



## THE PROCESS FOR ACCOMMODATION

**Step 1:** Employee notifies supervisor of the need for and details of, the required accommodation. They work collaboratively to consider possible accommodations that would allow the employee to meet the job requirements.

**Step 2:** An accommodation plan is developed by Human Resources and the employee and supervisor. Discussions in developing the plan may also involve union representatives, and other offices as appropriate.

**Step 3:** Accommodation is implemented.

**Step 4:** The situation is reviewed periodically to ensure that the accommodation continues to meet the needs of the employee.

**Step 5:** If it is not possible to accommodate an employee in their own job, efforts will be made to reorganize duties or find an equivalent position in the University.

## EXAMPLES OF ACCOMMODATION:

- Change in break policies or flexible hours of work for days of religious observance
- Specialized computer equipment or software for persons with disabilities
- Designation of a scent/chemical free workspaces for persons with disabilities
- Varying scheduled hours of work, job sharing, scheduling meetings around the demands of family
- Identifying appropriate washroom facilities for transitioning employees

## RESOURCES

- Chaplain's Office 32186
- Equity Office 32563
- HR Workplace Advisor 77818
- Human Rights Office 36886
- Your union representative or association



For additional copies of this brochure please contact



**Office of the University Advisor on Equity**  
B513 Mackintosh Corry Hall

613-533-2563  
[equity@queensu.ca](mailto:equity@queensu.ca)  
[www.queensu.ca/equity](http://www.queensu.ca/equity)

# Accommodation in Employment at Queen's



**Queen's**  
UNIVERSITY

# What is Accommodation?

Accommodation refers to the removal of potential barriers for access to employment. It consists of a series of steps taken to ensure that everyone is able to participate fully in employment and employment-related activities. Accommodation means that the terms and employment conditions of the workplace may have to be modified. An accommodation is meant to address a person's needs in ways that are respectful of the individual's privacy and dignity; it is not a lowering of employment standards.

## THE DUTY TO ACCOMMODATE

The right to be accommodated, and the corresponding duty of the employer and the union to respond quickly and appropriately to requests for accommodation, are now well established in statute and case law. The Ontario Human Rights Code requires an effort to the point of undue hardship, to accommodate the needs of persons who are protected by the Code.



## WHAT IS UNDUE HARDSHIP?

Accommodation can only be denied if an employer can provide quantifiable evidence that the required accommodation would pose significant and irreparable harm to the operation of the University. Some considerations in determining undue hardship include: cost, outside sources of funding, if any, and health and safety concerns, if any. Among the factors excluded are business inconvenience and employee morale.

## FOR WHOM MAY ACCOMMODATION ISSUES ARISE?

- Employees with disabilities
- Employees with faith/cultural requirements
- Pregnant women
- Employees with family responsibilities
- Employees undergoing sex reassignment
- Employees returning to work after sick leave

## WHO CAN ASK TO BE ACCOMMODATED?

Under the Ontario Human Rights Code, everyone has the right to request accommodation if he or she is being denied access to services or employment on any protected grounds listed in the Code, including:

- Age
- Ancestry, Citizenship, or Place of Origin
- Religion or Creed
- Disability
- Family or Marital Status
- Pregnancy
- Race and Colour
- Sex
- Sexual Orientation

## WHAT ARE THE RESPONSIBILITIES?

### ...OF THE INDIVIDUAL

- To communicate, through the appropriate channels and at the earliest possible opportunity, the need for accommodation
- To provide necessary and appropriate documentation as required
- To co-operate and participate in finding and implementing a solution/plan
- To identify and communicate any problems with the proposed accommodation
- To perform the essential duties of the position within the parameters of the plan

### ... OF THE EMPLOYER

- To take prompt action to meet the duty to accommodate
- To communicate with the employee and initiate the accommodation planning process
- To identify the essential and non-essential duties of the job
- To consider the possibility of rebundling duties
- To identify and communicate any problems with the accommodation
- To be prepared to resolve any workplace resentment that might arise as a result of the accommodation

### ... OF THE UNION

- To educate its members about accommodation
- To encourage its members to identify and communicate their need for accommodation
- To work with all parties to find and implement accommodations
- To make a reasonable effort to be flexible when exceptions to the Collective Agreement will facilitate accommodations

### ...OF THE CO-WORKER

- To co-operate and participate, with an open mind, in the accommodation process