wish to verify the eligibility of the religious event or practice involved should contact the Equity Services.
5. This policy encourages dialogue between managers and employees as to how the needs of individuals can be accommodated within the terms of the legislation and current University guidelines in the area. All such dealings require mutual understanding and respect from the parties involved in the accommodation process.

Problem Solving

6. The parties involved may seek advice at any time from Equity Services and/or the Human Resources Department, which may also provide assistance for communicating the situation to others in the workplace.
7. While every effort will be made to provide accommodation, there may be times when it is not possible to do so. If managers conclude that they cannot accommodate an employee's request for accommodation due to religious obligation, they will meet and discuss the situation with the Assistant Vice-President (Human Resources) and the Director of Equity Services.

3. Accommodation Policy for Employees on the Basis of Sex (Pregnancy): Work Reassignment

Principles

1. The procedures set out in this policy are intended to provide the opportunity for employees to continue to work when faced with a pregnancy that renders them temporarily incapable of performing their regular duties.
2. A pregnancy work reassignment is a temporarily modified work assignment wherein an employee is pregnant and, barring medical complications, will return to her normal duties. The Policy for Work Reassignment Due to Pregnancy is intended to recognize situations where a pregnant employee's safety or the safety of others may be in jeopardy should she continue to perform her regularly assigned duties.
3. The terms of pregnancy and parental leave available to employees are as contained in applicable provincial legislation and/or collective agreements or the University Personnel Policy.

Policy

4. Managers will make every effort to accommodate an employee's request for a pregnancy work assignment for a reasonable time where possible and feasible within the department.
5. Dialogue is encouraged between managers and employees as to how the needs of individuals can be accommodated within the terms of the legislation and current University guidelines in the area. All such dealings require mutual understanding and respect from the parties involved in the accommodation process.

Implementation

6. An employee seeking work reassignment due to pregnancy must submit a written request for a pregnancy work assignment to her immediate supervisor. The request must be accompanied by a physician's recommendation that specifies work limitations if work continues in the present environment and defines the duration of the requested accommodation.
7. If needed to clarify the accommodation requested or the adjustment in work tasks, the employee must be willing to sign a consent form to release, to the Human Resources Department at Carleton University, relevant accommodation information for the pregnancy.
8. Upon acceptance of the request, managers will prepare, in writing, a plan for alternate or modified duties that the employee can reasonably perform, given their medical assessment.

9. Any requests for extensions of the work assignment due to pregnancy must be made in writing and accompanied by new medical documentation.

Problem Solving

10. The parties involved may seek advice at any time from Equity Services or the Human Resources Department, which may also provide assistance for communicating the situation to others in the workplace

11. While every effort will be made to provide accommodation, there may be times when that is not possible. If managers conclude that they cannot accommodate an employee's request for accommodation, they will meet and discuss the situation with the Assistant Vice-President (Human Resources) and the Director of Equity Services.